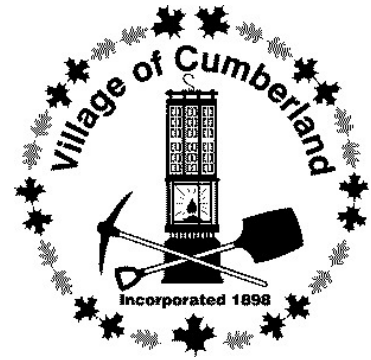


REGULAR AGENDA

5/2022/R



The Corporation of the Village of Cumberland Regular Council Meeting February 14, 2022 at 5:30 p.m.

*We are honoured to gather on the unceded traditional territory
of the K'ómoks First Nation.*

This meeting will be held through electronic facilities due to public health concerns related to COVID-19.

The public may view live on the [Village of Cumberland YouTube channel](#) or may attend at the Council Chambers at 2675 Dunsmuir Avenue to view the online meeting.

1. Approval of Agenda

1.1 Agenda for regular Council meeting, February 14, 2022

Recommendation:

- i. THAT Council approve the agenda for the February 14, 2022, Regular Council meeting.

2. Minutes

2.1 Adoption of Minutes

Recommendation:

THAT Council adopt the following minutes:

- Committee of the Whole, January 24, 2022
- Regular Council, January 24, 2022

7

9

3. Delegations

4. Unfinished Business

5. Correspondence

5.1 Marc Rutten, P.Eng., General Manager of Engineering Services, CVRD, Request for Letter of Support for Comox Valley Regional District South Sewer Extension Project

14

Recommendation:

- i. THAT Council receive the correspondence from Marc Rutten, P.Eng., General Manager of Engineering Services, CVRD, Request for Letter of Support for Comox Valley Regional District South Sewer Extension Project.
- ii. THAT Council support the Comox Valley Regional District Sewer Extension South Project to provide Royston and Union Bay with wastewater servicing and the associated applications for funding.

- 5.2 Lindsay McGinn, Facilitator, Comox Valley Community Health Network, Request for Support for a Poverty Reduction Grant Application 17

Recommendation:

- i. THAT Council receive the correspondence from Lindsay McGinn, Facilitator, Comox Valley Community Health Network., Request for Support for a Poverty Reduction Grant Application
- ii. That Council endorse a regional application to the UBCM Poverty Reduction Planning & Action Program 2022 - Stream 2 – Action for a Collective Impact Approach to Poverty Reduction in the Comox Valley, with the Comox Valley Regional District applying for, receiving, and managing the grant funding on behalf of the Village of Cumberland.

6. Reports

- 6.1 Development Variance Permit and Frontage Exemption – 3132 Grant Road 23
Prepared by Meleana Searle, Planner

Recommendation:

- i. THAT Council receive the “Development Variance Permit and Frontage Exemption – 3132 Grant Road” report.
- ii. THAT Council approve the development variance permit to reduce the frontage of proposed strata lot 1 on the property described as Lot C, Section 30, Plan VIP69479 (3132 Grant Road).
- iii. THAT Council exempt strata lot 1 of the proposed subdivision at 3132 Grant Road, from the 10% minimum frontage requirement pursuant to Local Government Act Section 512, to allow a frontage of 1.14%.

- 6.2 Development Variance Permit – 2782 Ulverston Avenue 30
Prepared by Meleana Searle, Planner
Recommendation:
i. THAT Council receive “Development Variance Permit, 2782 Ulverston Avenue” report.
ii. THAT Council approve the development variance permit (2021-24-DV) to reduce the exterior rear setback for a deck on the property described as Lot 1, District Lot 24, Nelson District, Plan 28034, except part in Plan VIP82131 (2782 Ulverston Ave).
- 6.3 Development Permit, 3699 Bevan Road 37
Prepared by Meleana Searle, Planner
Recommendation:
i. THAT Council receive the “Development Permit, 3699 Bevan Road” report for information.
- 6.4 Asset Management Policy 72
Prepared by the Committee of the Whole
Recommendation:
i. THAT Council receive the Asset Management Policy report.
ii. THAT Council adopt the Asset Management Policy.
- 6.5 BC Watershed Security Strategy and Fund Advocacy 77
Prepared by Kevin McPhedran, Manager of Parks and Recreation
Recommendation:
i. THAT Council receive the BC Watershed Security Strategy and Fund Advocacy report.
ii. THAT Council direct staff to prepare a written submission on behalf of the Village of Cumberland in response to the January 25, 2022, BC Watershed Security Strategy and Fund Discussion Paper and corresponding engagement opportunity.
iii. AND THAT the response requests that the unique context of eastern Vancouver Island be considered in the Strategy’s development and implementation and describes the Perseverance Watershed Initiative as an innovative approach to pursuing local watershed security.

6.6	Wastewater Upgrade Project Update Report Prepared by Paul Nash, Project Coordinator, Liquid Waste Management Planning	81
	Recommendation:	
	i. THAT Council receive the Wastewater Upgrade Project Update for information.	
	ii. That Council approve an amendment of \$200,000 to the Maple Reinders contract, from \$1,500,000 to \$1,700,000, for site clearing works.	
6.7	Wastewater Upgrade Project, ICIP Grant Funding Application Prepared by Paul Nash, Project Coordinator, Liquid Waste Management Planning	95
	Recommendation:	
	i. THAT Council receive the Wastewater Upgrade Project ICIP Grant Funding Application Report.	
	ii. That Council adopt Option 2 – the integrated project approach – as the preferred grant funding strategy.	
	iii. That Council approve applying for scope change to ICIP1 funding to remove the Reed Bed and Wetland components from the Phase 1 project scope.	
	iv. That Council approve making the application to the Investing in Canada Infrastructure Program, Environmental Quality stream, intake 3, for funding of Phase 2 of the High Performance Wastewater Lagoon Upgrade Project, for a grant value of \$2,260,000.	
	v. That Council commit to funding the municipal portion of project (\$2,440,000) using a combination of existing, approved Green Municipal Fund funding (borrowing/grant) and sewer reserves for a total project amount of \$4,700,000.	
6.8	Council Reports	
	6.8.1 Mayor Leslie Baird	104
	6.8.2 Councillor Gwyn Sproule	
	6.8.3 Councillor Jesse Ketler	
	6.8.4 Councillor Sean Sullivan	108
	6.8.5 Councillor Vickey Brown	109
	Recommendation:	
	THAT the Council Member Monthly reports be received.	

7. Bylaws		112
7.1 Rezoning, 3699 Bevan Road, First and Second Reading of Bylaw 1165, 2022 Prepared by Karin Albert, Senior Planner Recommendation:		
i. THAT Council receive the report “Rezoning, 3699 Bevan Road, First and Second Reading of Bylaw 1165.”		
ii. THAT Council give first and second reading to Zoning Amendment Bylaw No. 1165, 2022.		
iii. THAT Council direct staff to work with the Comox Valley Regional District to:		
a. register a 6 metre wide Statutory Right-of-Way for a multi-use trail running parallel to Bevan Road on the lands to be rezoned; and		
b. pursue establishment of the multi-use trail corridor along the remainder of the Comox Valley Waste Management Centre property.		
7.2 Council Remuneration Bylaw Prepared by Rachel Parker, Corporate Officer Recommendation:		127
i. THAT Council receive Council Remuneration Bylaw report.		
ii. THAT Council give first, second and third reading to Council Remuneration Bylaw No. 1166, 2022.		
7.3 Municipal Ticket Information Amendment Bylaw, No 1162, 2022 Recommendation:		134
i. THAT Council adopt Municipal Ticket Information Amendment Bylaw, No 1162, 2022.		
7.4 Infrastructure Asset Renewal Reserve Fund Establishment Amendment Bylaw No. 1163, 2022 Recommendation:		138
i. THAT Council adopt Infrastructure Asset Renewal Reserve Fund Establishment Amendment Bylaw No. 1163, 2022.		
7.5 Reserve Funds Establishment Amendment Bylaw No. 1164, 2022 Recommendation:		139
i. THAT Council adopt Reserve Funds Establishment Amendment Bylaw No. 1164, 2022.		

8. New Business

9. Notices, Motions and Announcements

Matters considered here may include notices or motions to hold a meeting of the Committee of the Whole, a Village Hall meeting, a public hearing, and notices of motion introduced by a council member.

10. Question Period

A member of the public may only inquire about items included on the agenda for that meeting during a question period.

- i. Please send questions by email to info@cumberland.ca using subject line "Question Period"; Note: please limit to questions only - comments will not be read.

11. Closed Portion

Recommendation:

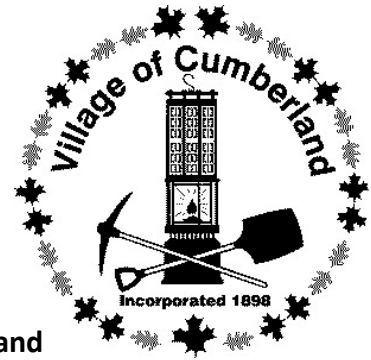
THAT Council close the meeting to the public pursuant to Section 90 of the Community Charter to consider:

- (d) the security of the property of the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

12. Adjournment

C.O.T.W. MINUTES

03/2022/COTW



The Corporation of the Village of Cumberland
Committee of the Whole Meeting
January 24, 2022 at 2:00 p.m.

This meeting was held through electronic facilities due to public health concerns related to COVID-19.

Council Present:

Mayor Leslie Baird
Councillor Vickey Brown
Councillor Jesse Ketler
Councillor Sean Sullivan

Staff Present:

Clayton Postings, Chief Administrative Officer
Michelle Mason, Chief Financial Officer/Deputy CAO
Rachel Parker, Corporate Officer
Kevin McPhedran, Manager of Parks and Recreation
Kaelin Chambers, Economic Development Officer
Rob Crisfield, Manager of Operations
Courtney Simpson, Manager of Development Services

Regrets:

Councillor Gwyn Sproule

Mayor Baird called the meeting to order at 2:00 pm

1. Approval of Agenda

- 1.1 Agenda for Committee of the Whole meeting, January 24, 2021

Sullivan/Brown

THAT the Committee approve the agenda for the January 24, 2022 Committee of the Whole meeting with the addition of 4.1 Question Period before closing of meeting.

Carried Unanimously

2. Delegations

- 2.1 Kevin Plummer, Senior Program Manager, RCMP Contract Administration & Katherine St. Denis, Director of the B.C. RCMP Service Delivery Police Services, Division Policing and Security Branch, Ministry of Public Safety and Solicitor General, regarding RCMP Policing Contract with Local Governments

Brown/Sullivan

THAT the Committee receive the delegation of Kevin Plummer, Senior Program Manager, RCMP Contract Administration & Katherine St. Denis, Director, B.C. RCMP Service Delivery Police Services Division Policing and Security Branch, Ministry of Public Safety and Solicitor General, regarding RCMP Policing Contract –with Local Governments.

Carried Unanimously

3. Reports

3.1 Asset Management Draft Policy

Brown/Ketler

THAT the Committee receive the report on the Asset Management Policy.

Brown/Ketler

THAT the Committee refer the Asset Management Policy dated January 24, 2022 to Council for adoption.

Carried Unanimously

3.2 Recreation, Arts and Culture Master Plan: Process Overview

Ketler/Sullivan

THAT the Committee receive the Recreation, Arts and Culture Master Plan: Process Overview report for discussion.

Carried Unanimously

3.3 Strategic Priorities Quarterly Reports, October – December 2021

Brown/Ketler

THAT the Committee receive the Quarterly Reports to Council, October - December 2021.

Carried Unanimously

4.1. Question Period

Questions were received on the following:

- Asset Management Policy

5.1 Closed Portion

Sullivan/Brown

THAT Council close the meeting to the public at 4:09 p.m. pursuant to Section 90 of the Community Charter to consider:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*].

Carried Unanimously

5. Adjournment

The meeting adjourned at 4:28 p.m.

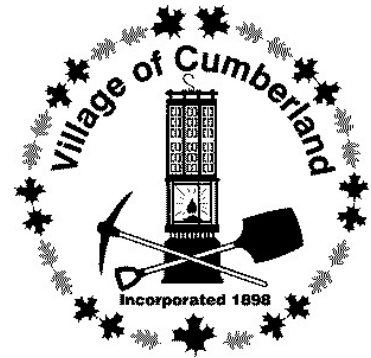
Certified Correct:

Mayor

Corporate Officer

REGULAR MINUTES

4/2022/R



**The Corporation of the Village of Cumberland
Regular Council Meeting
January 24, 2022 at 5:30 p.m.**

*We are honoured to gather on the unceded traditional territory
of the K'ómoks First Nation.*

This meeting was held through electronic facilities due to public health concerns related to COVID-19.

Council Present:

Mayor Leslie Baird
Councillor Vickey Brown
Councillor Jesse Ketler
Councillor Sean Sullivan

Staff Present:

Clayton Postings, Chief Administrative Officer
Michelle Mason, Chief Financial Officer/Deputy CAO
Rachel Parker, Corporate Officer
Rob Crisfield, Manager of Operations
Courtney Simpson, Manager of Development Services
Meleana Searle, Planner

Regrets:

Councillor Gwyn Sproule

1. Approval of Agenda

- 1.1 Agenda for regular Council meeting, January 24, 2022
Motion 22-328

Sullivan/Ketler

THAT Council approve the agenda for the January 24, 2022, Regular Council meeting.

Carried Unanimously

2. Minutes

- 2.1 Adoption of Minutes
Motion 22-239

Sullivan/Ketler

THAT Council adopt the following minutes:

- Regular Council, January 10, 2022

Carried Unanimously

- 2.2 Receipt of Committee Minutes
Motion 22-240

Sullivan/Ketler

THAT Council receive the following minutes for information:

- Advisory Planning Commission, December 9, 2021
- Heritage Committee, December 6, 2021

Carried Unanimously

3. Delegations

None

4. Unfinished Business

None

5. Correspondence

None

Councillor Brown entered the meeting at 5:32 p.m.

6. Reports

- 6.1 Manufactured Home Park Permit, Development Permit & Development Variance Permit – 3025 Royston Road– Referral to APC
Motion 22-241

Sullivan/Ketler

THAT Council receive the “Manufactured Home Park Permit, Development Permit & Development Variance Permit – 3025 Royston Road” report.

Carried Unanimously

Motion 22-242

Sullivan/Brown

THAT Council refer the application for a manufactured home park permit, development permit and development variance permit at 3025 Royston Road to the Advisory Planning Commission.

Carried Unanimously

- 6.2 AVICC 2022 Resolutions Report
Motion 22-243

Brown/Ketler

THAT Council receive the AVICC Resolutions report.

Carried Unanimously

Motion 22-243

Sullivan/Ketler

THAT Council direct staff to submit the following resolutions to AVICC:

- Pesticide Use within Community Drinking Water Supply Areas
- Local Government Exemption from Federal Drug Laws

Carried Unanimously

- 6.3 Request letter of support for Private Members Bill C-216
Motion 22-244

Brown/Sullivan

THAT Council receive the Support for Private Members Bill C-216.

Carried Unanimously

Motion 22-245

Brown/Sullivan

THAT Council direct staff to write a letter to Minister of Health and Addictions, Carolyn Bennett and Prime Minister Justin Trudeau supporting Private Members Bill C-216 and encourage other local governments to do the same.

Carried Unanimously

7. Bylaws

- 7.1 Municipal Ticketing Bylaw Amendment for Animal Control Bylaw
Motion 22-246

Sullivan/Brown

THAT Council receive the Municipal Ticketing Bylaw Amendment for Animal Control Bylaw report.

Carried Unanimously

Motion 22-247

Sullivan/Brown

THAT Council give first, second and third reading to "Municipal Ticket Information Amendment Bylaw, No 1162, 2022".

Carried Unanimously

- 7.2 Reserve Alignment to Reserve and Surplus Policy-Amended December 13, 2021

Motion 22-248

Sullivan/Ketler

THAT Council receive the Reserve Alignment to Reserve and Surplus Policy-Amended December 13, 2021 report.

Carried Unanimously

Motion 22-249

Brown/Sullivan

THAT Council give first, second and third reading to the "Infrastructure Asset Renewal Reserve Fund Establishment Amendment Bylaw No. 1163, 2022".

Carried Unanimously

Motion 22-250

Brown/Sullivan

THAT Council give first, second and third reading to the "Reserve Funds Establishment Amendment Bylaw No. 1164, 2022".

Carried Unanimously

8. New Business

None

9. Notices, Motions and Announcements

Matters considered here may include notices or motions to hold a meeting of the Committee of the Whole, a Village Hall meeting, a public hearing, and notices of motion introduced by a council member.

- The Vacation Rental Regulation Review is now underway with a community survey and public meetings in February.

10. Question Period

Questions were received on the following matters:

- Royston Road Manufactured Home Park application
- Private Members Bill C-216

11. Closed Portion

Motion 22-251

Sullivan/Brown

THAT Council close the meeting to the public at 6:26 p.m. pursuant to Section 90 of the Community Charter to consider:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations
- (d) the security of the property of the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Carried Unanimously

12. Adjournment

The meeting was adjourned at 7:18 p.m.

Certified Correct:

Mayor

Corporate Officer

Rachel Parker

Subject: Request Letter of Support for CVRD South Sewer Extension Project

From: Marc Rutten <mrutten@comoxvalleyrd.ca>

Sent: January 25, 2022 10:13 AM

To: Clayton Postings <cpostings@cumberland.ca>

Subject: Request Letter of Support for CVRD South Sewer Extension Project

Good morning Clayton,

This email is seeking support of the Comox Valley Regional District's (CVRD) Sewer Extension South Project to provide the communities of Royston and Union Bay with wastewater servicing and treatment by connecting to the CVRD's existing wastewater infrastructure. The CVRD will be applying to the Investing in Canada Infrastructure Program's Environmental Quality stream for grant funding to advance this important initiative.

There is a long history of concern regarding wastewater treatment practices in the unincorporated areas of the CVRD bordering Baynes Sound. Over the past two decades, several attempts to bring wastewater servicing to these areas have failed for a variety of reasons, such as cost to residents, or concern over the possibility of a sewage outfall into Baynes Sound.

We feel this latest proposal works to address previous concerns by leveraging partnerships to use existing CVRD wastewater infrastructure, thus removing the financial, social and regulatory hurdles involved in constructing a new wastewater treatment plant. Discharge of treated wastewater into the Strait of Georgia via the CVRD's existing outfall off Cape Lazo, well away from the rich shellfish growing area of Baynes Sound, also mitigates previous concerns about potential wastewater impacts to the marine environment.

We have attached a briefing note to provide you with additional information for your letter of support for the CVRD's grant funding proposal, which is due January 26, 2022. Please do not hesitate to contact Darryl Monteith, Manager of Liquid Waste Planning (ph. 250-334-6012, email dmonteith@comoxvalleyrd.ca) should you require any further details to help inform this correspondence.

Marc Rutten, P. Eng.

General Manager of Engineering Services Branch

Comox Valley Regional District

Tel: 250-334-6080

Sewer Extension South Project
January 2022**ISSUE**

- Provincial support is required to implement a long-term wastewater management solution for the Comox Valley Regional District's (CVRD) south region.
- The CVRD is developing an application for grant funding under the Investing in Canada Infrastructure Program for the extension of sewer services south to Royston, Union Bay and K'ómoks First Nation south lands.
- The grant funding application is due by January 26, 2022 and support from impacted provincial agencies is being sought to strengthen the application.

BACKGROUND

- Poorly functioning septic systems in the communities of Royston and Union Bay continue to impact the environment including Baynes Sound's rich shellfish resources; the septic failure rate in some neighborhoods is estimated to be 50 per cent.
- The Sewer Extension South project aims to address longstanding wastewater management concerns by connecting these communities to existing Comox Valley Sewer Service infrastructure.
- An early 2020 Comox Valley Sewage Commission decision to accept wastewater from these communities presents a new path forward for regional wastewater management, offering a more cost-effective option for residents in the south and simplifying permitting and authorizations required for project implementation.
- K'ómoks First Nation is a long-standing partner on this project and the project will facilitate KFN in building capacity towards independent government and support progress towards reconciliation.
- This is a complex issue with multiple interests and impacts at both the local and provincial level. Key local interests are understood to be:
 - Opportunity to work collaboratively with K'ómoks First Nation and support local, provincial and treaty reconciliation
 - Environmental protection of Baynes Sound for the benefit of all Comox Valley residents
- Sewer servicing is needed for these communities to resolve existing public and environmental health impacts from septic systems. Once serviced, growth can be expected to occur in accordance with the CVRD's Regional Growth Strategy where the majority of growth will continue to be directed to municipal areas.

KEY POINTS

- Wastewater management is an important and ongoing issue in Royston and Union Bay because of the high density of homes, poor ground conditions, aging onsite treatment systems and potential for growth in Royston, if and when that area is incorporated, and in Union Bay as a rural settlement node.
- Following a failed referendum in 2016 that proposed a separate treatment plant for the south, the CVRD has continued to consider cost effective options for the area.

- In spring 2020 and in exchange for a financial contribution towards its assets, the Comox Valley Sewage Commission agreed to receive wastewater from Royston, Union Bay and K'ómoks First Nation into the Comox Valley Sewerage Service, eliminating the need for a new outfall or impact to Baynes Sound and providing the community with a lower cost sewage treatment solution.
- A regional approach to wastewater management and environmental protection will benefit the entire Comox Valley and is in alignment with each of the CVRD Board's four strategic drivers.
- Project costs are high and senior government funding and partner contributions are needed to increase project affordability for residents in order to develop the local collection systems that are needed to move this project forward.
- CVRD staff are working to prepare a grant application for submission to the province by January 26, 2022.

CONTACT

Marc Rutten

General Manager of Engineering Services

Email: mrutten@comoxvalleyrd.ca

Tel: 250-334-6080

Rachel Parker

Subject: RE: Resolution from Cumberland Council

From: Lindsay McGinn <info@cvchn.ca>
Sent: Wednesday, January 26, 2022 3:52 PM
To: Jesse Ketler <councillorketler@gmail.com>; Sean Sullivan <Councillor.sullivan@cumberland.ca>
Cc: Vickey Brown <councillor.brown@cumberland.ca>
Subject: Resolution from Cumberland Council

Hi Jesse, Sean and Vickey,

Now that we have the go ahead from the Regional District to apply for the UBCM funds we are exploring the possibility of getting resolutions from the other three municipalities to support the application.

A single applicant can apply for \$50,000 while regional applications can apply for up to \$150,000.

The resolution language required is: The Village of Cumberland supports the Comox Valley Regional District to apply for, receive, and manage the Stream Two Poverty Reduction grant funding on our behalf.

You can see the outline of our application attached [here](#).

We're meeting with our partners next week for input and have committed to having the final draft to CVRD staff a week in advance on February 4th.

Let me know the best way to proceed with this resolution, knowing your next council meeting is not until Feb 14th which is the Monday after the grant has to be submitted. Do you know if late resolutions can be sent to UBCM?

Many thanks,
Lindsay

Lindsay McGinn
Facilitator, Comox Valley Community Health Network
250-650-5819

I acknowledge that it is a privilege and an honour to live and work on the traditional and unceded lands of the Sahtloot, Sasitla, Leeksun and Puntledge people, collectively known as the K'ómoks First Nation.

Poverty Reduction Planning & Action 2022 Application Form for Stream 2 - Action

Goal: Collective action to reduce poverty in the CVRD

Vision: Poverty is reduced by 25% by 2024

Project Title: Collective Impact Approach to Poverty Reduction in the Comox Valley

Proposed start and end dates: Start: April 2022 End: March 2023

Proposed Focus Areas: Housing, Families, children and youth, Employment, Liveable Incomes, Social Support & Inclusion, Food Security, Transportation(?)

Proposed Activities

- CHN to serve as backbone organization to convene, organize and support a collective action approach that centers the experience of people with lived/living experience of poverty
- Build on the Stream One Poverty Reduction Plan and Assessment report that establishes the shared vision, common agenda and shared measurements
- Convene community partners, including: people with lived, living experience, local governments, service providers and networks and collaborations, who are already working on identified game changers to establish mutually reinforcing activities
- Hire a collective impact consultant to assist the backbone organization in building trust, keep focused on shared goals and create common motivation

Intended Outcomes and Impacts:

- Poverty Reduction actions are more closely aligned in the community, coordinated and mutually reinforcing
- People with lived/living experience are at the forefront of action
- All stakeholders are involved in co-creating solutions
- Data is collected and shared with the community so all stakeholders can understand and track impacts of actions
- Action and decisions made by local governments are considered from the lens of poverty and social impact
- The community is taking a collective impact approach to poverty reduction

Proposed Deliverables:

- A Comox Valley Poverty Reduction group (name to be determined) that oversees the implementation of the collective impact game changers
- Game changer actions related to the focus areas are in progress and mutually reinforcing each other
- Community partner and local government trust and relationships have been strengthened
- People with lived/living experience have actively engaged in decision making and progress on game changers

Potential Community Partners:

- Comox Valley Coalition to End Homelessness
- Comox Valley Social Planning Society
- Comox Valley Food Policy Council
- The Pride Society of the Comox Valley
- Children and Youth Matter Comox Valley
- Comox Valley Early Years Collaborative
- Welcoming Communities Coalition - Immigrant Welcome Centre
- Comox Valley Substance Use Strategy Committee
- Comox Valley Community Foundation
- Comox Valley Accessibility Committee
- Comox Valley Community Schools
- United Way British Columbia

Sustainability: The creation of a collective impact structure within the regional district with CHN as the backbone organization to continue the work with community partners and local governments on mutually beneficial activities to reduce poverty will ensure ongoing actions and sustainability.

Evaluation:

- Metrics identified in page 63 of the CVRD Poverty Reduction
- We will also look to the Dimensions of Poverty Hub for examples of metrics for understanding poverty: Dimensions of Poverty Hub (statcan.gc.ca) AND
- Gender, Diversity and Inclusion statistics (statcan.gc.ca) Census Data for further indicators

Additional Information:

- CHN and community partners realize those most affected by poverty are also those who are systematically excluded
- CHN is committed to:
 - justice, equity diversity, inclusion and accessibility
 - decolonizing processes and practices
 - social inclusion for all through the reduction of stigma and discrimination
 - working with local governments on the importance of centering the voices of those who are often excluded

File: 1850-01

January 25, 2022

Chair and Directors
Comox Valley Regional District

Re: Stream Two Funding for the UBCM Poverty Reduction Grant

In their letter dated January 20, 2022 (enclosed), the Comox Valley Community Health Network has requested that the CVRD apply for and serve as the fiscal host for Stream Two funding to action the Poverty Reduction Strategy. With the intake deadline for the Provincial Poverty Reduction Planning and Action program being February 11, 2022, I respectfully request the Board's consideration of the following:

WHEREAS in December of 2021, the Comox Valley Regional District (CVRD) Board received the Regional Poverty Assessment and Reduction Strategy that highlighted a number of Game Changers necessary to meet the aspiration of reducing poverty levels by 25 per cent by 2025;

WHEREAS these Game Changers included increasing childcare spaces, support for seniors, affordable housing, reducing barriers to accessing services, livable incomes, and social inclusion;

WHEREAS, municipalities, the Regional District, K'ómoks First Nation, and our community partners agreed that a comprehensive, coordinated strategy allowed for collective impact, rather than one-off projects in the community that did not tie into a strategy;

WHEREAS funding for Poverty Reduction Action is not guaranteed to be available in future years from UBCM and there is already momentum in the community to work on the Game Changers;

AND WHEREAS the Comox Valley Community Health Network (CVCHN) has offered to lead both the application for funding and the coordination of the Game Changer implementation;

THEREFORE BE IT RESOLVED THAT the Board of the Comox Valley Regional District endorse the CVCHN to work on the application to UBCM for the Poverty Reduction Action Fund (Stream 2)

AND FURTHER THAT the application be submitted to UBCM by the 2022 deadline;

AND FINALLY THAT the Comox Valley Regional District act as the fiscal host for the project with the CVCHN being the lead organization.

Sincerely,

A. Hamir

Arzeena Hamir
Director

Enclosure – 20220120 Comox Valley Community Health Network letter

January 20, 2022

To: The Comox Valley Regional District Board of Directors

From: The Comox Valley Community Health Network

RE: Stream Two Funding for the UBCM Poverty Reduction Grant

On behalf of the Comox Valley Community Health Network, I am writing to you today to offer our support to implement the Game Changers identified in the Regional Poverty Reduction Assessment and Strategy.

Our ask: that the Comox Valley Regional District collaborate with the Comox Valley Community Health Network to apply for the UBCM Poverty Reduction Stream Two funding. We ask that CVRD serve as the fiscal host and the Network will oversee and manage the process of implementing the game changers to reduce poverty in the Comox Valley. We will require a small amount of CVRD staff time to collaborate with us as we write the grant, obtain resolutions from the other municipalities and submit the grant application. We will also require some staff support to fulfill any final reporting requirements.

As a community partner to the development of the Stream One Strategy we understand and appreciate how much the CVRD's Planning Department has taken on to serve our communities. However, achieving our community's commitment to reduce poverty by 25% by 2024 will require more dedication, effort and resources. The Stream Two grant provides the resources needed to do this work and we would hate to see our community lose out on these funds. There is not a long-term commitment to Poverty Reduction funding for communities from the province, so deferring for another year is not an option.

The Stream One Assessment and Strategy recommends collective action with a dedicated backbone organization to facilitate and coordinate implementation. We are offering to serve as the backbone organization recommended in the Stream One report.

Together with our partners (The Food Policy Council, the Coalition to End Homelessness, the Social Planning Society, the CV Accessibility Committee, the Pride Society, the Early Years Collaborative and Children and Youth Matter Comox Valley) we have already begun to address many of the game changers. These funds would allow the Network to more effectively bring together the work of our partners using a collective impact approach with the common goal of reducing poverty.

Our existing fiscal relationship with the CVRD provides an example of how these funds can be administered by the Regional District and overseen by the Network for the implementation of the strategy.

Diversity and Inclusion are core principles of the Network and the inclusion of people with lived and living experience of poverty is a requirement of the grant. Our network has the ability to ensure this inclusion throughout the process of addressing the game changers in the report.

The Network will be responsible for drafting the grant application for approval after discussion with CVRD staff and if the grant application is successful will steward the funds, oversee and manage any project consultants, and ensure the inclusion of people with lived/living experience of poverty. We will also draft the final report for approval after discussion with CVRD staff.



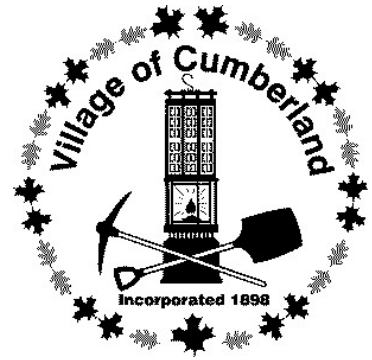
The process we've outlined builds on the work that has already been done by the CVRD and the community and our Network does require funds to continue the work. If our community does not receive the funds, it is unlikely that game changers will be implemented, at least in a coordinated way, and we risk wasting the efforts and input already done by community members, partners and CVRD staff on the Stream One work.

Thank you for taking the time to consider our request,

Sincerely,

Lindsay McGinn
Facilitator, Comox Valley Community Health Network
info@cvchn.ca
250-650-5819

COUNCIL REPORT



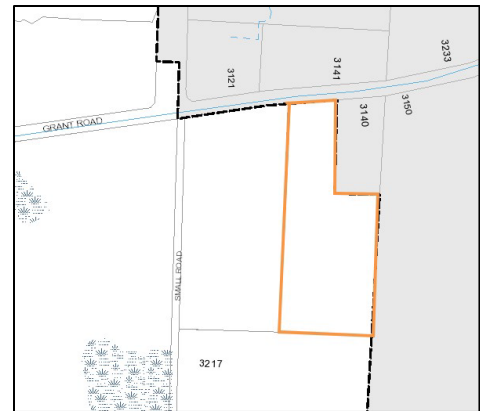
REPORT DATE: 2/3/2022
MEETING DATE: 2/14/2022

File No. 2020-10-SV, 2022-02-DV

TO: Mayor and Councillors
FROM: Meleana Searle, Planner
SUBJECT: Development Variance Permit and Frontage Exemption – 3132 Grant Road

RECOMMENDATION

- i. THAT Council receive the “Development Variance Permit and Frontage Exemption – 3132 Grant Road” report.
- ii. THAT Council approve the development variance permit to reduce the frontage of proposed strata lot 1 on the property described as Lot C, Section 30, Plan VIP69479 (3132 Grant Road).
- iii. THAT Council exempt strata lot 1 of the proposed subdivision at 3132 Grant Road, from the 10% minimum frontage requirement pursuant to Local Government Act Section 512, to allow a frontage of 1.14%.



Subject Property

PURPOSE

The Village has received an application for a three-lot subdivision at 3132 Grant Road. Proposed strata lot 1 does not meet the Zoning Bylaw No. 1027, 2016 minimum frontage requirement of 30.0metres. Proposed strata lot 1 also does not meet the minimum 10% frontage requirement as required by the Local Government Act (LGA) Section 512. The purpose of this report is to seek Council approval for the development variance permit and reduction of the LGA frontage requirement from 10% to 1.14%.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
May 31, 2021	THAT Council approve the Development Permit (2020-12-DP) for the property legally described as Lot C, Section 30, Plan VIP69479 (3132 Grant Road), substantially in compliance with the draft permit dated May 17, 2021.

BACKGROUND

Proposed Development

The property owner currently has an active application for an industrial, three-lot subdivision at 3132 Grant Road. There is an existing business located on proposed strata lot 1. The proposed subdivision will create two new strata lots with access via strata road.

Official Community Plan

Pursuant to the Official Community Plan (OCP), the proposed development on the property at 3132 Grant Road is subject to three development permit areas (DPAs): DPA #1 -Environmental Protection, DPA #3 – Farmland Protection, and DPA #5 – Industrial. The development permit was approved by Council on May 31, 2021.

Zoning Bylaw

The subject property is zoned I-1 – Light Industrial Zone, which requires that lots created by subdivision have a minimum frontage of 30.0metres. Proposed Lots 2-3 meet the minimum lot frontage requirement (See Attachment 1 – 2022-02-Proposed Plan of Subdivision.)

ANALYSIS

Development Variance Permit

The requested variance is to reduce the minimum frontage on strata lot 1 from 30.0metres to 10.0metres. The Approving Officer has been delegated by Council the authority to reduce the s.512 minimum lot frontage requirements under certain conditions. These conditions do not apply to this subdivision; therefore, approval of the reduced lot frontages pursuant to s.512 requires a Council resolution.

Land use justification

Best practices for evaluating development variance permit applications typically look for an acceptable land use justification such as:

- i. the ability to use or develop the property is unreasonably constrained or hindered by having to comply with the bylaw requirement;
- ii. there is a net benefit to the community or immediate area that would be achieved through the variance approval; or,
- iii. the proposed variance would allow for more efficient and effective use and development of the subject property.

The access for strata lot 1 at the end of strata road is a more efficient use of land as the Village does not see a need for access to lands beyond. The existing business has been located on the subject property, on proposed strata lot 1 since 2007. The current access road on the site will continue to be used once the property is subdivided.

By approving the variance, the proposed development would see the addition of two new light industrial lots.

Impacts of the Variance

Where a land use justification for a proposed variance has been demonstrated, the application should then be evaluated based upon the impact(s) (positive or negative) of the variance.

Impact(s) may be classified into the following three general categories:

- i. Aesthetic impact. This includes the impact of the proposed variance on the streetscape, the views from adjacent properties, compatibility with neighbourhood design standards, etc.
- ii. Functional impact. This includes the impact of the proposed variance on the function of the property for the permitted uses and the potential impact of the variance on the function of adjacent properties, or road right-of-ways.
- iii. Environmental impact. This includes the impact of the proposed variance on the long term sustainability of the natural environment or the direct impact on a specific feature of the natural environment.

By granting the variance for a reduced frontage, the applicant will be able to continue with the existing proposed plan of subdivision.

Staff do not identify any aesthetic or environmental impacts of the variance and consider this variance to be minor.

10% Frontage Exemption

Strata lot 1 also does not meet the 10% of the perimeter of the lot that fronts on a highway as required by section 512 of the Local Government Act. This is separate from the 30.0metre minimum frontage. As the 10% minimum is not a requirement of the Zoning Bylaw, it can be waived by resolution of Council and does not require a development variance permit.

PUBLIC NOTIFICATION AND CONSULTATION

Pursuant to the requirements of the Village of Cumberland Development Procedures and Fees Bylaw No. 1073, 2018:

1. The Applicant has placed the required signage on site.
2. Village staff prepared a notice of Council consideration of a Development Variance Permit which was mailed to owners and occupants of properties within 75.0 metres on February 03, 2022, meeting the Bylaw minimum of 10 days before Council considers the application.

At the time of this report, staff have not received any correspondence from the public regarding this application.

ALTERNATIVES

1. THAT Council refer the application for a development variance permit and 10% minimum frontage exemption for 3132 Grant Road, to the advisory planning commission for comment.
2. THAT Council deny the development variance permit and 10% minimum frontage exemption

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

None.

OPERATIONAL IMPLICATIONS

The review of development permit and development variance permit applications is part of the services provided by Development Services.

CLIMATE CHANGE IMPLICATIONS

The proposed subdivision is within an existing industrial node and along an existing corridor. Future climate conditions and their expected impacts shall always be considered in the planning, design, and construction of any new development on the subject property.

ATTACHMENTS

- 1. 2022-2-DV DRAFT
 - a. Schedule A – Proposed Plan of Subdivision

CONCURRENCE

Courtney Simpson, Manager of Development Services **CS**

Respectfully submitted,

M. Searle

Meleana Searle
Planner

C. Postings

Clayton Postings
Chief Administrative Officer



TO: Nelson Roofing and Sheet Metal

OF: 3132 Grant Road, Cumberland, BC V0R 1S0

This Development Variance Permit (2022-02-DV) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as specifically varied or supplemented by this Permit for the purposes of subdivision.

1. This Development Variance Permit applies to and only to those lands within the Village of Cumberland described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot C, Section 30, Plan VIP69479

Folio: 516 00526.354 **PID:** 024-584-843

Civic Address: 3132 Grant Road

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this Permit: The Manufactured Home Park Bylaw No.1036, 2016 is varied as follows:

Section 10.1, 3). The frontage minimum for proposed strata lot 1 is varied to as close to 10.0 metres as shown on the site plan attached to this permit as Schedule A.

3. **Security**

None.

4. **Expiry**

Subject to the terms of the Permit, if the Applicant of this Development Variance Permit does not substantially start any construction with respect to which the Permit was issued within 2 years after the date it is issued, the Permit lapses.

5. **Timing and Sequencing of Development**

None.

6. **List of Reports or Plans attached as Schedules**

1. Schedule A – Site Plan

7. **Contaminated Sites Regulation** (choose one of the following as applicable)

This Permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Applicant has completed a "Site Declaration" for the subject property.

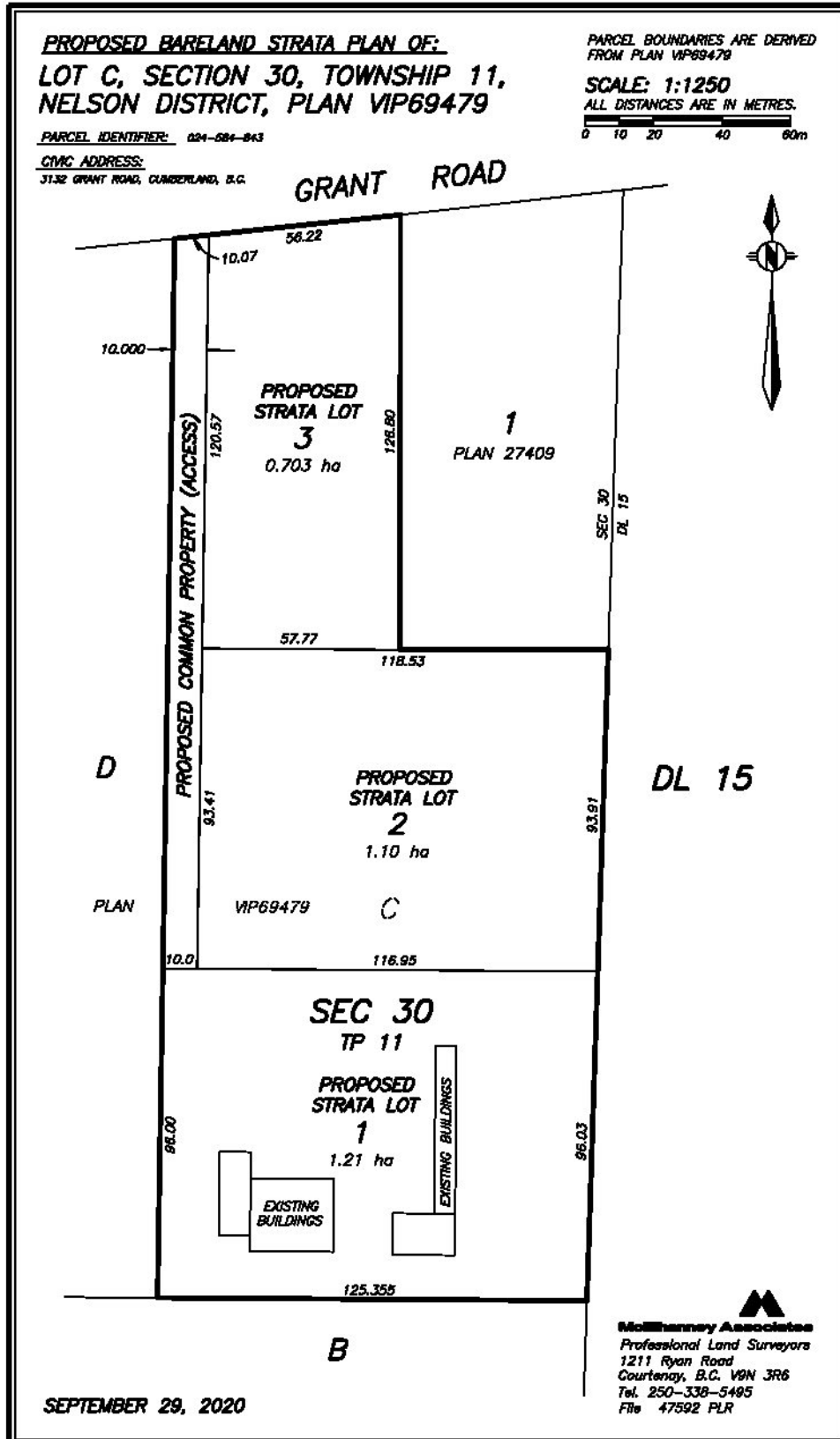
8. This Permit is **not** a Building Permit.

CERTIFIED as the DEVELOPMENT VARIANCE PERMIT approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on _____, 2022.

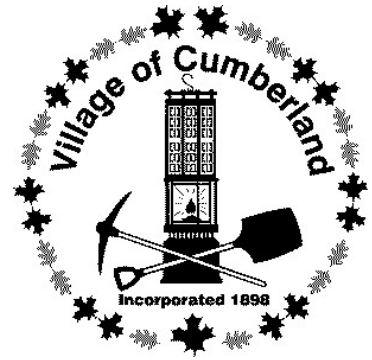
Corporate Officer

DRAFT

Schedule A – Site Plan



COUNCIL REPORT



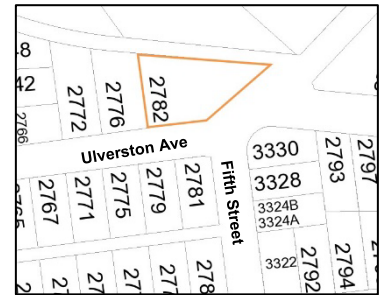
REPORT DATE: 2/1/2022
MEETING DATE: 2/14/2022

File No. 2021-24-DV

TO: Mayor and Councillors
FROM: Meleana Searle, Planner
SUBJECT: Development Variance Permit – 2782 Ulverston Avenue

RECOMMENDATION

- i. THAT Council receive “Development Variance Permit, 2782 Ulverston Avenue” report.
- ii. THAT Council approve the development variance permit (2021-24-DV) to reduce the exterior rear setback for a deck on the property described as Lot 1, District Lot 24, Nelson District, Plan 28034, except part in Plan VIP82131 (2782 Ulverston Ave).



Subject Property

PURPOSE

The Village has received an application to vary the required rear setback from 3.0 metres to 1.5 metres to accommodate a deck and access stairs to two second-floor apartment units. The purpose of this report is to seek Council approval.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
August, 9 2021	THAT Council adopt “Official Community Plan Amendment Bylaw No. 1149, 2021”; and THAT Council adopt “Zoning Amendment Bylaw No. 1150, 2021”.

BACKGROUND

Proposed Development

In August 2021, Zoning Bylaw No. 1027, 2016 and Official Community Plan Bylaw No. 990. 2014 (OCP) were amended to bring an existing fourplex into compliance. With the OCP and Zoning Bylaw amendments adopted, the Village can now accept a building permit application for the existing fourplex that was originally constructed without permits. In addition to renovations to bring the building into compliance with current BC Building Code, the applicants would also like to lengthen an existing deck to provide primary access to two, second floor, rental units. The

proposal is for an 11.4 metre long and 2.4 metre wide deck which would project 1.5 metres in to the 3.0 metre rear setback.

Official Community Plan

The subject property is designated Residential Infill. It is also within Development Permit Area (DPA) #7 – Residential Multi-Family. The deck reconstruction is exempt from requirement of a development permit pursuant to exemption m. “For the addition or alteration of a principal building, where the value of the proposed construction is less than \$50,000.00; and the proposed construction is located within an interior side or rear yard”.

Zoning Bylaw

The subject property is zoned RM-5 – Rental Tenure Multi-Family Zone which requires a minimum rear exterior setback of 3.0 metres.

ANALYSIS

Land use justification

Best practices for evaluating development variance permit applications typically look for an acceptable land use justification such as:

- i. the ability to use or develop the property is unreasonably constrained or hindered by having to comply with the bylaw requirement;
- ii. there is a net benefit to the community or immediate area that would be achieved through the variance approval; or,
- iii. the proposed variance would allow for more efficient and effective use and development of the subject property.

The variance will enable the applicant to retain the existing onsite parking. The existing building currently has a deck and staircases on the east side of the building that provides access to one unit and a separate deck and staircase on the north side of the building that provides access to another unit. The property owner is proposing to remove the deck and access door on the east side of the building and provide primary access to both units by way of an extended deck on the north side of the building. This will allow the applicant to meet British Columbia Building Code (BCBC) without a staircase projecting into the parking area. To provide room for the installation of the second, primary access door on the north side of the building, the deck needs to be extended towards the north-east corner of the building resulting in an encroachment into the rear exterior setback.

Impacts of the Variance

Where a land use justification for a proposed variance has been demonstrated, the application should then be evaluated based upon the impact(s) (positive or negative) of the variance.

Impact(s) may be classified into the following three general categories:

- i. Aesthetic impact. This includes the impact of the proposed variance on the streetscape, the views from adjacent properties, compatibility with neighbourhood design standards, etc.
- ii. Functional impact. This includes the impact of the proposed variance on the function of the property for the permitted uses and the potential impact of the variance on the function of adjacent properties, or road right-of-ways.

- iii. Environmental impact. This includes the impact of the proposed variance on the long-term sustainability of the natural environment or the direct impact on a specific feature of the natural environment.

As the rear property line is adjacent to a 6.1metre wide lane, the effect of the proposed variance would be minimal to any adjacent properties.

There is potential for the lane to become a more formalized connection from Cumberland Road which would potentially require lane widening. A 1.5metre exterior rear setback would not interfere with widening as 1.5metres is the existing rear setback for accessory buildings in the RM-5 zone.

Referrals

Further to section 5.1(d) of the Advisory Planning Commission Bylaw No. 999, 2014, Council may refer this application to the APC for comment. Referral to the APC is not included as a recommendation in this report as the variance is considered minor.

PUBLIC NOTIFICATION AND CONSULTATION

Pursuant to the requirements of the Village of Cumberland Development Procedures and Fees Bylaw No. 1073, 2018:

1. The applicant has placed the required sign on site.
2. Village staff prepared a notice of Council consideration of a Development Variance Permit which was mailed to owners and occupants of properties within 75.0 metres on December 21, 2021, meeting the Bylaw minimum of 10 days before Council considers the application.

At the time of this report, staff have not received public submissions.

ALTERNATIVES

1. THAT Council refer the application (2021-25-DV) for a development variance permit on the property described as Lot 1, DL 24, Plan VIP28034 (2782 Ulverston Avenue) to the Advisory Planning Commission for a recommendation.
2. THAT Council deny the application (2021-24-DV) for a development variance permit on the property described as Lot 1, DL 24, Plan VIP28034 (2782 Ulverston Avenue).

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

None.

OPERATIONAL IMPLICATIONS

The review of development variance permit applications is part of the services provided by the Development Services department.

ATTACHMENTS

- 1. 2021-24-DV DRAFT
 - a. Site plan

CONCURRENCE

Courtney Simpson, Manager of Development Services **CS**

Rob Crisfield, Manager of Operations **RC**

Respectfully submitted,

M. Searle

Meleana Searle
Planner

C. Postings

Clayton Postings
Chief Administrative Officer



TO: Carrie & Damon Gaudet

OF: 950 Williams Road, Courtenay, BC V9N 6E7

This Development Variance Permit (2021-24-DV) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as specifically varied or supplemented by this Permit for the purposes of varying the exterior rear setback.

1. This Development Variance Permit applies to and only to those lands within the Village of Cumberland described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot 1, DL 24, Plan VIP28034

Folio: 516 00703.000 **PID:** 002-268-078

Civic Address: 2782 Ulverston Avenue, Cumberland BC V0R 1S0

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit:

Section 7.12 6) The rear, exterior setback is varied to as close as 1.5meters to accommodate a deck as shown on the site plan attached as Schedule A to this Permit. The setback is to be confirmed by a BC Land Surveyor at building permit.

3. **Security**

None

4. **Expiry**

Subject to the terms of the Permit, if the Applicant of this Development Variance Permit does not substantially start any construction with respect to which the Permit was issued within 2 years after the date it is issued, the Permit lapses.

5. **Timing and Sequencing of Development**

None

6. List of Reports or Plans attached as Schedules

1. Schedule A – Site plan

7. Contaminated Sites Regulation (*choose one of the following as applicable*)

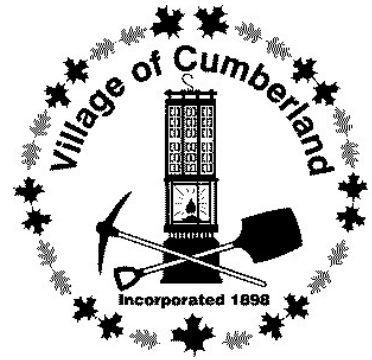
This Permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Applicant has completed a “Site Declaration” for the subject property.

8. This Permit is **not** a Building Permit.

CERTIFIED as the DEVELOPMENT VARIANCE PERMIT approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on **DATE TO BE ADDED**.

Corporate Officer

COUNCIL REPORT



REPORT DATE: 1/19/2022
MEETING DATE: 2/14/2022

File No. 2021-14-DP

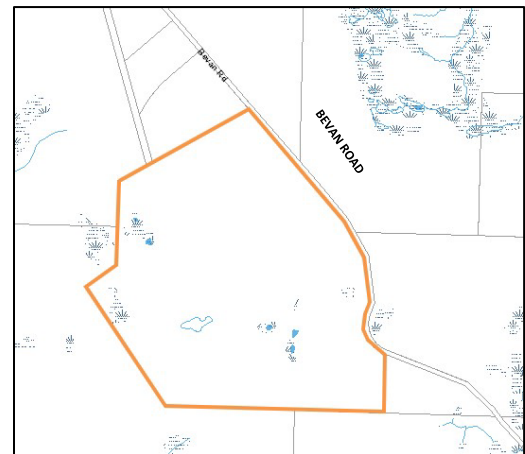
TO: Mayor and Councillors
FROM: Meleana Searle, Planner
SUBJECT: Development Permit, 3699 Bevan Road – For Information

RECOMMENDATION

- i. THAT Council receive the “Development Permit, 3699 Bevan Road” report for information.

PURPOSE

The purpose of this report is to present for information, a draft development permit to allow for the construction of a landfill cell, referred to as cell 2, and a secondary leachate equalization pond at the Comox Valley Waste Management Centre (CVWMC). A portion of the subject property must be rezoned prior to Council consideration of approval of the development permit. This development permit application is being presented concurrent with the rezoning application to assist the Comox Valley Regional District in meeting grant funding deadlines.



Subject Property

BACKGROUND

Proposed Development

The Comox Valley Regional District (CVRD) is proposing to construct a secondary leachate equalization pond and landfill cell.

The existing onsite leachate treatment facility was constructed as part of the engineered landfill cell 1. While the annual leachate flow rate is processed by the plant, large seasonal fluctuations in the winter can cause strain on the system. With construction and opening of cell 2 scheduled for 2022, additional buffer capacity is required to handle the large seasonal rain fluctuations. The secondary leachate pond planned for the subject property will be used to handle intense rainfalls. This will permit the treatment plant to run at a more steady state throughout the year. In the future, as new cells are opened, older cells will be closed. This will limit additional leachate generation.

The CVWMC is currently permitted for three lined landfill cells, with a draft expansion plan for up to six cells subject to senior government permitting and approvals.

Issuance of a development permit for the leachate equalization pond is subject to re-zoning of the portion of the property where the pond is proposed to be developed. The re-zoning application is being addressed concurrently with this development permit application in a separate report.

Regional Growth Strategy

Local municipalities and the CVRD rely on the CVWMC for solid waste disposal and storage.

Solid Waste Management

Policy 5E-1 of the Comox Valley Regional Growth Strategy (RGS) references the regional Solid Waste Management Plan. The plan considers waste management issues and trends and technology in the management of waste that include solid waste collection, private burning of land clearing and solid waste, waste reduction programs, waste diversion, construction waste management, product stewardship, and waste to energy/Integrated Resource Recovery options. (p. 57)”

The 2012 Comox Strathcona solid waste management plan identified the need for a new engineered landfill cell. Cell 1 was recently opened (Attachment 1 – Landfill cells, current and planned). The cell includes a multilayer engineered liner system that collects leachate to prevent contamination of surface and groundwater. The leachate is transferred to a lined equalization pond and, in the event of unusually heavy rainfalls, to the proposed ancillary leachate pond, before being treated by the new CVRD treatment facility, which removes contaminants.

Official Community Plan

The *Official Community Plan Bylaw No. 990. 2014* (OCP) designates the subject property as Industrial and Working Forest. The proposed development is within the Industrial – designated area which supports the proposed development.

The subject property is within Development Permit Area #1 (DPA #1) – Environmental Protection. The subject property is identified as having disturbed areas, aquatic ecosystem areas, terrestrial ecosystem areas and connectivity areas.

The subject property is also in Development Permits Area # 5 – Industrial. The intent of this DPA is to enhance the visual quality of developments located along main thresholds to the community and to ensure that industrial development limits visual impact on adjacent uses. It is also an objective of the Village to encourage development that incorporates energy and water conservation principles as well as designs that work towards reducing greenhouse gas emissions.

Zoning Bylaw

The property is currently zoned I-4 Refuse Industrial, I-2 Heavy Industrial, IGR – Greenway Reserve Zone and WF – Working Forest.

The proposed cell 2 expansion is to occur in the I-4 Zone which permits compost, recycling and refuse disposal facilities. The site of the proposed leachate pond is currently within the I-2 Zone which permits a large number of heavy industrial uses ranging from aggregate processing to

automobile services and wrecking yards to sawmills. The leachate pond will require rezoning to I-4 prior to any development, including land clearing.

ANALYSIS

Development Permit Area # 1 – Environmental Protection

The subject property is identified as having aquatic ecosystem areas, terrestrial ecosystem areas and connectivity areas. However, both areas of proposed development are located entirely within the “disturbed area” or “connectivity area” as shown on OCP Map E.

The November 2021 Bio-inventory Assessment did not identify any watercourses, ditches, streams, or wetlands within 100 meters of the areas of interest (landfill cell expansion and leachate pond construction) (see Attachment 3b – Bio-inventory Assessment November 2, 2021). No sensitive habitats, species or ecological communities at-risk, or raptor/heron nests were identified on or in proximity to the areas of interest.

There is a young coniferous forest located in the proposed landfill expansion area. The Bio-inventory Assessment noted signs of wildlife movement and utilization in the tree stand. Although the stand will not be completely removed for the cell 2, further planned expansion will require all trees to be removed. Signs of wildlife were also noted at the site of the proposed leachate pond which will be fenced to exclude wildlife.

While much of the northern part of the property will remain undeveloped in the short term thus allowing wildlife to continue to move through and use the area, the vegetated buffer on the northern property line required for screening in DPA #5 will also function as a wildlife corridor should the property be further developed in the future.

Development Permit Area #5 - Industrial

As the industrial development permit area guidelines are largely form and character in nature, and both proposed projects do not require the construction of a building, only a limited number of requirements are applicable.

DPA #5 requires that where the industrial zone is adjacent to any property zoned for residential use, a buffer will be designed to effectively screen from view and mitigate noise from the industrial use as effectively as possible through the use of landscaping, sound-attenuating fencing, and siting. The property directly adjacent to the north property line is currently zoned I-2, heavy Industrial, which permits “residential use forming an integral part of the principal use.” The buffer would be to remain undisturbed with an exception for danger tree removal as identified by a certified arborist.

The applicant has indicated that any vegetated buffer may be restrictive to future development plans for the property. No detailed plans for the rest of the property have been prepared, but a number of future waste recovery uses to benefit solid waste management in the region are being considered. As future development will require a development permit application, a reduction to the buffer area is most appropriately considered at that time. For the current development permit application where the leachate pond and cell 2 are located a significant distance from the northern property line, a 15metre buffer of existing vegetation is suitable to comply with the DPA guidelines. If more intensive development near the northern property line is proposed in the

future, the buffer could potentially be reduced in the future with a detailed plan to comply with the screening requirement, and a more detailed consideration of wildlife connectivity.

PUBLIC NOTIFICATION AND CONSULTATION

Pursuant to the requirements of the Village of Cumberland Development Procedures and Fees Bylaw No. 1073, 2018:

1. The applicant has placed the required sign on site.
2. Village staff prepared a notice of Council consideration of a Development Variance Permit which was mailed to owners and occupants of properties within 75.0 metres of the subject property.

At the time of this report, staff have received one letter from a Cumberland resident, attached as Attachment 2 – Public Feedback.

ALTERNATIVES

1. THAT Council refer the development permit 2021-14-DP for a new landfill cell and leachate equalization pond on the property described as Lot A, Section 26, Plan EPP111857 to the Advisory Planning Commission for comment.

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

None.

OPERATIONAL IMPLICATIONS

The review of development permit and development variance permit applications is part of the services provided by Development Services.

CLIMATE CHANGE IMPLICATIONS

Additional capacity to handle landfill leachate contributes to climate change preparedness as increasing frequency and intensity of storms including heavy rainfall is expected.

ATTACHMENTS

1. Landfill cells, current and planned
2. 2021-15-DP DRAFT
 - a. Schedule A – Site Plan

- b. Schedule B – Bio-inventory Assessment, November 2, 2021
3. Public Feedback

CONCURRENCE

Courtney Simpson, Manager of Development Services **CS**

Respectfully submitted,

M. Searle

Meleana Searle
Planner

C. Postings

Clayton Postings
Chief Administrative Office

Attachment 1 – Landfill cells, current and planned

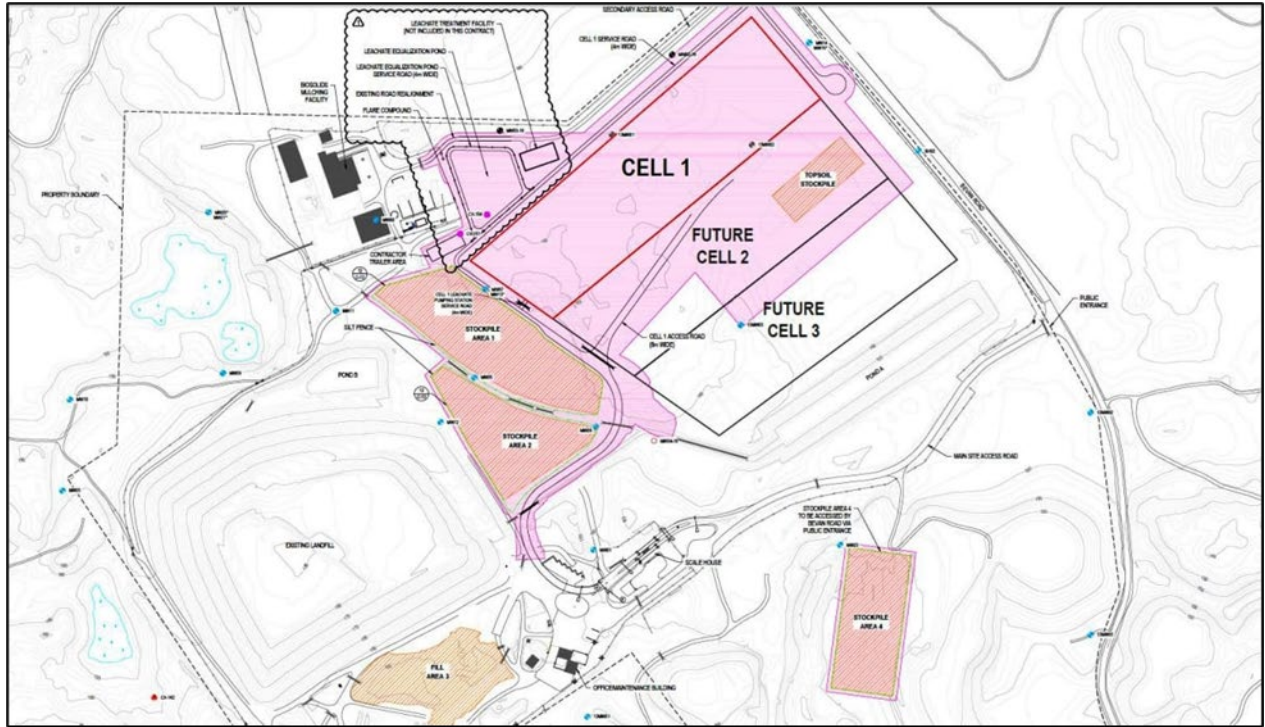
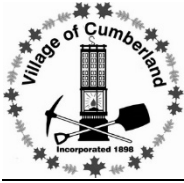


Figure 1: Currently used landfill cell 1 and future proposed cells



Corporation of the
Village of Cumberland

DEVELOPMENT PERMIT

TO: Comox Valley Regional District

OF: 770 Harmston Avenue, Courtenay, BC V9N 0G8

1. This Development Permit (2020-14-DP) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as supplemented by this permit for the purposes of developing a leachate equalization pond and a new engineered landfill cell.
2. This Development Permit applies to and only to a portion of those lands within the Village of Cumberland described below:

Legal Description: Lot A, Section 26, Plan EPP111857

Folio: 516 00526.178 **PID:** 031-451-918

Civic Address: 3699 Bevan Road

3. The land described herein shall be developed substantially in compliance with the following terms and conditions and provisions of this permit:

DPA#1 – Environmental Protection Area

- a. During site clearing, an invasive species shall be removed and separated from clean fill, transported separately from other materials in a covered load and disposed of in a burn pile or appropriate reeving area at the landfill.
 - i. The same procedure is to be applied to the soils adjacent to the invasive species in order to remove the seed bank found within the surrounding soils.
 - ii. Preferred timing for invasive species removal is in the spring months (April-May) when new vegetative growth is evident but before annual growth is at its maximum.
- b. Any tree removal is to be conducted outside of the breeding bird window (March 1 – August 31). If tree removal is required within the window, a pre-clearing nest survey including a cavity nest survey is to be conducted by a QEP.

DPA#5 – Industrial

- a. The proposed development shall be constructed substantially in compliance with the site plan attached as Schedule A – Site Plan.
- b. A 15.0metre vegetated buffer shall be required along the length of the northern property line. The buffer will be used to effectively screen from view and mitigate noise from the industrial use to any adjacent residential use.
 - i. Should the site be further developed at a later date, a proposal to reduce the 15.0metre vegetated buffer would be considered. A detailed plan illustrating how the screening effect will be continued will be required at that time.
 - ii. The vegetated buffer shall remain undisturbed with exception for the removal of danger trees deemed hazardous by a qualified arborist.
- c. All site lighting installations shall be fully shielded (full cutoff).
- d. There should be sufficient on-site illumination for pedestrian/vehicle safety. Illumination shall not encroach onto adjacent properties.

4. Landscape Security

- a) A security in an amount equal to 125% of the cost estimate for the approved landscape plan shall be received before the Permit is granted.
- b) When the plan has been completely implemented the Owner shall request an inspection. If found to be compliant, a refund of 75% of the security received shall be made.
- c) The remaining 25% will be held back for one year at which time the Owner will request an inspection. If the landscaping is to the satisfaction of the Village, the holdback will be returned to the person who paid it. If any of the plants have not survived, they shall be replaced by the Owner as per the approved landscape plan, or failing this, the Village may use the holdback to replace the plants. Any amount of the security not used for the purpose it was intended will be returned to person who paid it.

5. Expiry

Subject to the terms of the permit, if the Owner of this Development Permit does not substantially start any construction with respect to which the permit was issued within 2 years after the date it is issued, the permit lapses.

6. Timing and Sequencing of Development

7. List of Reports or Plans attached as Schedules

1. Schedule A - Site Plan
2. Schedule B – Bio-inventory Assessment, Nov. 2, 2021

8. Contaminated Sites Regulation

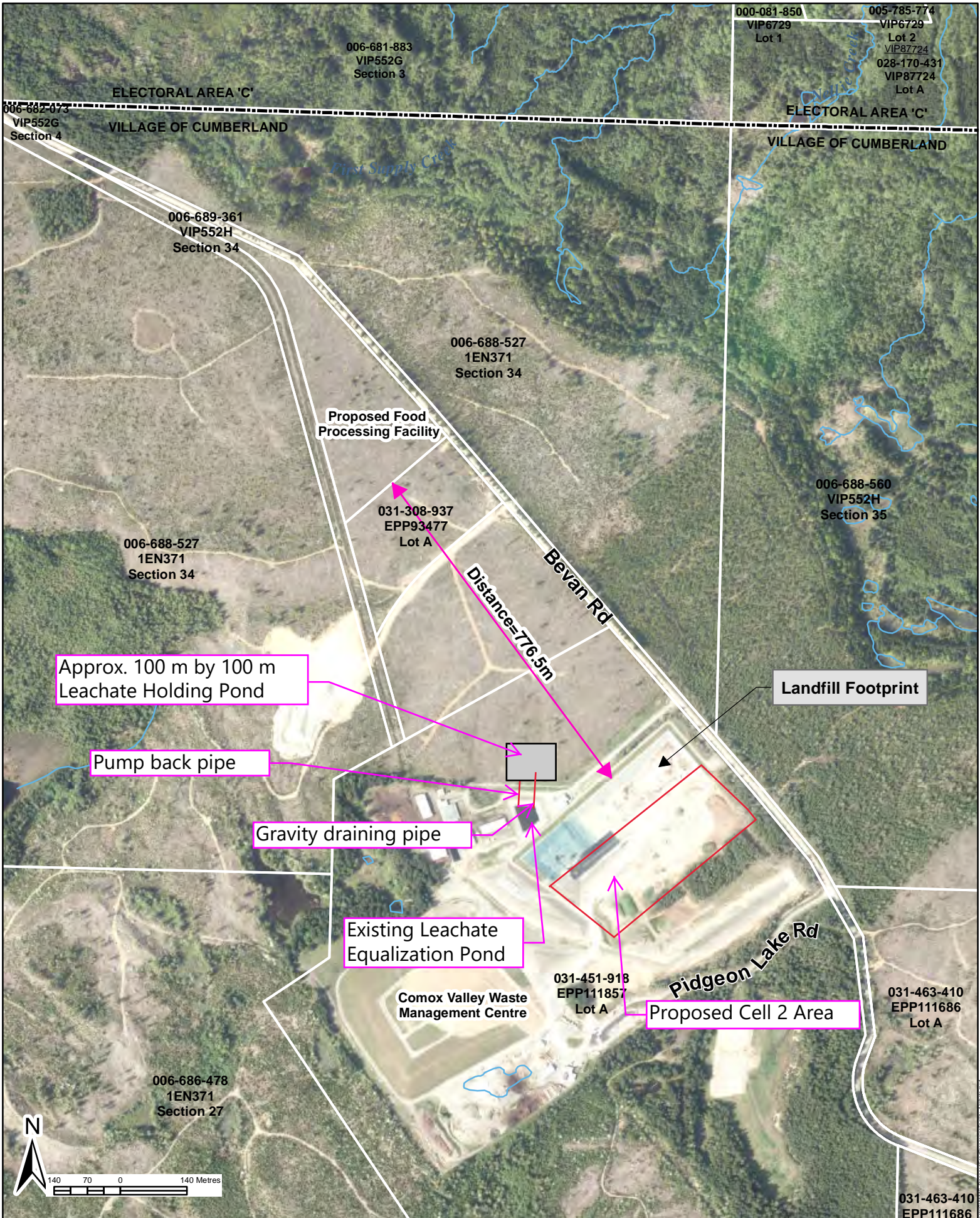
This permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Owner has completed a "Site Declaration" for the subject property.

9. This Permit is **not** a Building Permit.

CERTIFIED as the **DEVELOPMENT PERMIT** granted by resolution of the Council of the Corporation of the Village of Cumberland on _____ 2022 and issued on _____, 2022.

Corporate Officer

DRAFT



CVWMC and Proposed Food Processing Facility

BIO-INVENTORY ASSESSMENT

COMOX VALLEY WASTE MANAGEMENT CENTRE
3699 BEVAN ROAD, CUMBERLAND, BC



November 2, 2021

Prepared for:

Comox Valley Regional District
770 Harmston Avenue
Courtenay, BC V0N 0G8

Prepared by:

Dusty Silvester, R.P. Bio. & Patricia Halinowski, Tech.



558 England Ave
Courtenay, BC V9N 2N3
p: 250.871.1944
w: currentenvironmental.ca

TABLE OF CONTENTS

1	Introduction	3
1.1	Proposed Work.....	3
1.1.1	Landfill Cell Expansion	3
1.1.2	Secondary Leachate Holding Pond	3
1.2	Property Description	7
2	LEGISLATION AND REGULATIONS	8
2.1	Village of Cumberland Development Permit Areas.....	9
2.2	Watercourses	9
2.3	Bird Nests	9
2.4	Species at Risk and Other Wildlife.....	10
2.5	Noxious Weed/invasive species Control	11
3	Methods	11
3.1	Background Information	11
3.2	Terrestrial Habitats and Species.....	12
3.1	Species at Risk and Raptor Nesting	12
4	Results	12
4.1	Aquatic Habitat.....	13
4.2	Terrestrial Habitat	13
4.3	Species at Risk/Raptors/Great Blue Heron.....	15
4.4	invasive species	15
5	Recommendations	15
5.1	Drainage	15
5.2	Invasive species	15
5.3	Wildlife habitat.....	16
6	Closure	16
	Appendix A – Photos	17
	Appendix B – Village of Cumberland Environmental DPA #1 Checklist	24

1 INTRODUCTION

The Comox Valley Regional District (CVRD) has retained Current Environmental Ltd. (CEL) to provide a bio-inventory assessment for the proposed rezoning and development application of 3699 Bevan Road (Comox Valley Waste Management Centre). Pursuant to the Village of Cumberland's (VOC) *Development Permit Area (DPA) #1: Environmental Protection*¹, this bio-inventory assessment has been prepared by a Registered Professional Biologist according to the BC Ministry of Environment's *Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia*².

The objectives of this bio-inventory assessment are to:

1. Identify any sensitive habitats and species on the subject property as required for a development permit from the Village of Cumberland; and,
2. Provide recommendations on restoration works and drainage for the proposed development, as necessary.

1.1 PROPOSED WORK

The proposed work on the property will consist of:

1. Construction of new landfill Cell (Cell 2) adjacent to the existing landfill footprint (Figure 2).
2. Rezoning and development of a parcel adjacent to the CVWMC (3699 Bevan Rd.) to construct a secondary leachate holding pond (Figure 1-2).

1.1.1 Landfill Cell Expansion

Construction of the new landfill cell (Cell 2) will occur adjacent to landfill Cell 1, which was under construction during the October 12, 2021 site visit (Photo 1). Cell 2 construction will involve tree removal along the southeast corner of the new cell boundary. Future construction of Cell 3 will occur adjacent to proposed Cell 2 (Figure 2) and will involve removal of the entire tree stand located southeast of the landfill expansion footprint. A service road and drainage ditch will be constructed along the eastern boundary of the property, adjacent to the landfill cells, from the northeast corner of the landfill cells to the existing stormwater pond and auxiliary service road (Photo 6: Figure 3-4).

1.1.2 Secondary Leachate Holding Pond

The construction of the proposed secondary leachate pond will involve tree removal, grubbing, and excavation of the pond on the site footprint (approximately 1 hectare: Figure 2). Security fencing will be installed around the perimeter of the secondary leachate holding pond. The side slopes of the leachate pond will be armored with 300 mm gravel protection layer, similar to the existing primary leachate pond (Photo 8). A floating impermeable cover will be installed over the secondary leachate pond to reduce rainfall inputs to the pond and water treatment plant. The secondary leachate holding pond will serve as a holding pond during winter months, after which liquid will be pumped into the primary leachate pond to be treated in the summer.

¹ <https://cumberland.ca/wp-content/uploads/2012/05/DPA1-Environmental-Protection.pdf>

² <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>

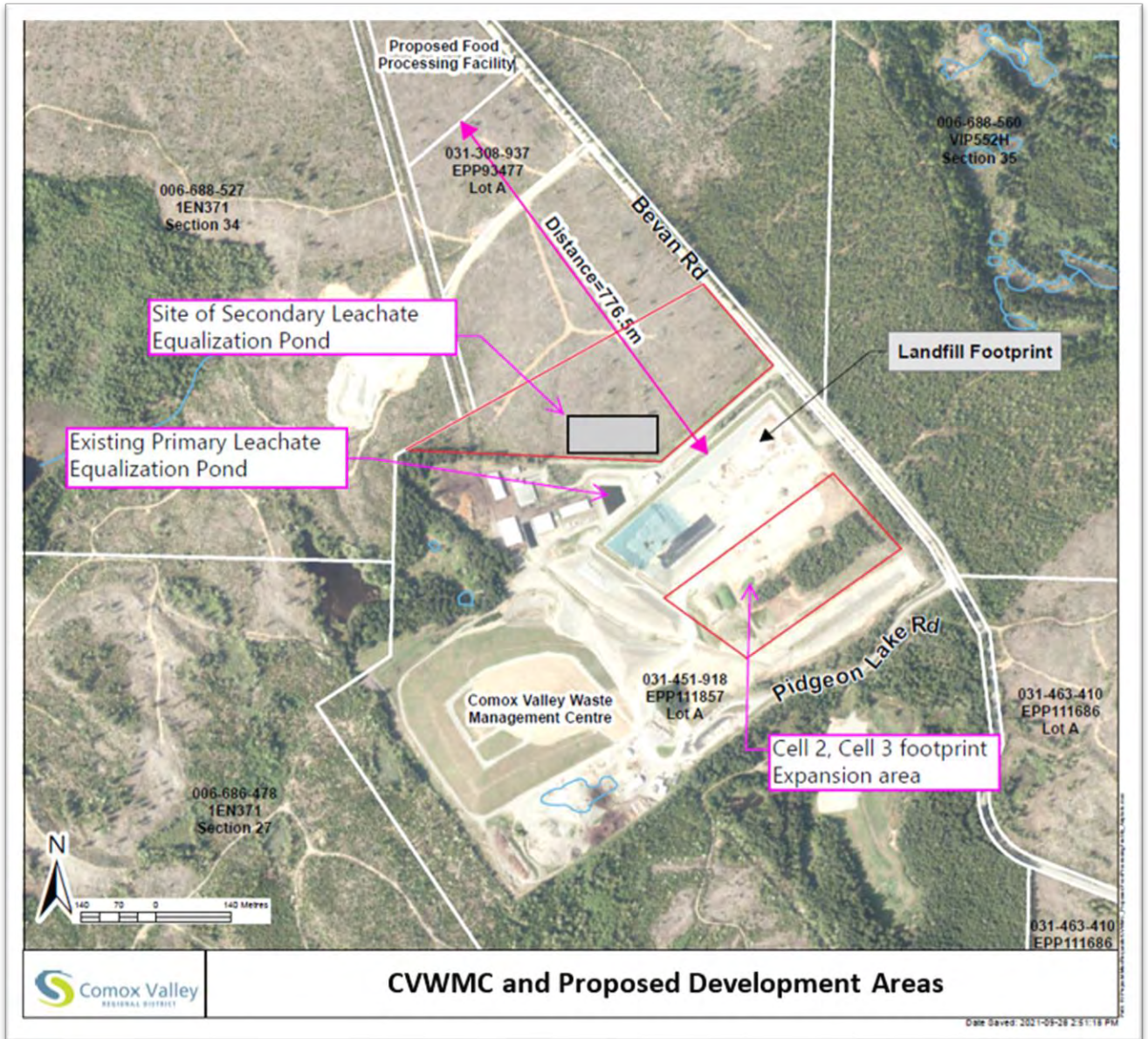


Figure 1. CVRD site plan for 3699 Bevan Rd, showing areas of interested outlined in red and locations of Cell 2, Cell 3 footprint expansion area and site of proposed secondary leachate pond.

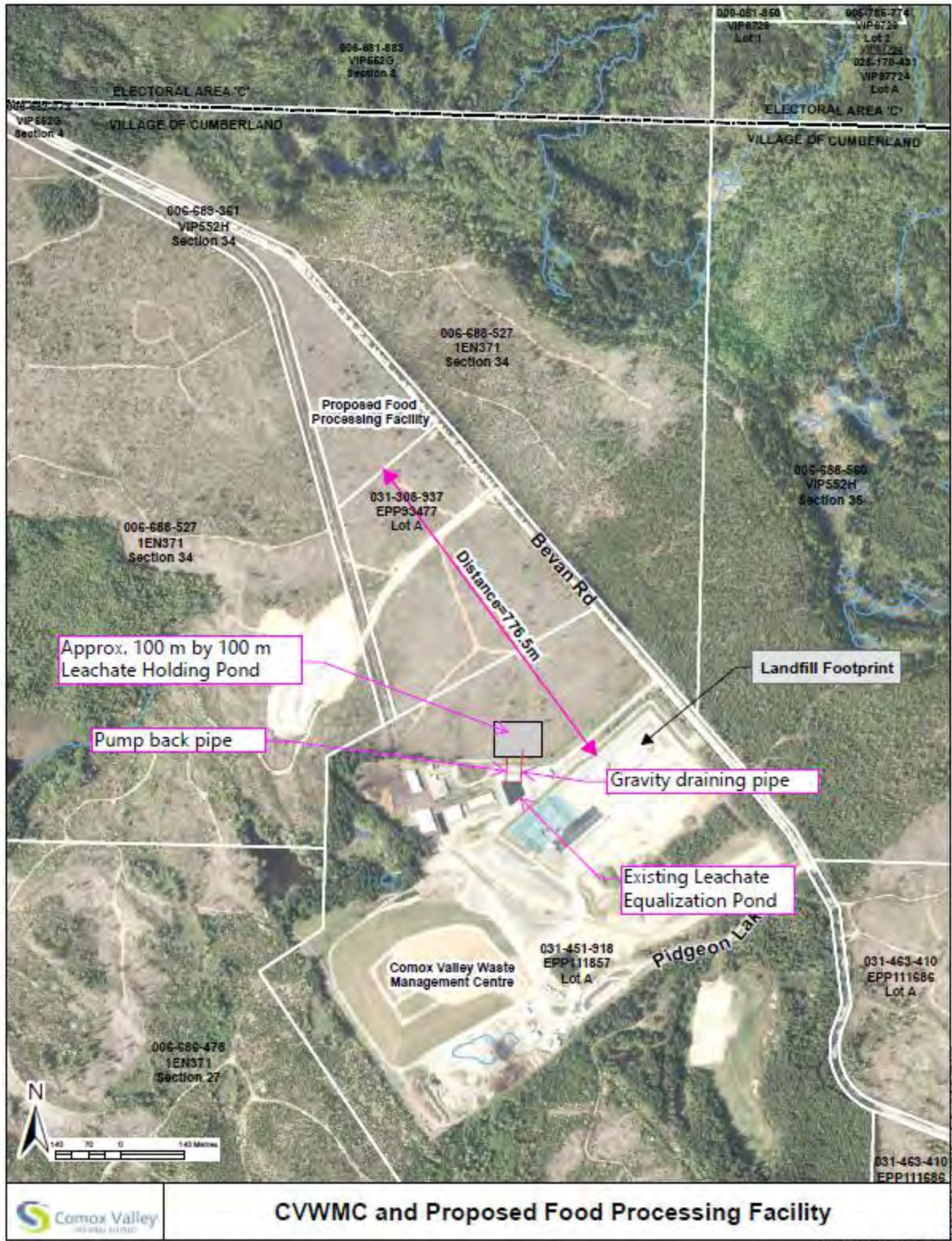


Figure 2. CVRD site plan for 3699 Bevan Rd, showing proposed secondary leachate holding pond location, approximate dimensions, and accessory pumps and drainage.



Figure 3. CVWMC expansion project outlining areas of interest and associated project features.

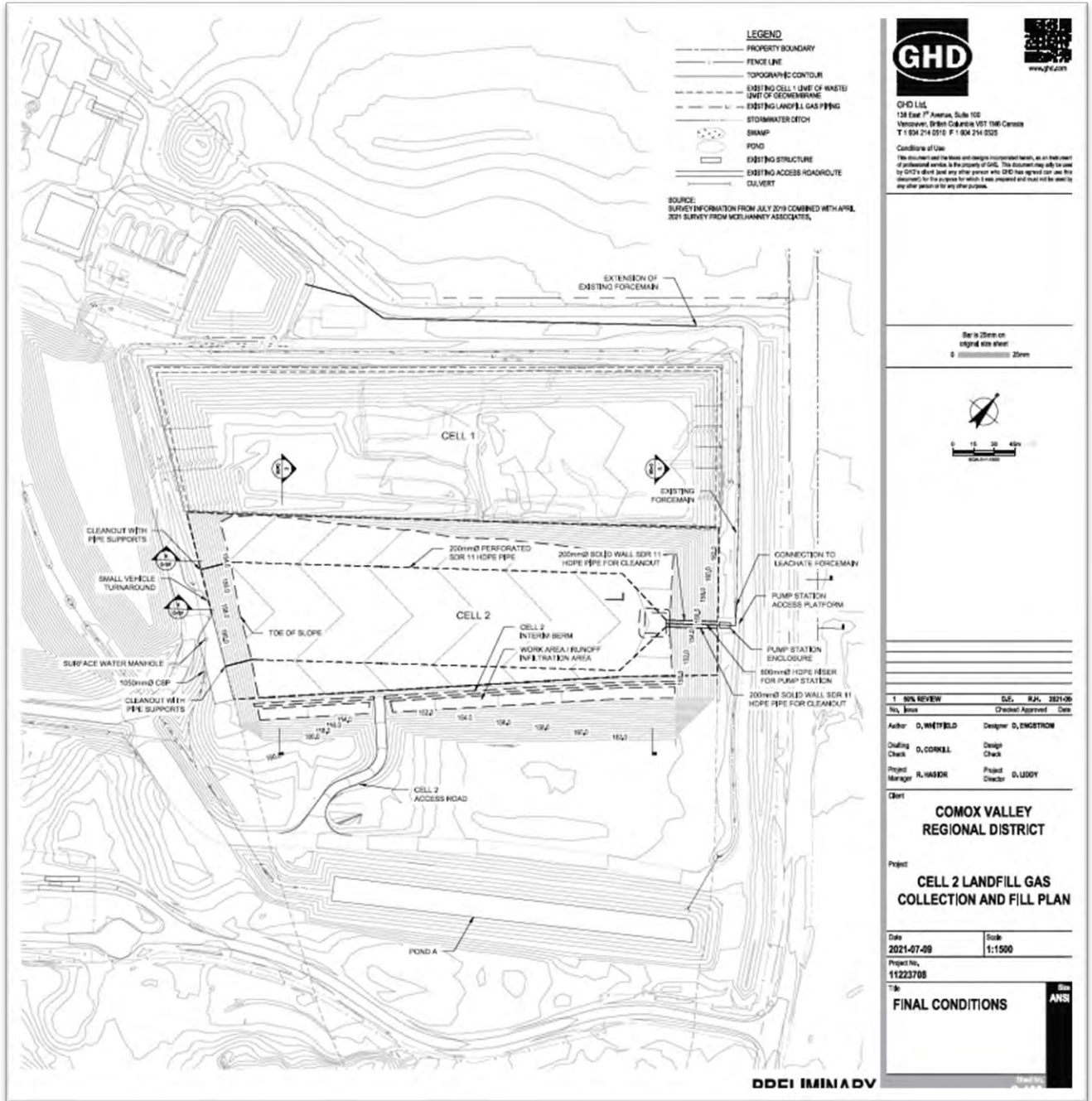


Figure 4. Preliminary engineering drawing of landfill cell 2 expansion.

1.2 PROPERTY DESCRIPTION

The subject property at 3699 Bevan Road is approximately 124 ha, with the majority of the property, approximately 90 ha, zoned as Refuse Industrial Zone (I-4). Approximately 22.5 ha of the southeast property consists of Working Forest Zone (WF) and the north boundary of the property consists of approximately 10.5 ha of Heavy Industrial Zone (I-2) and 0.7 ha Industrial Greenway Reserve Zone (IGR) (Figure 5). The

property is bordered by Forest Stewardship Greenway Zone (FSG) to the south, WF and IGR Zones to the west, IGR and I-2 to the north, and FGS and I-2 to the east (Figure 5).

The proposed Cell 2 expansion work is to occur in Refuse Industrial Zone (I-4) and the site of the proposed new leachate pond is currently within the Heavy Industrial Zone (I-2) zone and will require rezoning to I-4 prior to commencement of construction activities.



Figure 5. Overview of the subject property (outlined in red) showing current property zoning and zoning adjacent to the property.

2 LEGISLATION AND REGULATIONS

Federal, Provincial, and Municipal environmental regulations will govern project development. Compliance with these regulations will be a mandatory condition of any environmental permits issued for the project. Table 1 summarizes Federal and Provincial Acts and Municipal bylaws applicable to project components that will take place within or near Environmentally Sensitive Areas (ESA).

Table 1. Summary of Federal/Provincial Acts and Municipal Bylaws that govern environmental protection requirements of project components in and around ESAs.

Project Component	Affected Resource	Applicable Legislation/Regulation/Bylaw	Applicable Permitting
<ul style="list-style-type: none"> - Vegetation clearing - Invasive species removal 	<ul style="list-style-type: none"> - Soils - Wildlife inc. avians 	<ul style="list-style-type: none"> - <i>Federal Migratory Birds Protection Act</i> - <i>Federal Species at Risk Act</i> - <i>BC Weed Control Act</i> 	<ul style="list-style-type: none"> - Village of Cumberland Development Permit Area No. 1

		- BC <i>Wildlife Act</i> - Municipal Bylaw No. 990, 2014	
- Earthworks: - Grubbing - Excavating	- Wildlife - Soils	- BC <i>Weed Control Act</i> - BC <i>Wildlife Act</i> - Municipal Bylaw No. 990, 2014	

The Village of Cumberland Official Community Plan (OCP)³ and Best Management Practices (BMP) for land development necessitate the production of a biological site inventory (bio-inventory) to identify potential disturbances to sensitive ecosystems and species as a result of proposed development activities. The following ecosystem elements were evaluated for this assessment in consideration of regulatory requirements for proposed work in the Village of Cumberland:

1. Proximity to aquatic habitat;
2. Raptor/breeding bird nesting sites;
3. Terrestrial wildlife use and habitats, including vegetation communities and wildlife corridors;
4. The occurrence of rare or endangered species and vegetation communities at risk.

2.1 VILLAGE OF CUMBERLAND DEVELOPMENT PERMIT AREAS

Based on a review of the Village of Cumberland Official Community Plan (OCP) Bylaw 990 (2014), and OCP Development Permit Area (DPA) #1, it appears that the Village will require documentation in support of assessment under DPA #1 that includes:

- a. Bio-inventory assessment report prepared by a qualified professional biologist;
 - i. This report, submitted by CEL on November 2, 2021.

Relevant sections of the Village DPA#1 EP Guidelines Checklist (Appendix B) are limited to *General Requirements*. No ESAs were identified within *Terrestrial Ecosystem Areas*, including *Connectivity Areas*, and are not included in this report.

2.2 WATERCOURSES

There are no watercourses, ditches, streams, or wetlands within 100 meters of the areas of interest (landfill cell expansion and leachate pond construction). The subject property does have an identified wetland on the western property boundary; however, it is approximately 300 meters from the closest project works. Therefore, the *BC Fish Protection Act's Riparian Areas Protection Regulation* and Section 11 under the *Water Sustainability Act* are not required for the proposed works at 3699 Bevan Rd. as no aquatic habitats are within the areas of interest or expected to be impacted by the project works.

2.3 BIRD NESTS

The *Migratory Bird Convention Act* (MBCA) protects individuals and populations of migrating birds, including their eggs and nests. Among a number of prohibitions, this act requires there be no disturbance to the nests or eggs of migratory birds without a permit from the Minister, and there be no addition of substances "in waters or an area frequented by migratory birds or in a place from which it may enter such waters or such an area — that is harmful to migratory birds."⁴

³ <https://cumberland.ca/wp-content/uploads/2012/05/Bylaw-990-OCP-consolidated-6Sep16.pdf>

⁴ *Migratory Bird Convention Act*. <https://laws-lois.justice.gc.ca/eng/acts/m-7.01/>

Section 34 of the provincial *Wildlife Act*⁵ specifies that:

A person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys

- (a) a bird or its egg,
- (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or
- (c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg.

Raptor nests covered under the *Act* are protected year-round whether they are active or not, while breeding birds' nests are only protected while inhabited by a bird or its egg/young.

During urban and rural land development, provisions should be made to maintain adequate vegetative buffers to protect raptor and active breeding bird nesting sites. According to the *Wildlife Tree Stewardship Atlas*, "protection of the tree and buffer are necessary for the continuing use and productivity of these species and to prevent the abandonment of the nest or failure of the tree".⁶

Due diligence dictates that a pre-clearing avian nest survey should be undertaken by a QEP prior to the removal of any trees or other vegetation if those works are timed during the breeding bird nesting window (March 1 - August 31)⁷. Based on existing information tree removal is anticipated during the proposed cell 2 expansion but will not be impacted by the potential presence of bird nests as clearing will occur outside the nesting window (March 1 – August 31). Should clearing be postponed until after March 1 of the development year, a pre-clearing bird nest survey will be required.

2.4 SPECIES AT RISK AND OTHER WILDLIFE

Species and communities of concern are listed in provincial red and blue lists administered by the BC Ministry of Environment⁸ and the federal Species at Risk Public Registry⁹. Wildlife management considerations result in the conservation of wildlife, habitat, and sustainable human interactions pursuant with the *Wildlife Act* of British Columbia. Note that the protection of most Species at Risk on private lands in Canada is voluntary with the notable exceptions of provisions implemented by local governments for their protection; Schedule 1 listed aquatic species and listed migratory bird species which are protected under the *Migratory Birds Convention Act*.¹⁰

⁵ BC Wildlife Act. Accessed from:

<http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96488_01#section34>.

⁶ Federation of BC Naturalists. *Wildlife Tree Stewardship Atlas*. Community Mapping Network. Accessed from <<http://cmnmaps.ca/wits/>>.

⁷ Develop with Care. (2014). Environmental Guidelines for Urban and Rural Land Development in British Columbia. <<http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>>.

⁸ Ministry of Environment (2006). *Endangered Species and Ecosystems*. Conservation Data center. Government of BC. Retrieved from <<http://a100.gov.bc.ca/pub/eswp/>>.

⁹ Government of Canada. (2012). *Species at Risk Public Registry*. Accessed from: <http://www.sararegistry.gc.ca/default_e.cfm>.

¹⁰ <http://www.registrelp-sararegistry.gc.ca/default.asp?lang=En&n=96E43121-1>

2.5 NOXIOUS WEED/INVASIVE SPECIES CONTROL

The BC *Weed Control Act*¹¹ contains a "duty to control noxious weeds" where Section 2) requires that "an occupier must control noxious weeds growing or located on land and premises [...] occupied by that person". The Village of Cumberland *Prevention of Public Nuisances Bylaw No. 870* requires that the presence of noxious weeds listed under the provincial regulation be managed according to the provisions under the *Weed Control Act*. The use of any herbicides/pesticides by a QEP in the management/removal of invasive species must occur within the legislated framework of the Village of Cumberland *Pesticide Use Control Bylaw No. 838 (2006)*, as well as general BMPs for the proper handling and disposal of noxious and invasive plant materials.

3 METHODS

Only the areas of interest (Figure 1) were assessed in this bio-inventory. The rest of the property is an active site with waste management and construction works outside the scope of the current rezoning and development permit application and associated DPAs.

Develop with Care 2014 (DWC) provides guidance for preliminary and detailed site inventories. A detailed DWC site bio-inventory was completed on October 12, 2021 and forms the basis for this report.

Additional methods used for this bio-inventory are provided under the heading below.

3.1 BACKGROUND INFORMATION

Background information on the property was obtained from the following sources:

1. Village of Cumberland iMap¹²
2. Habitat Wizard¹³
3. Wildlife Tree Stewardship Atlas (WiTS)¹⁴
4. Great Blue Heron (GBHE) Management Team Atlas¹⁵
5. BC Conservation Data Centre (CDC)¹⁶
6. Sensitive Ecosystems Inventory¹⁷
7. Satellite imagery

¹¹ http://www.bclaws.ca/civix/document/id/consol21/consol21/00_96487_01

¹² Village of Cumberland (2021). Village of Cumberland iMap. Accessed from <<http://imapcumberland.imaptoo.ca/imageviewer/>>

¹³ Ministry of Environment and Climate Change (2021). Habitat Wizard. Accessed from <<http://maps.gov.bc.ca/ess/hm/habwiz/>>

¹⁴ Wildlife Tree Stewardship (WiTS) Program (2021). Nest Tree Report. The Community Mapping Network. Accessed from <<http://www.cmnmaps.ca/wits/>>

¹⁵ Great Blue Heron (GBHE) Management Team (2021). The Community Mapping Network. Accessed from <<http://cmnmaps.ca/GBHE/>>

¹⁶ B.C. Conservation Data Centre (2021). BC Species and Ecosystems Explorer. Accessed from < <http://a100.gov.bc.ca/pub/eswp/>>

¹⁷ Community Mapping Network (2021). Sensitive Ecosystems Inventory. Georgia Basin Habitat Atlas. Accessed from < <https://cmnmaps.ca/GBHA/>>

3.2 TERRESTRIAL HABITATS AND SPECIES

Survey methods for terrestrial elements or Environmentally Sensitive Areas (ESAs) were directed in part by those outlined in *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia*¹⁸, and the *Field Manual for Describing Terrestrial Ecosystems*¹⁹.

3.1 SPECIES AT RISK AND RAPTOR NESTING

An office-based inquiry of Species at Risk occurrences on and near the property was completed using the Provincial *Habitat Wizard*. Raptor and heron nesting sites were researched using the online *WiTS Atlas* and the *GBHE Atlas* and assessed visually during field work. The on-site assessment was completed according to guidelines in *Environmental Best Management Practices for Urban and Rural Land Development*.

4 RESULTS

The majority of the subject property is characterized as disturbed area and connectivity area under the VOC Environmental Protection DPA#1, with some terrestrial ecosystem area and aquatic ecosystem areas (Figure 6). The areas of interest shown in Figure 6 are predominantly within the DPA#1 connectivity areas. The Village of Cumberland

There are no watercourses, ditches, streams, or wetlands within 100 meters of the areas of interest (landfill cell expansion and leachate pond construction). The subject property does have an identified wetland on the western property boundary; however, it is approximately 300 meters from the closest project works.

No sensitive habitats, species or ecological communities at-risk, or raptor/heron nests were identified on or in proximity to the areas of interest.

¹⁸ Ministry of Environment (2021). *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia*. Accessed from < http://www.env.gov.bc.ca/wld/documents/bmp/urban_ebmp/urban_ebmp.html>

¹⁹ Ministry of Forests, Lands and Natural Resource Operations (formerly Ministry of Forests and Range) and Ministry of Environment (2021). *Field Manual for Describing Terrestrial Ecosystems, 2nd Edition*. Accessed from <http://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/conservation-data-centre/field_manual_describing_terrestrial_ecosystems_2nd.pdf>

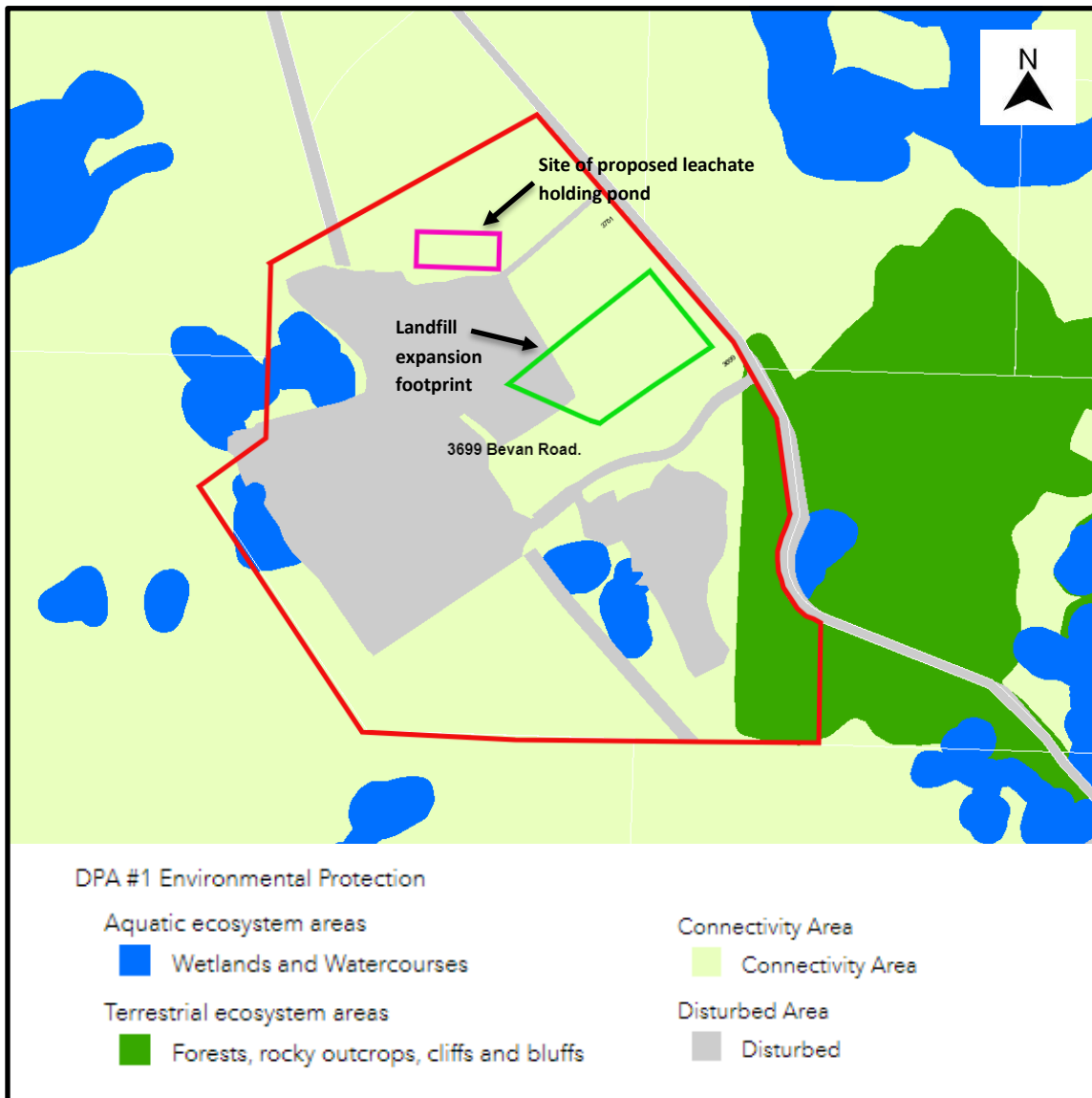


Figure 6. Subject property (outlined in red) showing DPA#1 areas found within the property.

4.1 AQUATIC HABITAT

No aquatic habitats were identified in the background information collected for the areas of interest or observed during the site visit carried out on October 12, 2021.

4.2 TERRESTRIAL HABITAT

The landfill cell expansion and leachate pond construction areas of interest had no Terrestrial Ecosystem Areas or Aquatic Ecosystem Areas per the OCP Environmental Protection DPA#1, the majority of the project works footprint is within the DPA#1 Connectivity Area (Figure 6).

According to the Village of Cumberland OCP (2014), ““Connectivity Area” means: i. The area between Terrestrial and Aquatic Ecosystems Areas, that can be developed for sustainable human use in a manner that demonstrates stewardship through the protection, remediation and enhancement of: .1 Connectivity

for habit and wildlife life in the area, as well as surrounding sensitive environmental areas .2 Overlays and implements through best practice planning, design, and management the integration of passive or active outdoor recreation, forestry, and agriculture.”

Landfill Cell Expansion Area of Interest

The tree stand to the south of the proposed landfill cell expansion is a young coniferous forest (Figure 1-2: Photos

2-5) dominated by coastal Western hemlock (*Tsuga heterophylla*) with a few young Western red cedars (*Thuja plicata*). The understory vegetation is comprised of salal (*Gaultheria shallon*), and red huckleberry (*Vaccinium parvifolium*). Debris such as plastic sheeting and household waste (Photos 3-5), was scattered throughout the tree stand. Adjacent to the southern boundary of the tree stand, invasive Scotch broom (*Cytisus scoparius*) was observed growing in the disturbed clearing (Photo 7).

Signs of wildlife movement and utilization was observed in the tree stand adjacent to the proposed landfill expansion. Deer scat, and evidence of browse were observed throughout the stand, indicating use as a wildlife habitat. Terrestrial species expected to utilize the wildlife habitat include mammals (deer, mustelids, and black bear), and avians (cavity excavating/nesting species including woodpeckers, and passerines). Bird activity was seen and heard within the corridor, and evidence of woodpecker activity was observed within the tree stand. Additionally, the tree stand can potentially serve as perching trees by birds such as bald eagles, ravens, and crows scavenging in the landfill. No wildlife trees were noted in the tree stand adjacent to the development areas. The majority of the tree stand will remain intact until the future construction of Cell 3, allowing the area to serve as a wildlife habitat until further expansion is scheduled. The future removal of the tree stand likely won't affect the nearby wildlife corridor northeast of Bevan Rd. (Figure 6, Terrestrial Ecosystem Area and Connectivity Area), but will remove the active wildlife habitat currently being used.

Any tree removal is to be conducted outside of the breeding bird window (March 1 – August 31). If tree removal is required within the window, a pre-clearing nest survey including a cavity nest survey is to be conducted by a QEP.

Proposed Leachate Holding Pond Area of Interest

The area of interest of the proposed leachate holding pond footprint, and the surrounding area (Figure 2: Photos 9-13) had been cleared recently (approximately 6 years ago²⁰). The regrowth vegetation is comprised of a mixed community of Western white pine (*Pinus monticola*), Western red cedar (*Thuja plicata*), Douglas fir (*Pseudotsuga menziesii*), arbutus (*Arbutus menziesii*), red huckleberry (*Vaccinium parvifolium*), Oregon grape (*Mahonia aquifolium*), bracken fern (*Pteridium aquilinum*), trailing blackberry (*Rubus ursinus*), as well as invasive Scotch broom (*Cytisus scoparius*), Himalayan blackberry (*Rubus armeniacus*), cutleaf blackberry (*Rubus laciniatus*), and Canada thistle (*Cirsium arvense*).

Signs of wildlife movement and utilization was observed in the proposed leachate pond area of interest including deer scat and evidence of brows. Bird activity was also seen and heard during the bio-inventory on October 12, 2021. No wildlife trees were noted on or within 200 m of the areas of interest or subject property.

²⁰ Village of Cumberland (2021). Village of Cumberland iMap. Accessed from <<http://imapcumberland.imaptoo.ca/imageviewer/>>

4.3 SPECIES AT RISK/RAPTORS/GREAT BLUE HERON

According to the available online databases, there are no known species at risk occurrences, Bald Eagle or other raptor nests, or Great Blue Heron nests located on or within 200 m of the areas of interest or subject property. This result is consistent with the findings of the site visit on October 12, 2021.

As such, there will be no constraints to development resulting from the presence of these species, nor will there be any anticipated impacts to these species during construction.

4.4 INVASIVE SPECIES

Landfill Cell Expansion Area of Interest

Invasive species observed in the landfill cell expansion area of interest was limited to Scotch broom (*Cytisus scoparius*) along the south boundary adjacent to the tree stand (Photo 7).

Proposed Leachate Holding Pond Area of Interest

Whitin the proposed leachate pond footprint and surrounding area, Scotch broom (*Cytisus scoparius*), Himalayan blackberry (*Rubus armeniacus*), cutleaf blackberry (*Rubus laciniatus*), and Canada thistle (*Cirsium arvense*) were noted throughout.

5 RECOMMENDATIONS

The following recommendations have been made based on existing information and the observations made during the site visit on October 12, 2021. These recommendations are intended to provide notes on restoration works and drainage for the proposed development and rezoning of the CVWMC at 3699 Bevan Road.

5.1 DRAINAGE

Landfill Cell Expansion Area of Interest

A drainage ditch (Figure 3-4) under construction during the site visit will parallel the east boundary of the proposed cell expansions and provide surface water drainage from the adjacent service road, into the existing stormwater pond to the south.

Proposed Leachate Holding Pond Area of Interest

The proposed secondary leachate holding pond will have an elevated berm around the perimeter of the pond. Water falling on the impermeable cover will be directed off the outer slope of the berm into the porous surrounding area and is not expected to alter the drainage of the surrounding area.

5.2 INVASIVE SPECIES

As described in the results section the following invasive species will be encountered during site clearing: Scotch broom (*Cytisus scoparius*), Himalayan blackberry (*Rubus armeniacus*), cutleaf blackberry (*Rubus laciniatus*), and Canada thistle (*Cirsium arvense*). All invasive species should be handled with care. Preferred timing for invasive species removal is in the spring months (April-May) when new vegetative growth is

evident but before annual growth is at its maximum. During clearing, any invasive species encountered will be removed and separated from clean fill, transported separately from other materials in a covered load, and disposed of in a burn pile/or appropriate receiving area at the local landfill. The same procedure is to be applied to the soils adjacent to the invasive species in order to remove the seed bank found within the surrounding soils.

5.3 WILDLIFE HABITAT

Landfill Cell Expansion Area of Interest

The retention of most of the tree stand adjacent to the proposed landfill Cell 2 expansion will continue to provide wildlife habitat the area of interest as per DPA#1 Connectivity area until the future construction of Cell 3.

Proposed Leachate Holding Pond Area of Interest

The proposed leachate holding pond will be surrounded by security fencing and thus wildlife passage through this footprint will be eliminated. The area outside the proposed leachate pond exclusion fencing will remain accessible for wildlife. When possible, it is recommended that auxiliary fencing on the property be wildlife friendly and not be built in a manner that might impede migration of small to large mammals transiting the area. This includes periodic breaks in the fencing and a minimum clearance of 0.6 m between the bottom of fence and ground surface to allow passage of most species.

6 CLOSURE

We trust that this assessment meets the requirements for a biophysical assessment of the development proposed for 3699 Bevan Road. The observations and recommendations made in this report are intended to characterize existing site conditions and present current regulatory requirements. The presence of the features and functions described herein are based on available information at the time of writing and are subject to change. Environmental site conditions are dynamic and should development of the site be suspended an additional survey may be warranted.

Please contact the undersigned with any questions or concerns.

Current Environmental Ltd.

Prepared by:



Danika Wong, Tech

&



Patricia Halinowski, Tech

Reviewed by:



Dusty Silvester, RPBio

APPENDIX A – PHOTOS



Photo 1. Looking north from the edge of the existing tree stand onto landfill Cell 1. Construction activities show excavated pit and material stockpiles.



Photo 2. Looking west from the service road at the tree stand to be removed adjacent to the landfill cell expansion.



Photo 3. Tree stand vegetation community including western hemlock, western red cedar, salal, red huckleberry. Debris shown dispersed throughout tree stand.



Photo 4. Western hemlock found within the tree removal area with a Diameter at Breast Height (DBH) of approximately 18 cm.



Photo 5. Western hemlock in the tree removal area looking east at the service road with a DBH of approximately 28 cm.



Photo 6. Looking southwest at the existing stormwater pond.



Photo 7. Disturbed area with invasive Scotch broom along the southern boundary of the tree stand.



Photo 8. Existing leachate pond #1.



Photo 9. Vegetation community within the proposed leachate holding pond footprint, showing the existing security fencing along the northern property boundary which will be extended around the perimeter of the proposed leachate holding pond.



Photo 10. Vegetation community within the proposed new leachate holding pond footprint. Evidence of recent fire activity shown by damage to tree needles (right of image).



Photo 11. Vegetation community within the proposed new leachate holding pond footprint.



Photo 12. Vegetation community within the proposed new leachate holding pond footprint.



Photo 13. Small arbutus tree seen growing within the proposed new leachate holding pond footprint.

APPENDIX B – VILLAGE OF CUMBERLAND ENVIRONMENTAL DPA #1 CHECKLIST

TO: COUNCIL OF THE VILLAGE OF CUMBERLAND

AND TO: PLANNING DEPARTMENT AND CAO

AND TO: ADVISORY PLANNING COMMISSION

RE: GREENWAYS AND CONNECTIVITY AREAS IN OCP

In the proposed Zoning amendment and in the development permit for the manufactured park the lands in our OCP are designated as greenways and connectivity area. This designation was to allow for trails not just for humans but for the wildlife and water to connect.

When zoning or development permits are being applied for it is the opportune time to require these connections. On Bevan lands is the old railway corridor that is a connection all the way into the center of the Village. Why isn't the Village requiring the trail systems to be extended? I understand there is negotiation for a trail along Bevan Road but what about the rest of the land? Why would a leachate pond need to be placed in an area that in our OCP is greenways without providing some green infrastructure? What about the environmental report?

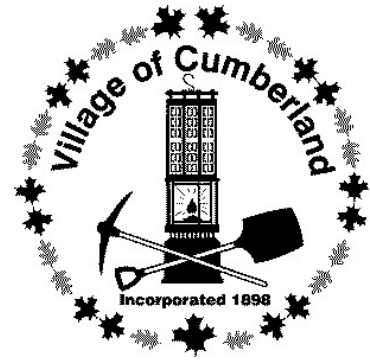
The development permit for the manufactured home park also does not require any trails. The environmental report was done in a hot dry June. This land has been known to flood for years. Why wouldn't the Village want to provide more green connecting areas? Right now the Village has a right of way on the land for sewer and water so that if Maple Lake Creek overflows, it overflows onto the right of way the Village owns. What will happen if it overflows into a neighbourhood? Who will be responsible?

Please reread the areas of the OCP that discuss greenways and connectivity. I hear Council wanting to save trees, to not have heat sinks and to be green now I would like to see this in action when looking at proposals in the whole of Cumberland.

Respectfully

A solid black rectangular redaction box covering the signature of the sender.

COUNCIL REPORT



REPORT DATE: February 5, 2022
MEETING DATE: February 14, 2022

File No. 0550-01

TO: Mayor and Councillors
FROM: Committee of the Whole
SUBJECT: Asset Management Policy

RECOMMENDATION

- i) THAT Council receive the Asset Management Policy report.
- ii) THAT Council adopt the Asset Management Policy.

PURPOSE

The purpose of this report is to seek Council ratification of recommendations of the Committee of the Whole at its meeting on January 24, 2022:

THAT the Committee refer the Asset Management Policy dated January 24, 2022 to Council for adoption.

ATTACHMENTS

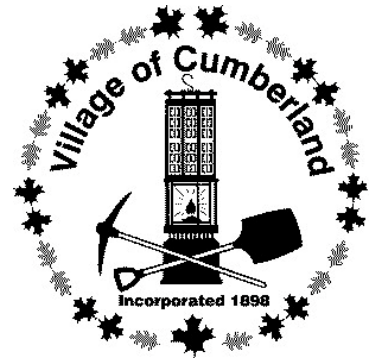
1. Policy 3.6, Asset Management Policy

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Baird".

Leslie Baird, Mayor
Chair, Committee of the Whole

COUNCIL POLICY



<p>Title: Asset Management Policy</p> <p>Adopted Date: Amended Date:</p>	<p>No. 3.6</p> <p>Section: Equipment and Supplies/ Information Systems and Services/Financial Services</p> <p>Motion No.</p>
--	--

1. Background

The Village of Cumberland delivers a wide variety of core services to the residents. Engineered and natural assets are combined to deliver these services. The policy will recognize and honor the agreements and partnership with adjacent Indigenous landowners and communities. The Village of Cumberland is committed to developing and continually improving the service delivery model by aligning with best asset management practices. Sustainable Service Delivery ensures that services are delivered in a socially, economically, and environmentally responsible manner that does not compromise the ability of future generations to make their own choices.

2. Purpose

The purpose of this policy is to provide direction and commitment to asset management practices and a set of guidelines for implementing consistent asset management processes throughout the organization.

3. Definitions

- 3.1. **Asset** – an item, thing or entity that has potential or actual value to our organization. There are three primary categories of municipal assets:
 - 3.1.1.1. **Natural Assets.** These are assets from the natural environment such as streams, wetlands, watersheds, or forest.
 - 3.1.1.2. **Living Assets.** These are biological assets that are constructed or installed such as sports fields, urban parks / forests, or bioswales.
 - 3.1.1.3. **Engineered Assets.** These are non-biological/non-living assets that are constructed such as buildings, roadways, or pathways.
- 3.2. **Asset Management** – The whole life-cycle management (physical, financial, economic, engineering and other practices) applied to assets with the objective of providing the required level of service in the most cost-effective manner.

- 3.3. **Asset Management System** – a management system for asset management (as defined in ISO 55000); where asset management is the effective control and governance of assets to realize value through managing risk and opportunity, to achieve the desired balance of cost, risk and performance.

4. Objectives

To ensure adequate provision is made for the long-term management and replacement of assets by the following actions:

- Provide services and infrastructure in a financially sustainable manner, with the appropriate levels of service to customers and the environment.
- Monitor, review and amend the required standards and levels of service.
- Adopt risk-based decision-making processes that consider the probability and consequences of asset failure.
- Ensure resources and operational capabilities are identified throughout the organization.
- Develop and implement appropriate asset management strategies and appropriate financial resources for those assets.
- Council and administration will demonstrate leadership by creating and sustaining an asset management culture throughout the organization.
- Roles are clearly identified and assigned to positions responsible for asset management.
- Adhere to legislative requirements for asset management.
- Demonstrate transparent and responsible asset management processes that align with industry best practice.

5. Policy

5.1. Scope

This policy applies to all the Village of Cumberland operating departments, employees and contractors engaged with the planning and management of assets. Council for the Village of Cumberland is the executive sponsor of the policy.

5.2. Principles

The Village of Cumberland sustainable service delivery needs will be met by ensuring adequate provision is made for the long-term planning, financing, operation, maintenance, renewal, upgrade, and disposal of living and engineered capital assets, and protection of natural assets by:

1. Ensuring that the Village of Cumberland natural, living and engineered assets are provided in a manner that respects financial, cultural, economic, and environmental sustainability.
2. Meeting all relevant legislative and regulatory requirements.
3. Demonstrating transparent and responsible asset management processes that align with industry best-practices (ISO 55001).

4. Implementing sound asset management strategies and plans, and provide sufficient financial resources to accomplish them by aligning with the Asset Management Cycle (Plan, Do, Check, Act):

4.1 Plan

- a. Asset management plans will be developed and implemented for all major asset / service areas.
- b. The Village of Cumberland's Long-Term Operational / Capital Plan will incorporate expenditure projections from asset management plans.
- c. Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.
- d. Future service levels with associated delivery costs will be determined in consultation with the community.

4.2 Do

- e. Provide our citizens with services and levels of service for which they are willing and able to pay.
- f. Provide necessary awareness, training and professional development to create and foster a corporate culture where all employees play a part in overall care for the Village of Cumberland natural, living and engineered assets.
- g. Ensure necessary capacity and other operational resources / capabilities are provided and asset management responsibilities are effectively allocated throughout the corporation.
- h. Establish a Corporate Asset Management Committee with membership from all business units (operating, capital and financial). This committee shall provide regular asset management performance reports to the CAO to ensure sustainable and continued achievement of corporate objectives.
- i. Incorporate industry best-practice strategies to enhance resiliency in the design, construction, maintenance, stewardship and life-cycle renewal of all assets.

4.3 Check

- j. Regular and systematic reviews will be applied to all asset plans to ensure that living and engineered assets are managed, valued, and depreciated in accordance with industry best practice.
- k. Regular inspections will be used as part of the asset management process to ensure agreed service levels are maintained and to identify asset renewal priorities.
- l. Asset renewals required to meet agreed service levels and identified in adopted asset management plans, and when applicable long term financial plans, will form the basis of annual budget estimates with the service and risk consequences of variations in defined asset renewals and budget resources documented.

4.4 Act

- m. Appropriate actions shall be taken to implement necessary changes and/or corrective actions determined through internal reviews.

6. Related Documents

- Cumberland Official Community Plan Bylaw No. 990, 2014
- Asset Management Strategy (as developed)
- Asset Management Plans (for operating service owners)

- Long Term Financial Plan (operating and capital forecasts)

7. Responsibility

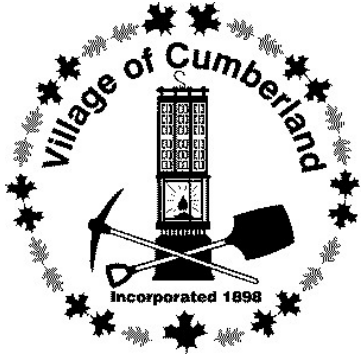
Council is responsible for adopting the policy, defining service and allocating resources, and providing high level oversight of the delivery of the Village of Cumberland's asset management strategy and plans. The Council is also responsible for ensuring that resources are appropriately allocated to ensure sustainable service delivery.

The **Chief Administrative Officer** has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within the Village of Cumberland.

8. Review Date

This policy shall remain in effect, upon Council approval and be reviewed at the discretion of the current Council.

COUNCIL REPORT



REPORT DATE: 2/4/2022
MEETING DATE: 2/14/2022

TO: Mayor and Councillors
FROM: Kevin McPhedran, Manager of Parks and Recreation
SUBJECT: BC Watershed Security Strategy and Fund Advocacy

RECOMMENDATIONS

THAT Council receive the *BC Watershed Security Strategy and Fund Advocacy* report.

THAT Council direct staff to prepare a written submission on behalf of the Village of Cumberland in response to the January 25 2022 BC Watershed Security Strategy and Fund Discussion Paper and corresponding engagement opportunity.

AND THAT the response requests that the unique context of eastern Vancouver Island be considered in the Strategy’s development and implementation, and describes the Perseverance Watershed Initiative as an innovative approach to pursuing local watershed security.

PURPOSE

This report provides background information on the Province of BC’s proposed BC Watershed Security Strategy and Fund, the province’s January 25 2022 Discussion Paper, current engagement process, and proposed advocacy activities within the context of the Perseverance Watershed Initiative.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
November 22 2021	THAT Council receive the <i>Perseverance Watershed Initiative</i> report for information.
October 12 2021	THAT Council endorse moving the business of the Perseverance Watershed Initiative (PWI) into the public realm until such time that the business of the PWI may relate to specific land acquisition discussions or negotiations.

BACKGROUND

On November 26th, 2020, the BC government committed to creating a Watershed Security Strategy and Fund in their current mandate, as expressed in multiple ministerial mandate letters.

Since the 2020 announcement, there has been significant community engagement and broad-based support expressed for a BC Watershed Security Fund. Momentum has been building with formal support expressed by the First Nations Leadership Council, Union of BC Municipalities, and the public at large (*Mc Alliser Opinion Research 2021*). The BC government also funded a \$27 million Healthy Watersheds Initiative as part of BC Economic Recovery Plan, administered by the Real Estate Foundation of BC. This investment has been seen as an important first step toward a longer-term fund.

On January 25th, 2022, the Province of BC launched public engagement and [released a public discussion paper](#) on the Watershed Security Strategy and Fund. The Village of Cumberland now has an opportunity to engage this process and play a role in shaping the development and implementation of the fund.

What is Watershed Security?

Per the discussion paper, watershed security is broadly described as:

Watershed security implies the availability of good quality water for healthy ecosystems and communities. Watershed security will look different from watershed to watershed, and so will best be defined locally. Some elements of watershed security may include:

- *Safe drinking water for all,*
- *Healthy and resilient aquatic, riparian, wetland, and watershed ecosystems,*
- *Sufficient water to support food security, recreation, jobs, and local economies,*
- *Sufficient water for First Nations, and*
- *Reduced risks from water related hazards such as flooding and drought.*

In support of this, the discussion paper outlines the following 10 outcomes and opportunities to be considered:

1. Support and enable watershed governance.
2. Enhance our understanding of watersheds and the risks they face.
3. Progress reconciliation with Indigenous people using new and improved mechanisms for collaboration on provincial water priorities.
4. Achieve healthy water for all by prioritizing the protection of drinking water sources and water quality and quantity.
5. Integrate water more efficiently and effectively into Land Use Planning.
6. Reset the water supply and demand relationship, accounting for a changing climate and in consideration of available policies and practices.
7. Improve habitats for aquatic ecosystems.
8. Integrate Indigenous Knowledge into decision-making and management.
9. Strengthen education and outreach about managing water in BC.
10. Create a Watershed Security Fund.

The province is not only looking for feedback on ideas presented in the discussion paper, but any additional thoughts on:

- *The engagement approach and how you would like to be involved in the future*
- *Questions posed in the proposed outcome and opportunities section*

- *Issues or concerns you think we should be aware*

Watershed Security and the Village of Cumberland Context

At the local level, the Village of Cumberland is actively engaged in building watershed security through the Perseverance Watershed Initiative, in addition to the Village's participation in related projects and processes such as the Comox Lake Watershed Advisory Group and the Comox Lake Municipal Natural Assets Initiative.

These local watershed security initiatives are largely focused on similar objectives and outcomes as described in the discussion paper, including improve knowledge of the Perseverance Creek via research, data collection and Indigenous knowledge; strengthen collaboration in watershed planning and management; strengthen community watershed education and outreach; and engagement with K'ómoks First Nation

The Village of Cumberland, like other communities on the east coast of Vancouver Island, is engaged in this watershed security work in the context of privately owned watershed lands. Watershed security activities in most other areas of the province are centered on crown land. This land ownership context comes with unique set of challenges and opportunities.

The success of watershed security efforts in the Village will depend on long term, sustainable funding to address our unique context, challenges, and opportunities. This is the kind of funding that could be provided by the BC Watershed Security Fund, but it is important that the Village be an active participant in the engagement process.

Watershed Security Strategy and Fund Engagement Process

On January 25th, 2022, the Province launched public engagement alongside the release of the public discussion paper on the Watershed Security Strategy and Fund. Feedback can be provided on the discussion paper until March 18, 2022, through the feedback form or a written submission up to five pages in length. A Draft Strategy will be released by the government for further engagement in Fall 2022.

Staff recommend that Council direct staff to proceed with a written submission from the Village that articulates, and requests consideration of, the unique context, challenges and opportunities facing the Village and other communities on eastern Vancouver Island. This will ensure our issues are considered early in the engagement process and could lead to additional opportunities that could help shape the development and implementation of the fund. The submission will also describe the early success of the PWI project, the close alignment of PWI to the proposed objectives of the Watershed Security Strategy and Fund, and the benefits of PWI's innovative and collaborative approach that bring together a municipality, a local conversation organization, private industry/landowners, and an invitation to K'ómoks First Nation. Accordingly, the development of this submission will include outreach to Perseverance Watershed Initiative partners and K'ómoks First Nation.

ALTERNATIVES

THAT Council provide staff feedback on the proposed approach to advocacy for the BC Watershed Security Fund.

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

The written submission and related work is proposed to be done as part of the Village’s Perseverance Watershed Initiative work using approved consulting services budget, with additional support from the Cumberland Community Forest Society.

OPERATIONAL IMPLICATIONS

The CAO, Manager of Operations, and Manager of Parks and Recreation continue to oversee and administer consulting services contracts and work of the Perseverance Watershed Initiative. This work is included in staff’s overall 2022 work plan.

ATTACHMENTS

None.

CONCURRENCE

Rob Crisfield, Manager of Operations **RC**

Respectfully submitted,

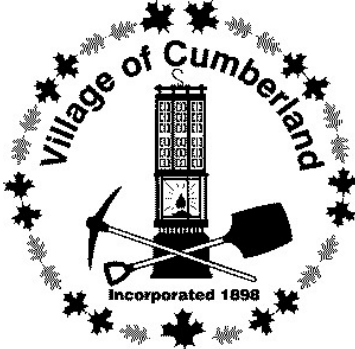
K. McPhedran

Kevin McPhedran
Manager of Parks and Recreation

C. Postings

Clayton Postings
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: February 08, 2022
MEETING DATE: February 14, 2022

TO: Mayor and Councillors
FROM: Paul Nash, Project Coordinator, Liquid Waste Management Planning
SUBJECT: Wastewater Upgrade Project Update

RECOMMENDATION

1. THAT Council receive the Wastewater Upgrade Project Update for information;
2. That Council approve an amendment of \$200,000 to the Maple Reinders contract, from \$1,500,000 to \$1,700,000, for site clearing works.

PURPOSE

To update Council on the status of the project, with specific regard to scope changes that have happened in 2021.

BACKGROUND

During the conceptual design process in 2021 there have been several scope changes identified, that are required for the long term performance and resilience of the wastewater system. These increase the projected cost of the project from \$9.7M to \$14.7M. Not all the extra works are required immediately, but they do need to be done by 2025-26.

This report describes how the additions came to be and gives the current status of the project.

After the completion of the preliminary design phase of the project, at the end of February, a detailed budget update will be presented to Council on the 14th of March. This will include a request for authorization to spend the remaining project budget. In the meantime, staff request that Council approve a \$200,000 amendment to the Maple Reidners contract, to allow for site clearing works to proceed in March.

LWMP Context

The budget for this project was developed in the LWMP process in 2017 and 2018. The LWMP contemplated a phased approach to the lagoon upgrade project, with three parts:

- 1) Phase 1. Minimum scope of works required to achieve Permit compliance
- 2) Phase 2A Additional works to improve project outcomes, and work towards future MWR (Municipal Wastewater Regulation) compliance for discharge and redundancy

- 3) Phase 2B Additional works to ensure MWR compliance (tertiary disc filtration) and provide additional biological capacity for future population growth (primary treatment).

Table 1. LWMP Phasing Structure.

Works	Phase 1	Phase 2A	Phase 2B	Reed Bed	Cumulative Total
Lagoon upgrades, second headworks screen, nutrient removal (1 st clarifier), disinfection, site amenities.	\$5.6M				\$5.6M
2 nd clarifier (for MWR redundancy), wetland augmentation, biochar reed bed		\$3.1M		\$1M	\$9.7M
Tertiary disc filtration, primary treatment			\$2.9M		\$12.6M

The trigger point for changeover from Permit to MWR compliance is when Cumberland’s Average Dry Weather Flow (ADWF) exceeds the Permit maximum of 1000m³/day. At the time (early 2018), it was expected that this would occur in 2025-2028, though it could be delayed even further with aggressive water conservation measures.

It was also expected that a Project would be implemented in 2019-2020, leaving up to five to eight years before Phase 2B is required, so the Wastewater Advisory Committee decision was to include Phase 2A in the project scope but defer Phase 2B to the future.

The biochar reed bed is an optional \$1M component that could be part of either 2A or 2B (or not at all) and was included in 2A to achieve the aspirational goal of “reducing man made toxins”, and make the project more attractive for grant funding purposes.

This resulted in the current project scope and budget of \$9.7M, with a recognition that another \$3M would be required in the future

Project Design Process

The design process for this wastewater project is structured in three stages and began in May 2021.

Table 2. Design Process

Design Stage	Activities	Design Completion	Drawings type	Original planned completion date
Conceptual	Overall treatment concepts and hydraulic flow regime are decided and laid out on the site	10%	Preliminary	July 2021

Preliminary	Major equipment is specified, hydraulic, electrical and structural loads are determined, site layout is finalized, and construction scheduling begins	33%	IFD – Issued for Design	Dec 2021
Detailed	Finalizing structural, layout, piping and electrical and other details, safety planning, material quantities, construction tendering	90-100%	IFC – Issued for Construction	July 2022

As the design progresses and becomes more defined at each stage, the cost estimating becomes more defined and accurate.

The Conceptual Design Process began in May 2021 and was to;

1. review the original 2018 LWMP concept
2. consider up-to-date data, site conditions, equipment options, construction possibilities/constraints and aspirational goals (e.g. gravity flow)
3. produce an updated conceptual design, and cost estimate, that would be the new baseline for the project

During the conceptual design phase, several scope items changed in their function, size and cost, and several new scope items were identified that were not part of the original scope defined in 2018. Some of the changes are from new goals –such as climate resiliency - that were not part of the original LWMP and others have arisen from the increased level of detail as the site investigations, field data and design progressed in 2021. Additionally, the timeframe change for the completion of the LWMP – for 2026 – meant that tertiary filtration was now being considered as part fo the conceptual design pricess, at a minimum to allow for a later “drop in” addition by 2026, but also to enable potential inclusion into the current project

Climate Resiliency

A new factor in the design process was a comprehensive consideration of climate resiliency – the ability of the project to maintain function in the face of expected future climate changes. This is separate from climate *mitigation* (e.g. reducing change by ghg reductions), and focuses on dealing with the consequences of these changes. Climate resiliency planning is now a requirement for all federally and provincially funded infrastructure projects of over \$10M, but is good practice for all projects regardless of value.

The overall philosophy is that the changing climate can change operating conditions, such as sea levels, temperature and rainfall, but also increase the risk of extreme weather events, such as storms, floods, heat waves and wildfires. Additional considerations can include long term environmental changes, such as vegetation changes in watersheds, which can further influence risks (positively or negatively) for flooding and fires.

The most specific considerations for the Cumberland wastewater project are increased winter rainfall and flood risk in Maple Lake Creek (MLC), and increased summer temperatures affecting lagoon treatment performance. These two factors involve both weather/disaster protection **and** treatment performance, and so must be considered in the treatment conceptual design process. Other climate risk factors such as wind storms and wildfire risk relate only to weather protection of components, and are to be considered in the preliminary and detailed design process.

The extreme weather events of 2021 – the June heat dome and November wet weather – each forced changes in the design basis for the project. The heat dome saw record high temperatures of 40C, and record high lagoon temperatures of 33C, forcing a change in the way the lagoon will be aerated. The November wet weather saw record high water levels in Maple Lake Creek which has precluded the use of a gravity flow treatment system, and revised the design conditions for flood protection of the treatment works.

The forced re-designing of the treatment process for climate resiliency will cause increased costs and project delay. However, it does mean that the completed facility will be “climate change ready”, and will be one of the first infrastructure projects in BC to incorporate specific climate resiliency planning based on the 2021 weather events.

Scope Changes

The major output of the conceptual design process, and the climate resiliency considerations, was a number of major scope changes.

1. Pumped Flow
2. Lagoon Diffused Aeration
3. Headworks Screening
4. Seismic Upgrades and MLC Relocation
5. Tertiary Filtration
6. Stormwater Treatment Wetland

Each of these changes are described below.

1. Pumped Flow

It has been an integral part of the planning to try to achieve a gravity flow system for the post-lagoon treatment (nutrient removal and disinfection). The extreme wet weather events of November 2021 showed that a gravity flow, post-lagoon treatment system would have to be completely bypassed in those conditions, leading to lagoon water going directly to MLC, as is the current condition.

Additionally, if the gravity flow system were to be built, extensive diking work would be required to provide flood protection against the higher MLC water levels, for the new treatment components.

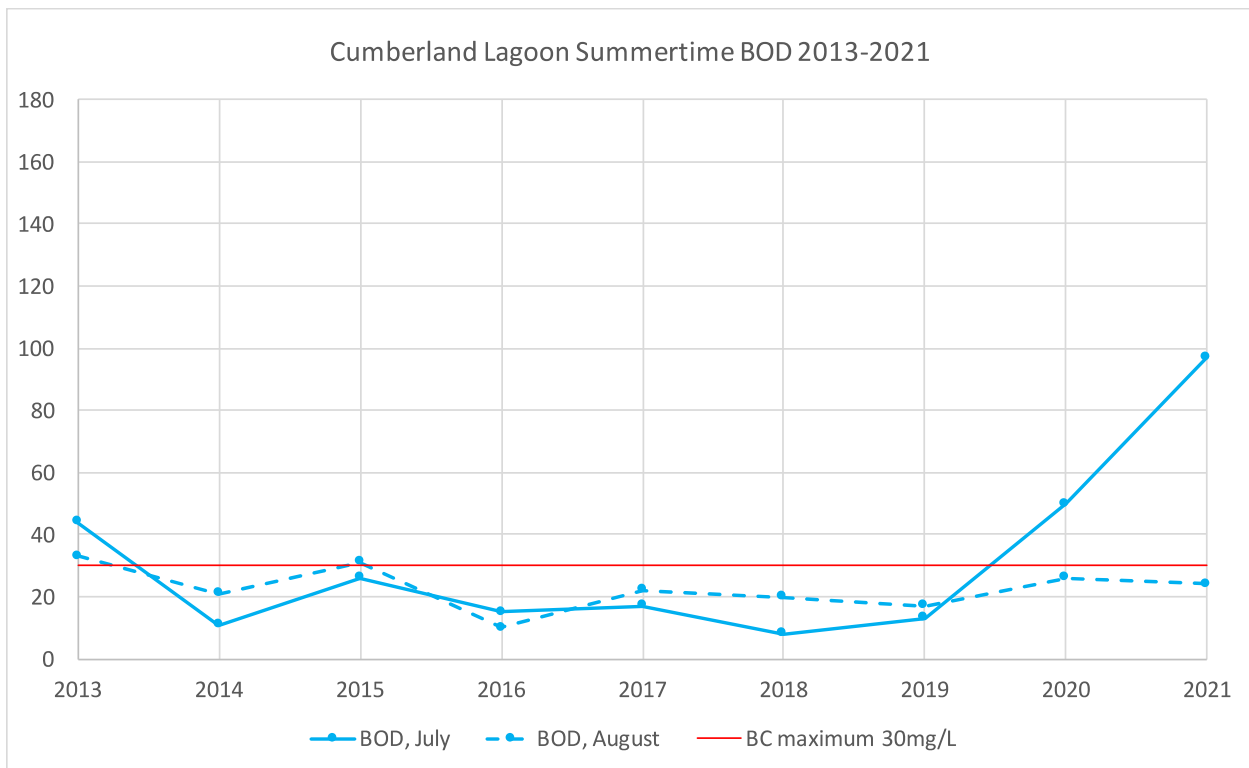
Doing pumped flow to treatment components located on higher ground (adjacent to the headworks area) ensures treatment continuity and flood protection.

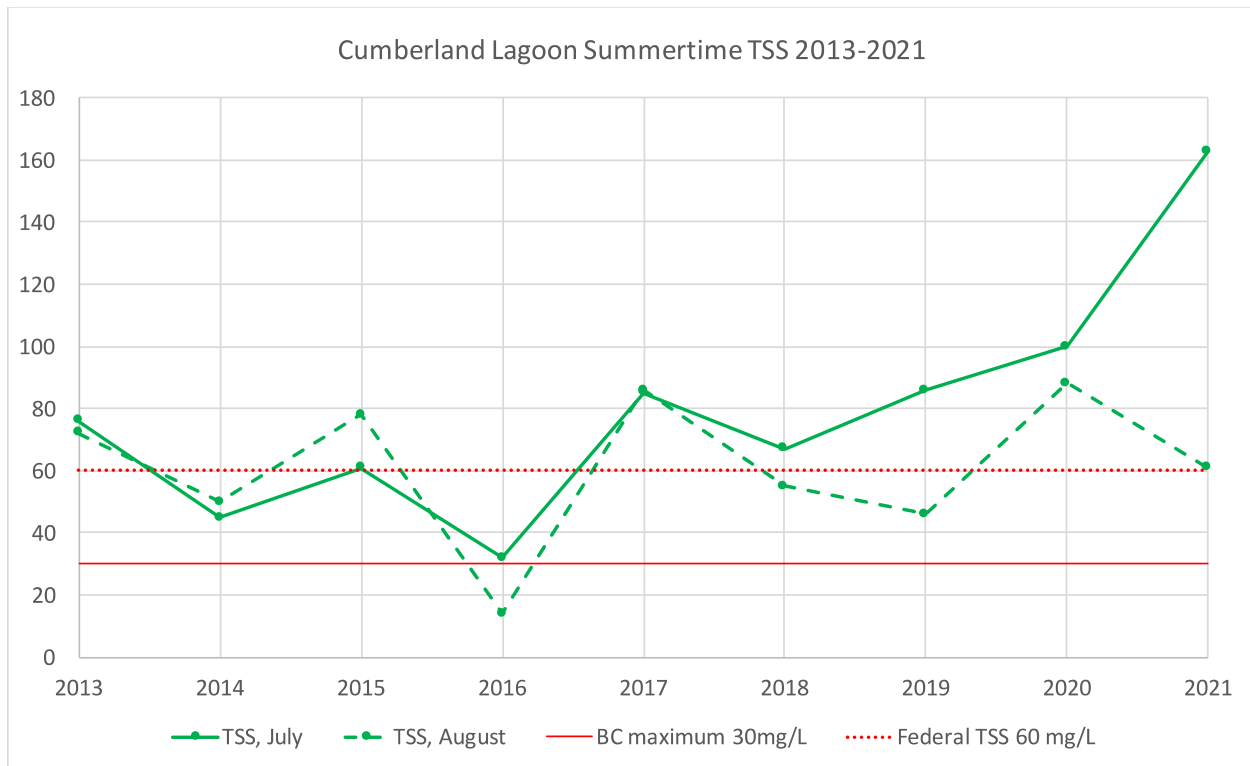
The cost of adding pumping is less than the cost of the flood control work, so this is a small reduction in capital cost, though there is a small increase in operating cost.

2. Lagoon Aeration

The original concept from 2018 was to use more surface aeration in the lagoons, going from the existing four to eight or twelve aerators. This is relatively cheap and simple to implement. However, the surface aeration does not result in a “completely mixed” system (i.e. brown water) and leads to the proliferation of algae, which increase effluent TSS (total suspended solids). This is common with lagoon systems, and is acceptable within certain limits – lagoons are allowed a TSS of up to 60mg/L in recognition of this.

The problem for Cumberland, is that in recent years, the summers have been hot and the algae has been intense, leading to effluent TSS and BOD well in excess of the allowable levels.





These conditions are a dramatic change from what was observed in 2016-17 when the LWMP was being developed. During the “heat dome” of June 2021, the lagoon temperature was measured at 33C, compared to an influent wastewater temperature of 18C (air temperature was 40C). In these conditions, the surface aeration cannot maintain sufficient dissolved oxygen and the lagoons become anoxic and “sour”, and fail to meet effluent quality. Effectively, this is a climate change situation, where increasingly hot summer conditions lead to these lagoon conditions.

The solution to this problem is a diffused aeration system over the entirety of both lagoons, which provides much greater oxygenation aeration and keeps the wastewater solids in suspension. This creates “brown” water and inhibits algae growth.

Diffused aeration requires high horsepower blowers in a dedicated building, and a system of air piping on the sides of the lagoons and lateral across it with diffuser heads. It is more complicated and expensive, and also requires other works like upsizing the electrical service to the site, and upsizing the standby generator.

By suspending the sludge, diffused aeration creates a secondary benefit of not having to sludge the lagoons, either as part of the current project nor in the future, eliminating a major operating cost. It also enables the elimination of a geotube dewatering area for dredged sludge, as the sludge will leave the lagoons through the new clarifiers and mechanical solids dewatering system.

Overall, diffused aeration is an increase in performance to meet climate change induced conditions, but comes at a large increase in cost and complexity.

3. Headworks Screening

The existing headworks was constructed in 2011 and consists of two channels, with a macerator and screen in one channel, and the second channel being a bypass channel. The channels were designed to facilitate the installation of a second (identical) screen, at a future date, and this was incorporated into the LWMP planning – to add a second screen to the existing one. However, the existing screen is nearing the end of its service life (15 years) and is suffering increasing component failure events. Additionally, the screen type is not best suited to the high volume winter flows, and the solids handling system is poor.

A design change has been recommended to remove the existing screen and install two new ones of a different type. This will ensure performance under all conditions and bring a new, better, solids handling system.

It is possible but not recommended, to add one new, different, screen to the existing one, and replace the existing one later. The new screen will need its own control panel and the solids handling must be adapted to the existing screen, and then un-adapted when the existing screen is replaced. This would achieve a marginal initial cost saving compared to doing both at once, but is more expensive overall once the second screen is installed.

The recommendation is to do the complete install of two new screens as part of the current project.

4. Seismic Upgrades

The need for seismic upgrades to the berms, particularly along the east (Maple Lake Creek side) was identified by the site geotechnical review in June 2021. Seismic stability had not been a part of the 2017 LWMP process, which focused on treatment quality.

Seismic safety of wastewater plants is of prudent infrastructure planning and all new wastewater facilities are required to meet “post disaster” construction standards. This means that the facility can sustain damage in an earthquake, but should continue to provide its primary function. In the case of the berms along MLC, if they sustain damage in an earthquake, they will breach and drain the lagoon, resulting in both a loss of function and severe environmental contamination.

The current proposed works were not in the original scope, and are not required to meet the discharge Permit. They are not required to meet future LWMP effluent quality requirements, but MoE regulates the seismic requirements for wastewater facilities, so they might be required as part of the future LWMP conditions.

Accordingly, these seismic works can be delayed for a few years, but not indefinitely.

5. Tertiary Filtration

Tertiary filtration was always known to be required to meet future MWR/LWMP requirements, it was just a question of how far into the future that would be, and it was considered to be in 2026-2028. There are two considerations that are bringing forward the timeframe for implementing tertiary filtration

A. MoE Penalty Settlement.

In 2018, Cumberland was assessed an Administrative Penalty of \$180,000 by the Ministry of Environment for long standing violations of permit in regards to effluent quality, wet weather flows and other requirements. A negotiated settlement in 2020 resulted in the penalty being reduced to \$55,000, with \$15,000 payable in 2020, and the other portion to be used towards the project, or payable if the Village fails to meet these two conditions;

- 1) Cumberland completes the current Project to achieve Permit compliance and
- 2) Registers under the MWR, or has a completed and approved LWMP, by the end of 2025 (with a possibility of a one-year extension).

This penalty settlement brings forward the timing of the change from Permit to LWMP to 2025 or 2026.

Thus, the addition of tertiary filtration will be required by 2026.

B. Flow Changes

The main regulatory flow measurement is the Average Dry Weather Flow (ADWF) which is measured as the lowest 14 day flow for each year. The Permit maximum for this is 1000m3/day and after this Cumberland must change over to the current regulatory regime of MWR or an LWMP.

The ADWF for recent years is summarised below.

Table 3. Average Dry Weather Flow.

Year	2015	2016	2017	2018	2019	2020	2021
ADWF (m3/day)	705	809	755	687	855	760	800

The ADWF's have fluctuated in recent years with drought conditions. The growth in ADWF is primarily driven by population and industrial/commercial activity (that generates wastewater) . With the current and near future residential and commercial building activity in Cumberland, the ADWF's are expected to increase over the next four years, and it is possible that the 1000m3/day Permit limit might be reached before 2026.

Thus, the trigger point for addition of tertiary filtration might be reached before 2026.

Given that tertiary filtration will be required by 2026 at the latest, it makes sense to consider it within the current project context. There are three levels of inclusion

1. At a minimum, design into the hydraulic grade line and site layout, to enable future addition with appropriate civil works
2. Add extra works, such as the concrete base, electrical servicing (capacity in main panel and standby generator, and conduits to the filter location), to enable a “drop in” addition in the future
3. Include the filtration into the current project, for execution while the current team is on site.

These options are being considered as part of the preliminary design process.

6. Stormwater Treatment Wetland

This is a new component that has arisen out of opportunity from planned site stormwater works, and the potential to attract grant funding as a part of a Phase 2 wastewater project. A stormwater treatment wetland is proposed for the area to the NW of the lagoons, utilizing the existing wetland test ponds that were built in 2007. These ponds already capture all the stormwater from Hope Road, and the project would see the re-direction all of the stormwater from the west of the lagoons, and Ulverston Avenue, to these ponds, for natural treatment before reaching MLC. The ponds themselves will have some hydraulic improvements and be connected by a new channel to MLC. This component would also be the primary location for new public walking trails to access the ponds and MLC, thus giving new access to open water bird watching habitat to make up for the lost access to the wastewater lagoons. While this scope item has environmental and social value, there is regulatory requirement to implement it.

Summary of Scope Changes

The various scope changes are summarized and grouped below. The logic of the grouping for the scope items follows the original LWMP and is as follows;

1. Items needed to achieve compliance with existing Permit and Federal regulations
 - 2A. Items needed to fulfill existing GMF funding requirements (the Reed Bed and Wetland Augmentation)
 - 2B. Items needed for future LWMP and regulatory compliance
 - C. Optional items for attracting extra grant funding

The scope changes are summarized in Table 4 below.

Table 4. Summary of Scope Changes.

Phase Category	Scope Change	Driver of change
1	Change aeration system from surface to diffused aeration & include baffling of both lagoons 1 & 2	To meet effluent quality objectives in increasingly warm summer months
1	Remove existing headworks screen and install two new screens of new type	Existing screen is failing and is not the ideal type And adding a new screen in parallel to the existing one is problematic
2A	Reed Bed and Wetland	These are not scope changes, but are not mandatory for Permit compliance, and are included here for planning purposes.

2B	Tertiary filtration	Will be needed to meet new effluent regulations in 2026
2B	MLC Channel infill and relocation	To improve seismic stability of lagoons berms on MLC side
C	Stormwater wetland & public trails	To increase chances of getting extra funding

Budget Considerations

The original project budget was for \$9.7M. In consideration of the project changes, an updated budget is presented in Table 5.

Table 5. Updated budget with Scope and Cost changes (all figures in \$M)

Scope Items		Year required	Original scope, current estimates	Extra scope, current estimates	Total
Ph. 1	Main lagoon treatment works	2022	6.3		6.3
	Aeration and flow control	2022	0.5	1.7	2.2
	Headworks screening	2022	0.2	0.3	0.5
Ph 2A	Reed bed & wetland	By 2023*	2.0		2.0
Ph. 2B	Tertiary filtration	By 2026		1.0	1.0
	MLC channel infill and relocation	By 2026		0.9	0.9
2C	Stormwater treatment wetland & public trails			0.5	0.5
	Owners costs (project mgt, etc)		1.0	0.3	1.3
	Total Projected Cost		\$10.0M	\$4.7M	\$14.7M

* The Reed Bed and Wetland are both foundational elements of the GMF (Green Municipal Fund) funding, and all the GMF eligible works must be completed by end of 2023.

The current approved project budget is \$9.7M , based on the costs estimates prepared in 2017 and submitted for grant funding in 2018. The budget is funded by a combination of ICIP (Investing in Canada Infrastructure Plan) and GMF (Green Municipal Fund). The maximum amount from ICIP is \$7.1M and for GMF the maximum loan amount is \$4.4M (per 2018 referendum) with a corresponding 15% grant amount of \$0.66M

The original and new scope and cost estimates are compared to the budget and funding sources in Table 6 below. Phase 1 is deemed to be included the original project, and is the minimum required to achieve Permit compliance.

Table 6. Summary of Costs & Funding sources for Scope Increases (all figures in \$M)

Scope Items	Cost	ICIP Funding	GMF Loan	GMF Grant	VoC Cash	Total
Ph 1	10	7.11	2.51	0.38	0.00	10
Ph 1 + 2A	12	7.11	4.25	0.64	0.00	12
Ph 1 + 2B (not 2A)	11.9	7.11	4.15	0.63	0.00	11.9
Ph 1 + 2A + 2B +2C	14.7	7.11	4.40	0.66	2.53	14.7

To complete the mandatory phase 1 will require an increase to the authorized budget from \$9.7M to \$10M.

All of the extra scope items Ph 2A, 2B and 2C are eligible for coverage by the GMF loan, however, the maximum approved borrowing amount is \$4.4M, so any borrowing over this must have a new elector assent process. Alternatively, 2B and 2C can be covered by cash contributions from reserves ***or by seeking additional grant funding for them.***

In consideration of the financing scenarios, it is important to keep in mind that all items except 2C are required within five years. In that context, if pursuing additional grant funding, it is desirable to seek funding to enable all the extra items to be done as part of the current project.

This avoids the indirect costs associated with procurement and remobilization for a second capital project, and the time-related inflationary costs of infrastructure projects not completed now but required within the next five years.

Scope change for ICIP Grant Funding.

In consideration of the scope and cost increases, discussions were held with the Province about restructuring the project in regard to the ICIP funding. The feedback received was that the additional costs of screening and aeration are eligible for inclusion into the original ICIP1 project, as they are effectively a cost increase to an existing scope item.

It was also suggested that the Reed Bed and Wetland can be “de-scoped” from the ICIP funded project, and re-applied for as part of a future grant application. The rationale here is that they are not required to achieve compliance with the Permit or Federal regulations, which is the main purpose of the original ICIP project.

In special cases, when projects are experiencing increased costs, the grant programs will allow de-scoping of the “nice to have” items, to allow the core project to be completed, and the core outcomes to be achieved. The reed bed and wetland augmentation components fit into this category, which is why they were not part of the original LWMP “Phase 1” works.

A restructured, two phased project then looks as shown in Table 7.

Table 7. Summary of revised phase split (all figures in \$M)

Scope Items		Phase 1 (2022)	Phase 2 (2023+)
Ph.1	Main Lagoon Treatment Works	6.3	
	Lagoon aeration and flow control	2.2	
	Headworks Screening	0.5	
Ph. 2A	Reed Bed & Wetland		2.0
Ph. 2B	Tertiary filtration		1.0
	MLC Channel infill and relocation		0.9
Ph. 2C	Stormwater wetland & public trails		0.5
Owners Costs		1.0	0.3
Total Projected Cost		10.0	4.7

In effect, this split reflects an updated version of the original LWMP phasing, where Phase 1 is the new cost of the minimum works required to achieve Permit compliance, and Ph 2 incorporates what was Ph 2A and 2B - everything for the aspirational goals and future regulatory needs.

If additional funding can be secured for Phase 2, then it could be excuted in 2023 by the current project team.

If additional funding cannot be secured, or Council wishes to just stay with Phase 1, then the Phase 2B works can be delayed until 2025. Phase 2A and 2C are optional but if phase 2a is not done in 2023, then the GMF funding will be forfeited. GMF funding is further discussed in the Wastewater ICIP Grant Funding Application Report., Dated Feb 14, 2022.

Budget Update

Preliminary design work is progressing on the main lagoon treatment items (Phase 1) for construction to begin in Q2 of 2022. This includes going to RFP for the major equipment components (solids separation, screening, disinfection etc).

As these items are progressed through preliminary design, their purchase cost is known and there is clarity on what is required to install them. This enables the next iteration of the cost estimate, along with the first pass at operating and asset management costs. Preliminary design is planned for completion in the first week of March, and will include a complete update of the project project costs.

It is planned to bring this updated Phase 1 Project Budget to Council for the 14th of March.

If the budget update determines that a Phase 1 budget increase is needed from the current \$9.7M, it will be brought forward at that time.

At this time staff will also seek authorization to spend the remainder of the Phase 1 project budget. With the Construction Management model, the Maple Reinders (the Construction Manager) purchases all the goods and services (the Work Packages) on Cumberland's behalf, so it is effectively the sole vendor for the project. Thus, the remainder of the project budget – as construction proceeds - is spent as a series of amendments to the Maple Reinders' contract. Thus, the budget update will also come with a request to amend the Maple Reinders' contract from the current \$1.5M (for construction management services) to their estimated project value of approximately \$7.7M, to enable the purchase of all the \$5.2M of work packages.

Maple Reinders' Contract Amendment for Early Work for Site preparation.

While the construction work is not expected to begin in earnest until April, after the authorization of the complete Phase 1 project budget, some site clearing work is planned for mid and late March. This will effectively be the first Work Package of the project. This work has not been scoped in detail yet, but is estimated to be in the order of \$50,000 to \$150,000.

Accordingly, staff request that Council authorize an amendment to the Maple Reinders' contract of \$200,000, for site clearing works.

CLIMATE CHANGE

The proposed scope changes of pumped flow and diffused aeration greatly increase the climate resiliency of the project. However, they also significantly increase the energy use and thus the GHG emissions. This counter-intuitive result is a real world example of how more energy is sometimes needed to combat the effects of climate change. A detailed GHG analysis will be brought forward once the preliminary design of the project is completed.

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

The project budget is currently at \$9.7M and is fully funded by grant funding and borrowing through GMF. The approval of the site clearing works package is not an authorization for a budget increase of \$200,000, just an authorization to spend \$200,000 from the existing budget.

OPERATIONAL IMPLICATIONS

The operational staff have been involved in the collaborative design phase and will continue to be involved in all stages of the project.

No significant change to the wastewater operations will occur until commissioning in late 2022 or 2023

ATTACHMENTS

None

CONCURRENCE

Michelle Mason, Chief Financial Officer **MM**

Rob Crisfield, Manager of Operations **RC**

Respectfully submitted,

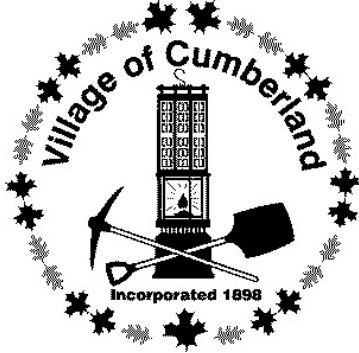
P. Nash

Paul Nash
Liquid Waste Management Planning Coordinator

C. Postings

Clayton Postings
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: February 08, 2022
MEETING DATE: February 14, 2022

TO: Mayor and Councillors
FROM: Paul Nash, Project Coordinator, Liquid Waste Management Planning
SUBJECT: Wastewater Upgrade Project, ICIP Grant Funding Application

RECOMMENDATION

1. THAT Council receive the Wastewater Upgrade Project ICIP Grant Funding Application Report;
2. That Council adopt Option 2 – the integrated project approach – as the preferred grant funding strategy.
3. That Council approve applying for scope change to ICIP1 funding to remove the Reed Bed and Wetland components from the Phase 1 project scope.
4. That Council approve making the application to the Investing in Canada Infrastructure Program, Environmental Quality stream, intake 3, for funding of Phase 2 of the High Performance Wastewater Lagoon Upgrade Project, for a grant value of \$2,260,000.
5. That Council commit to funding the municipal portion of project (\$2,440,000) using a combination of existing, approved Green Municipal Fund funding (borrowing/grant) and sewer reserves for a total project amount of \$4,700,000.

PURPOSE

To provide Council with an analysis of the grant funding options for Phase 2 of the wastewater project. If the grant is successful, these options allow for funding of all the Phase 2 scope items.

BACKGROUND

Scope and Cost changes

The original project budget was for \$9.7M, which represents Phase 1 and 2A of planned LWMP works, with Phase 2B, for \$3M, planned for the future. Various project scope changes have been identified during the conceptual design process in 2021, and these were described in the staff report Wastewater Upgrade Project Update, 14 Feb 2021.

The costs for the project now stand at:

- Phase 1 – works required for Permit compliance at \$10M
- Phase 2A – the Reed Bed and Wetland at \$2M
- Phase 2B – Tertiary filtration and Seismic upgrade at \$2.1M
- Phase 2C – Stormwater wetland at \$0.6M

These costs combine to make Phase 2 a \$4.7M project.

Scope change for ICIP Grant Funding

In consideration of the scope and cost increases, discussions were held with the Province about restructuring the project regarding the ICIP funding. The feedback received was that the additional costs of screening and aeration are eligible for inclusion into the original ICIP1 project, as they are effectively a cost increase to an existing scope item.

In special cases, when projects are experiencing increased costs, the grant programs will allow de-scoping of the “nice to have” items, to allow the core project to be completed, and the core outcomes to be achieved. The Reed Bed and Wetland Augmentation components fit into this category, which is why they were not part of the original LWMP “Phase 1” works.

It was suggested that the Reed Bed and Wetland Augmentation can be “de-scoped” from the ICIP funded project, and re-applied for as part of a future grant application. Note that this does not guarantee they will get funded, just that it is allowable to attempt to do so.

The rationale here is that they are not required to achieve compliance with the Permit or Federal regulations, which is the main purpose of the original ICIP project. The new ICIP program (ICIP3) has a much greater focus on additional environmental outcomes beyond regulatory, so the reed bed, wetland and stormwater wetland are all well matched to the intentions of ICIP 3.

A restructured, two phased project then looks as shown in Table 1.

Table 1. Summary of revised phase split (all figures in \$M)

Scope Items		Phase 1 (2022)	Phase 2 (2023+)
Ph.1	Main Lagoon Treatment Works	6.3	
	Lagoon aeration and flow control	2.2	
	Headworks Screening	0.5	
Ph. 2A	Reed Bed & Wetland		2.0
Ph. 2B	Tertiary filtration		1.0
	MLC Channel infill and relocation (seismic upgrade)		0.9
Ph. 2C	Stormwater wetland & public trails		0.5
Owners Costs		1.0	0.3
Total Projected Cost		10.0	4.7

In effect, this split reflects an updated version of the original LWMP phasing, where Phase 1 is the new cost of the minimum works required to achieve Permit compliance, and Phase 2 incorporates what was Ph. 2A and 2B – everything for the aspirational goals and future regulatory needs.

Grant Funding Opportunity

A new grant funding opportunity has become available through a third round of the Investing in Canada Infrastructure Program, Environmental Quality stream, intake 3. It will pay 73.3% of eligible costs and applications close on 23 February 2022. This program (“ICIP3”) is very similar in objectives and requirements as the 2018 round (“ICIP1”).

Of note for this new program is an increased emphasis on:

- the use of naturalized treatment systems
- outcomes that improve climate change adaptation
- outcomes that improve environmental habitat (over and above that achieved by compliance with regulations)

The program guide also specifically includes the current “Cumberland High Performance Wastewater Lagoon Project” as an example project!

It is proposed to apply to ICIP3 to secure additional funding to allow all the Phase 2 scope items to be completed, while minimizing the need for an upfront cash contribution from Cumberland.

Timing considerations

The timing of the ICIP3 announcements will be spring 2023, so no construction on them can begin until then. All the scope items for both ICIP1 and ICIP3 can still be covered by GMF if they are completed by the end of 2023.

Assuming the decision is announced in March 2023, this leaves a construction window of nine months for the Phase 2 works. And to avoid working in the wet months of the fall, the effective construction season is six months. To achieve all the construction work in this short window will require all the design work to be done beforehand, to enable a construction start as soon as possible after the funding announcement. ***This means that a significant portion (3approx. 40%) of the indirect costs are incurred regardless of whether the grant application is successful.*** This creates a risk of design work done, but if the grant is not successful, of nothing being built. However, given that the items would need to be built by 2026, the design work is not wasted.

To make these indirect costs eligible would require Phase 2 to be done as a completely separate project, with a new procurement process for the design engineer, construction manager and project manager, to be started ***after*** the funding decision is announced in spring 2023. This would push the construction to 2024, and the GMF coverage would be lost.

Analysis of the grant funding scenarios and outcomes is complicated by the fact that the if ICIP 3 funding is denied (or not applied for) then the Phase 2B items must still be done by 2026.

In consideration of these factors, there are three major options open to Council, relating to the scope and funding:

- 1. Minimal Project.** Do not pursue grant funding, and create a minimal (current) project by reducing the scope to just Phase 1, for execution in 2022, and pursue Phase 2B in 2024-25
- 2. Integrated Project.** Pursue grant funding for executing Phase 2, in 2023, with the current (Phase 1) project team
- 3. Two Separate Projects.** Pursue grant funding for Phase 2 as a completely separate project, for execution in 2024

Option 1 – Minimal Project

This would give up the aspirational goals achieved by the reed bed and wetland, and represents a significant change in direction for Cumberland. These components were foundational aspects of the GMF funding, and to cancel them would mean cancelling the GMF funding. If these components were not intended to be done in the future, it would also mean amending the Stage 2 LWMP that has been submitted to and approved by the Province.

In the absence of GMF funding, a new borrowing agreement would be done directly with MFA, though this is straightforward, and is still within the existing \$4.4M elector approved borrowing bylaw.

While this option costs the least up front, it also gives up the most.

Option 2 – Integrated project

The concept here is to use the existing (Phase 1) project team to also execute Phase 2, as soon as funding is announced, capturing the maximum efficiency of an already mobilized and project-familiar team. This also gets the work substantially completed in 2023, and no further treatment works projects are required until 2030+.

This option achieves GMF coverage of both phases, with ICIP 1 coverage of Phase 1 and ICIP 3 coverage of most of Phase 2. There is one important exclusion to ICIP 3 coverage – if the existing project team is used to execute Phase 2, the costs for these team members are not eligible as they have “already been tendered” before the funding decision. It would only be the tendered construction costs (the Work Packages) that would be eligible for 73% recovery under ICIP 3.

Also, the design work for Phase 2 will need to be done in 2022, to allow a construction start as soon as the funding is announced in spring 2023. This brings the risk that, if funding is denied, money has been spent on the design of things (phase 2B items) that may not get built until 2025, or, in the case of 2A and 2C, may not get built at all.

By using the existing project team, it is the most efficient execution of Phase 2, and has the highest chance of getting grant funding. It also carries the highest cost if grant funding is denied.

Option 3 – Two Separate Projects

This option allows Phase 1 to be completed and “let the dust settle” before doing Phase 2. It will require a completely new procurement process for the project team, and the construction work itself. In doing so, all the phase 2 costs become eligible for ICIP 3 coverage. The procurement process, and the familiarization of a new project team is considered to effectively add \$0.5M to the project, though this cost itself is eligible.

In effect, Option 3 is the least efficient way to do the second phase, but the costs of this inefficiency are covered. Because it costs more and is less efficient, it is considered to have a lesser chance of getting grant funding than Option 2, but there is also no sunk cost if the grant funding is denied.

In consideration of these factors, the scope structure for the three options is as shown in Table 2. Note that the Direct Costs include a 30% contingency.

Table 2. Summary of cost and phase split for grant funding option (all figures in \$M)

Scope Items		Phase 1 (2022, ICIP1)	Option 2, Phase 2 indirect costs (ICIP3 ineligible **)	Option 2, Phase 2 Direct Costs (ICIP3 eligible)	Option 3 All costs ICIP 3 eligible
Ph.1	Main Lagoon Treatment Works	6.3			
	Lagoon aeration and flow control	2.2			
	Headworks Screening	0.5			
Ph.2A	Reed Bed & Wetland		0.6	1.4	2.0
Ph.2B	Tertiary filtration		0.3	0.7	1.0
	MLC Channel infill and relocation		0.3	0.6	0.9
Ph.2C	Stormwater wetland & public trails		0.1	0.4	0.5
Owners Costs		1.0	0.3		0.8
Total Projected Cost		10.0	1.6	3.1	5.2
ICIP 3 funding (73%)		7.113	0	2.26	3.81
VoC share of Phase 2				2.44	1.39

* **Of note for Option 2 is that even though the Phase 2 indirect costs are not eligible for ICIP3, they are still eligible for GMF.

For each of options 2 and 3, there are two possible outcomes – grant funding received, or denied. Combined with Option 1 there are five possible outcomes, as laid out in Table 3.

Table 3. Summary of grant funding outcomes (all figures in \$M)

Option	1	2		3	
GMF Strategy	Give Up	Retain		Give Up	
ICIP3 Result	Not applied for	Received	Denied	Received	Denied
Phases Built 2022-23	Ph.1 only	1, 2A,B,C	1, 2A	1, 2A,B,C	1
Initial Built Cost	10	14.7	12	15.2	10
Sunk Cost if ICIP 3 Denied			0.7		0
Total Incurred cost 2022-23	10	14.7	12.7	15.2	10
ICIP1 Grant	7.11	7.11	7.11	7.11	7.11
ICIP3 Grant	0	2.26	0	3.81	0
GMF Grant	No	0.66	0.66	No	No
Loan (GMF or MFA)	2.89	4.40	4.40	4.28	2.89
VoC Reserves in 2023	0	0.27	0.53	0	0
Interest Rate	3.08%	3.08%	3.08%	3.08%	3.08%
Loan interest (20yr)	1.2	1.8	1.8	1.79	1.2
Total VoC obligation for initial project	4.09	6.47	6.73	6.07	4.09
Future works (2025-26)	Ph. 2B	None	Ph. 2B	Ph. 2B	Ph. 2B
Future works cost (2022 cost +30%)	2.18**	0	2.18**	0	2.18**
Total VoC obligation incl. future works	6.27	6.47	8.91	6.07	6.27

Analysis of Options

The “Total VoC obligation including future works” is relatively similar for all the options, but the benefits achieved for this cost are different, depending on whether the grant is received or denied.

Option 1 is clearly the minimalist option, but represents a significant step back from the aspirational goals developed in the 2018 LWMP.

Option 2 gives the best and fastest result, if the grant is successful, but also the most VoC cost if it is denied.

Option 3 achieves a project separation, but incurs greater cost for the project separation, and is a 50% greater ask of ICIP3 for the same scope as Option 2. It is a less efficient execution, but seeks more grant funding to cover the inefficiency which may reduce our chances of approval.

From a grant funding evaluation point of view, Option 2 offers the same results as Option 3 but for only 60% of the grant funding amount. ***Option 2 is much better value per grant dollar and has the highest chance of being successful, but carries the greatest downside cost if unsuccessful.***

Any future works required if grant funding is not successful will need to be funded separately from the current project. This will require future borrowing and a new borrowing authorization for a second project. Borrowing authority for works in 2026 or later would come from the completed LWMP. There may also be some future grant funding available.

Despite the downside risk of Option 2, this is the preferred option from staff. It honors both the intended LWMP scope and the GMF funding, and seeks to get both phases executed in the most time and cost efficient manner.

The other Option 2 outcome of grant denied, but committing to the reed bed and wetland, leads to the highest cost to Cumberland, but still achieves almost all the environmental and social outcomes that were envisaged in the LWMP.

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

The Village has sufficient reserve funds to fund all three options if borrowing is maximized (including future works funded via LWMP borrowing). The debt term would need to be 20 years to be affordable. The annual debt payments would require a parcel charge to property owners to repay. Table 4 below outlines what the annual parcel charge would need to be for each option. As we progress through the 20 year debt term, interest rates may fluctuate for option 1 (through MFA) upon refinancing but not for options 2 and 3 through GMF. In addition, the number of parcels paying the charge will increase with growth. Both variables are unknown at this point and are not included in the estimates. Any reserve balances available at the time of converting the interim construction debt to long-term debt, could reduce the total debt required but that is unknown at this point. The original annual parcel charge (for the 2018 referendum) for the capital upgrades for borrowing the total \$4.4m were estimated at \$200. The Village has been increasing utility fees to cover the operating costs for the upgrades since 2018. The 10% increase to these costs will be brought in by the end of 2023 when the treatment works are operational.

Table 4. Summary of parcel tax implications

Options	Annual Debt Pmt	Number of Parcels	Annual Parcel Charge	Future Works Annual Debt Pmt (10 yr term)	Future Works Annual Parcel Charge	Total Parcel Charge
Option 1	\$205,000	1650	\$124	\$26,000	\$16	\$140
Option 2, with grant	\$312,145	1650	\$189	\$0	\$0	\$189
Option 2, no grant	\$312,145	1650	\$189	\$26,000	\$15	\$204
Option 3, with grant	\$303,632	1650	\$184	\$0	\$0	\$184
Option 3, no grant	\$205,000	1650	\$124	\$26,000	\$16	\$140

While the parcel charge is significantly lower for Option 1 and Option 3-no grant, it should be noted that these options do not include the environmentally enhancing scope items of the Reed Bed, Wetland Augmentation and the Stormwater Wetland.

The Province has confirmed that GMF funds can be used to provide for the municipal portion (26.67%) of the project.

A final financial implication is that there is a \$3,000 cost for consultant time for preparing and submitting the grant application. This cost is not eligible for recovery if the grant is received. Council approved a budget for ineligible costs in 2021 to be funded from the Sewer and Water Infrastructure Asset Replacement Reserve which will be carried forward to 2022 to be used for these types of ineligible costs.

OPERATIONAL IMPLICATIONS

The operational staff have been involved in the collaborative design phase and will continue to be involved in all stages of the project.

The preferred approach from the operations staff is Option 2, to try to get all the work done as soon as practical. The prospect of breaking the work up into a separate future project will place a further load on the operational staff when the time comes to do that project.

ATTACHMENTS

Hyperlink to ICIP3 Program Guide:
<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/investing-in-canada-infrastructure-program/green-infrastructure/environmental-quality>

CONCURRENCE

Michelle Mason, Chief Financial Officer **MM**
 Rob Crisfield, Manager of Operations **RC**

Respectfully submitted,

P. Nash

Paul Nash
Liquid Waste Management Planning Coordinator

C. Postings

Clayton Postings
Chief Administrative Officer

COUNCIL MEMBER MONTHLY REPORT

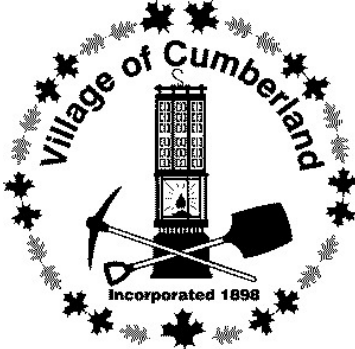


DATE: February 14, 2022
 TO: Councillors
 FROM: Mayor Leslie Baird
 SUBJECT: December 2021 Monthly Report

1st	<ul style="list-style-type: none"> • Clearing the Smoke workshop. • Annual General meeting for the Cumberland Events Society held at the Community Church. • Annual General meeting for the Cumberland Culture and Arts Society held at Weird Church.
4th	<ul style="list-style-type: none"> • Village staff Christmas get together held at the Waverly Hotel.
5th	<ul style="list-style-type: none"> • Comox Valley Christmas Parade held in Courtenay. • Chanukah Celebration annual communal menorah lighting Courtenay City Hall
7th	<ul style="list-style-type: none"> • Presentation to the Comox Valley Water Committee with Kevin McPhedran-information related to the No. 2 Dam Project; the broader Perseverance Watershed Initiative and partnership that we've recently embarked on with the Cumberland Community Forest Society and Mosaic Forest Management.
8th	<ul style="list-style-type: none"> • What's next for Local Climate Action & Resilience for Elected Officials.
9th-11th	<ul style="list-style-type: none"> • The Cumberland Community School Santa's Break Room • Volunteered in the Test Kitchen. • BC Social Procurement Initiative meeting: 23 people attended-reaching out to additional communities in BC.- Community Highlights-Quarterly report updates.
13th	<ul style="list-style-type: none"> • Committee of the Whole meeting in Council Chambers.
14th	<ul style="list-style-type: none"> • The Salvation Army St. Georges Church to hand out Christmas lunches. • Vancouver Island Regional Call Minister of Municipal Affairs, Minister of Indigenous Relations and Reconciliation BC Mayors and RD Chairs. We were given the opportunity to tell of two examples that we are

	working on with our local First Nation. 1. The presentation we made to the Chief and Council on our watershed. 2. We have hired Sean Frank to create a piece of art for our Council Chambers.
16th	<ul style="list-style-type: none"> • Economic Recovery Task Force meeting held at the Visitor Centre. • Discussion on the Outcomes and Next Steps. Final Report will be submitted to Council
17th	<ul style="list-style-type: none"> • Leaders Lunch held by Mayor Bob Wells at North Island College.

COUNCIL MEMBER REPORT



DATE: February 1, 2021
 TO: Councillors
 FROM: Mayor Leslie Baird
 SUBJECT: January Monthly Report

6th	<ul style="list-style-type: none"> • Special Council Meeting-Council Procedure Amendment Bylaw No. 1153. 2021. • Planning workshop 101 by zoom-planning. Overview of Regional Growth Strategy; Official Community Plan; Zoning; Development Permits; Variances; Development Approval Information; Development Permit Areas-Forest Lands-Environmental Protection; Heritage Conservation Areas. • Staff provided a made-up scenario for members of the workshop-working in groups we presented different ideas and thoughts to the other participants. Good refresher!
13th	<ul style="list-style-type: none"> • Comox Valley Chamber of Commerce-Economic Forecasting Event by zoom. Invited to speak for 3-5 minutes on behalf of the Village. Guest speaker Honorable Perrin Beatty. PC, OC, president and Chief Executive Officer of the 200,000-member Canadian Chamber of Commerce, Canada`s largest and most representative national business association. <p>His topics included-current business challenges with COVID-Policy of Federal Government-13% of businesses will fail-Food Prices-Labour shortages-will continue for the rest of the year-growth in BC is good-housing prices up-flooding in BC-Exports in BC down by 8%-We are falling behind other countries-out of 38 countries we are 26th slowest moving, massive debit-growth is critical in the next 10 years. The Government is 1.3 trillion in debit. It was a speech that was difficult to listen to. Very negative.</p> <ul style="list-style-type: none"> • Island Health meeting with Mayors and Chairs of Regional Districts. This is difficult to report on as the numbers have changed since this meeting. Many staff did not get holidays over Christmas-Surgical slow down.
19th	<ul style="list-style-type: none"> • Invited to speak on Cumberland at the Probus Club by zoom. 30 minutes including questions from members. It was fun to see many members that I have met over the years. Lots of laughs!

21 st	<ul style="list-style-type: none"> • Telephone Conversation with MLA Honorable Josie Osborne about the Cumberland Medical Clinic. Update her on actions taken place over the last 2 months. • Comox Valley Family Physician Recruitment and Retention Task Force- was late for the meeting but did join and speak about the Cumberland Medical Clinic.
27 th	<ul style="list-style-type: none"> • Meeting with Matthew Merritt RFP-Area Manager, Vancouver Island-Manulife investment Management. Topic Discussed; Relationship with Village; Ongoing logging plans; Land access agreement; other topics. Matt will be coming to a Council member to update Council. • Comox Valley Community Foundation-Community Enrichment Awards. Invited to give opening comments on behalf of the Village. The Cumberland Forest Society received \$7,500 dollars for a Forest Education and outreach project. Cumberland Community School Society received \$7,500 for the Cumberland Food Share program. Smaller grants also received funding for projects within the Village.
28 th	<ul style="list-style-type: none"> • Meeting with Nancy Henderson-Senior Local Government Advisor Urban Systems consulting on Development Process Modernization of our Planning Department. • Update on the Cumberland Medical Clinic-ongoing discussions with Primary Care Network Comox Valley, discussion with board member of Island Health.

COUNCIL MEMBER MONTHLY REPORT



DATE: February 10, 2022
TO: Mayor and Councillors
FROM: Councillor Sullivan
SUBJECT: January 2022 Monthly Report

- Jan 10th Regular Council
- Jan 20th Comox Strathcona Waste Management Board
- Recognition of Traditional Territories workshop
 - 2022-2026 Financial Plan
 - Cumberland's requisition for 2022 is \$168,616
- Jan 24th Committee of the Whole
- Jan 24th Regular Council
- Jan 25th Comox Valley Regional District
- Request from Search and Rescue for funding for a permanent location
 - BC Assessment delegation
 - 2022-2026 Financial Plan process overview
 - Application to ICI for grant funding for South Sewer extension
 - 2022 Woodsmoke Reduction Program
 - Clean BC Better Homes Rebate Municipal Top-up Program
 - Approved the draft terms of reference for the Food Hub Stewardship Group
 - Voted in support of MP Johns Private Members Bill C-216
- Jan 27th Comox Strathcona Regional Hospital District Board
- Elections of Chair and Vice Chair
 - Councillor Charlie Cornfield affirmed as chair, Councillor Doug Hillian affirmed as vice-chair
 - Territorial acknowledgement report
 - 2021 Audit Service Plan
- Jan 28th Manufactured Home Development open house

COUNCIL MEMBER REPORT



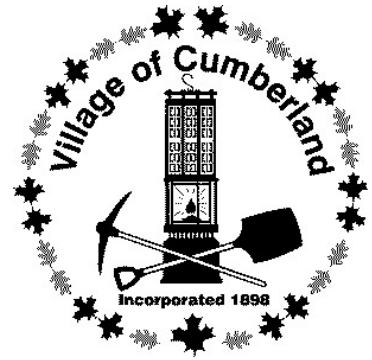
DATE: February 9, 2022
 TO: Mayor and Councillors
 FROM: Councillor Brown
 SUBJECT: December 2021/January 2022 Monthly Report

Date	Event	Comments
Dec 1	Wood Smoke Webinar	Presentations by UBC's school of population and public health, BC Ministry of Environment & Climate Change, Metro Vancouver's air quality planner, and moderated by the Head of Respiratory Medicine UBC
	Broken Drug Policies	Regular bi-weekly meeting; discussion on the historic path of criminalization of drug use and the move to medicalization (and the challenges with medical model)
Dec 2	Arts Infrastructure Program Info Session	Potential funding for Arts and Culture infrastructure – eligible to non profits
Dec 4	Staff Party	Christmas Party for staff and Council
Dec 8	Climate Conversations	Columbia Institute Conversation; What's next for local climate action and resilience for local electeds
	Santa's Breakroom	Set up Frosty Diorama
Dec 9	Santa's Breakroom	Finishing set up, volunteer at the entrance table, tree lighting
Dec 10	Council Meeting	In Camera (labour relations or other employee relations)
Dec 13	CV Substance Use Committee	City of Courtenay has committed funds, Presentation to SD71 Board, Phase two starting in the new year
	Council Meeting	In Camera <ul style="list-style-type: none"> the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.
	Council Meeting	Regular Council Meeting; https://cumberland.ca/meetings/20-regular-2021/

Dec 15	Understanding the Net Zero Economy	UN Special Envoy on Climate Action and Finance Mark Carney and Vancity CEO Christine Bergeron on reframing the political and economic narrative of climate advocacy.
Dec 16	CJC Board Meeting	Consideration of banking with a Credit Union Discussion Report from the Visioning Planning Group, Facilitators proposal & bios Consideration of potential 2023 Campagnolo Lecturer
Dec 19	Light Up Ride Around	Second Annual solstice bicycle parade
Jan 5	Coalition to end Homelessness	Discussion/presentation on Rent Bank
	Broken Drug Policy	Regular meeting; Legalization and decriminalization the legal and regulatory framework
	Council Meeting	Special meeting to adopt procedural bylaw to allow for online meetings
Jan 6	Planning 101	Presentation for committee members on how planning works
	Appointment to Local Government Policing Modernization Roundtable	Received notification that I have been appointed along with the following: Staff: Francis Cheung, Langley City Steffan Klassen, Creston Bryon McCorkell, Kamloops Dave Critchley, Burnaby Elected: Craig Hodge, Coquitlam Malcolm Brodie, Richmond Jennifer Leach, Lillooet Gord Klassen, Fort St. John Christine Boyle, Vancouver David Wilks, Sparwood Dean Jantzen, Colwood Vickey Brown, Cumberland George Harvie, Delta UBCM: Paul Gill, Consultant Bhar Sihota, Senior Policy Analyst First meeting should be in February.
Jan 10	Council Meeting	https://cumberland.ca/meetings/01-2022-regular/
Jan 12	Broken Drug Policies	Discussion on legal regulation
Jan 13	Forecasting Breakfast	https://web.comoxvalleychamber.com/events/Forecasting-Breakfast-1656/details Keynote speaker; Honourable Perrin Beatty, PC, OC, is the President and Chief Executive Officer of the 200,000-member Canadian

		Chamber of Commerce, Canada's largest and most representative national business association. Before joining the Canadian Chamber in August 2007, Perrin held the same role at Canadian Manufacturers & Exporters (CME).
	Substance Use Strategy Working Group Mtg	Funding for phase 2, update on joint working group plan for mapping gaps and opportunities.
Jan 17	Accessibility Committee	Review of work plan, discussion on inclusion education, and recruitment of new members.
Jan 18	Climate Caucus	How to do better meetings, discussion on education for electeds, communication tools and strategies for bringing council together.
	CVFPC Food Supply/policy subcommittee	Agriculture area plan, water concerns
Jan 20	CJC Board Meeting	Discussion on lack of referrals from RCMP – COVID definitely a factor. Focus on repeat offenders and drug crimes (which are not eligible for RJ)
Jan 24	COTW	https://cumberland.ca/meetings/3-2022-cotw/
	Regular Council Meeting	https://cumberland.ca/meetings/4-2022-r/
Jan 26	CVFPC	Updates/ Announcements: Subcommittees, Trainings/Events, EMBC letter Feedback for Courtenay OCP, Municipal Delegations, Recruiting New Members/ Co-Coordinator, Annual Action Planning Session
Jan 27	CV Community Foundation Grant Celebration	Heard from grant recipients on the impact of the grants to their organizations, presented on the Camp Rd Pollinator Pathway outcomes.
Jan 29	Library Board AGM and Meeting	Elected to the executive for 2022, https://virl.bc.ca/about/library-board/

COUNCIL REPORT



REPORT DATE: 1/24/2022
MEETING DATE: 2/14/2022

File No. 3360 – 2021 3699 Bevan Rd

TO: Mayor and Councillors
FROM: Karin Albert, Senior Planner
SUBJECT: Rezoning, 3699 Bevan Road, First and Second Reading of Bylaw 1165

RECOMMENDATION

- i. THAT Council receive the report “Rezoning, 3699 Bevan Road, First and Second Reading of Bylaw 1165.”
- ii. THAT Council give first and second reading to Zoning Amendment Bylaw No. 1165, 2022.
- iii. THAT Council direct staff to work with the Comox Valley Regional District to:
 - a. register a 6 metre wide Statutory Right-of-Way for a multi-use trail running parallel to Bevan Road on the lands to be rezoned; and
 - b. pursue establishment of the multi-use trail corridor along the remainder of the Comox Valley Waste Management Centre property.



Area Subject to Rezoning

PURPOSE

The purpose of this report is to introduce Bylaw No. 1165 to rezone a portion of the Comox Valley Waste Management Centre (CVWMC) from IGR Industrial Greenways Reserve and I-2 – Heavy Industrial to I-4 – Refuse Industrial to permit for a secondary leachate pond, a use associated with the existing CVWMC.

BACKGROUND

Proposed Development

The Comox Valley Regional District (CVRD) expanded their property by purchasing land to the north (shown on the map above) and consolidating it with the CVWMC parcel in 2021. The intention is to use the newly acquired area for a secondary pond to capture leachate – formed when rainwater mixes with solid waste. Additionally, the CVRD plans to pursue waste management auxiliary uses in the future such as diversion activities associated with the landfill.

An onsite leachate treatment facility was constructed as part of the engineered landfill cell 1 (Attachment 1 – Landfill Plan). While the annual leachate flow rate is processed by the plant, large seasonal fluctuations in the winter can cause strain on the system. With construction and opening of a new landfill cell scheduled for 2022, additional buffer capacity is required to handle the large seasonal rain fluctuations. The secondary leachate holding pond planned for the subject property will be used to handle intense rainfalls. This will permit the treatment plant to run at a more steady state throughout the year. In the future, as new cells are opened, older cells will be closed. This will limit additional leachate generation.

The portion of the property being rezoned has a frontage to Bevan Road of 198 metres. The Village is working with the CVRD to register a 6 metre wide statutory right-of-way along Bevan Road as an alternative transportation corridor. The corridor will eventually connect to an existing 6 metre wide trail dedication along the road at the Acciano Development subdivision. Any future subdivisions planned along Bevan Road will add further sections to that corridor. The long term vision is a continuous alternative transportation corridor that will connect to the historic Wellington Colliery railway grade on the south side of the landfill, provide a safe bicycle commuter route to the Bevan Industrial lands from the Village core and a connection to the trail network along the Puntledge River for recreational users.

Regional Growth Strategy

Local municipalities and the CVRD rely on the CVWMC for solid waste disposal and storage.

Solid Waste Management

Policy 5E-1 of the Comox Valley Regional Growth Strategy (RGS) references the regional Solid Waste Management Plan. The plan considers waste management issues and trends and technology in the management of waste that include solid waste collection, private burning of land clearing and solid waste, waste reduction programs, waste diversion, construction waste management, product stewardship, and waste to energy/Integrated Resource Recovery options. (p. 57)”

The 2012 Comox Strathcona solid waste management plan identified the need for a new engineered landfill cell. Cell 1 was recently opened (Attachment 1 – Landfill cells, current and planned). The cell includes a multilayer engineered liner system that collects leachate to prevent contamination of surface and groundwater. The leachate is transferred to a lined equalization pond and, in the event of unusually heavy rainfalls, to the proposed ancillary leachate pond, before being treated by the new CVRD treatment facility, which removes contaminants.

Alternative Transportation

The Managing Growth section of the RGS states that one of the purposes of directing the majority of growth in the Comox Valley to Core Settlement Areas, including Cumberland, is to provide densities supportive of alternative transportation choices.

Goal 4: Transportation identifies improving bicycle and pedestrian infrastructure to increase the use of active transportation options as an objective. Policy 4B emphasizes the importance of safe, efficient and enjoyable cycling and pedestrian routes to help encourage a higher rate of active transportation. The benefit in an increase in active transportation is to help improve community health, reduce air pollution and improve the region’s overall quality of life.

Further, policy 4B-4 states that OCPs should identify regionally important, priority street connections for pedestrian and cycling improvements and require that connections be established as a condition of redevelopment. (p. 49)”

Official Community Plan

Land Use Designation

The Village of Cumberland Official Community Plan Bylaw No. 990, 2014 (OCP) identifies the land use designation of the subject property as Industrial and Working Forest. The proposed rezoning is within the area designated Industrial and that land use designation supports the proposed use of the land and therefore an OCP Amendment is not required.

Environmental Development Permit Area 1

The land to be rezoned lies within a Connectivity Area identified on Map E of the OCP and is subject to an Environmental Development Permit application. That application is presented in a separate staff report.

Solid Waste Management

OCP Section 5.5.4 (4) states “The Village will continue coordination with the CVRD on the implementation of the Comox Strathcona Waste Management Solid Waste Management Plan, 2012.” The attached conceptual plan identifies expansion of the landfill toward Bevan Road (Attachment 1 – Current and Future Landfill Cells).

Alternative Transportation and Connectivity

The OCP Vision Statement identifies the importance of greenways and bikeways to livability. Section 5.6.1 recognizes the contribution of alternative transportation infrastructure to decreasing greenhouse gas (GHG) emissions and supporting non-renewable energy use.

The OCP also includes a number of objectives and policies related to integrating alternative transportation corridors, in particular off road bike paths, into the road network (section 5.6.2) and creating a pedestrian and bicycle friendly community (section 5.6.4). Map J identifies the circulation pattern of trails which includes a trail network in the Bevan area, including the historic Wellington Colliery railway corridor which is truncated by the CVWMC.

Zoning Bylaw

Pursuant to Village of Cumberland Zoning Bylaw No. 127, 2016 (Zoning Bylaw), the majority of the area to be rezoned is zoned I-2 Heavy Industrial with the western-most tip zoned IGR Industrial Greenways Reserve (see figure 1 below). I-2 permits many heavy industrial uses ranging from aggregate processing to automobile services and wrecking yards to sawmills. IGR permits medical marihuana facility, recreational cannabis facility and silviculture.

The CVRD is requesting to rezone the area to I-4 Refuse Industrial which permits compost and recycling facilities, refuse disposal site and associated infrastructure as principal uses and accessory buildings and structures and office as accessory uses.

BC Ministry of Environment Landfill Criteria for Municipal Solid Waste

According to the [BC Ministry of Environment Landfill Criteria for Municipal Solid Waste \(2016\)](#), section 3.1, a landfill footprint is not to be located within 500 metres of an existing or planned sensitive land use. “Sensitive land use” includes food processing facilities. A landfill footprint refers to the area of a landfill site where municipal solid waste is approved to be deposited by the Province. As per the CVRD’s operation certificate, waste is only approved to be deposited in Cell 1 and future cells to the south of Cell 1 (Attachment 1 – Current and Future Landfill Cells). The area to be rezoned is ancillary to, but not considered part

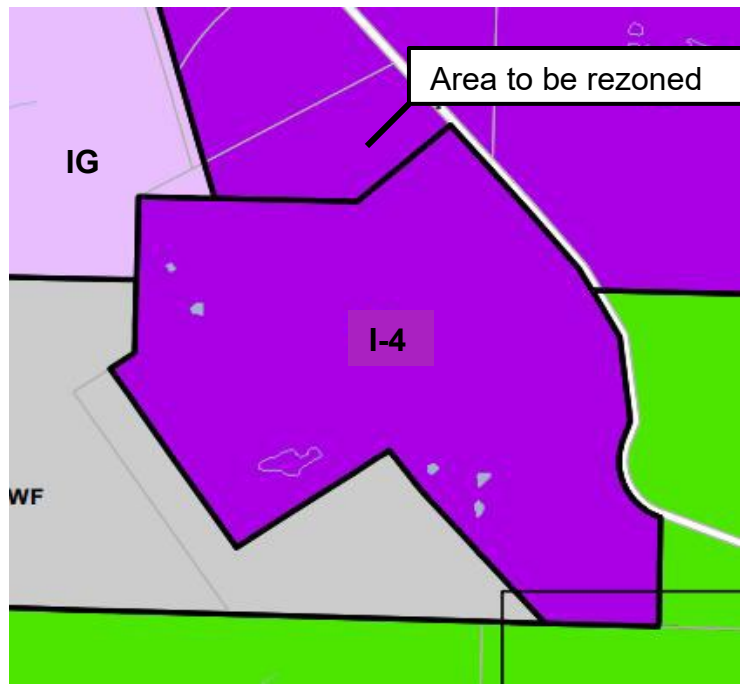


Figure 1: Existing Zoning

of, the landfill “footprint”. That means it does not extend the landfill footprint. The distance between the existing landfill cell 1 and the site of a proposed food processing industry within the Bevan Lands Industrial Area is 593 metres (Attachment 2 – Site Plan)

No food producing industries are currently planned within a 500 metre radius of the landfill footprint. A future update to the Zoning Bylaw could specifically exclude food processing within the buffer to ensure compliance with the provincial guidelines.

Bevan Industrial Lands Concept Plan

The Bevan Industrial Lands Concept Plan, 2020 identifies desired land uses within the Bevan industrial area. The Plan also identifies a multi-use trail along the Bevan Road frontage of the subject property and extending both south to the Village and north to the Puntledge River trail systems.

The alignment of the trail corridor along Bevan Road is identified as an alternative to the historic Wellington Colliery rail corridor which has been truncated by the landfill. In 2020, Village staff confirmed an alignment along Bevan Road as preferred over routing the trail to the West of the landfill due to wetlands, difficult terrain, and accumulation of garbage on the west side. The alternate alignment along Bevan Road was confirmed with Council by the previous Approving Officer at a Council meeting in fall 2020.

A conceptual cross-section of Bevan Road and the multi-use trail corridor illustrates the trail as being separated from Bevan Road (p 22).

As part of the Acciano subdivision to the north of the CVWMC, the developer is providing a 6 metre wide corridor, constructed with a 3 metre wide trail surface. Any future development along Bevan Road will be asked for the same width corridor and trail construction. As part of this rezoning, the CVRD Board will be considering a request to work together on a Statutory Right-of-Way that would permit a multi-use trail along the subject property’s Bevan Road frontage to assist

the Village to assemble the multi-use trail corridor all along Bevan Road over time. CVRD staff will be presenting a report to the Board to request a resolution supporting the Statutory Right-of-Way. An update will be provided at third reading and final adoption of Bylaw No. 1165.

PUBLIC NOTIFICATION AND CONSULTATION

As per the requirements of the Village's Procedures and Fees Bylaw No. 1073, the CVRD posted a public notice sign at the property and advertised and held a public information meeting at the landfill on Monday, January 31. Four people attended the meeting. Two of them were members of the Comox Lake Watershed Advisory Group (WAG). The CVRD received questions and provided responses regarding the 500 metre buffer, annual reporting to the Province, hydrogeological flow of groundwater toward Morrison Creek and hydrogeological groundwater connection to Black Lake (Attachment 4 – Public Comments).

The Village mailed a notice to properties within a 75 metre radius and notified WAG and other stakeholders of the meeting. The Village also sent a referral for comments to the WAG and put a notice about the application in the Comox Valley Record.

One resident submitted a letter inquiring why the Village is not requiring the old railway corridor to be extended and inquiring about additional greenways and an environmental report (Attachment 4 – Public Comments). The former is addressed earlier in the staff report and the latter is subject of a separate staff report for the development permit application.

ANALYSIS

Public Hearing

A public hearing is not required as the proposed Zoning Bylaw amendment is consistent with the OCP. Previously, a public hearing was a default requirement for zoning bylaw amendments that could be waived when the amendment was consistent with the OCP. A recent *Local Government Act* amendment removed this default requirement, and instead, if a public hearing is not held, requires a public notice before the zoning bylaw amendment is considered for first reading.

The proposed rezoning to permit a leachate pond on the subject property is supported by the Regional Growth Strategy and the OCP. In addition, the rezoning supports the goals of the Comox Valley Regional Solid Waste Management Plan.

Future Use

The I-4 Refuse Industrial Zone permits compost and recycling facilities and refuse disposal site as principal uses. The refuse disposal site use includes landfill cells as well as the proposed leachate pond and other possible future uses identified by the CVRD, such as diversion activities associated with the landfill. The CVRD indicated that there are no plans to increase the footprint of the landfill onto the recent property addition as this would be within the 500 metre distance requirement to food processing plants. In keeping with that, Bylaw No. 1165 only permits leachate pond as a landfill related use on the land (Attachment 5 – Zoning Amendment Bylaw 1165).

Environmental Protection

The secondary leachate pond will provide additional buffer capacity to handle large seasonal rain fluctuations. This minimizes the risk of overflow and the potential for surface or ground water

contamination. This supports OCP policy (section 6.1.3) which states that industrial uses should not adversely affect the natural environment.

The application has been referred to the WAG. Comments will be presented to Council at time of third reading of the Bylaw.

Multi Use Trail

As the Comox Valley grows and the Bevan industrial lands are developed, truck traffic along Bevan Road will increase. A multi-use pathway, separated from the road, will ensure the safety of commuting and recreational cyclists. The multi-use trail is supported by the RGS, the OCP, the Bevan Lands Industrial Plan and the Regional Alternative Transportation Plan.

ALTERNATIVES

1. THAT Council give first and second to Zoning Amendment Bylaw No. 1165 and schedule a public hearing for _____ 2022.

As per the discussion above, a public hearing is not required. However, Council can ask for a public hearing if Councillors wish to provide the public with that additional opportunity for input prior to giving the bylaw third reading. The CVRD is hoping to tender the project in early March. A public hearing would delay the tendering process by about a month and reduce the time period available to excavate the leachate pond before the fall rains.

2. THAT Council give first and second reading to Zoning Amendment Bylaw No. 1165 and refer the application to the Advisory Planning Commission for comment.

Council can refer the application for the Advisory Planning Commission for comment. Similarly to a public hearing requirement, this would mean the CVRD would have to delay tendering of the project.

3. THAT Council defer a decision to a future meeting and request further information from staff on the application prior to readings of Bylaw No. 1165.

If Council identifies that key information is missing to make a decision, it can request that information be provided. A deferral would delay the project.

4. Not proceed with any action at this time.

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

There is no immediate financial implication of the rezoning application on the Village.

The construction of a pathway / alternate transportation route within the 6 metre wide statutory right-of-way along Bevan Road will require a financial contribution from the Village and/or funding applications in the future, once assembly of the corridor along the entire length of Bevan Road is

complete. There is no timeline for completion at this point as further 6 metre dedications or statutory rights-of-way depend on development activity along Bevan Road.

OPERATIONAL IMPLICATIONS

Review and processing of rezoning applications are part of the services provided by the Development Services Department.

CLIMATE CHANGE IMPLICATIONS

In the future, the property may also be used by the CVRD for waste diversion activities such as deconstructing items that are typically landfilled so their individual parts can be recycled. Keeping items out of the landfill generally results in energy savings, fewer fossil fuels burned, and less greenhouse gases emitted into the atmosphere.

Providing a safe active transportation option through the completion of an off-road multi-use trail along Bevan Road will make it safer for employees at the landfill and the Bevan Industrial Lands to commute to work by bike. This is expected to contribute to a modal shift and reduction in greenhouse emissions.

ATTACHMENTS

1. Current and Future Landfill Cells
2. Site Plan
3. Survey Plan
4. Public Comments
5. Zoning Amendment Bylaw 1165

CONCURRENCE

Courtney Simpson, Manager of Development Services **CS**

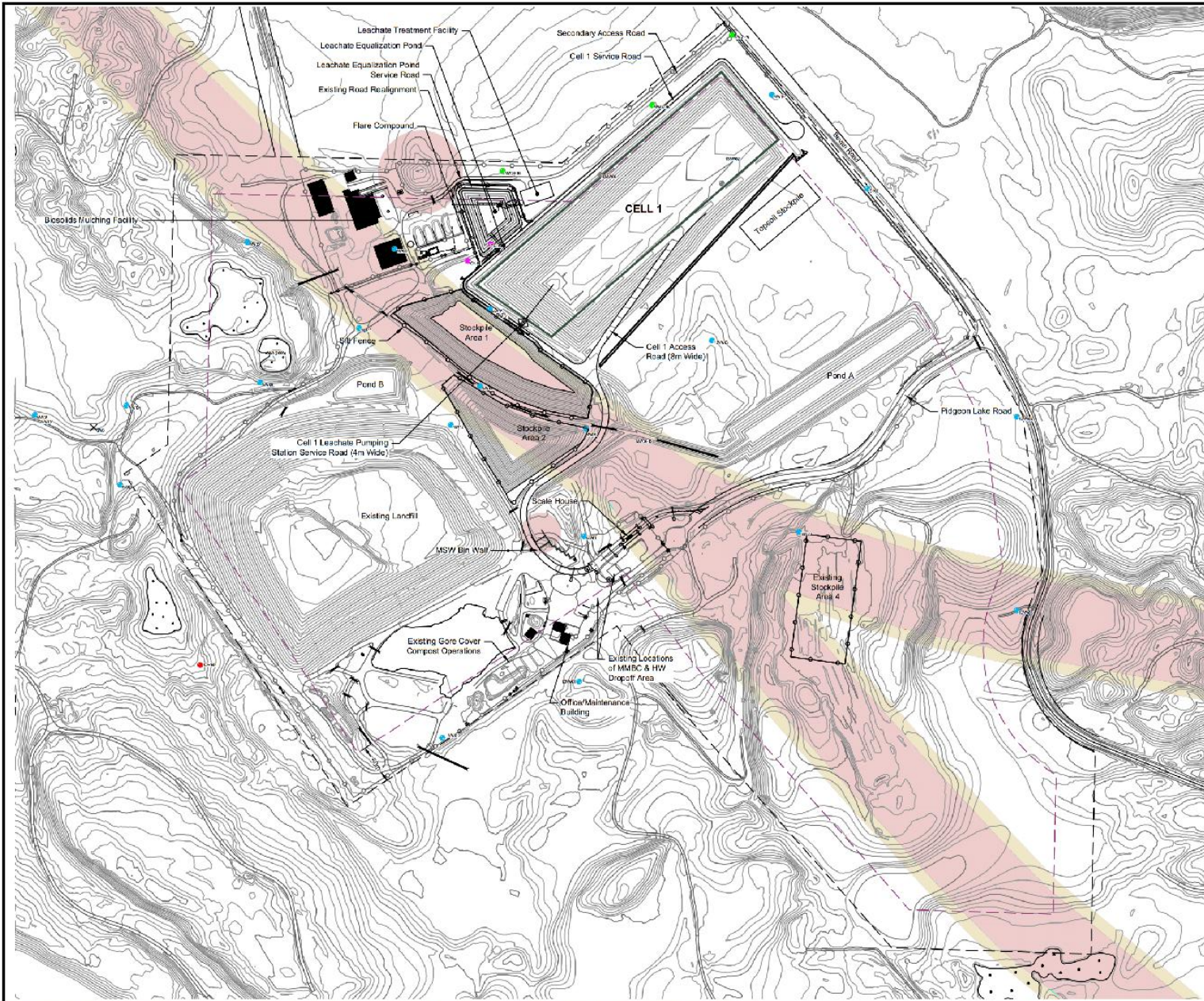
Respectfully submitted,

K. Albert

Karin Albert
Senior Planner


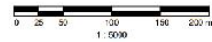
C. Postings

Clayton Postings
Chief Administrative Officer



LEGEND

- Existing Major Contours (5m Interval)
- Existing Minor Contours (1m Interval)
- Design Major Contours (5m Interval)
- Design Minor Contours (1m Interval)
- Water body
- Existing Fence
- Property Boundary
- 50m Buffer Zone Boundary
- Leachate Pipe
- Underground Conduit For Electrical Line
- Approved Landfill Expansion
- Groundwater Monitoring Well
- Decommissioned Monitoring Well
- Groundwater Monitoring Well installed by GHD
- Historic Mining Borehole Location (Located)
- Existing Road
- Existing Culvert
- Fault (BCMEM Open File 1903-07, Mine Abandonment Plan)
- Conjectured Fault (EBA)
- EBA Geotechnical Assessment High Risk Zone
- EBA Geotechnical Assessment Medium Risk Zone

This drawing has been prepared for the use of AECOM's client and may not be used, reproduced or relied upon by third parties, except as agreed by AECOM and its client, as required by law or to use by government or other agencies. AECOM accepts no responsibility, and denies any liability that may arise from this drawing without AECOM's express written consent.

REFERENCE DRAWINGS

NO.	DATE	DESCRIPTION
REVISIONS		
D	2026-04-30	REVISED - ISSUED FOR MASTERPLAN
C	2017-08-10	FINAL - ISSUED FOR MASTERPLAN
B	2017-02-07	DRAFT - ISSUED FOR MASTERPLAN
A	2016-11-19	ISSUED FOR REVIEW

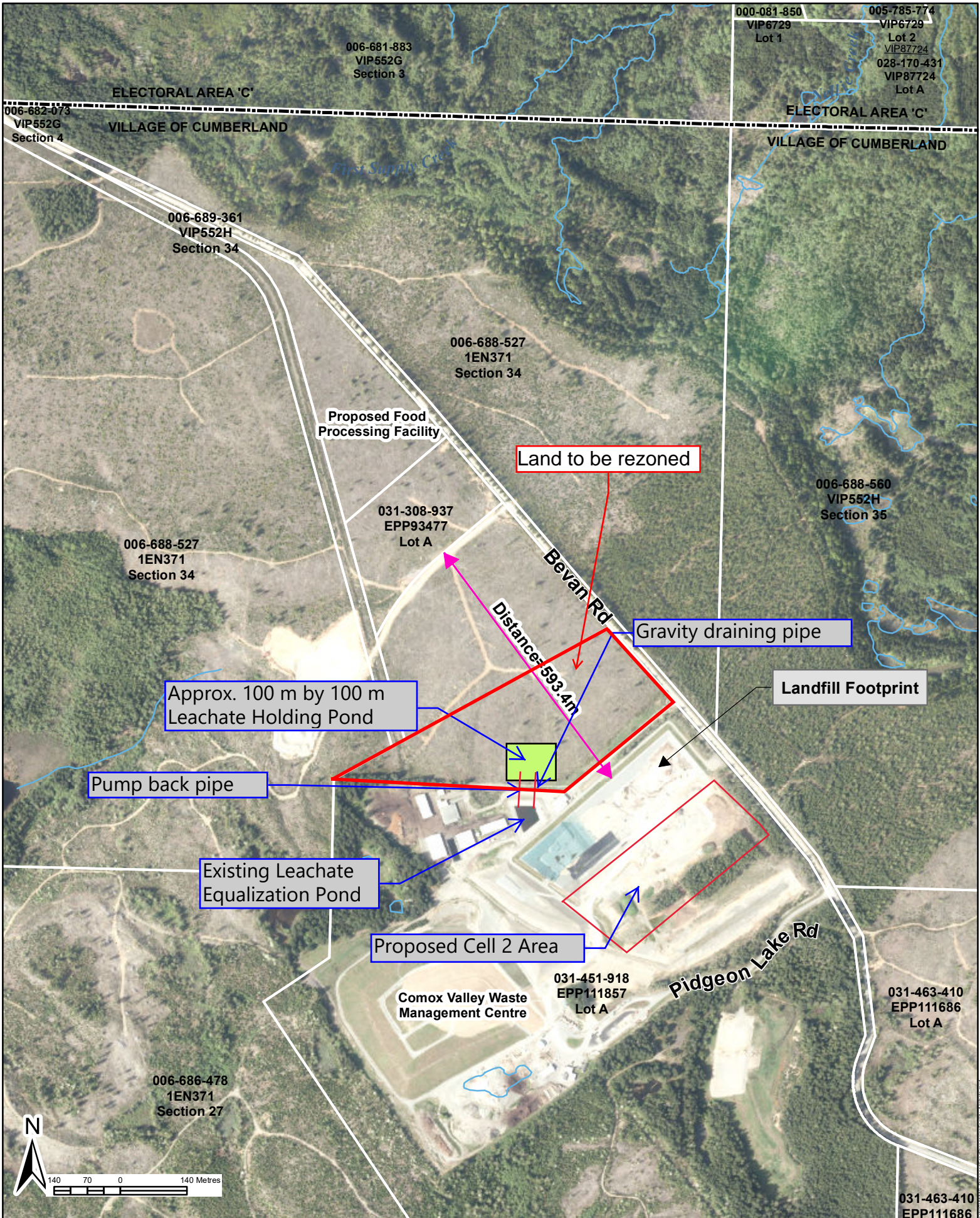
REV.	DATE	DESCRIPTION	BY	CHK

AECOM

CLIENT NAME: COMOX VALLEY REGIONAL DISTRICT PROJECT LOCATION: COMOX VALLEY WASTE MANAGEMENT CENTRE
3939 BEVAN ROAD, CUMBERLAND, BC

COMOX VALLEY WASTE MANAGEMENT CENTRE (CVWMC) EXISTING SITE CONDITIONS

DRAWN BY: NT SCALE: 1:5000 FIGURE NO.: 1
CHECKED: CJ DATE: 2026-04-30 REVISION: 0



Attachment 4 – Public Comments

February 4, 2022

TO: COUNCIL OF THE VILLAGE OF CUMBERLAND
AND TO: PLANNING DEPARTMENT AND CAO
AND TO: ADVISORY PLANNING COMMISSION
RE: GREENWAYS AND CONNECTIVITY AREAS IN OCP

In the proposed Zoning amendment and in the development permit for the manufactured park the lands in our OCP are designated as greenways and connectivity area. This designation was to allow for trails not just for humans but for the wildlife and water to connect.

When zoning or development permits are being applied for it is the opportune time to require these connections. On Bevan lands is the old railway corridor that is a connection all the way into the center of the Village. Why isn't the Village requiring the trail systems to be extended? I understand there is negotiation for a trail along Bevan Road but what about the rest of the land? Why would a leachate pond need to be placed in an area that in our OCP is greenways without providing some green infrastructure? What about the environmental report?

The development permit for the manufactured home park also does not require any trails. The environmental report was done in a hot dry June. This land has been known to flood for years. Why wouldn't the Village want to provide more green connecting areas? Right now the Village has a right of way on the land for sewer and water so that if Maple Lake Creek overflows, it overflows onto the right of way the Village owns. What will happen if it overflows into a neighbourhood? Who will be responsible?

Please reread the areas of the OCP that discuss greenways and connectivity. I hear Council wanting to save trees, to not have heat sinks and to be green now I would like to see this in action when looking at proposals in the whole of Cumberland.

Respectfully



January 31, 2022 CVWMC Property Rezoning Information Meeting – Attendees and Comments

Resident / Organization	Comments
Resident	Wanted to know how much the CVRD paid for the property. No concerns with actual leachate pond itself, it sounds like sound engineering.
Acciano Development	Wanted to know the impact of the buffer zone with the new leachate pond being built to the north of the landfill. Per the criteria, it is 500 m from the landfill footprint, therefore, status quo for the Acciano development to the North.
Island Health as member of Watershed Advisory Group	We went through an overview of the project, the specification for the proposed leachate pond and advised her that our sampling and analysis results are submitted to the Province annually (sent a link to the annual reports). Attendee didn't see any issues but will wait for the direct referral to provide her confirmation.
Courtenay Fish and Game Club, as member of Watershed Advisory Group	We went through an overview of the project and the specifications for the proposed leachate pond. Explained the hydrogeological flow of the groundwater which, from our assessment, flows towards Morrison Creek. Attendee wanted to know if the wetlands to the East of the CVRD property is hydrologically connected to Black Lake. (CVRD sent annual groundwater monitoring report as requested). Attendee wanted a tour of the existing leachate pond, sent him with CVRD staff as there were others present for the open house

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1165

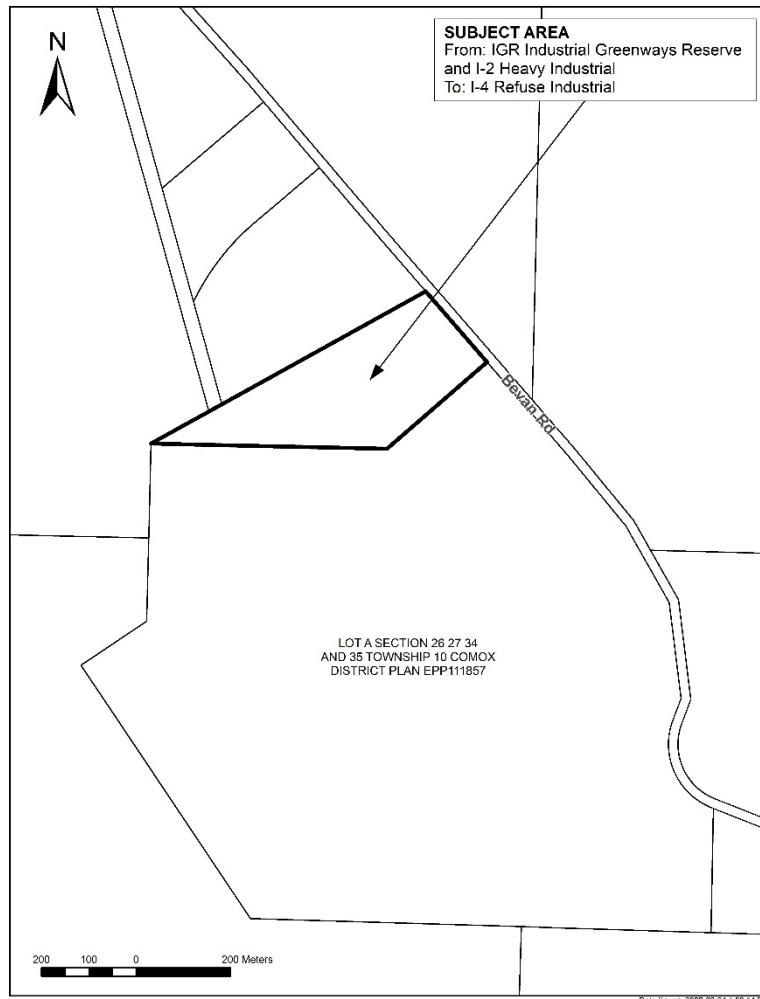
A Bylaw to amend the Zoning Bylaw.

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

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 1165, 2022”.
2. The Zoning Bylaw No. 1027, 2016 is amended in Part 10, Section 10.4, by adding subsection 9:

- a) With the exception of a leachate equalization pond, *refuse disposal site* is not a permitted use within the northern portion of the parcel legally described as Lot A, Sections 26, 27, 34 and 35, Township 10, Comox District, Plan EPP111857 (Comox Valley Waste Management Centre) as shown outlined in bold below.

9. Additional Regulations



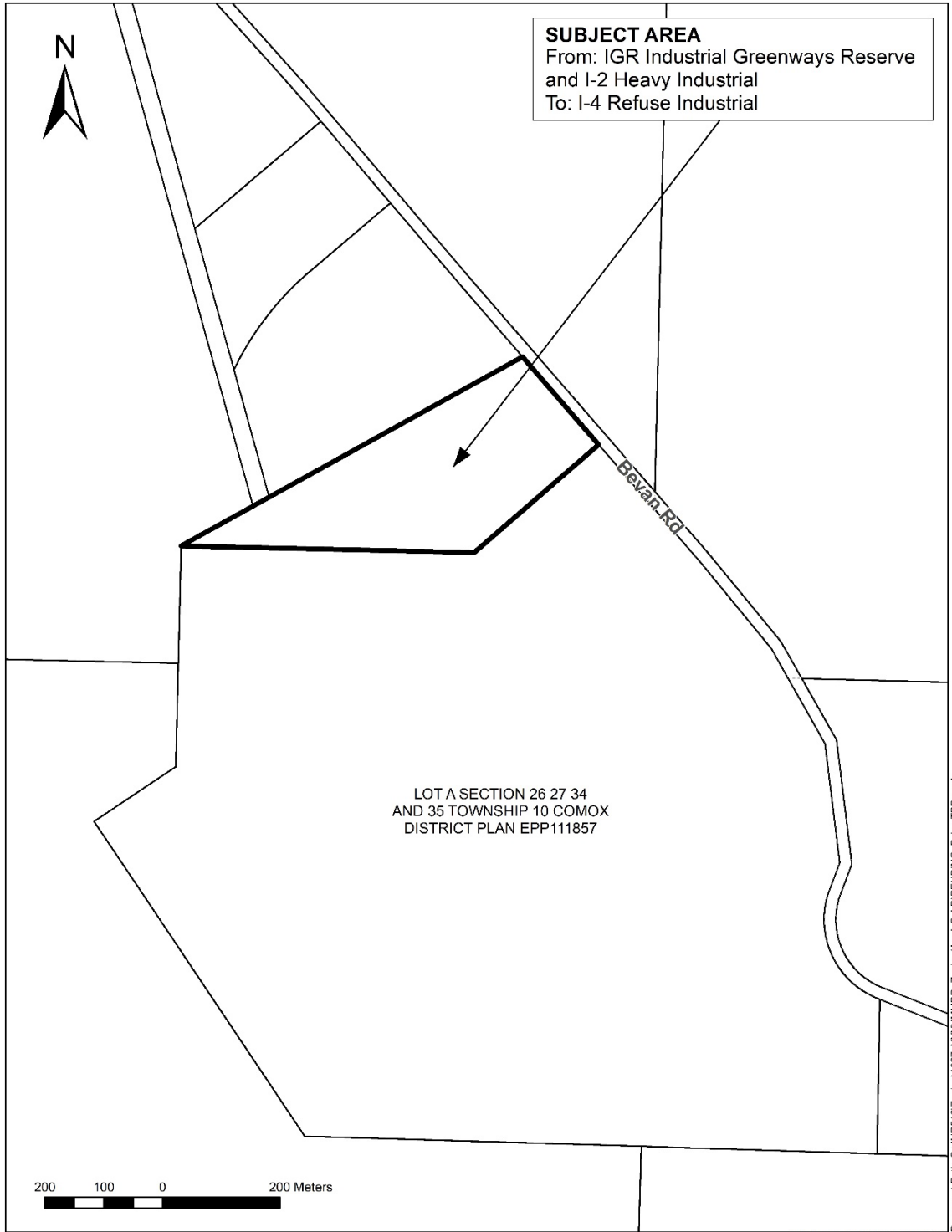
3. The “Zoning Bylaw No. 1027, 2016”, Schedule A Zoning Map is amended by changing the zoning on the northern portion of the parcel legally described as Lot A, Sections 26, 27, 34 and 35, Township 10, Comox District, Plan EPP111857 and shown outlined in bold on Schedule A to this bylaw, from IGR Industrial Greenways Reserve and I-2 Heavy Industrial to I-4 Refuse Industrial.

READ A FIRST TIME THIS	DAY OF	2022.
READ A SECOND TIME THIS	DAY OF	2022.
READ A THIRD TIME THIS	DAY OF	2022.
ADOPTED THIS	DAY OF	2022.

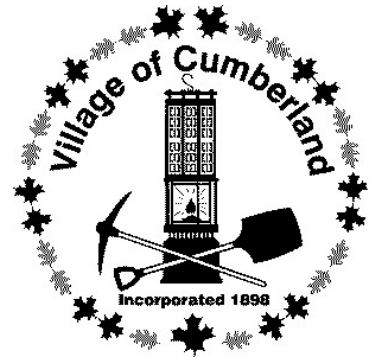
Mayor

Corporate Officer

Schedule A



COUNCIL REPORT



REPORT DATE: February 3, 2022
MEETING DATE: February 14, 2022

File No. 0530-06

TO: Mayor and Councillors
FROM: Rachel Parker, Corporate Officer
SUBJECT: Council Remuneration Bylaw

RECOMMENDATION

- i. THAT Council receive Council Remuneration Bylaw report.
- ii. THAT Council give first, second and third reading to Council Remuneration Bylaw No. 1166, 2022.

PURPOSE

The purpose of this report is to introduce Council Remuneration Bylaw No. 1166, 2022 for first three readings.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
Jan 10 2022	<p>THAT Council direct staff to bring forward an update to the Council Remuneration Bylaw to include:</p> <ul style="list-style-type: none"> • Effective January 2023, increase the Councillors remuneration to the average of the comparison group (2021), which is \$14,596 annually, and set the mayor's remuneration at 40% above this rate, plus include the British Columbia Consumer Price Index (CPI) percentage increase for 2021 and 2022; • In February of each general election year, an independent committee will be formed to review Council remuneration, comprised of three residents and any recommended increase in remuneration will become effective January 1st of the following year; • In the year of each general election year, Council will review Council remuneration bylaw that would become effective January 1st of the following year.
Feb 25 2019	THAT Council adopt "Council Remuneration Bylaw No. 1099, 2019".
Sep 4 2018	THAT Council adopt "Council Remuneration Bylaw No. 1089, 2018".
May 24 2018	That Council direct staff to bring forward a remuneration bylaw increase to compensate for remuneration lost to income taxes due to the elimination of the non-taxable status of 1/3 portion beginning in 2019.

	THAT Council direct staff to bring forward review of percentage increase to remuneration to next regular council meeting.
--	---

BACKGROUND

At the January 10, 2022 meeting, Council directed staff to prepare a bylaw to increase Council remuneration. The rate selected was the average of a comparison group of similar municipalities as outlined in a report to Council at the January 10, 2022 meeting. Council determined that Councillor remuneration would be 60% of the Mayor’s remuneration each year after the annual application of a CPI increase. This percentage allocation will prevent a gap between the Mayor and Councillor remuneration if the CPI was applied directly.

The 2021 CPI has been included in the amount proposed in the attached bylaw. The 2022 CPI increase will be incorporated into the remuneration when it becomes available.

The bylaw also includes the option for Council to appoint a committee to review Council remuneration in each election year for the years following the election and make recommendations to Council. If no changes are made by the Council to the remuneration bylaw at that time as a result, the CPI increase will continue into future years.

ALTERNATIVES

1. Direct changes to the proposed bylaw.

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

Council directed staff to set the Councillors’ remuneration at \$14,596 and to set the Mayor’s remuneration at 40% above this rate (totals \$24,326) as well as add the 2021 and 2022 CPI. The 2021 CPI is 2.8%. Applying the 2021 CPI to the \$24,326 would total \$25,008. Councillors’ remuneration at 60% of the Mayor’s remuneration would then be set at \$15,005. These remuneration amounts will change once the 2022 CPI rate is known.

The increases set out in the bylaw will be incorporated into the 2023-2027 Financial Plan bylaw, which will be considered by Council during that process.

OPERATIONAL IMPLICATIONS

No operational or staff impacts.

CLIMATE CHANGE IMPLICATIONS

N/A

ATTACHMENTS

- Proposed Council Remuneration Bylaw No. 1166, 2021
- Council Remuneration Bylaw, No. 1099, 2019

CONCURRENCE

Michelle Mason, Chief Financial Officer **MM**

Respectfully submitted,

R. Parker

Rachel Parker
Corporate Officer

C. Postings

Clayton Postings
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1166

A bylaw to provide for remuneration to members of council.

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

1. This Bylaw may be cited as “Council Remuneration Bylaw No. 1166, 2022”.
2.
 - (1) The Mayor shall be paid an annual remuneration in the amount \$25,008 in 2023.
 - (2) In each year, including 2023, the remuneration for the Mayor shall be increased effective January 1st by a rate equivalent to any annual percentage increase in the consumer price index for British Columbia over the immediately preceding year.
3. Each Councillor shall be paid an annual remuneration of sixty per cent of the mayor’s remuneration as set out in the previous section.
4. Remuneration to the Mayor and Councillors will be paid in monthly installments.
5. In the year of a general local election, the Council may appoint a committee of three residents to review Council remuneration for the years following the election and to make recommendations to the Council.
6.
 - (1) Members have the option to participate in an extended health and dental program through the Union of British Columbia Municipalities for either family or single benefits, subject to the program conditions.
 - (2) For each member who chooses to participate in extended health and dental program, 100 per cent of the cost will be deducted from that member’s remuneration each month and reimbursed to the Village.

- 7. The "Council Remuneration Bylaw No. 1099, 2019" is repealed.
- 8. This bylaw takes effect on January 1, 2023.

READ A FIRST TIME THIS	DAY OF	2022.
READ A SECOND TIME THIS	DAY OF	2022.
READ A THIRD TIME THIS	DAY OF	2022.
ADOPTED THIS	DAY OF	2022.

Mayor

Corporate Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1099

A bylaw to provide for remuneration to members of council.

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

1. This Bylaw may be cited as “Council Remuneration Bylaw No. 1099, 2019”.
2. The mayor shall be paid an annual remuneration in the following amount in the year indicated:

2019:	\$ 20,606
2020:	\$ 21,430
2021:	\$ 22,287
2022:	\$ 23,179
3. Each councillor shall be paid an annual remuneration in the following amount in the year indicated:

2019:	\$ 10,693
2020:	\$ 11,120
2021:	\$ 11,565
2022:	\$ 12,028
4. In each year following 2022, the remuneration for the mayor and each councillor shall be increased on January 1st by a rate equivalent to any annual percentage increase in the consumer price index for British Columbia over the immediately preceding year.
5.
 - (1) Members have the option to participate in an extended health and dental program through the Union of British Columbia Municipalities for either family or single benefits, subject to the program conditions.
 - (2) For each member who chooses to participate in extended health and dental program, 100 per cent of the cost will be deducted from that member’s remuneration each month and reimbursed to the Village.

6. The "Council Remuneration Bylaw No. 1089, 2018" is repealed.

READ A FIRST TIME THIS	11TH	DAY OF	FEBRUARY	2019.
READ A SECOND TIME THIS	11TH	DAY OF	FEBRUARY	2019.
READ A THIRD TIME THIS	11TH	DAY OF	FEBRUARY	2019.
ADOPTED THIS	25TH	DAY OF	FEBRUARY	2019.

Mayor

Corporate Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1162

A Bylaw to amend the Municipal Ticket Information 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 “Municipal Ticket Information Amendment Bylaw, No 1162, 2022”.
2. “Municipal Ticket Information Bylaw No. 1053, 2017” is amended as follows:
 - (a) in Schedule A, row “B” by striking out “Corporation of the Village of Cumberland Animal Control Bylaw No. 893, 2011” and substituting “Animal Control Bylaw No. 1061, 2017”;
 - (b) in Schedule A by striking out the following row “F”:

F	Marijuana-Related Business License Regulation Bylaw No. 1040, 2016	Building Inspector Bylaw Enforcement Officer Chief Administrative Officer Corporate Officer Finance Officer Manager of Operations Manager of Protective Services
----------	--	--

- (c) by repealing Schedule B and substituting Schedule B set out in Schedule A to this bylaw; and
- (d) by repealing Schedule F.

Severability

3. 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 TIME THIS	24 th	DAY OF	JANUARY	2022.
READ A SECOND TIME THIS	24 th	DAY OF	JANUARY	2022.
READ A THIRD TIME THIS	24 th	DAY OF	JANUARY	2022.
ADOPTED THIS		DAY OF		2022.

Mayor

Corporate Officer

Schedule A

SCHEDULE B

Animal Control Bylaw No. 1061, 2017

Column 1 Word or Expression Designating Offence	Column 2 Bylaw Section	Column 3 Ticket Fine	Column 4 Early Pay Fine
Obstruct Animal Control Officer	5	\$500	\$250
Keep infectious animal	8	\$100	\$50
Farm animal at large	9	\$200	\$100
Dog at large, first offence	11	\$100	\$50
Dog at large, second offence	11	\$150	\$75
Dog at large, third or continued offences	11	\$200	\$100
Dog off leash, first offence	12	\$100	\$50
Dog off leash, second offence	12	\$150	\$75
Dog off leash, third or continued offence	12	\$200	\$100
Fail to remove excrement	13	\$100	\$50
Barking dog, first offence	15	\$100	\$50
Barking dog, second offence	15	\$150	\$75
Barking dog, third or continued offence	15	\$200	\$100
Fail to contain dog in heat	17	\$50	\$25
Keep more than four dogs	18	\$100	\$50
Unlicensed dog	19	\$50	\$25
Failure to display dog licence	31	\$50	\$25
Fail to obtain aggressive dog licence	38	\$200	\$100
Fail to update address of aggressive dog	39	\$200	\$100
Fail to contain aggressive dog	40	\$500	\$250
Fail to leash aggressive dog	42	\$500	\$250
Fail to post sign for aggressive dog	44	\$200	\$100
Fail to confine biting dog	45.1	\$1000	\$500

Fail to erect fence for biting dog	45.2(2)	\$1000	\$500
Fail to muzzle biting dog	46	\$1000	\$500
Fail to meet requirements for biting dog	47	\$1000	\$500
Not permitted biting dog in Village	47.1	\$1000	\$500
Not permitted biting dog in Village	47.2	\$1000	\$500
Dangerous dog in Village	48	\$1000	\$500
Fail to meet requirements for dangerous dog	50	\$1000	\$500
Keep wildlife	68	\$500	\$250
Feed wildlife	69	\$200	\$100
Fail to maintain wildlife attractant	70	\$200	\$100

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1163

A bylaw to amend the Infrastructure Asset Renewal Reserve Fund Establishment Bylaw.

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

1. This Bylaw may be cited as “Infrastructure Asset Renewal Reserve Fund Establishment Amendment Bylaw No. 1163, 2022.”
2. “Infrastructure Asset Renewal Reserve Fund Establishment Bylaw No. 1046, 2016” is amended as follows:
 - (a) by repealing Section 2 and substituting the following:
 2. A “Linear Asset Renewal Reserve Fund” is established for the purpose of providing funds for expenditure by the Village for or in relation to any project or work that is of a capital or capacity building nature for linear infrastructure asset renewals and/or projects that separate storm water from sewer.
 - (b) in section 3, by striking out “Infrastructure Asset Renewal Reserve Fund” and substituting “Linear Asset Renewal Reserve Fund”;
 - (c) by repealing Section 4 and substituting the following:
 4. All moneys including interest earned in the “Linear Asset Renewal Reserve Fund” shall be used exclusively to build capacity or for the renewal of Village linear infrastructure assets and/or to separate storm water from sewer.

READ A FIRST TIME THIS	24th	DAY OF	JANUARY	2022.
READ A SECOND TIME THIS	24th	DAY OF	JANUARY	2022.
READ A THIRD TIME THIS	24th	DAY OF	JANUARY	2022.
ADOPTED THIS		DAY OF		2022.

Mayor

Corporate Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1164

A Bylaw to amend the Reserve Funds Establishment Bylaw.

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

1. This Bylaw may be cited as “Reserve Funds Establishment Amendment Bylaw No. 1164, 2022”.
2. “Reserve Funds Establishment Bylaw No. 1113, 2019” is amended by repealing Schedule A and substituting Schedule A to this Bylaw.

READ A FIRST TIME THIS	24TH	DAY OF	JANUARY	2022.
READ A SECOND TIME THIS	24TH	DAY OF	JANUARY	2022.
READ A THIRD TIME THIS	24TH	DAY OF	JANUARY	2022.
ADOPTED THIS		DAY OF		2022.

Mayor

Corporate Officer

Schedule A

	Reserve	Purpose
A	Community Works Funds Gas Tax Reserve	To be used pursuant to the Community Works Gas Tax Agreement. Funds utilized for investments in infrastructure for its construction, renewal or material enhancement.
B	General Financial Stabilization Reserve	For major emergent operating issues, one-time and intermittent projects, to smooth property tax increases over the financial planning period and to offset unrealized revenues.
C	Sewer Financial Stabilization Reserve	For major emergent operating issues, one-time and intermittent projects, to smooth user fee and frontage tax increases over the financial planning period and to offset unrealized revenues.
D	Water Financial Stabilization Reserve	For major emergent operating issues, one-time and intermittent projects, to smooth user fee and frontage tax increases over the financial planning period and to offset unrealized revenues.
E	Host Amenity Funds Reserve	To be used pursuant to the Village of Cumberland CVWMC Host Agreement. Funds utilized for initiatives that offset social, environmental and economic impacts related to the presence of the CVWMC within Village boundaries.
F	General Village Assets Reserve	For major repairs, upgrades, replacement and expansions of all Village general assets such as furniture and equipment and parks and trails (excludes buildings and fire equipment).
G	Municipal Facility Assets Reserve – General Fund	For major repairs, upgrades, replacement and expansions of all Village municipal facilities (excludes water and sewer assets).
H	Fire Vehicle and Protective Equipment Replacement Reserve	To fund the replacement of fire vehicles and protective equipment.
I	Sewer and Water Infrastructure Assets Renewal Reserve	To fund major repairs, upgrades, replacement and expansions of the sewer (wastewater) treatment and water supply assets.
J	Water Meter Replacement Reserve	To fund the replacement of all water meters within the Village.