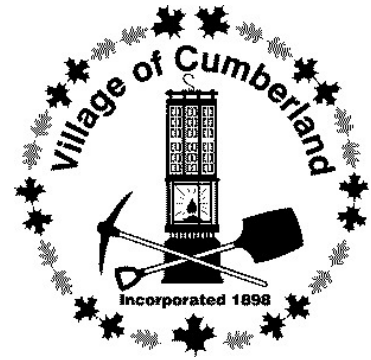


# REGULAR COUNCIL

12/2022/R



**The Corporation of the Village of Cumberland  
Regular Council Meeting  
May 9, 2022 at 5:30 p.m.  
Council Chamber, 2675 Dunsmuir Avenue**

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

The public may view the meeting in-person or on the [Village of Cumberland  
YouTube channel](#).

## **1. Approval of Agenda**

1.1 Agenda for regular Council meeting, May 9, 2022

1

### **Recommendation:**

- THAT Council approve the agenda for the May 9, 2022 Regular Council meeting.

## **2. Minutes**

2.1 Adoption of Minutes

### **Recommendation:**

THAT Council adopt the following minutes:

- Committee of the Whole, April 25, 2022
- Regular Council meeting, April 25, 2022

4

6

2.2 Receipt of Minutes

### **Recommendation:**

THAT Council receive the following minutes for information:

- Homelessness and Affordable Housing Committee
- Heritage Committee
- Advisory Planning Commission
- Accessibility and Inclusivity Committee
- Economic Development Steering Committee

10

14

16

23

25

## **3. Delegations**

- 3.1 Matt Merritt, RPF, Area Manager, Manulife Investment Management – Harvesting Update  
**Recommendation:**  
i. THAT Council receive the delegation from Manulife Investment Management regarding a Harvesting update.

**4. Unfinished Business**

**5. Reports**

- 5.1 Frontage Exemption – 2539 Kentmere Avenue 28  
Prepared by Meleana Searle, Planner  
**Recommendation:**  
i. THAT Council receive the “Frontage Exemption – 2539 Kentmere Avenue” report.  
ii. THAT Council exempt Lot B of the proposed lot line adjustment of 2539 Kentmere Avenue, from the 10% minimum frontage requirement pursuant to Local Government Action Section 512, on the property described as Lot 18 District Lot 24 Nelson District Plan EPP79979 (2539 Kentmere Avenue).
- 5.2 Heritage Alteration Permit Amendment and Development Variance Permit – 2732 Dunsmuir Avenue 32  
Prepared by Angela Davies, Planning Consultant  
**Recommendations:**  
i. THAT Council receive the Heritage Alteration Permit Amendment and Development Variance Permit Application – 2732 Dunsmuir Avenue report.  
ii. THAT Council refer the Heritage Alteration Permit Amendment and Development Variance Permit Application – 2732 Dunsmuir Avenue report, dated April 28, 2022 to the Heritage Committee and Advisory Planning Commission for a recommendation.  
iii. THAT Council direct staff to draft a policy for consideration of development variance permit applications for parking associated with existing businesses and/or heritage buildings in the VCMU-1 zone.
- 5.3 Vacation Rentals – Bylaw Amendment Options 49  
Prepared by Karin Albert, Senior Planner  
**Recommendations:**

- i. THAT Council receive the April 29, 2022 report “Vacation Rental Regulations – Bylaw Amendment Options” report.
- ii. THAT Council direct staff to draft an amendment bylaw to Zoning Bylaw No. 1027, 2016 to amend the vacation rental regulations to:
  - a. Require a principal resident to live on property with vacation rentals;
  - b. Limit the maximum number of bedrooms rented on a property to three and the maximum number of guests to six;
  - c. Limit the vacation rental use on a single property to one dwelling unit;
  - d. Clarify that a vacation rental can be located within a principal dwelling unit, accessory dwelling unit or a secondary suite on a property;
  - e. Amend the definition of vacation rentals to distinguish between the commercial use of a home as a vacation rental and home-sharing of a principal residence; and
  - f. Require posting a modestly sized sign with the vacation rental name and operator/caretaker contact information at the property.
- iii. THAT Council direct staff to draft an amendment to Business License Bylaw No. 896, 2009 that supports the Zoning Bylaw regulations for vacation rentals and:
  - a. Requires display of the business license number on listings and similar advertisements or promotional materials that communicate the availability of a vacation rental.

5.4	Mayor and Councillor Monthly Reports	
5.4.1	Mayor Leslie Baird	64
5.4.2	Councillor Vickey Brown	68
5.4.3	Councillor Gwyn Sproule	70
5.4.4	Councillor Jesse Ketler	71
5.4.5	Councillor Sean Sullivan	

**Recommendation:**

THAT the Council Member Monthly reports be received.

**6. Bylaws**

6.1 2022 Property Tax Rates Bylaw

74

**Recommendation:**

- i. THAT Council adopt the “2022 Property Tax Rates Bylaw No. 1167, 2022”.

**7. New Business**

**8. 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.

- Accessibility and Inclusivity Committee May 16 3:00 p.m.
- Homelessness and Affordable Housing Committee May 18 9:30 a.m.
- Committee of the Whole Meeting May 30 2:00 p.m.
- Regular Council Meeting May 30 5:30 p.m.

**9. Question Period**

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

- Please send questions by email to [info@cumberland.ca](mailto:info@cumberland.ca) using subject line “Question Period”; Note: please limit to questions only - comments will not be read.

**10. Closed Portion**

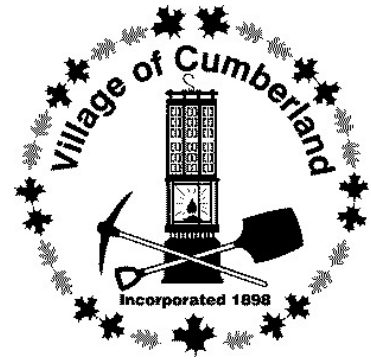
THAT Council close the meeting to the public pursuant to Section 90 of the *Community Charter* to consider:

- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

**11. Adjournment**

# COMMITTEE OF THE WHOLE MINUTES

10/2022/COTW



The Corporation of the Village of Cumberland  
Committee of the Whole Meeting  
April 25, 2022 at 2:00 p.m.  
Council Chamber, 2675 Dunsmuir Avenue

## **Council Present:**

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

## **Staff Present:**

Michelle Mason, Interim CAO/CFO  
Kevin McPhedran, Interim Deputy CAO  
Courtney Simpson, Manager of Development Services  
Rachel Parker, Corporate Officer  
Rob Crisfield, Manager of Operations  
Kaelin Chambers, Economic Development Officer  
Melissa Roeske, Legislative Services Assistant

Mayor Baird called the meeting to order at 5:30 p.m. and acknowledged that the meeting was taking place on the unceded traditional territory of the K'ómoks First Nation.

## **1. Approval of Agenda**

- 1.1 Agenda for Committee of the Whole meeting, April 25, 2022  
Motion 22-355

### **Sproule/Brown**

THAT the Committee approve the agenda for the April 25, 2022 Regular Council meeting.

**Carried Unanimously**

## **2. Delegations**

- 2.1 Inspector Mike Kurvers, OIC, and S/Sgt Troy Beauregard of the Comox Valley RCMP, Annual Policing Report  
Motion 22-356

### **Brown/Ketler**

THAT the Committee receive the delegation of Comox Valley RCMP.

**Carried Unanimously**

Inspector Kurvers gave an overview of the policing statistics for the Village of Cumberland. Council members asked about cultural sensitivity/systemic racism training in the RCMP, confirmed where domestic assaults fit in and appreciated the work being done out at the Campground and the Lake and asked how they liked the new office in the old Firehall. Discussion was had about coordinating a school liaison to do a presentation for our children.

## **3. Reports**

- 3.1 Cumberland Communications Planning Update Report

Prepared by Kaelin Chambers, Economic Development Officer  
Motion 22-357

**Sullivan/Sproule**

THAT the Committee receives the Communications Planning Update Report.

**Carried Unanimously**

3.2 Strategic Priorities Quarterly Reports, January – March 2022

Motion 22-358

**Brown/Sullivan**

THAT the Committee receive the Quarterly Reports to Council, January - March 2022.

**Carried Unanimously**

**4. Question Period**

Questions were received on the following:

- OCP update and climate action, next steps, process and timelines
- Communication policy and residents

**5. Closed Portion**

Motion 22-359

**Sullivan/Ketler**

THAT Council close the meeting to the public at 3:33 pursuant to Section 90 of the *Community Charter* to consider:

- (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;
- (d) the security of the property of 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*].

**6. Adjournment**

The meeting was adjourned at 3:57 p.m.

Certified Correct:

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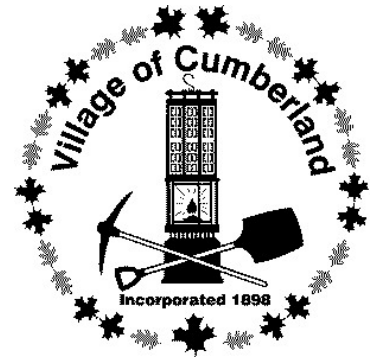
Mayor

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Corporate Officer

# REGULAR MINUTES

11/2022/R



**The Corporation of the Village of Cumberland  
Regular Council Meeting  
April 25, 2022 at 5:30 p.m.  
Council Chamber, 2675 Dunsmuir Avenue**

**Council Present:**

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

**Staff Present:**

Michelle Mason, Interim CAO /CFO  
Kevin McPhedran, Interim Deputy CAO  
Courtney Simpson, Manager of Development Services  
Rachel Parker, Corporate Officer  
Meleana Searle, Planner  
Rob Crisfield, Manager of Operations

Mayor Baird called the meeting to order at 5:30 p.m. and acknowledged that the meeting was taking place on the unceded traditional territory of the K'ómoks First Nation.

**1. Approval of Agenda**

- 1.1 Agenda for regular Council meeting, April 25, 2022  
Motion 22-360

**Sullivan/Ketler**

THAT Council approve the agenda for the April 25, 2022 Regular Council meeting with the addition of late item "Cumberland 125th Community Celebration Grant Application" as item 5.4.

**Carried Unanimously**

**2. Minutes**

- 2.1 Adoption of Minutes  
Motion 22-361

**Ketler/Brown**

THAT Council adopt the following minutes:  
Regular Council meeting, April 11, 2022

**Carried Unanimously**

**3. Delegations**

The delegation was postponed to a later date.

**4. Unfinished Business**

None

**5. Reports**

- 5.1 Development Permit – Proposed Lot 6 (2799 Beck Avenue)  
Motion 22-362

**Sproule/Brown**

THAT Council receive the Development Permit – Proposed Lot 6 (2799 Beck Avenue) report.

**Carried Unanimously**

Motion 22-363

**Brown/Sullivan**

THAT Council approve the application for a development permit (2022-02-DP) for the property described as Proposed Lot 6 (2799 Beck Avenue) Lot A, Section 34, Township 10, Comox District Plan EPP93477.

**Carried Unanimously**

5.2 Temporary Use Permit (TUP) Renewal – 3276 Third Street

Motion 22-364

**Brown/Ketler**

THAT Council receive the Temporary Use Permit renewal, 3276 Third Street report.

**Carried Unanimously**

Motion 22-365

**Brown/Sullivan**

THAT Council approve the Temporary Use Permit renewal for the property described as Lot 12, Block 10, District Lot 21, Nelson District, Plan 555-A (3276 Third Street) for the purposes of operating a cannabis retail business.

**Carried Unanimously**

5.3 Solid Waste Collection - Recollect App

Motion 22-366

**Sullivan/Ketler**

THAT Council receive the Solid Waste Collection - Recollect App report.

**Carried Unanimously**

Motion 22-367

**Sproule/Brown**

THAT Council support the purchase of the Recollect App to help assist the community with solid waste collection notifications, scheduling, and education.

**Carried Unanimously**

5.4 Cumberland 125<sup>th</sup> Community Celebration Grant Application

Motion 22-368

**Sullivan/Ketler**

THAT Council receives the Cumberland 125<sup>th</sup> Community Celebration Grant Application for information.

**Carried Unanimously**

Motion 22-369

**Brown/Ketler**

THAT Council approves the Village submit an application for the Cumberland 125<sup>th</sup> Community Celebration under the Building Communities Through Arts and Heritage Program; and THAT Council direct staff to report back on the financial costs of administering and coordinating a successful grant application and include these costs in 2023 budget discussions and workplans.

**Carried Unanimously**

**6. Bylaws**

6.1 2022 Property Tax Rates Bylaw

Motion 22-370

**Sproule/Ketler**

THAT Council receive the 2022 Property Tax Rates Bylaw report.

**Carried Unanimously**

Motion 22-371

**Sullivan/Brown**

THAT Council direct staff to amend the 2022 – 2026 Financial Plan bylaw to add a reserve contribution of \$43,750 from growth taxes to the Emergency and Public Safety Reserve to save towards policing; and THAT Council give first, second and third reading to “2022 Property Tax Rates Bylaw No. 1167, 2022”.

**Carried Unanimously**

**7. New Business**

None

**8. Notices, Motions and Announcements**

- Development Cost Charges Public Engagement Session – Wednesday April 26<sup>th</sup> from 2 - 5 p.m. in Council Chambers.
- Heritage Committee May 2<sup>nd</sup> 5:00 p.m. Council Chambers

**9. Question Period**

- No questions were received

**10. Closed Portion**

Motion 22-372

**Sullivan/Ketler**

THAT Council close the meeting to the public at 6:05 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.

**Carried Unanimously**

**11. Adjournment**

The meeting was adjourned at 6:14 p.m.

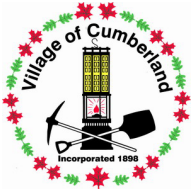
Certified Correct:

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Mayor

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Corporate Officer



## Minutes

**Wednesday, April 22, 2022, 9:30 a.m.**

<b>PRESENT:</b>	Kathy Duperron, Chair Bobby Herron Mark Fortin	Jesse Ketler, Councillor Debbie Bowman
<b>REGRETS:</b>	Lindsay Monk	
<b>STAFF:</b>	Karin Albert, Senior Planner Courtney Simpson, Manager of Development Services	

Meeting called to order at 9:32 a.m.

**1. Approval of Agenda**

*Fortin/Bowman:* That the agenda be approved.  
**Carried Unanimously**

**2. Adoption of the Minutes**

*Heron/Duperon:* That the minutes of May 19, 2021 be adopted.  
**Carried Unanimously**

**3. Business Arising from the Minutes**

None.

**4. New Business**

**4.1 Council Referral – Vacation Rentals Public Engagement Summary and Analysis**

Staff provided a brief overview of the vacation rental review process and vacation rental and housing statistics.

**Enforcement**

- Enforcement is crucial to implementing the new regulations. Can consist of an initial notice to homeowners informing them of the regulations and follow-up with individual operators as needed.

The Homelessness and Affordable Housing Committee recommends that Council update its vacation rental regulations as per the following:

### **Parking requirement**

- A higher parking requirement for vacation rentals reflects the commercial use.
- Higher parking requirement is a small disincentive to convert to vacation rental.

*Heron/Bowman:* Keep the parking requirement at one space per bedroom.

**Carried Unanimously**

### **Listing of business license number**

- Assists Village with enforcement.
- Focus on listings of rentals.

*Fortin/Bowman:* Require listing of the business license number on advertisements promoting the vacation rental.

**Carried Unanimously**

### **Distinguish between year-round and occasional vacation rentals**

- Important distinction between home-shares (which are permitted) and vacation rentals where money changes hands.
- Occasional rentals and home shares don't affect long-term rental vacancies.

*Heron/Bowman:* Distinguish between a commercial, occasional and home share-type vacation rentals in the Zoning Bylaw.

**Carried Unanimously**

### **Principal Residency requirement**

- Someone living on property protects against unruly guests.
- Permanent resident requirement ensures there isn't a transitory population in Village core. Protects cultural identity.
- Principal resident does not need to be a caretaker. Caretaker/operator can be off-site. Clarify in regulations/definitions.

*Fortin/Bowman:* Implement a principal residency requirement.

**Carried Unanimously**

### **Limit on number of bedrooms that can be rented and/or number of guests**

- Above a certain amount of bedrooms rented out, owners should be required to rezone to a commercial hotel-type use.
- Three bedrooms allow for 6 to 8 guests if bunk beds are used.

*Heron/Fortin:* Limit the number of bedrooms on a property that can be rented as vacation rentals to three.

**Carried Unanimously**

### **Type of dwellings where vacation rentals should be permitted**

- The type of dwelling used does not impact availability of long term rentals.

*Bowman/Ketler:* Do not restrict the type of dwellings where vacation rentals are permitted.

**Carried Unanimously**

**Cap on total number of vacation rentals permitted**

- Cumberland a popular destination. Concern about amount of tourism and visitors potentially impacting community forest ecosystem. There is a natural carrying capacity.
- Cap prevents all new builds from being converted to vacation rentals.

*Fortin/Bowman:* Cap the total number of vacation rentals permitted in the Village and that Council direct staff to review and suggest an appropriate cap.

**Carried Unanimously**

**Cap on number of vacation rentals per block**

- Difficult to administer.

*Fortin/Bowman:* Do not cap the number of vacation rentals permitted per block.

**Carried Unanimously**

*Bobby Heron left meeting.*

**Sign at vacation rental**

- Important for neighbours to know who to contact in case of a complaint.
- Having contact info on front prevents people from knocking on door of permanent resident.

*Bowman/Fortin:* Require a sign with contact information at the vacation rental property.

**Carried Unanimously**

**Zones where vacation rentals should be permitted**

- If vacation rentals permitted in Coal Valley Estates, would increase value and price of homes. Also, a lot of suites in CVE which provide long term rental accommodation.
- Extend to R-3 – large lots have more space for parking. If a principal residency requirement is in place, wouldn't take away much from existing units as there are only about 4 accessory dwelling units or suites.
- Use alongside with a cap to limit impact.
- Might encourage construction of accessory dwelling units which could in the future become long term rentals.

*Kathy Duperon recused herself from the vote.*

*Bowman/Fortin:* If a cap on the overall number of vacation rentals is implemented, extend vacation rentals as a permitted use to the R-3 zone.

**Carried Unanimously**

5. **Next Meeting:** Wednesday, May 18, 2022 at 9:30 a.m.

6. **Adjournment:** 11:50 a.m.

Certified Correct:  _____ Chair	Confirmed:  _____ Deputy Corporate Officer
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DRAFT



**4. New Business**

**4.1 Commemoration Plan - Cumberland Hotel**

Cumberland Museum and Archives has been asked to work on a commemoration plan for the Cumberland Hotel. Execution of the plan will be by others.

Rosslyn Shipp seeking Committee input.

*Discussion:*

- Why was this space important to the community – capture stories and photos, art pieces, cultural history.
- What is the evolution of the building - can some of the materials be re-used i.e. stone from the fireplace?
- The hotel will be deconstructed and materials salvaged and sold by a deconstruction company, reducing landfill waste.
- Public space/entrance could reflect the old space - lobby, hallways, retail space.
- What stories are important? From a design perspective, layer stories into the architecture, carry design from lobby throughout the building i.e. colour and moldings, door knobs etc, use the old men's entrance to enhance the design.
- Rosslyn will attend the next meeting to share and get further input on specific elements of the Commemoration Plan.

5. Next meeting: Monday, May 2, 2022 at 5:00 pm.

6. **Adjournment:** 6:00 p.m.

Certified Correct:	Confirmed:
<hr/>	<hr/>
Chair	Deputy Corporate Officer



# Village of Cumberland

# Advisory Planning Commission

## Minutes

The meeting of the APC was held on Thursday April 14, 2022 at Village of Cumberland Council Chambers, commencing at 4:07pm.

**PRESENT:** Nick Ward, Chair  
Janet Bonaguro, Secretary  
Jaye Mathieu  
Troy Therrien  
Neil Borecky

**ABSENT:**

**GUESTS \ STAFF:** Karin Albert, Senior Planner  
Courtney Simpson, Manager of Development Services

**OBSERVERS:** N/A

### 1. APPROVAL OF AGENDA

Bonaguro / Mathieu: THAT the agenda be approved with the addition of an item related to change in membership.

**CARRIED UNANIMOUSLY**

### 2. CHANGE IN MEMBERSHIP

Shannon Levitt has resigned from the committee. The Village will be posting for new members.

### 3. APPROVAL OF MINUTES

Mathieu / Therrien: THAT the minutes of the meeting held February 10, 2022 be approved as presented.

**CARRIED UNANIMOUSLY**

#### 4. REFERRALS FROM COUNCIL

##### (a) Council Referral, Vacation Rentals – Public Engagement Summary and Analysis

Bonaguro / Borecky: THAT the Advisory Planning Commission receive the staff report titled “Council Referral: Vacation Rentals – Public Engagement Summary and Analysis”.

#### CARRIED UNANIMOUSLY

#### DISCUSSION

- Staff
  - Courtenay and Comox do not have vacation rental bylaws so all vacation rentals in those jurisdictions are unpermitted commercial use of residences
- APC Discussion
  - a. Parking
    - i. Vacation rental owners can provide parking on site or pay \$3,800 cash in lieu of parking which is put into a reserve fund for future Village parking improvements
    - ii. Residential use of ADU requires 1 parking spot per unit; vacation rental use requires one per bedroom
    - iii. Residents will pave over lawn to increase parking space on site
    - iv. By its nature it's short term, taking up space short term
    - v. The pain of not having enough on-site parking falls on neighbours more than on short-term renters
    - vi. Parking on site includes indoor (garage) parking and outdoor (driveway) parking
    - vii. Two options considered for APC voting:
      - 1. Half the number of bedrooms, rounded up to the nearest whole number
      - 2. 1 parking spot per vacation rental units
  - b. Business license number on advertisements
    - i. Intent is to have the licence number on vacation rental listings (or all “internet” advertising which captures private websites and online marketplaces)
    - ii. It is not practical to require licence number on “all” advertising (e.g. this would include business cards, vehicles, brochures, stickers, social media, clothing)
    - iii. Being able to visibly see the business licence number on a sign on the property is helpful for bylaw enforcement to understand which properties are legal and those that are not
    - iv. There is more safety risk involved in running a vacation rental

- v. Recommend that staff determine what specific forms of advertising are required, perhaps consider defining guidelines for advertising in policy vs. in bylaw
- c. Distinguish between year-round and occasional vacation rentals
    - i. This distinction may enable the Village to create differences in regulation between year-round and occasional rentals, some of the requirements may or may not have applicability to occasional rentals
    - ii. Over 30 days is not considered a short-term (vacation) rental
    - iii. If there is a difference in business licence types and caps on those then it would make sense that vacation rental owners might all apply for the longer-term licences in order to keep their flexibility open, meaning that owners that might only intend to offer their rentals for 1-3 months annually
    - iv. Unclear of the benefit to the Village
    - v. Considerations: do we wish to distinguish between commercial and occasional, and if so then what is the cut off
  - d. Caretaker/principal residency requirement
    - i. This was a close split in the survey (48% / 45%)
    - ii. Would provide a natural cap for the number of units available on a property as at least one unit would need to be someone's principal residence (so not all units can be vacation rentals)
    - iii. This enables at least one long-term residence (someone's principal residence) on each property
    - iv. Intent is so that there is still a long-term residence on the property in addition to the vacation rental. This is to avoid the situation where an entire property (all units) are used as vacation rentals
    - v. The definition of "caretaker" needs to be more clearly defined.
    - vi. Recommend that the term "Caretaker" is not used at all to avoid confusion – the resident on site does not necessarily have any responsibility for the short term rental.
    - vii. The principal residency does not mean the principal dwelling
  - e. Limit on number of bedrooms that can be rented and/or on number of guests
    - i. Could a larger home (e.g. 5 br) operate a vacation rental out of 3brs if there was a cap?
    - ii. Wouldn't want to limit the ability of existing guest houses that have multiple units
    - iii. Hinges on residency requirements, as long as there is a principal long term resident, any other space can be rental, i.e. bedroom, ADU, suite, or main house.
    - iv. If there was a limit and someone wanted to rent more bedrooms the owner could apply for a rezoning for commercial use

- f. Type of dwellings where vacation rentals should be permitted
  - i. Some jurisdictions say that you can only rent out an ADU or suite
  
- g. Cap on total number of vacation rentals permitted
  - i. Not equitable to pursue a cap
  - ii. Prefer the cap set by market forces as dictated by the principal residency requirement
  - iii. If the principal residency requirement is not passed, then this recommendation may need to be readdressed
  
- h. Cap on number of vacation rentals per block
  - i. Similar to above
  
- i. Sign at vacation rental
  - i. What is the definition of a “sign”?
  - ii. Needs to be defined in regulation
  - iii. Intent is something reasonably small that makes sense for a home-based business
  - iv. Intent is to see contact information so neighbours can identify it as a short-term rental
  - v. On the grounds of don’t regulate something if it’s not necessary, the argument for having a sign and the visual cost for a community
  - vi. The guests will have the information they need from the landlord without the need for a sign
  - vii. The contact information for the owners is not provided to the public
  - viii. If the vacation rental isn’t licensed they are not likely to put out a sign
  
- j. Zones where vacation rentals should be permitted
  - i. R1-A is the only legal zone where vacation rentals are currently allowed, doesn’t include Coal Valley Estates
  - ii. Expanding the zones that allow vacation rentals to include Coal Valley Estates would potentially add 53 more units (e.g. homes that have secondary suites) to the vacation rental pool (which may have the impact of removing them from the long-term rental pool).
  - iii. Likelihood of all the secondary suites turning into vacation rentals is low as not all owners want to be vacation rental business owners
  - iv. Periods of quiet activity (off-season) can result in no overall loss in profit
  - v. If there were more rentals available in the market, the price per vacation rentals will drop (market forces of supply and demand), which may result in owners deciding to rent long-term as it may become more cost effective and less work

- vi. There should be an option for vacation rentals due to the restrictions on landlords for those owners that desire an income stream from units on their property
  - vii. If parking is provided it shouldn't be a problem even in Coal Valley Estates
  - viii. Option to open up R3 as less issues with neighbours given size of lots (could add up to 3 units as there are 3 legal ADUs currently)
  - ix. Concerns about rentals being taken out of the long term rental pool
  - x. Part of the Coal Valley concept approved by the municipality was to provide long-term rental units and mortgage-helpers on Kendal
- k. Complaints
- i. People may complain from noise at neighbours' but this can't necessarily be tied back to that property being a vacation rental (licensed or unlicensed).
  - ii. No specific evidence about complaints about vacation rentals.
  - iii. This isn't tracked by property use but instead just by property address.
- l. Village's Ability to Deny Business Licences
- i. If zoned for vacation rental and meet the various requirements for the business licence then it will be granted. The Village can't arbitrarily deny a business licence.
- m. Enforcement
- i. Should licensing fees for vacation rentals be higher to fund enforcement?
  - ii. Current fees for business licence are \$110
  - iii. At any time the Village can choose to enforce
  - iv. Limited enforcement resources
  - v. Could enforce more for a period of time, to the extent there is capacity to do that
  - vi. Would like to see an annual proactive enforcement process to audit online vacation rental listings against business licences and follow up
  - vii. If just complaint-based then likely won't be much enforcement
  - viii. The business licence fees overall should be a single uniform fee, not varying by business type (i.e. not higher fees just for vacation rentals)
  - ix. If the Village is licensing vacation rentals is there any liability around ensuring that a fire safety inspection has been carried out?
  - x. Consider requiring a fire inspection for vacation rentals (similar to commercial businesses)
  - xi. Bylaw enforcement is currently prioritized based on complaints and certain prioritized topics such as (but not limited to) animal safety imminent environmental issues, public safety issues. Staff does not have the discretion to be proactive on other enforcement activity unless Council directs staff to do so

- xii. Desire not to have bylaw officers proactively engaging with vacation rentals owners without a complaint. The feeling is that this would be seen as too much regulation for the situation.
- xiii. General interest in needing business licence enforcement for vacation rentals.

The Advisory Planning Commission recommends that Council update its vacation rental regulations as per the following:

- a. Borecky / Therrien: THAT the parking requirement be 50% of the number of bedrooms, rounded up to the nearest full number of parking spots.

**CARRIED**

- b. Bonaguro / Borecky: THAT the business license number be required on specified advertisements as determined by staff, and include a minimum of the online vacation rental listing.

**UNANIMOUSLY CARRIED**

- c. Borecky / Mathieu: THAT the village NOT distinguish between year-round and occasional vacation rentals.

**UNANIMOUSLY CARRIED**

- d. Borecky / Therrien: THAT there be a principal residency requirement (that a person has permanent residency on the property).

**CARRIED**

- e. Therrien / Bonaguro: THAT the number of bedrooms that can be rented and the number of guests NOT be limited.

**UNANIMOUSLY CARRIED**

- f. Borecky / Mathieu: THAT the type of dwellings where vacation rentals should be permitted are NOT restricted to certain types of dwelling units.

**UNANIMOUSLY CARRIED**

- g. Therrien / Borecky: THAT there be NO cap on total number of vacation rentals permitted, provided that a principal residency requirement is implemented.

**CARRIED**

h. Bonaguro / Mathieu: THAT there be NO cap on number of vacation rentals per block.

**UNANIMOUSLY CARRIED**

i. Bonaguro / Therrien: THAT NO sign be required at the vacation rental.

**CARRIED**

j. Borecky / Therrien: THAT vacation rentals should continue to be permitted in R1-A and ADD R3 zone.

**CARRIED**

k. Mathieu / Bonaguro: THAT vacation rentals should be permitted in all zones.

**DEFEATED**

l. Therrien / Borecky: THAT provision of a vacation rental business licence requires a fire inspection.

**CARRIED**

m. Ward / Therrien: THAT Council direct staff to proactively validate that online vacation rental listings have a valid business licence.

**CARRIED**

**5. NEXT REGULAR MEETING**

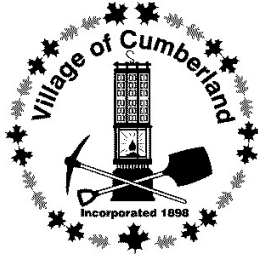
Thursday May 12, 2022 at 4:00pm (pending any referrals from Council).

**6. TERMINATION:**

Borecky / Bonaguro: THAT the meeting terminate.

Time: 6:16pm

Certified Correct:  _____	Confirmed:  _____
Chair	Deputy Corporate Officer



# Corporation of the Village of Cumberland

2673 Dunsmuir Avenue  
P.O. Box 340  
Cumberland, BC V0R 1S0  
Telephone: 250-336-2291  
Fax: 250-336-2321  
cumberland.ca

Accessibility and Inclusion Select Committee Minutes  
March 21, 2022 at 3 p.m.  
Council Chamber, 2275 Dunsmuir Avenue

**Members Present:**

Judy Norbury  
Jaye Mathieu  
Suzanna Wong  
Vickey Brown, Councillor

**Staff:**

Rachel Parker, Corporate Officer

**Regrets:** Trond Halle, Brenda Lenahan, Rhianna Walz

Ms. Norbury called the meeting to order at 3:15 p.m.

1. **Approval of Agenda:** Brown/Wong: approved. **Carried**
2. **Adoption of Minutes:** Brown/Mathieu: January 17, 2022. **Carried**
3. **Unfinished Business**
  - 3.1 Welcome to new member: Committee members welcomed Ms. Wong.
  - 3.2 Cumberland Business Association, Accessibility for Business
    - Response from CBA on invite to collaborate received
  - 3.3 Committee member training
    - \$1500 annual budget: Explore diversity training through AMSSA Safe Harbour, Immigration Welcome Centre to identify diversity in community, invite Gay/Straight Alliance,
    - Unconscious bias assessment, privilege and power matrix self-assessment,
  - 3.4 Public event to promote social equity and inclusion
    - \$2500 budget in 2022Discussion on:
    - Date/Venue: Saturday in September outside in-person at Village Square
    - Focus on public awareness on inclusion and promoting respect
    - Seek facilitator to guide discussion: how to respond to situations, how to be advocate for groups, identify barriers and recommendations as how to remove barriers, have fillable form at site and online

- Welcoming environment, no registration, include interpreters, focus on welcoming marginalized individuals
- Send invitations to community groups to share awareness: Student groups, PFLAG, Pride Society of the Comox Valley, Cumberland Business Association, Cumberland Food Share, booths
- Request for Facilitator, Scope of Work
- Send invitation to school groups in June
- Name for event
- Report back to Council before event

#### **4. New Business**

##### **4.1 Committee Work Plan – review and update**

- Question on beach mats at Lake Park
- Discussion on adaptive mountain biking trails
- Recognize businesses: Liaise with Cumberland Business Association
- Identify accessible businesses and liaison with Cumberland Business Association on mapping project

##### **4.2 Market Day**

- Register booth

#### **5. Reports from committee members**

- Election update
- Explore interpreter service for access to Village services with information on website
- Trail rider program with Strathcona Wilderness Institute

#### **6. Upcoming meetings: Third Monday every second month.**

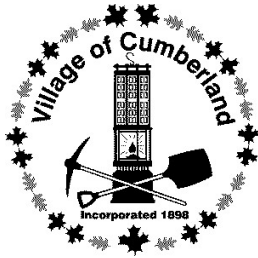
- April 19, 2022 at 3 p.m.
- May 16, 2022 at 3 p.m.
- June 20, 2022 at 3 p.m.
- Include Facility Review and Rick Hansen Tracking for updates
- Review workplan for next meeting
- Rotate chairs

#### **7. Adjournment**

The meeting was adjourned at 5:05 p.m.

#### **Action Plan**

- Seek facilitator – Rachel
- Call for facilitator, Scope – Rachel draft for review
- Invite groups
- Name for Event



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P.O. Box 340  
Cumberland, BC V0R 1S0  
Telephone: 250-336-2291  
Fax: 250-336-2321  
cumberland.ca

## Economic Development Steering Committee Minutes April 20<sup>th</sup>, 2022 at 6:00 pm Council Chambers

### Members Present:

Meaghan Cursons  
Darren Adams  
Nick Ward  
Sean Carberry  
Sean Sullivan

**Regrets:** Mike Manara, Troy Ellis, Chris Higgins

### Staff:

Kaelin Chambers, Economic Development Officer  
Clayton Postings, Chief Administrative Officer

### Guest:

#### 1. Call to Order

Meaghan Cursons called the meeting to order at 6:05 pm

#### 2. Approval of Agenda

Cursons/Ward: THAT the agenda be approved  
Carried

#### 3. Adoption of Minutes

N/A

#### 4. Correspondence

#### 5. Referrals from Council

5.1 Introductions

5.2 Review of Recommendations for Short Term Vacation Rental Regulations

The Committee reviewed the regulatory mechanisms presented in the March 28, 2022 Council report referred to the Committee, including:

#### Parking requirement

Committee split between supporting one parking space per vacation rental bedroom and 0.5 per bedroom rounded up to a full. One member abstained expressing concern that a larger conversation needs to happen around parking requirements in the Village.

#### Identifying Business License Number in Advertisements

Committee unanimously supports requirement of digital listings on various platforms. Committee members also noted that this practice should only be

required in relation to digital/online platforms and that requiring it for other adverts (ie print, radio) could create unnecessary burden on operators

#### Distinguish Between Year-round and Occasional Vacation Rentals

Committee members discussed the value of identifying differences in year-round and part time vacation rentals as a means of informing/developing future planning tools and regulations for short term rentals. This recommendation was unanimously supported.

#### Principal Residency Requirement

Committee members unanimously approved the requirement for rental properties to have a principal (ie long-term) resident. The committee also acknowledged that the principal resident does/should not be required to be the 'caretaker' of the rental property

#### Limit on Number of Bedrooms and/or Guests

unanimously oppose a restriction on the number of bedrooms or number of guests since such a limit would be difficult to enforce and vacation rentals operators would seek to limit the number of guests themselves to reduce chance of partying at the vacation rental.

#### Type of Dwellings Where Vacation Rentals are Permitted

The committee did not see the benefit of restricting the types of dwellings eligible to be short term vacation rentals and unanimously opposed restricting vacation rentals to certain types of dwelling units.

#### Cap on total number of vacation rentals permitted:

The Committee unanimously opposed a cap on the total number of vacation rentals permitted. The committee noted that regulatory changes like these are unlikely to be effective without further direction and resources for bylaw oversight and/or enforcement.

#### Cap on number of vacation rentals per block:

The committee acknowledged that the Village is unlikely to have the resources required to effectively enforce this regulation and unanimously opposed a cap per block.

#### Sign at Vacation Rental

unanimously oppose a sign requirement at vacation rentals due to safety for guests, vulnerability of tourists and their vehicles to theft.

#### Zones Where Vacation Rentals Should be Permitted

Committee members were split on allowing short term vacation rentals in other zones in the Village. Whereas some members were of the view that allowing more areas to allow short term rentals would better spread the demand throughout the community,

other members were concerned that expanding short term vacation use would further impact long-term housing stock.

An area of agreement amongst the committee was that vacation rental use should be expanded to include R-3 for the following reasons:

- Allowing densification of rural lots could facilitate aging in place by providing a means to generate some income,
- The larger R-3 lots could accommodate parking and offer a more rural visitor experience,
- Encourages housing/accommodation development including potential for long term rentals.

Similarly, the committee also discussed not extending vacation rentals to the R-3 zone for the following reasons:

- Need to hit the pause button on growing short term vacation rental industry – Village is in a housing crisis, need to consider regulations thoughtfully
- Should be discussed as part of the Official Community Plan (OCP) review in a bigger context of potentially encouraging in-fill or “missing middle” (e.g. duplexes or townhouses) development in that zone.
- Permitting vacation rentals as a way to generate additional revenue may disincentivize owners to subdivide and look at other development opportunities that might be more in line with possible OCP updates.

**6. Unfinished Business**

**7. New Business**

**8. Upcoming meetings**

8.1 Next Steering Committee meeting is scheduled for Wednesday July 13<sup>th</sup> at 6 pm

**9. Adjournment**

9.1 The meeting was adjourned at 8:05 pm.

Certified Correct:

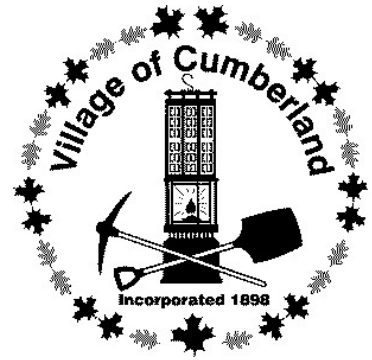
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Chair

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Corporate Officer

# COUNCIL REPORT



REPORT DATE: 4/28/2022  
MEETING DATE: 5/9/2022

File No. 2022-01-SV

TO: Mayor and Councillors  
FROM: Meleana Searle, Planner  
SUBJECT: Frontage Exemption – 2539 Kentmere Avenue

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## RECOMMENDATION

- i. THAT Council receive the “Frontage Exemption – 2539 Kentmere Avenue” report.
- ii. THAT Council exempt Lot B of the proposed lot line adjustment of 2539 Kentmere Avenue, from the 10% minimum frontage requirement pursuant to Local Government Action Section 512, on the property described as Lot 18 District Lot 24 Nelson District Plan EPP79979 (2539 Kentmere Avenue).

## PURPOSE

The Village has received an application for a lot-line adjustment at 2539 Kentmere Avenue. Lot B does not meet the minimum frontage requirement as required by the Local Government Act (LGA) Section 512. The purpose of this report is to seek Council approval to reduce the LGA frontage requirement from 10% to 9.4%.

## BACKGROUND

### ***Proposed Development***

The property owner currently has an active subdivision application for lot-line adjustment at 2539 Kentmere Avenue, however, Lot B does not meet the minimum frontage of 10% of the perimeter of the lot that fronts on a highway as required by section 512 of the *Local Government Act*. 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.

### ***Official Community Plan No. 990, 2014***

The subject property is located within two Development Permit Areas (DPA): DPA 1 – Environmental Protection and DPA 4 – Wildfire Urban Interface. A development permit is not required for boundary adjustment subdivision.

### ***Zoning Bylaw No. 1027, 2016***

The subject property is zoned MU-1 which requires that lots created by subdivision have a minimum frontage of 15.0metres and must be a minimum of 0.045ha. Proposed Lots A & B meet

the minimum lot frontage requirement and minimum parcel size (See Attachment 1 – Proposed Plan of Subdivision.)

**Local Government Act Section 512**

**Minimum parcel frontage on highway**

(1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of

- (a) 10% of the perimeter of the lot that fronts on the highway, and
- (b) the minimum frontage that the local government may, by bylaw, provide.

(2) A local government may exempt a parcel from the statutory or bylaw minimum frontage provided for in subsection (1).

(3) As a limitation on section 229 [delegation of board authority] of this Act or section 154 [delegation of council authority] of the [Community Charter](#), a local government may delegate its powers under subsection (2) only to an approving officer

**PUBLIC NOTIFICATION AND CONSULTATION**

None required.

**ALTERNATIVES**

1. THAT Council deny the application to reduce the minimum frontage requirement as required by LGA Section 512.
2. THAT Council not proceed with any action at this time.

**STRATEGIC OBJECTIVE**

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

**FINANCIAL IMPLICATIONS**

None.

**OPERATIONAL IMPLICATIONS**

The review of application is part of the services provided by the Planning Department.

**ATTACHMENTS**

1. Proposed Plan of Subdivision

**CONCURRENCE**

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

Respectfully submitted,

M. Searle

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Meleana Searle  
Planner

M. Mason

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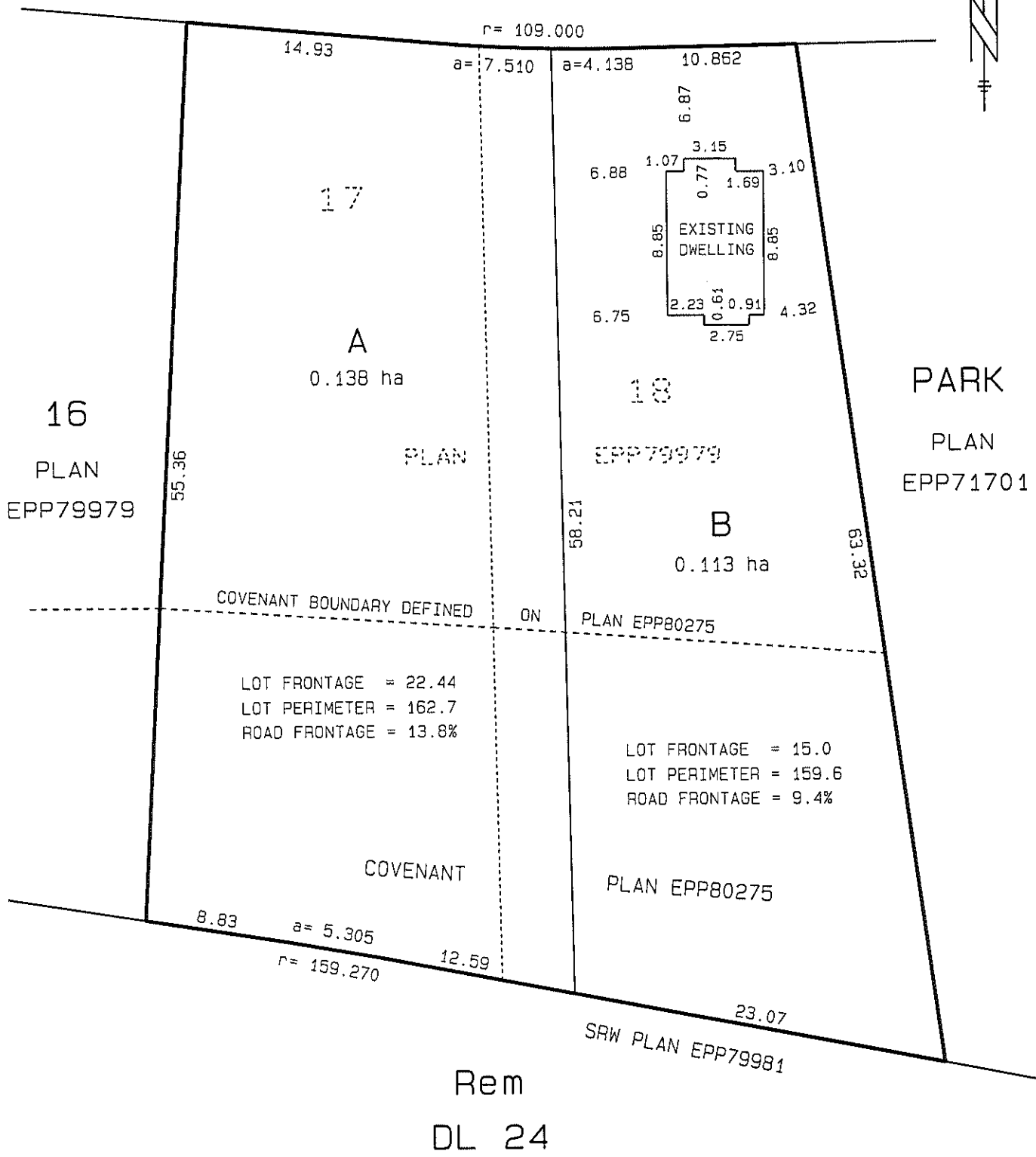
Michelle Mason  
Interim Chief Administrative Officer

PLAN OF PROPOSED SUBDIVISION OF LOTS 17 AND 18; BOTH OF DISTRICT LOT 24, NELSON DISTRICT, PLAN EPP79979.

2535 & 2539 KENTMERE AVE, CUMBERLAND  
SCALE 1 : 350 (METRIC)



KENTMERE AVENUE



PARK  
PLAN  
EPP71701

16  
PLAN  
EPP79979

17  
A  
0.138 ha

18  
B  
0.113 ha

COVENANT BOUNDARY DEFINED ON

LOT FRONTAGE = 22.44  
LOT PERIMETER = 162.7  
ROAD FRONTAGE = 13.8%

LOT FRONTAGE = 15.0  
LOT PERIMETER = 159.6  
ROAD FRONTAGE = 9.4%

COVENANT

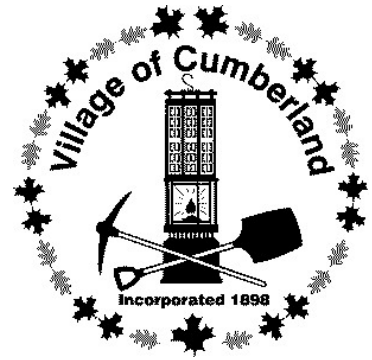
PLAN EPP80275

Rem  
DL 24

DECEMBER 15, 2021  
ERIC HOERBURGER, BCLS

HOERBURGER LAND SURVEYORS  
COMOX, B.C.  
(250) 890 - 0100  
FILE: 2363PR01

# COUNCIL REPORT



REPORT DATE: 4/28/2022  
MEETING DATE: 5/9/2022

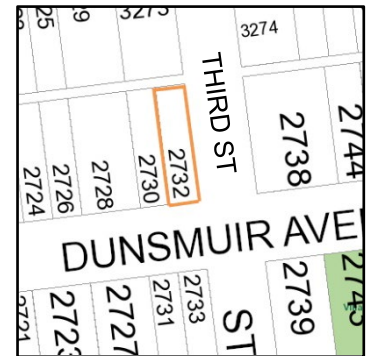
File No. 2021-03-HAP, 2021-23-DV 2732 Dunsmuir

TO: Mayor and Councillors  
FROM: Angela Davies, Planning Consultant  
SUBJECT: Heritage Alteration Permit Amendment and Development Variance Permit –  
2732 Dunsmuir Avenue

---

## RECOMMENDATION

- i. THAT Council receive the Heritage Alteration Permit Amendment and Development Variance Permit Application – 2732 Dunsmuir Avenue report.
- ii. THAT Council refer the Heritage Alteration Permit Amendment and Development Variance Permit Application – 2732 Dunsmuir Avenue report, dated April 28, 2022 to the Heritage Committee and Advisory Planning Commission for a recommendation.
- iii. THAT Council direct staff to draft a policy for consideration of development variance permit applications for parking associated with existing businesses and/or heritage buildings in the VCMU-1 zone.



Subject Property

## PURPOSE

The purpose of this report is to present an application to amend a Heritage Alteration Permit (HAP) for an extension to the canopy over the existing rear patio area at the Cumberland Brewing Company (2732 Dunsmuir Avenue), and an application for a Development Variance Permit to:

- Vary the permitted lot coverage from 75% to 76.2%;
- Vary the provision of Cash-in-lieu for off-street parking for one parking stall from \$10,000 to \$3,800;
- Vary the required number of parking stalls from 20 to 6;
- Vary the designation of special parking stalls and loading space; and
- Vary the definition of Class 2 Bicycle Parking spaces to permit bicycle parking spaces to be provided on site.

This report recommends referral to committees, however, the HAP amendment and development variance permit are attached to this report and may be approved by Council without referral.

**PREVIOUS COUNCIL DIRECTION**

<b>Date</b>	<b>Resolution</b>
February 22, 2021	Regarding application for Manufacturing Facility Structural Change to increase occupant load (See Attachment 1 – February 22, 2021 Council Resolution for full resolution)
October 10, 2017	THAT Council grant the Heritage Alteration Permit for property described as That Part of Lot 6, Block 6, District Lot 21, Nelson District, Plan 522 Lying to the east of a Straight Boundary joining the Points of Bisection of the Northerly and Southerly Boundaries of Said Lot 6 (2732 Dunsmuir Avenue) substantially in compliance with the attached Permit.

**BACKGROUND**

The Cumberland Brewing Company (CBC) operates a restaurant and microbrewery from adjoining buildings at 2732 and 2730 Dunsmuir Avenue. In 2017, Village Council issued a Heritage Alteration Permit for the construction of a canopy at the rear of the building to shelter the patio area. In 2015, Council issued a HAP for creation of the patio area and portico at the rear entrance.

A liquor license change was approved in February 2021 to accommodate enhanced safety protocols for COVID, including a temporary patio located at 2730 Dunsmuir Ave (now removed) and a permanent occupancy increase for a patio expansion to accommodate the reduction of “communal” tables. A temporary canopy was installed over this additional patio area, with the intention of constructing a permanent structure mirroring the existing canopy cover.

The property is located within the Historic Village Commercial Core (Heritage Conservation Area), and thus requires a HAP. As per Zoning Bylaw 1027, 6.1(b), the application for a Building Permit for a new or enlarged structure (including this patio canopy extension) will require a re-examination of parking requirements. Parking requirements have not been required with any previous development application for 2732 Dunsmuir Ave.

**ANALYSIS**

***Heritage Alteration Permit Amendment***

The 2017 HAP application by the CBC for a patio canopy was reviewed by the Heritage Committee on September 12, 2017 and approved by Council on October 10, 2017. The 2017 HAP included an analysis of the proposed canopy and patio area and met the Heritage Conservation Area guidelines. The current application to amend the 2017 HAP proposes an addition to the patio canopy and continues to meet the Heritage Conservation Area guidelines.

The canopy installed in 2017, as per permit specifications, was 57 m<sup>2</sup> and constructed of custom-milled fir, stained grey, covered with a translucent roofing material (three-walled polycarbonate). The proposed extension of the canopy is located directly north of the existing canopy. The proposed extension is 62.7 m<sup>2</sup> and is to be constructed of the same heavy timber, stained grey, and translucent roofing material.

The patio and shipping container enclosed within black metal fencing are part of the 2015 and 2017 HAPs. With the patio expansion in 2021, the shipping container is now located outside of the fenced patio area and situated directly behind it. To comply with Zoning Bylaw requirements for shipping containers in the VCMU-1 zone and to create a cohesive appearance, the applicant is

proposing to paint the shipping container Cloverdale “Smoked Salmon”, consistent with the existing colour of the upper floor of the CBC building.

The canopy roof extension will include an extended metal snow stop, extended gutters and new downspouts. The canopy creates minimal stormwater runoff that is managed onsite with an infiltration gallery. A stormwater management report was provided by Wedler Engineering for the construction of the original patio canopy in 2017. The provision of a report update will be a condition of Building Permit.

The eaves of the existing canopy encroach onto the public right of way on Third Street, and the proposed extension will continue this encroachment. An updated encroachment agreement will be a condition of Building Permit.

### ***Development Variance Permit Requests***

#### **Lot Coverage**

A variance is requested to increase the permitted lot coverage from 75 percent to 76.2 percent to accommodate the increased canopy roof. The proposed variance is minor. An updated stormwater management report will be provided for the Building Permit, at which time any additional stormwater management infrastructure required on the lot could be addressed.

#### **Cash-in-Lieu Parking**

The construction of the enlarged patio area in early 2021 eliminated the existing two off-street parking spaces available at the rear of the property. To compensate for the loss of two parking spaces, the applicant has proposed to provide one off-street parking space as cash-in-lieu payment, and one off-street parking space at the adjoining property at 2730 Dunsmuir Avenue.

A 2017 HAP for adjoining 2730 Dunsmuir Avenue required the provision of four off-street parking spaces, including two spaces dedicated for the two residential units. There is capacity for one additional parking space, as indicated on Attachment 2, for a total of five parking spaces at 2730 Dunsmuir Avenue.

As permitted by the Zoning Bylaw, the applicant plans to pay cash-in-lieu of providing the additional required off-street parking stall. When the liquor license was approved for the increased patio area in February 2021, the parking cash-in-lieu fee was \$3,800. In March 2021, a Zoning Bylaw amendment increased the parking cash-in-lieu fee to \$10,000 in the VCMU-1 zone. The reduction in off-street parking spaces occurred prior to the fee increase. A variance is requested to reduce the cash-in-lieu fee from \$10,000 to \$3,800 consistent with the cash-in-lieu fee at the time of the liquor license approval.

#### **Vehicle Parking**

The buildings at 2732/2730 Dunsmuir Avenue include a combined microbrewery and restaurant, thus, parking has been considered for both properties together. The combined off-street parking provision is proposed to total six parking spaces, including two spaces that will be maintained for residential use, and one space provided as cash-in-lieu.

According to the existing uses at 2732/2730 Dunsmuir Avenue and based on the Zoning Bylaw parking standards, there is a requirement for 20 off-street parking spaces. The standards also require the special designation of three parking spaces - for persons with a disability, for pregnant women or persons with young children, and for electrical vehicle charging. The requirements of the 2017 HAP included an electric vehicle charging station, which has not yet been installed and

the applicant will provide as a condition of Building Permit. The off-street parking lot is gravel and does not provide direct access to the building, as such it is not recommended that the designation of additional special parking spaces are required. Based on the combined size of the buildings, a loading space is also required.

The current application for a patio canopy extension does not change use. The size of the buildings and outdoor structures including shelters, patios, a shipping container and waste/recycling mean the onsite parking is limited. Additionally, previous HAPs for both 2732 and 2730 Dunsmuir Avenue required the dedication of a 1.5m wide Statutory Right of Way for the purpose of expanding the laneway, further reducing the area available for parking onsite. The location of additional parking spaces, loading spaces, and larger designated parking spaces onsite will not be possible.

Thus, the applicant has requested a variance to the off-street parking requirements from 20 spaces to six spaces, and to not require a loading space or designated spaces except an electric vehicle charging space as required for the building permit.

The current parking requirements of the Zoning Bylaw can be difficult to provide for existing and/or heritage buildings in the downtown. It is recommended that Council direct staff to draft a policy to guide consideration of development variance permits for parking requirements for existing businesses and heritage buildings in the VCMU-1 zone.

### **Bicycle Parking**

The Zoning Bylaw parking standards also require the provision of bicycle parking spaces. As shown in Attachment 2, there is a requirement for two “Class 1” bicycle stalls, and 17 “Class 2” bicycle stalls. Previous HAPs required the provision of two sheltered bicycle parking spaces and encouraged the provision of additional bicycle parking onsite and have been provided by the CBC. There are currently 14 bicycle parking spaces provided on the combined properties, including the two required “Class 1” parking spaces, and 12 ‘vertical’ parking spaces for bicycles to be hung on the fence surrounding the patio on the interior side of the property. An additional eight ‘vertical’ bicycle parking spaces are proposed, for a total of 22 bicycle parking spaces provided onsite. The applicant notes that casual bicycle parking is also available along the patio fence on Third Street parallel to the sidewalk.

A variance is requested to allow the definition of Class 2 Bicycle Parking spaces to include onsite parking (as encouraged by the Village) instead of within the street allowance and vary the design to allow the bicycles to hang on hooks instead of sitting on the ground.

### **PUBLIC NOTIFICATION AND CONSULTATION**

Pursuant to the Village’s Development Procedures and Fees Bylaw No. 1073, 2018, Council may require applicants applying for a HAP or development variance permit to host a neighbourhood public meeting. Due to the nature of the application as an amendment to a pre-existing HAP and nature of the variances, staff do not recommend a neighbourhood meeting. Notice of Council consideration of a HAP and Development Variance Permit was mailed on March 4, 2022 to owners of adjacent properties within 75.0 metres of the subject property. Additionally, as per Bylaw No. 1073, the applicant placed a notification onsite.

At the time of writing this report, no comments or concerns had been received by staff.

**ALTERNATIVES**

1. THAT Council not refer the Heritage Alteration Permit (amendment) and Development Variance Permit application – 2732 Dunsmuir Avenue report, dated April 28, 2022 to the Heritage Committee and/or Advisory Planning Commission for a recommendation.
2. THAT Council approve Heritage Alteration Permit (amendment) 2021-03-HAP for expansion of a patio cover and Development Variance Permit 2021-23 DV to increase lot coverage and reduce parking requirements, at 2732 Dunsmuir Avenue.

**STRATEGIC OBJECTIVE**

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

**FINANCIAL IMPLICATIONS**

None.

**OPERATIONAL IMPLICATIONS**

Processing of Heritage Alteration and Development Variance permits are part of the regular services provided by the Development Services Department.

**CLIMATE CHANGE IMPLICATIONS**

The application does not contribute to climate change adaptation or mitigation.

**ATTACHMENTS**

1. February 22, 2021 Council Resolution
2. Parking Requirements
3. DRAFT Heritage Alteration Permit (Amendment)
4. DRAFT Development Variance Permit

**CONCURRENCE**

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

Karin Albert, Senior Planner **KA**

Respectfully submitted,

A. Davies

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Angela Davies  
 Planning Consultant

M. Mason

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Michelle Mason  
 Interim Chief Administrative Officer

## Attachment 1 – Council Resolution, February 22, 2021

THAT Council recommend to the Liquor Control and Licensing Branch that in regards to the application Manufacturing Facility Structural Change at 2732 Dunsmuir Avenue for the Cumberland Brewing Company Ltd., that the increased Occupant Load be authorized based on the information provided:

**a. Previous Engagement and Commitments**

Recognizing that previous engagement in 2018 identified potential for noise or negative impact on the community due to the increase in capacity and that these concerns have been mitigated by adjustments to the business operating hours.

That the building owner and neighbouring tenants have expressed support for past and current applications.

Those previous commitments by the business owner, including a midnight closing hour within the Lounge, and a modified closing time for the patio for Sunday night, will continue to be reflected in the Brewery's liquor licence and operations.

**b. The impact on the community if the application is approved**

Increased noise, traffic, and parking issues.

Increased patronage of other local businesses.

**c. The local government recommendations and the reasons on which they are based**

The Village has considered:

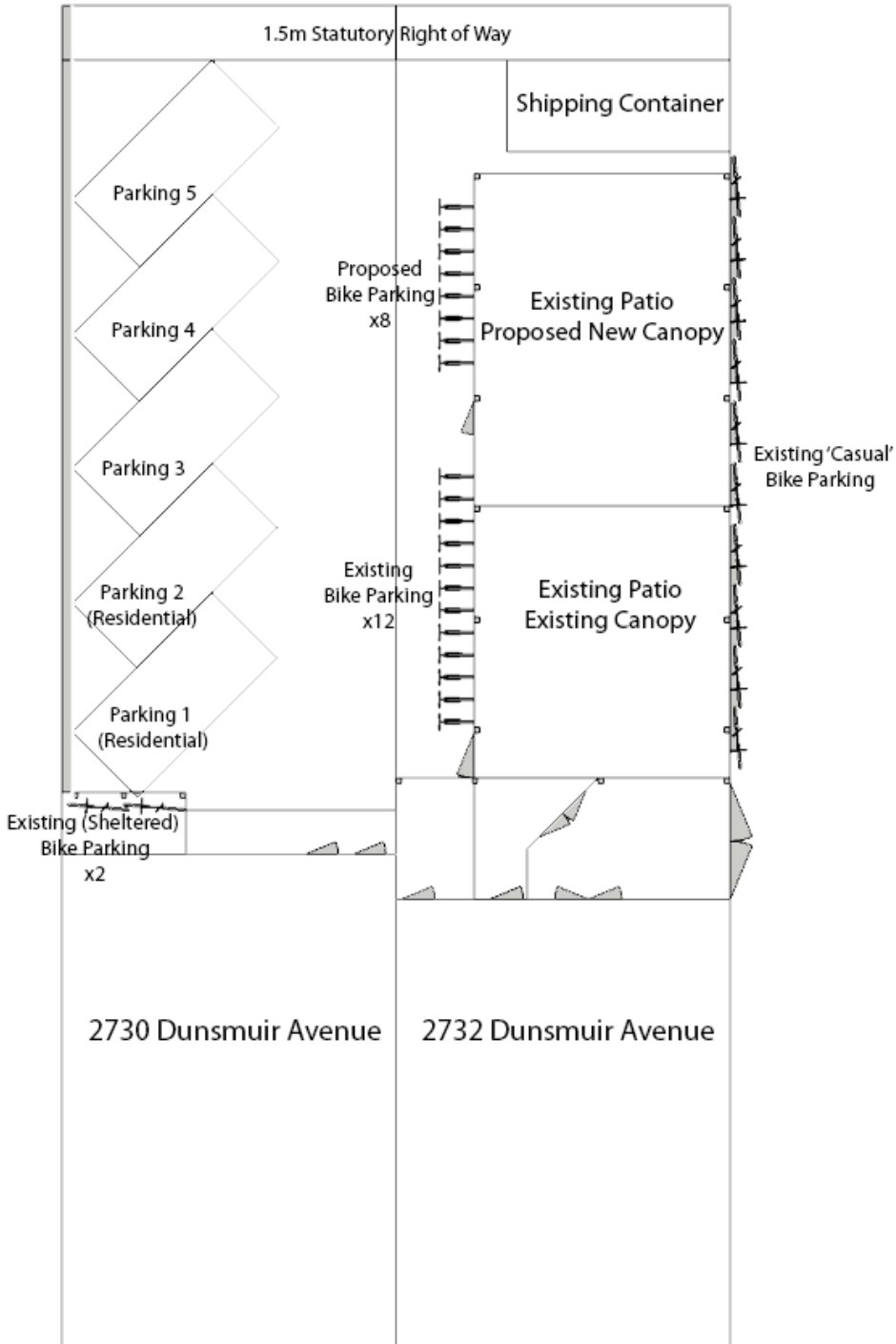
- i) The applicant's request for an increased Occupant Load of 16 persons, from 94 to 110, which includes a maximum of 29 in the Lounge and 81 total on the expanded patio.
- ii) The Building Inspector has certified in principle that the provided design and current number of washrooms meets with the BC Building Code for this purpose.
- iii) The staff reports for Liquor License Application for a Manufacturing Facility Structural Change and Temporary Patio Extension affecting 2730 and 2732 Dunsmuir Avenue dated June 2020, 2018 and February 11, 2021; AND

THAT Council recommend to the Liquor Control and Licensing Branch that the application for a temporary patio extension at 2732 Dunsmuir Avenue for the Cumberland Brewing Company Ltd. be authorized based on the information provided:

- a. The Temporary Patio Expansion does not require and/or result in load occupancy increase beyond the approved liquor licence.
- b. That the temporary structure is permitted until October 31, 2021 as per the terms of the Province's COVID Temporary Extension Application.

# Attachment 2 - Parking Requirements

## Proposed Parking Plan



## Zoning Bylaw Parking Calculations – 2730/2732 Dunsmuir Avenue

### Vehicle Parking

Use	# Spaces Required
Microbrewery	2.7
Restaurant	15.75
Residential units (2)	2
	= 20.45
	= <b>20</b>

### Special Parking Stall Designation

Type of Special Stall Designation *	# of Spaces Required
Parking for Persons with a Disability	1
Parking for Pregnant Women or Persons with Small Children	1
Electric Vehicle Charging Station	1

\* Not additional stalls, but designation of required stalls.

### Bicycle Parking

Bicycle Parking Type	Zoning Bylaw Definition	# Spaces Required
"Class 1" Bicycle Parking	Means a bicycle stall located in a secured or controlled area protected from inclement weather; intended to serve long-term parking needs for residents or employees.	2
"Class 2" Bicycle Parking	Means a bicycle stall located in an unsecured or uncontrolled area; intended for short-term parking needs, and located within the street allowance, parallel with the direction of travel.	17
		= <b>19</b>



Corporation of the  
Village of Cumberland

*DRAFT  
HERITAGE  
ALTERATION PERMIT  
AMENDED*

**TO: Cumberland Brewing Company**

**Agent: Darren Adam**

**OF: PO Box 1395, Cumberland BC, V0R 1S0**

This Heritage Alteration Permit 2021-03-HAP is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as supplemented by this Heritage Alteration Permit, for the purposes of construction of an extension of the canopy over the patio area.

1. This Heritage Alteration 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:** That Part of Lot 6, Block 6, District Lot 21, Nelson District, Plan 522 Lying to the east of a Straight Boundary joining the Points of Bisection of the Northerly and Southerly Boundaries of Said Lot 6.

**Folio:** 516 00067.000 **PID:** 004-610-075

**Civic Address:** 2732 Dunsmuir Avenue, Cumberland, BC

2. The land described herein shall be developed substantially in accordance with the following terms and conditions and provisions of this Permit:
  - a) The siting and design of the canopy structure extension will be substantially in compliance with the site plan and drawings attached to this Permit as Schedule A.
  - b) The canopy structure extension will complement the existing portion of the canopy and be stained/painted to match the canopy in accordance with the site plan and drawings attached to this Permit as Schedule A.
  - c) The existing shipping container will be painted in Cloverdale "Smoked Salmon" consistent with the Cumberland Brewing Company building.
  - d) Any excavation is to be carried out during a dry period to prevent soil erosion and sediment from entering the stormwater system.
  - e) An updated Stormwater Management Plan prepared by a registered professional engineer will be required, designed to handle the new runoff generated from the canopy extension prior to issuing a Building Permit.
  - f) An updated Highway Encroachment Agreement will be required for the additional canopy roof overhang encroachment on Third Street.

**3. Security**

None.

**4. Expiry**

Subject to the terms of the Permit, if the Applicant of this Heritage Alteration 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 Heritage Alteration Permit lapses.

**5. Timing and Sequencing of Development**

None.

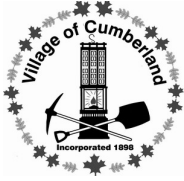
**6. List of Reports or Plans attached as Schedules**

a) Schedule A – Site Plan & Architectural Drawings

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

**CERTIFIED** as the **HERITAGE ALTERATION PERMIT** approved for issuance by resolution of the Council of the Corporation of the Village of Cumberland on October 10, 2017, Amended and issued on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Corporate Officer



**2021-23 DV**

**TO:** Cumberland Brewing Company

**AGENT:** Darren Adam

**OF:** PO Box 1395, Cumberland BC, V0R 1S0

This Development Variance Permit (2021-23-DV Cumberland Brewing Company) 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 lot coverage and parking requirements of the subject property.

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:** That Part of Lot 6, Block 6, District Lot 21, Nelson District, Plan 522 Lying to the east of a Straight Boundary joining the Points of Bisection of the Northerly and Southerly Boundaries of Said Lot 6.

**Folio:** 516 00067.000 **PID:** 004-610-075

**Civic Address:** 2732 Dunsmuir Avenue, Cumberland, BC

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this Permit. The Zoning Bylaw No. 1027, 2016 is varied as follows:

Section 2.2 Definition of "Bicycle Parking Stall - Class 2" is varied to include bicycle parking spaces located on the property.

Part 6 Parking requirements are reduced to 6 spaces for the commercial and residential uses at 2732 Dunsmuir Avenue and 2730 Dunsmuir Avenue as indicated on Schedule A to this permit.

Section 6.2(e)(i) The payment of \$10,000 for one vehicular parking stall in the VCMU-1 zone in lieu of the provision of the required vehicular parking stall for commercial use is varied to \$3,800.

Section 6.8 Designation of one parking space for Persons with a Disability is not required.

- Section 6.9(b) Designation of one parking space for Pregnant Mothers or Persons with Small Children is not required.
- Section 6.11 Bicycle parking requirements are varied to allow bicycle parking stalls to be provided as hooks to hang the bicycle by a wheel.
- Section 6.13(b) A loading space is not required.
- Section 9.4 The maximum lot coverage of 75% is varied to 76.2% as indicated on Schedule B to this 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**

Schedule A: Parking Plan for 2730 & 2732 Dunsmuir Avenue

Schedule B: Site Plan for 2732 Dunsmuir Avenue

**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.

OR

This Permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Regional Manager of the applicable Ministry has received a "Site Profile" for the subject property and has issued a clearance to proceed to the Village on *(insert date)*.

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

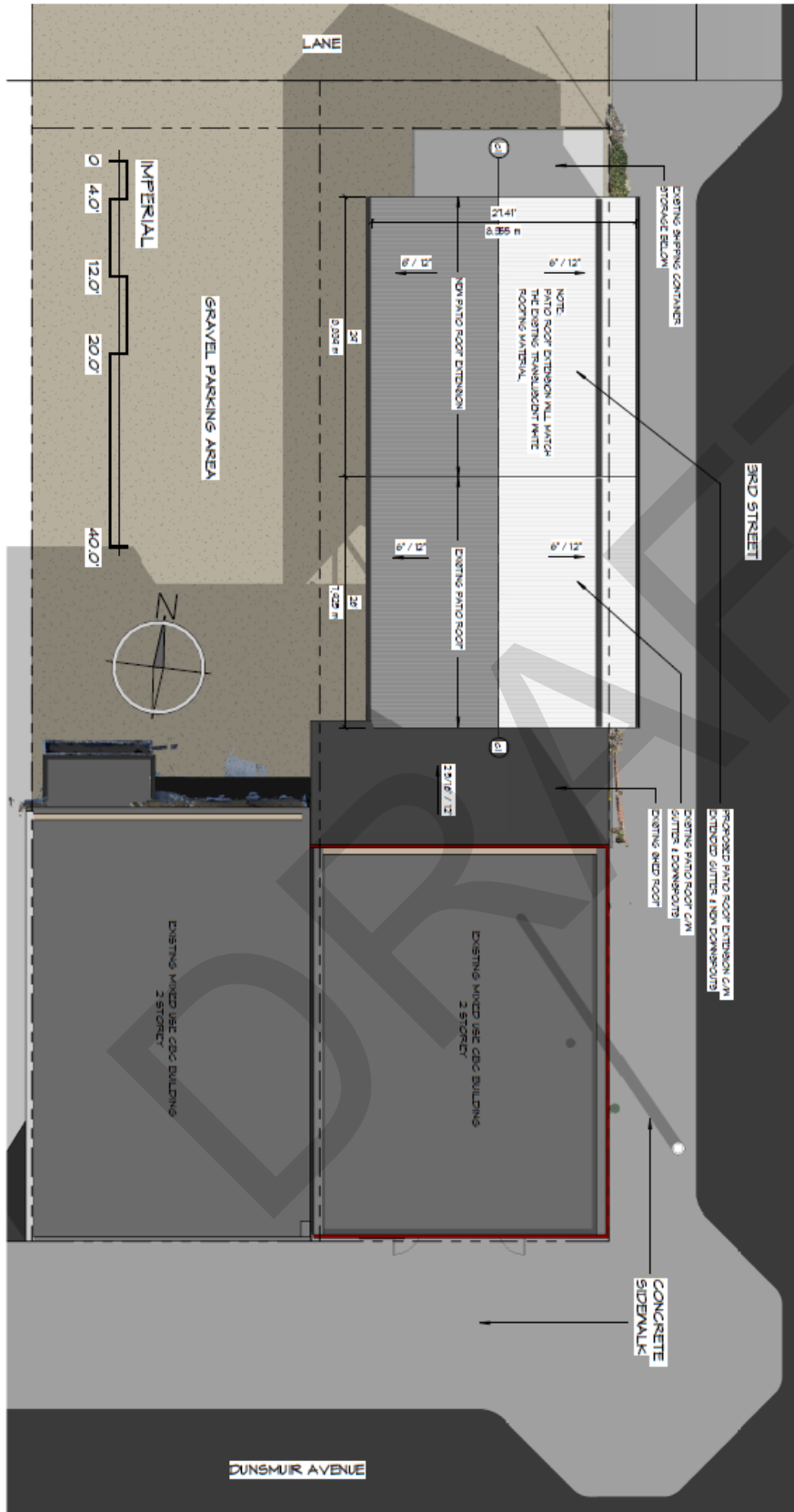
CERTIFIED as the DEVELOPMENT VARIANCE PERMIT approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Corporate Officer

**Schedule A: Parking Plan for 2732/2730 Dunsmuir Avenue**



# Schedule B: Site Plan for 2732 Dunsmuir Avenue



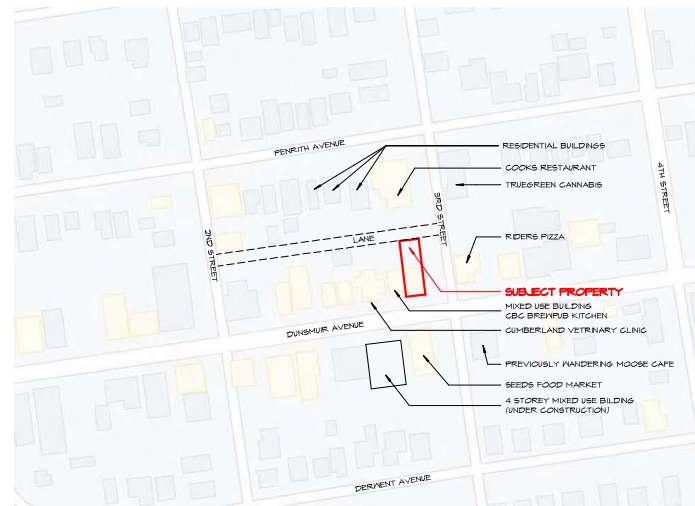


**THOMAS DISHLEUOY  
ARCHITECTURE  
LIMITED**  
305 - 1010 BERUFORT AVENUE  
COQUITON, BC V3M 1R9  
PH (604) 330-0500  
CELL (250) 050-4777

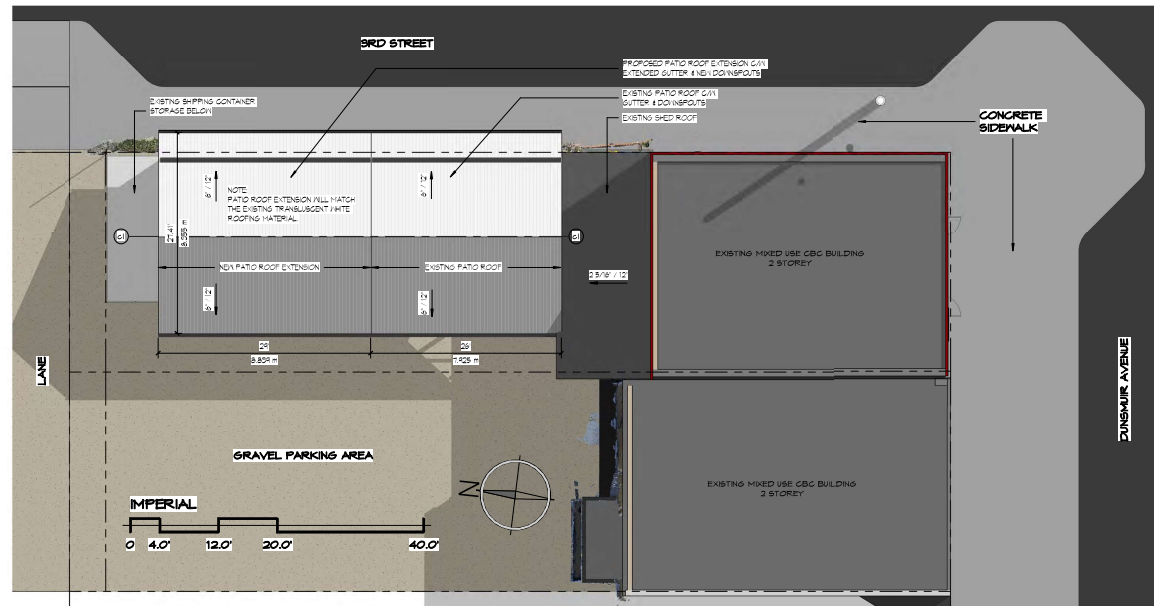
**FILE NAME**  
\_\_\_\_\_

**REVISIONS**

HAP ISSUE	13 Oct 2021
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**KEY PLAN**  
1/1" = 100'-0"



**OWNER**  
CUMBERLAND  
BREWING  
COMPANY

**PROJECT**  
CBC PATIO ROOF  
EXTENSION  
2752 DUNSMUIR AVENUE  
CUMBERLAND, B.C., VOR 1S0  
**TITLE**  
SITE PLAN

**DRAWN BY**  
RS1P  
**PROJECT NUMBER**  
TPA-21-01-02  
**DATE PUBLISHED**  
13 OCTOBER 2021  
**SCALE**  
As indicated  
**SEAL**



**SHEET NO.**

**A1.1**

Schedule A - Site Plan & Architectural Drawings  
2021-03-HAP 2732 Dunsmuir Avenue  
Cumberland Brewing Company

**SITE PLAN**  
1/8" = 1'-0"



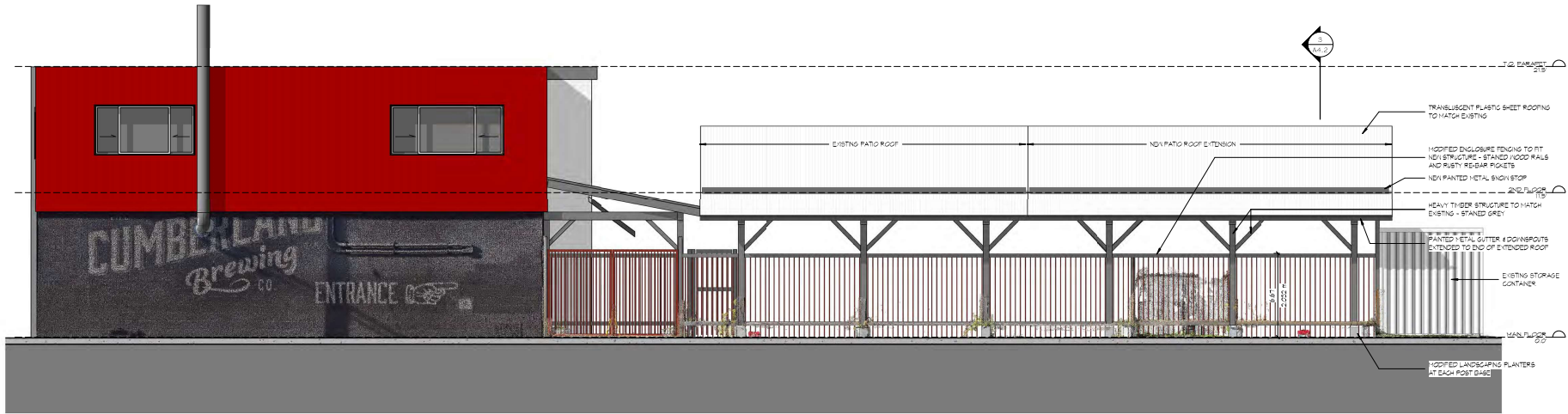
**THOMAS DISHLEUOY  
ARCHITECTURE  
LIMITED**

305 - 1010 BERUFORT AVENUE  
COMOX, BC V9M 1R9  
PH (250) 330-0500  
CELL (250) 050-4777

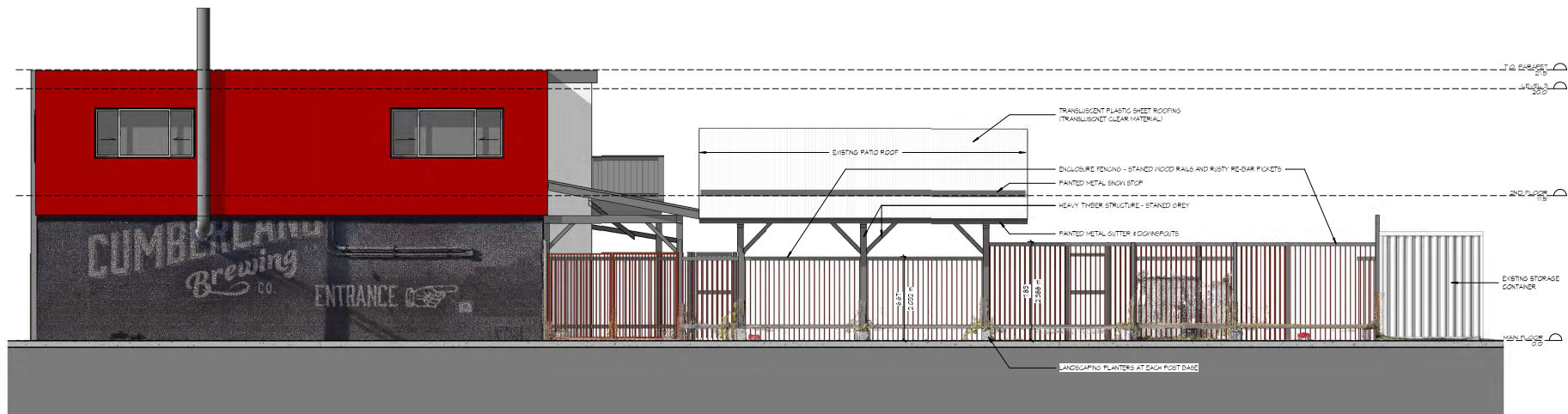
FILE NAME

REVISIONS  
HAP ISSUE 13 Oct 2021

ENCL: 2021-10-11-10:00:00 - Temporary Files\21-10-11-10:00:00 - CBC Structural Change to Layout - License\CBC PATIO ROOF EXTENSION.rvt



② THIRD ST. ELEVATION - PROPOSED  
1/4" = 1'-0"



① THIRD ST. ELEVATION - EXISTING  
1/4" = 1'-0"

OWNER  
**CUMBERLAND  
BREWING  
COMPANY**

PROJECT  
**CBC PATIO ROOF  
EXTENSION**

2752 DUNSMuir AVENUE  
CUMBERLAND, B.C., V9R 1S0  
TITLE  
**BUILDING  
ELEVATIONS**

DRAWN BY  
RS11P  
PROJECT NUMBER  
T2A-21-01-02  
DATE PUBLISHED  
13 OCTOBER 2021  
SCALE  
1/4" = 1'-0"  
SEAL



SHEET NO.

**A4.1**

T2A-21-01-02 CBC PATIO ROOF EXTENSION



**THOMAS DISHLEUOY  
ARCHITECTURE  
LIMITED**

305 - 1010 BERUFORT AVENUE  
COQUITON, BC V3M 1R9  
PH (604) 330-0500  
CELL (250) 050-4777

FILE NAME

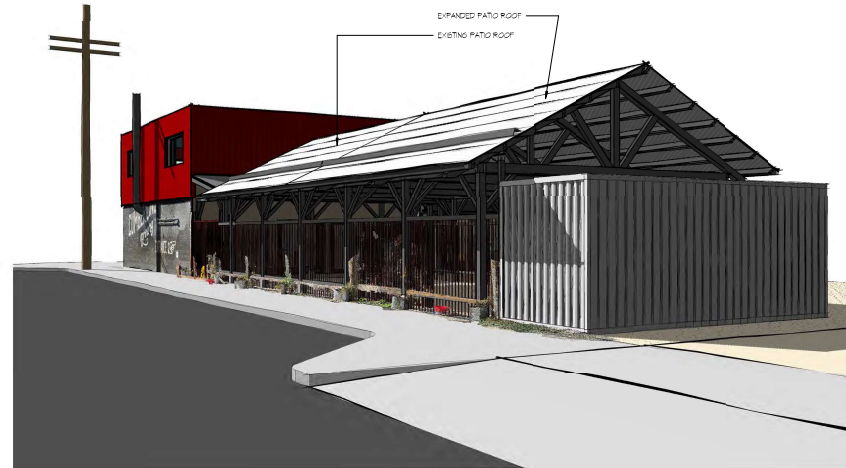
REVISIONS

HAP ISSUE 13 Oct 2021

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③ EXT - EXISTING - MIDDLE OF 3RD AT LANE ENTRY



① EXT - PROPOSED - MIDDLE OF 3RD AT LANE ENTRY



④ EXT - EXISTING - MIDDLE OF 3RD AT DUNSMUIR



② EXT - PROPOSED - MIDDLE OF 3RD AT DUNSMUIR

OWNER

CUMBERLAND  
BREWING  
COMPANY

PROJECT

CBC PATIO ROOF  
EXTENSION

2152 DUNSMUIR AVENUE  
CUMBERLAND, B.C., V0R 1S0

TITLE

PERSPECTIVE  
RENDERINGS

DRAWN BY

RS11P

PROJECT NUMBER

21A-21.01.02

DATE PUBLISHED

13 OCTOBER 2021

SCALE

SEAL

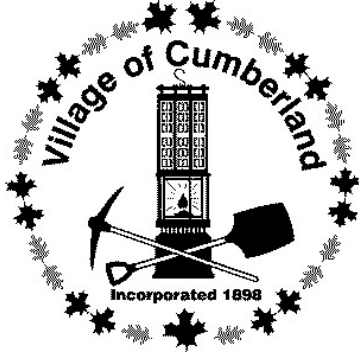


SHEET NO.

**A4.3**

21A.01.02 CBC PATIO ROOF EXTENSION

# COUNCIL REPORT



REPORT DATE: 4/29/2022  
MEETING DATE: 5/9/2022

File No. 6700

TO: Mayor and Councillors  
FROM: Karin Albert, Senior Planner  
SUBJECT: Vacation Rentals – Bylaw Amendment Options

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### RECOMMENDATION

- i. THAT Council receive the April 29, 2022 report “Vacation Rental Regulations – Bylaw Amendment Options” report.
- ii. THAT Council direct staff to draft an amendment bylaw to Zoning Bylaw No. 1027, 2016 to amend the vacation rental regulations to:
  - a. Require a principal resident to live on property with vacation rentals;
  - b. Limit the maximum number of bedrooms rented on a property to three and the maximum number of guests to six;
  - c. Limit the vacation rental use on a single property to one dwelling unit;
  - d. Clarify that a vacation rental can be located within a principal dwelling unit, accessory dwelling unit or a secondary suite on a property;
  - e. Amend the definition of vacation rentals to distinguish between the commercial use of a home as a vacation rental and home-sharing of a principal residence; and
  - f. Require posting a modestly sized sign with the vacation rental name and operator/caretaker contact information at the property.
- iii. THAT Council direct staff to draft an amendment to Business License Bylaw No. 896, 2009 that supports the Zoning Bylaw regulations for vacation rentals and:
  - a. Requires display of the business license number on listings and similar advertisements or promotional materials that communicate the availability of a vacation rental.

### PURPOSE

This report presents input from the Advisory Planning Commission (APC), the Homelessness and Affordable Housing Committee (HAH) and Economic Development Steering Committee (ECDEV) in response to the March 28, 2022 Council referral, and recommends changes to the vacation rental regulations. The report also provides an update on collection of the Municipal and Regional District Tax (MRDT) on tourism accommodation from online accommodation providers.

## PREVIOUS COUNCIL DIRECTION

Date	Resolution
March 28, 2022	THAT Council receive the March 18, 2022 report “Vacation Rental Regulations - Public Engagement Summary and Analysis” report.  THAT Council refer the report to the Advisory Planning Commission, Homelessness and Affordable Housing Committee and Economic Steering Committee for comment.
June 28, 2021	THAT Council endorse the Vacation Rental Regulations Review Resident and Stakeholder Engagement Plan; THAT Council approve the expenditure of up to \$10,000, to be funded by the general financial stabilization reserve, for the Vacation Rental Regulations Review project and amend the adopted 2021-2025 Financial Plan bylaw to reflect this expenditure; and further that Council investigate an agreement with AirBnB to recoup the hotel tax that is currently being collected by the company.

## BACKGROUND

At the March 28, 2022 Council meeting, Village staff presented the Vacation Rental Regulations Review - [Public Engagement Summary and Analysis report](#) and an accompanying [staff report](#) with a set of recommendations for updating the Village’s vacation rental regulations. That report can be referred to for a detailed explanation of the regulatory options.

The Summary and Analysis report and recommendations for regulatory updates were reviewed with the APC, HAH, and ECDEV at their April meetings (Attachment 1 – Overview of Commission and Committee Recommendations). Attachment 2 – Vacation Rental and Housing Statistics, was provided to the Committees to assist in their review.

## ANALYSIS

The key criteria used to evaluate regulatory options for this review are: potential to protect long term rental housing, level of public support, ability to enforce the regulations, and impact on neighbourhoods/community. Based on input from Committees, some of the recommendations have been adjusted from the March 28, 2022 staff report.

The following provides a short discussion of each. Note, that recommendations which confirm the current regulations do not require a resolution by Council and are not included in the recommended resolutions above.

### 1. Principal Residency requirement

A principal residency requirement would require an owner or tenant to live on the property with the vacation rental. This will limit vacation rentals of entire units to properties that have more than one dwelling (single family dwelling plus secondary suite and/or ADU). It will also ensure that at least one dwelling on the property remains part of the housing stock.

All Committees support a principal residency requirement. In discussions with the Committees, staff clarified that a principal residency requirement does not necessarily mean that the

permanent resident living on the property has to be the caretaker for the vacation rental. Both the APC and the HAH discussed that a tenant should not be required to be responsible for the vacation rental unit on the same property.

There are two options to implement a principal residency requirement through the Zoning Bylaw:

- a. Make vacation rentals a home occupation. This would mean that the business license applicant has to be the vacation rental operator and live on the property.
- b. Identify the principal residency requirement in a separate section of the Bylaw, not tied to a home occupation. This would enable the vacation rental operator to live off-site. The business license applicant can identify a caretaker or 'designated responsible person' who would operate the vacation rental and be the point of contact for guests and neighbours.

Both options enable a tenant or property owner to live on the property to meet the principal residency requirement. However, under option (a), the tenant would have to be the business license applicant and be operating the vacation rental. Option (b) does not *require* the resident living on the property to operate the vacation rental, but it would also not restrict that possibility.

The recommendation is to keep vacation rental regulations in a separate section in the Zoning Bylaw, consistent with the current approach, and not tie them to a home occupation. This will allow more flexibility to operate vacation rentals. However, Council may direct staff to draft the bylaw with vacation rentals as a home occupation, to require the operator to live on the property.

A further possible restriction on vacation rentals is to limit them to one dwelling unit on a property. This can be implemented in conjunction with either option (a), a home occupation, or option (b) and is discussed in section 2 below.

*Recommendations:*

Require a principal resident to live on property with vacation rentals.

**2. Limit on number of bedrooms that can be rented and/or the number of guests**

The Committees are divided on this regulatory option. The APC and ECDEV do not support a limit on the number of bedrooms or number of guests. The HAH would like to see a limit of three bedrooms and six guests. A three bedroom/six guest limit provides a range of accommodation options for tourists but, at the same time, limits the impact of vacation rentals on residential neighbourhoods. More rooms and guests would make a vacation rental more similar to a guest house or boutique hotel. A more intensive commercial use in a residential zone should require a rezoning to a tourist accommodation or commercial use to give the Village and the community the opportunity to consider fit with the neighbourhood.

In conjunction with a limit on number of bedrooms and number of guests, the recommendation is to limit vacation rental use to one dwelling unit on a property. This provides additional protection for rental housing. It means that a property owner who has, for example, a 1-bedroom secondary suite and a 2-bedroom accessory dwelling unit, would only be able to use one for a vacation rental.

*Recommendation:*

Limit the maximum number of bedrooms rented on a property to three and the maximum number of guests to six.

Limit the vacation rental use on a single property to one dwelling unit.

**3. Parking requirement**

The current off street parking requirement for a vacation rental is one space per bedroom. If parking requirements cannot be met, owners have the option to pay \$3,800 cash-in-lieu.

The APC recommendation is to reduce the requirement to 0.5 parking spaces per bedroom. One of the reasons is to avoid turning yards into parking lots. Reducing the requirement to 0.5 per bedroom and rounding up to the highest whole number means one space would be required for one or two bedroom rentals and two spaces would be required for three or four bedroom rental units (provided up to four bedrooms are permitted, see 5. below). The HAH supports keeping the requirement at 1 space per bedroom, while ECDEV members are split on this question.

If the recommended maximum limit of three bedrooms for vacation rentals is implemented and the requirement of one parking space per bedroom is retained, the maximum number of parking spaces required would be three. Given the concern about parking expressed by neighbours in the survey, the ability to provide parking spaces off the lane, and the parking cash-in-lieu option for property owners who cannot provide sufficient parking on the property, the recommendation is not to change the parking requirement.

*Recommendation:* No change. Keep the requirement to 1 parking space per bedroom.

**4. Type of dwellings where vacation rentals should be permitted**

The current regulations state that vacation rentals are permitted in principal and accessory dwelling units but is silent on secondary suites. All Committees agree with the staff recommendation not to restrict the type of dwellings that can be rented as a vacation rental. Permitting vacation rentals in different types of dwellings increases the variety of both tourist accommodation and long term rentals available.

*Recommendation:* Clarify that a vacation rental can be located within a principal dwelling unit, accessory dwelling unit or a secondary suite on a property.

**5. Cap on total number of vacation rentals permitted**

ECDEV does not support a cap on the total number of vacation rentals permitted. The APC also does not support a cap, provided that a principal residency requirement is implemented. The HAH Committee would like to see a cap to put an upper limit on the conversion of long term rentals to vacation rentals.

A principal residency requirement limits vacation rentals to properties that have a secondary suite or ADU. There are currently 774 dwelling units in the R1-A Residential Infill Zone; of those 34 are secondary suites and ADU's (see Attachment 2 – Vacation Rental and Housing Statistics). If vacation rentals also continue to be restricted to the R1-A zone, that effectively limits the numbers of *entire unit* vacation rentals to 34 until new secondary suites or ADU's are built. In

addition, any current vacation rentals with a valid business license would be grandfathered in and able to continue to operate even if they are on properties with a single dwelling unit and cannot meet the principal residency requirement.

The principal residency requirement would also restrict vacation rentals in the RE-1 Recreation Tourism zone since there are no permitted secondary suites or ADU's in that zone. However, if a cap is desired, staff will provide a number based on a percentage of total rental units.

*Recommendation:* No change: Do not put a cap on the total number of vacation rentals in the Village.

## **6. Cap on number of vacation rentals per block**

All Committees agree that there should be no cap on the number of vacation rentals per block as this is difficult to administer (e.g. potentially requiring keeping multiple wait lists) and can be confusing for applicants.

*Recommendation:* No change: Do not pursue a cap on the number of vacation rentals per block.

## **7. Distinguish between year-round and occasional vacation rentals**

The existing Zoning Bylaw definition for vacation rentals<sup>1</sup> does not distinguish between commercial year-round and occasional vacation rentals. Commercial year-round rentals are units whose primary use is as a vacation rental. Occasional rentals are units in someone's home and may only be listed for a few weeks a year by the owner away on vacation. There is also house-sitting, home-share or home exchange uses of dwelling units which, if not done for commercial gain, would be allowed in all residential zones and do not require a business license. House-sitting for a month or longer would be considered long term housing and is also permitted in all residential zones.

Making a clearer distinction between the different types of uses of a dwelling unit would allow the Village to impose different regulations for different types of rentals in the future if desired. The Committees are divided on whether to distinguish between year-round and occasional vacation rentals. The APC points out that it would be difficult to investigate and prove that a vacation rental is rented out only occasionally, for example, three weeks out of the year while the principal resident is away on vacation. ECDEV members feel that occasional vacation rentals should be permitted without a permit. The HAH wants to see a distinction made between year-round, occasional and home share-type rentals.

Staff recommends that the definition in the Zoning Bylaw should be updated to distinguish between vacation rentals (year round and occasional) run as a business for commercial gain and home-sharing of a principal residence when someone is away on vacation. This facilitates communication of the regulations, investigation and enforcement.

*Recommendation:* Amend the definition of vacation rentals in the Zoning Bylaw to distinguish between the commercial use of a home as a vacation rental and home-sharing of a principal residence.

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<sup>1</sup> Vacation rental means the use of a dwelling unit to provide for the accommodation of the travelling public, established and operating in accordance with Section 4.15

## **8. Zones where vacation rentals should be permitted**

Vacation rentals are currently permitted in the R1-A – Residential Infill zone, the RE-1 – Recreation and Tourism zone, and on two properties in the VCMU-1 – Village Core Mixed Use Commercial zone. Attachment 2 – Vacation Rental and Housing Statistics provides the number of dwelling units in each as well as the number of legal suites and ADU’s in those zones.

The APC, the HAH and some ECDEV members support also permitting vacation rentals in the R-3 zone. However, the HAH’s support is conditional on the implementation of a cap on the total number of vacation rentals. Reasons provided by those in favour of extending the use to the R-3 zone are:

- the larger lots in the R-3 zone can accommodate the parking requirement;
- it allows owners to generate an income and age in place; and
- it may encourage owners to build ADUs which, in the future, might be converted to long term rentals.

Other ECDEV members want to see the Village hold off on this decision until the Official Community Plan (OCP) review and discuss permitted uses of the R-3 zone in the context of other possible uses in that zone such as gentle infill. If vacation rentals are permitted at this time, it may disincentivize owners to seek other development opportunities of their properties contemplated in an updated OCP.

The recommendation is not to permit vacation rentals in additional zones at this time. Since a cap is not recommended, this supports the recommendations of the HAH and some ECDEV members. The intent of the vacation rental regulations review is to protect long term rental housing. An expansion to other zones can be considered in the future if updated vacation rental regulations and enforcement work well.

*Recommendations:* No change. Do not permit vacation rentals in additional zones.

## **9. Business license number on advertisements**

Requiring the business license number to be listed on advertisements is central to an effective enforcement program and successful implementation of vacation rental regulations. Discussions with the Committees highlighted the need to define what types of advertisements would require listing of the business license number. To exclude advertisements like business cards or signs, the recommendation focuses on advertisements of listings.

*Recommendation:* Require display of the business license number on listings and similar advertisements or promotional materials that communicate the availability of a vacation rental.

## **10. Sign at vacation rental**

The APC and ECDEV do not support a sign at the vacation rental for the following reasons: do not regulate something if it’s not necessary, increased vulnerability to theft of guests’ vehicles, and safety of guests. The HAH would like to see a sign posted as this provides contact information for neighbours in case of complaints. This avoids neighbours knocking on the door of the principal residence which may not be the home of the site manager and may reduce calls to the police or the Village without the site manager having had the chance to address the situation.

The recommendation is to require a sign to increase accountability to the neighbourhood and provide a contact for concerns or emergencies. The bylaw will specify the minimum and maximum sign dimensions to keep them modest in size.

*Recommendation:* Require posting a modestly sized sign with the vacation rental name and site manager contact information at the property.

### **Enforcement**

Both the APC and the HAH discussed the importance of enforcing new vacation rental regulations to ensure they have the intended effect of increasing long term rental housing supply.

As per Bylaw Enforcement Policy No. 9.1, the Village relies largely on residents' complaints when it comes to enforcing its bylaws due to limited resources. However, the policy states that the Business License Bylaw is enforced pro-actively.

Seeking compliance with bylaws happens along a continuum of actions from notification of bylaw updates, investigation (based on complaints or pro-active), letters to individuals or businesses found not to be in compliance, to ticketing and, as a last resort, court action. Enforcement options and required staff resources will be outlined in an upcoming report to Council.

### **Municipal and Regional District Tax**

The Municipal and Regional District Tax (MRDT), also known as the Hotel Tax, is applied to accommodation providers with the purpose of assisting designated recipients to fund tourism marketing programs and projects. The Village recently entered into a contract agreement to participate in the Comox Valley Tourism Service (CVTS). This regional service is provided by the Comox Valley Regional District (CVRD), includes all local municipalities, and is managed and administered by Tourism Vancouver Island. As part of the regional tourist information and destination marketing services, the CVTS also includes the management and administration of the City of Courtenay's MRDT, also known as hotel tax. Whereas this MRDT is currently limited to the City of Courtenay, the scope of the CVTS agreement requires TVI to work with all regional partners and stakeholders on a regional MRDT application.

In 2018, the Province extended the MRDT so that it can be collected from accommodation providers with less than four rooms, including online accommodation providers (OAPs) such as AirBnB. These legislation changes also allowed for designated recipients to use these funds from OAPs to fund affordable housing initiatives in the region. This collection and use of the MRDT is not specifically outlined in the contract agreement with CVTS, and staff will provide further information in a future report.

### **ALTERNATIVES**

1. THAT Council provide alternate direction on any of the recommended regulatory changes.
2. THAT Council direct staff to hold off on updating vacation rental regulations at this time.

**STRATEGIC OBJECTIVE**

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

**FINANCIAL IMPLICATIONS**

If Council directs staff to amend its bylaws to update vacation rental regulations, financial and staff resources will be required to communicate the changes and enforce the regulations. A review of enforcement options and financial impact will be provided when staff present the amendment bylaws to Council.

**OPERATIONAL IMPLICATIONS**

Policy planning and regulatory reviews are part of the services provided by Development Services. To ensure effective implementation, communication and enforcement of updated regulations will be required, drawing staff resources and impacting other work.

**CLIMATE CHANGE IMPLICATIONS**

An update to the vacation rental regulations does not have an easily quantifiable impact on factors contributing to climate change.

**ATTACHMENTS**

1. Overview of Commission and Committee Recommendations
2. Vacation Rental and Housing Statistics

**CONCURRENCE**

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

Respectfully submitted,

K. Albert

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Karin Albert  
Senior Planner

M. Mason

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Michelle Mason  
Interim Chief Administrative Officer

## Attachment 1: Overview of Commission and Committee Recommendations

REGULATORY OPTIONS	RECOMMENDATIONS		
	APC	HAH	ECDEV
<b>Parking requirement</b>	Change to 0.5 per bedroom rented, rounded up to the nearest full number of parking spots.  <i>Carried</i>	Keep at 1 space per bedroom.  <i>Carried unanimously</i>	Keep at 1 space per bedroom vs. Reduce to 0.5 per bedroom, rounded up to nearest full number.  <i>Split and one abstention</i>
<b>Display of Business License Number on advertisements</b>	Require, on specified advertisements as determined by staff, and include as a minimum on online vacation rental listings.  <i>Carried unanimously</i>	Require on advertisements promoting the vacation rental listing.  <i>Carried unanimously</i>	Require on digital listings.  <i>Unanimous</i>
<b>Vacation Rental Definition in Zoning Bylaw</b>	Do not distinguish between year-round and occasional vacation rentals.  <i>Carried unanimously</i>	Distinguish between a commercial, occasional, and home share-type vacation rentals in the Zoning Bylaw.  <i>Carried Unanimously</i>	Distinguish between commercial and occasional vacation rentals.  <i>Unanimous</i>
<b>Principal Residency Requirement</b>	Implement.  <i>Carried</i>	Implement.  <i>Carried unanimously</i>	Implement.  <i>Unanimous</i>
<b>Limit on number of bedrooms and/or guests</b>	Do not limit either.  <i>Carried unanimously</i>	Limit number of bedrooms on a property that can be rented as vacation rentals to three.  <i>Carried unanimously</i>	Do not limit either.  <i>Unanimous</i>
<b>Restrictions on types of dwelling units in which vacation rentals are permitted</b>	Do not restrict.  <i>Carried unanimously</i>	Do not restrict.  <i>Carried Unanimously</i>	Do not restrict.  <i>Unanimous</i>
<b>Cap on total number of vacation rentals permitted</b>	Do not cap total number, provided that a principal residency requirement is implemented.	Cap the total number of vacation rentals permitted in the Village and that Council direct staff to review and	Do not cap total number.  <i>Unanimous</i>

REGULATORY OPTIONS	RECOMMENDATIONS		
	APC	HAH	ECDEV
	<i>Carried</i>	suggest an appropriate cap. <i>Carried unanimously</i>	
<b>Cap on vacation rentals permitted per block</b>	No cap per block. <i>Carried unanimously</i>	No cap per block. <i>Carried unanimously</i>	No cap per block. <i>Unanimous</i>
<b>Sign at property</b>	Do not require. <i>Carried</i>	Require a sign with contact information at the vacation rental property. <i>Carried Unanimously</i>	Do not require. <i>Unanimous</i>
<b>Zone(s) where vacation rentals are permitted</b>	Continue to permit vacation rentals in the R1-A and ADD the R3 zone. <i>Carried</i>	If a cap on total number of vacation rentals is implemented, extend vacation rentals to R-3 zone. <i>Carried Unanimously</i>	Permit in R1-A only vs. Extend to all other zones <i>Split</i>
		OTHER RECOMMENDATIONS	
<b>Inspection</b>	Require a fire inspection prior to issuing a vacation rental business licence. <i>Carried</i>	-	-
<b>Enforcement</b>	THAT Council direct staff to proactively validate that online vacation rental listings have a valid business licence. <i>Carried</i>	Enforce vacation rental regulations. Initially send a letter introducing new regulations, then follow-up.	

## Attachment 2: Vacation and Rental Housing Statistics

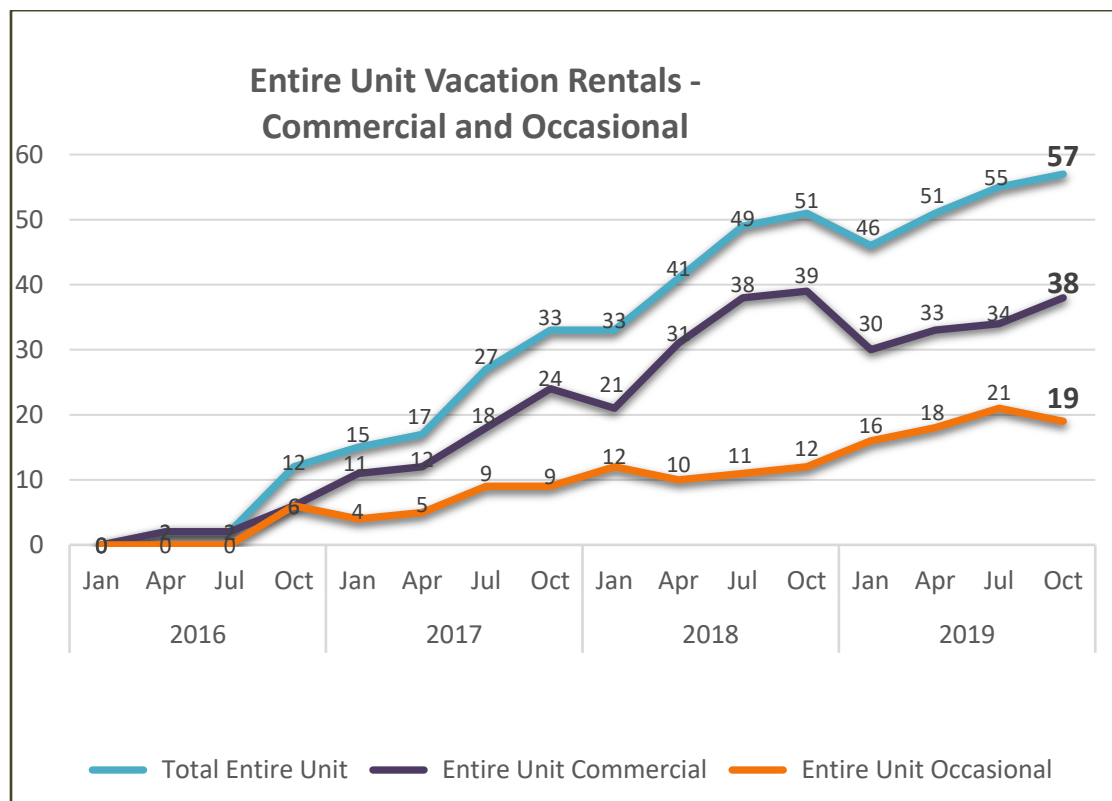
The following information is extracted from the Village’s 2020 Housing Need Report and Village records of the number of dwellings and dwelling types in each zone. A short discussion follows the statistics to identify how they may inform the following regulatory options:

- a. principal residency requirement;
- b. restriction of vacation rentals to specific dwelling types;
- c. limit on the number of dwellings per property that can be used as vacation rentals;
- d. cap on total number of business licenses that can be issued, and
- e. maximum number of guests and/or bedrooms.
- f. extending vacation rentals as a permitted use to the R-3 zone

### 1. Vacation Rental Statistics

#### 1.1. Entire Units Rented as Vacation Rentals

The 2020 Housing Needs Report distinguishes between *occasional* rentals and *commercial* vacation rentals. Commercial rentals are units that are available or booked for more than half the year. The vacation rental use is considered the primary use of commercial rentals. Occasional rentals are available or booked less than half the year. This distinction serves to separate units rented out by residents to generate supplemental income from their dwellings from units rented out by non-residents for income or investment purposes. The latter use is generally considered to impact the availability of long-term rental housing.

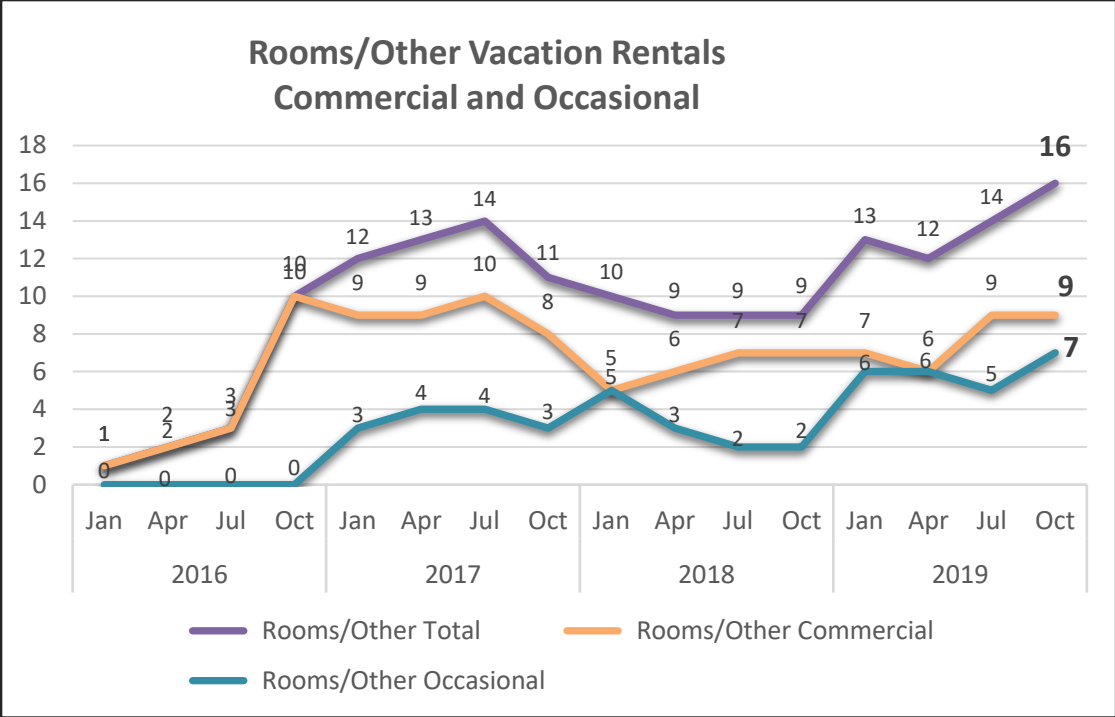


Between 2016 and 2019, there was a significant increase in entire units rented commercially. Entire unit commercial vacation rentals climbed from 0 in 2016 to 38 in 2019. In the same time period, entire occasional units increased from 0 to 19. Combined, commercial and occasional entire unit vacation rentals reached 57 at the end of October 2019.

**1.2 Rooms/Partial Units Rented as Vacation Rentals**

Vacation rentals can also be individual rooms or partial units without kitchens. The graph below shows that rooms rented commercially (more than half the year) as vacation rental increased from 0 to 9 between 2016 and 2019. Rooms rented as vacation rentals occasionally (less than half the year), increased from 0 to 7 in the same time period.

Combined, commercial and occasional room rentals reached 16 at the end of October 2019. Room or partial unit rentals are less likely to impact long term rental housing than entire unit rentals, but they are important for providing tourist accommodation.



**1.3. Vacation Rentals as a Percentage of Rental Housing Supply**

As discussed above, commercial entire unit rentals have the greatest impact on the long term rental housing market. As per the 2020 Housing Needs Report, the 38 entire units rented commercially at the end of 2019 represented an estimated 2 percent of total housing supply in Cumberland. If compared to rentals only, those 38 units represent 9 percent of the Village’s rental housing units.

It is not possible to know how many of those units would convert to renter or owner housing if there were greater restrictions on vacation rentals or the Village actively enforced its existing regulations. Nonetheless, the upward trend in commercially rented entire units is concerning.

#### 1.4 Dwelling Units (Address Points) in the Village’s Single Family Zones

The following shows the number of dwelling units in the Village’s zones where vacation rentals are permitted and where they are not. Under the existing regulations, vacation rentals are permitted in 42% (808 units) of all residential units in the Village.

<b>Vacation Rentals permitted</b>	<b>Number of Dwelling Units</b>
R1-A – Residential Infill	774
VCMU-1 – Village Core Commercial Mixed Use	2
RE-1 Recreation and Tourism at Comox Lake	32
<b>Total</b>	<b>808 (42%)</b>
<b>Vacation Rentals <i>not</i> permitted</b>	<b>Number of Dwelling Units</b>
R-1, R-2, R-2A, R-3, R-4, MU-1 (Coal Valley)	832
RM-1, RM-2, RM-3, RM-5 (multi-family residential zones) and MHP (Manufactured Home Park)	272
<b>Total</b>	<b>1104 (58%)</b>

If the Village chose to permit vacation rentals in additional zones and implement a cap on the total number of business licenses it issues for vacation rentals, the above statistics would inform the discussion on where that cap might be set.

A cap is currently not recommended since continuing to limit vacation rentals to the R-1A zone, combined with a principal residency requirement, a limit on the number of dwelling units per lot and/or number of rooms or guests, would restrict the number of vacation rentals in the Village to a point where a cap is not necessary.

## 2. Housing Statistics

### 2.2 Number of Rental Households

Overall, Cumberland has a renter to owner ratio of 23:77, meaning for every 23 renters there are 77 owners. At the time of the 2016 census, approximately 845 residents rented their home or belonged to a household that rents. Altogether, there were 412 rental households at the time of the 2016 census.

### 2.3 Rental Vacancy Rate\* and Housing Affordability

The Canada Mortgage and Housing Corporation reported a 1.1 percent rental housing vacancy rate for the Comox Valley in October 2021, down from 1.4 percent the previous year. A rental market is considered healthy and balanced when vacancy rates are between 3 to 5 percent.

As prices increase when supply is low, declining vacancy rates tend to push up rents, making rental housing less affordable.

In 2016, about a quarter (26 percent) of rental households were in “core housing need”. Core housing need is defined as households whose dwelling is considered inadequate, unsuitable or unaffordable, and whose income levels are such that they could not afford alternative housing in their community.

\*Rental vacancy rates are not reported separately for Cumberland but one can expect them to be very similar as in the Comox Valley overall.

#### **2.4 Secondary Suites and ADU’s in the R1-A Zone**

Secondary suites and accessory dwelling units (ADU’s) tend to be smaller than principal residences and therefore offer housing options for singles, couples or small families at somewhat lower rental rates than a regular sized single-family dwelling. The Village’s house number records for the R-1A Residential Infill zone, where vacation rentals are permitted, show 34 B and C units, representing **34 secondary suites or ADU’s**. There may also be a number of illegal secondary suites or ADU’s which are not included in this count since they do not have house numbers.

If the vacation rental regulations are updated to include a principal residency requirement in the R-1A zone, that would mean entire unit commercial vacation rentals would be restricted to the 34 properties in the R1-A zone that have a secondary suite and/or an ADU. Therefore, a principal residency requirement effectively caps the number of vacation rentals possible in the R1-A zone until new construction or renovations add more secondary suites or ADU’s to that zone.

Note that a principal residency requirement would still permit residents with only a single unit on their property to rent rooms in their home or, while away, the entire home.

If there is no principal residency requirement but vacation rentals are restricted to one dwelling unit per property, that would flip the above scenario. There would be a minimum of 34 long term rental units with a lot of capacity for more vacation rentals in the Village (i.e. all the other single family units in the R1-A zone). Non-residents could continue to invest in single family dwellings for the purpose of renting them as vacation rentals.

It may be appropriate to restrict vacation rentals to one unit per property in conjunction with a principal residency requirements and restrict the total number of bedrooms to three and the total number of guests to six. That option would reduce the impact of vacation rentals on neighbours. Anyone wishing to use more than one unit on their property as a vacation rental and/or have a higher occupancy would have the option to seek to rezone their property to a commercial zone.

## 2.5 Secondary Suites and ADUs in other Village Zones

Secondary suites are permitted in the majority of single-family zones in Cumberland. In addition to the R1-A zone, ADUs are permitted in the R-3 Large Lot Residential and R-4 Residential Four – Carlisle Lane zones. The following table identifies the numbers of legal secondary suites or ADU's that currently exist in Village zones outside of the R1-A Residential Infill zone. (Data based on house numbers).

<b>Zone</b>	<b>No. of Suites or ADUs</b>
MU-1	61
R-1	53
R-2	12
R2-A	1
R-3	4
R-4	8
RM-1	9
RU-1	1
PA-1	1
VCMU-1	4
<b>Total</b>	<b>154</b>

If vacation rentals are permitted in other zones in conjunction with a principal residency requirement, entire unit vacation rentals would be possible on up to an additional 154 properties.

## 2.6 Number of properties in the R-3 zone

The APC, some members of ECDEV and the HAH Committee (conditional on an overall cap) recommend that the vacation rental use be permitted in the R-3 zone. The reasoning is that this may encourage constructing ADUs some of which may become long term rentals over time.

As per the table above the R-3 zone currently has four legal suites or ADUs. There may also be a number of illegal suites or ADUs. That means the capacity for vacation rentals in the R-3 zone is currently fairly low.

The total number of properties in the R-3 zone is 97. Hence, there is a large potential for additional secondary suites or accessory dwelling units to be built.

# COUNCIL MEMBER REPORT



DATE: May 3, 2022  
 TO: Councillors  
 FROM: Mayor Leslie Baird  
 SUBJECT: April 2022 Monthly Report

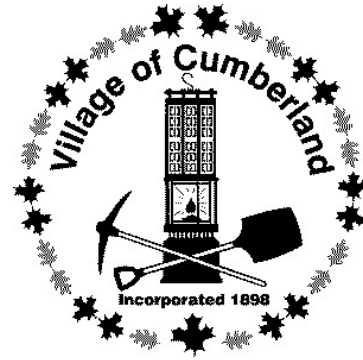
Date	Comments
April 1-3	<p>AVICC Conference in Victoria-Pre-Conference program            Legislative Reform Initiative: Continuing the Discussion Regional Districts face complex challenges within the current legislative framework. Changes in demographics and population growth have resulted in increasing demands on electoral areas. While some rural areas are experiencing higher population densities and increased development others have unique challenges that require more adaptable legislation to assist with service provision in sparsely populated areas.</p> <p>Mayors &amp; Chairs Forum and Lunch: The focus was on Mayors and Chairs sharing of pandemic survival stories. It was filled with many comments and lots of laughs. From newly elected Mayors to long time Mayors and chairs each one having unique stories.</p> <p>AGM &amp; Convention Main Program: Welcome &amp; Opening Remarks: President Ian Morrison Welcome from Esquimalt Nation and Songhees Nation Lekwungen Dancers-Greetings from Premier John Horgan-Welcome from Host: Mayor Lisa Helps. Island Health Update Leah Hollins-Address Hon. Josie Osborne, Minister of Land, Water and Resource Stewardship.</p> <p>Working Breakfast: Procurement for Community Wellbeing-BCSPI Presenters Lisa Help, Mayor City of Victoria- Rob Southcott, Councillor City of Powell River-Daniel Sailland, CAO Alberni-Clayoquot Regional District- and myself we spoke of the impact these new practices are having in our communities, and why more governments should consider adopting this new approach to public spending.</p> <p>Annual report-Auditors 2021 Audited Financial Statements-Considerations of Resolutions, Session 1</p> <p>Concurrent Workshops: First Nations &amp; Local Governments: The Future Collaborative Governance. This session provided an overview of the legal framework of Aboriginal rights and role of local governments in relation to the Crown's duty to consult with Indigenous peoples.</p> <p>Its Easy to Think Big When You're Small: Stepped into the final part of the discussion and how small communities are working with Indigenous nations to get support for common interests like wild salmon, health, education, and transportation.</p>

	<p>Trade show participants: Telus-maintenance of empty lot. Discussion with Fortis representative-Roger Communication representative discussed tower in Cumberland-Hydro representative on streetlight on residential street and more public access on Comox Lake, painting telephone poles.</p> <p>Councillor John Tidbury from Port Hardy approached me about a program that they are offering to seniors in their community. He introduced me to Paul Green of CanAssist and CanConnect. Further information to follow.</p> <p>Final day: resolutions &amp; late resolutions 2022 Placed in Sections A-21 resolutions. Section B-19 resolutions. Executive Resolutions 1. Resolutions received by the deadline 1.</p>
April 5	Meeting with the Cumberland Events Society to select May Queen Party.
April 6-8	<p>LGLA 2022 Leadership Forum in Vancouver..." Reflections on an Extraordinary Term"</p> <p>Opening Ceremony-Keynote Address-Dr. Bonnie Henry reflected on what they learned personally as a leader operating under pressure.</p> <p>Annual General Meeting for United Riders of Cumberland: Thanked UROC volunteers' staff and members for the work they do to maintain the trails and the good relationship that has developed with staff. This meeting was held by zoom as many of the board members were in other locations in BC. Excellent reports from the Evan (Chair) and Dougal (staff).</p> <p>Election Education-the campaign ahead-Ministry of Municipal Affairs staff presented an informative session related to campaign financing and other new rules impacting those that are seeking local elected office in 2022.</p> <p>Indigenous Realities in British Columbia-Councillor John Jack, Huu-ay-aht First Nation, and Alberni Clayoquot Regional District lead panel members in discussion about the various diverse realities for Indigenous people in BC.</p> <p>Early Moring Roundtable on Mitigating Risk (Municipal Finance Authority and Municipal Insurance Association BC Assessment Authority describe trends ahead from their won unique perspective and the risks that local governments can face.</p> <p>Social Media Conversations-New Horizons: Stars, Stories, Solutions LGMA Plenary -Forging a Path to Responsible Conduct-Economic Recovery: Large and Small Communities under pressure Impacts of Climate Change: What is an Emergency?</p> <p>Cyber Security-Decision-Making under Financial Pressure: Union of BC Municipalities-put down your I pads. Minister Honourable Nathan Cullen minister of Municipal Affairs final speaker answered questions from elected officials.</p>
April 11	Regular Council Meeting
April 12	Meeting for Medical Clinic.
April 13	<p>Meeting on site with Rick Tarris RT Contracting</p> <p>Meeting with Honourable Lana Popham Minister of Agriculture. - discussion on the Bevan Lands.</p>

April 14	Meeting with K'ómoks First Nation Council to Council. Update on projects.
April 17	#6 Mine Park for the Recreation Easter egg hunt. Perfect day lots of parents and children.
April 19	Meeting with school principal Erica Black to discuss the creation of the Student Council.  Goodbye lunch with Clayton.  2022 Spring Freshet Regional Update Meeting with Minister of Municipal Affairs, PS Rice & Municipal Mayors, and RD Chairs. Discussion on Emergency services (flooding, Heat Dome, and Wildfires.)  Government is monitoring snowpack; cold April has helped to keep the snow. VI 74% snowpack left.  Lots of discussion on flooding and heat domes-be prepared for this year. North Island has problems with roads washing out. Fire service for forest fires is now working all year. They have changed their opinion on letting fires burn out.
April 21	Agenda Review.  Staff barbeque-saying goodbye to Clayton held at the Fire Hall.  LGMA complimentary webinar on the Declaration on the Rights of Indigenous Peoples Act. It will provide guidance on the act, next steps in its implementation, implications for local governments and others and examples of reconciliation in action.  Comox Valley Chamber of Commerce 2022 AGM held at the Courtenay Museum. David Rooper stepped down as chair Carline Cody Incoming chair for 2021-2022. Very busy and successful year of programs. A new service is Delvi a scalable, modular configurable warehouse and delivery solution for businesses on Vancouver Island. It offers high storage density, immediate pick and pack capabilities and low cost, same day and next day delivery of goods. For Chamber members who offer online sales and delivery to have their goods stored and delivered from local sources.
April 22	Primary Care Network Comox Valley attended their meeting and asked to join the group. They make recommendations to the Ministry of Health on the health needs in the Comox Regional District catchment area. Ministry of Health staff attended the meeting.  Trivia at the CRI-volunteered in the kitchen with other volunteers. Once again, a fun night! Fundraiser for the Cumberland Community Forest Society.
April 23	Earth Day clean up in Cumberland with Cumberland Rotary Club. I was assigned to the area of Village Park behind the BMX park and surrounding trail system. We collected a small bag of garbage! Congratulations to the residents and visitor to Cumberland. Keeping our areas clear of garbage.  Lower Perseverance Corridor Walk with Meagan Cursons and other participants. Fundraiser for the Cumberland Community Forest Society.
April 25	Alleyway Sign committee meeting residents of Cumberland at the museum to discuss their family history. These meetings are taped and provide additional information for the museum.

	Committee of the Whole held in the Council Chambers Regular Council meeting.
April 26	Public engagement drop-in event for development cost charges review from 2-5 in Council Chambers.
April 27	Travelled to Vancouver for the BC Council of Forest Industries conference. Ice Breaker Reception. Official Welcome & Convention Opening. Honourable Katrine Conroy BC Minister of Forests Tracey Robinson President and CEO, CN Rail Keynote: Canada in the Changing Global Landscape: Key Risks and Opportunities for the Forest Products Sector. Robert Johnston, Special Advisor, Energy, Climate and Resources Eurasia Group.
April 28	Keynote: Navigating Choppy Waters: BC and Canada's Economic Opportunity in an Uncertain World. Jock Finlayson, Senior Policy Advisor, Business Council of British Columbia. Moderator James Gorman, Vice President, Corporate and Government Relations, West Fraser.  Spotlight: The Implications of Russia's invasion of Ukraine on Global Lumber Markets. Paul Jannke, Principal, Lumber, Forest Economic Advisors. Moderator Bart Bender, Senior Vice President, Sales, and Marketing Interfor.  Keynote speaker The Honorable Harjit S. Sijjan update on International Trade, Export Promotion, Small Business and Economic Development.  From Net-Zero to Zero Waste: BC Forest Products-a better choice for the planet. Kathy Abusow, President, and CEO Sustainable Forestry Initiative. Rocky Sethi. COO Mass Timber Lead for Adera Development. Graham Kissack, Vice President, Environment, Health & Safety and Corporate Communications, Paper excellence.
April 29	Regional Chief Terry Teegee: BC Assembly of First Nations. Keynote: Playing to Win: Purposeful Economic Growth for Canadians. Carolyn Wilkins, Coalition for a better future advisory council member. Moderator Celeste Haldane, Chief Commissioner, BC Treaty Commission.  Readying the future faces of forestry. DR. Robert Kozak, Professor and Dean, Faculty of Forestry, University of British Columbia. Wayne Hand, Dean, School of Construction and the Environment, British Columbia Institute of Technology. Georgina Magnus, Forest Policy Analyst, COFI. Moderator Michelle Ward, Senior Director, Communications & Government Relations, Canfor.  Elected Officials and First Nation participants Invited to a pre-lunch reception. Premier Horgan attended.  Luncheon Keynote speaker Premier John Horgan: Moderator Susan Yurovich, President, and CEO, COFI
April 30	Comox Valley Farmers Market Association 30 <sup>th</sup> Anniversary at the Comox Valley Exhibition Grounds. Brought greetings from the Village and thanked Twila and board for bringing the market to Cumberland.

# COUNCIL MEMBER REPORT

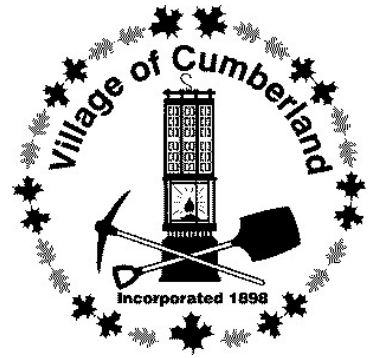


DATE: May 3, 2022  
 TO: Mayor and Councillors  
 FROM: Councillor Brown  
 SUBJECT: April 2022 Monthly Report

Date	Event	Comments
Mar31- April 3	AVICC	Association of Vancouver Island and Coastal Communities Annual Convention Advocacy Resolutions and Election of Executive
April 4	VIRL	Vancouver Island Regional Library
	Accessibility and Inclusion	Scoping event meeting
April 6 – April 8	LGLA	Local Government Leadership Academy Agenda here: <a href="#">LGLA 2022.pdf</a> Lots of great learning sessions, of particular interest was the session on Equity, diversity and inclusion and the presentation of a template for an Anti- Racial Discrimination and Anti-Racism Policy.
April 9	VIRL	Executive Committee Meeting Bargaining update and next steps
	VIRL	Regular Board Meeting Agenda and minutes here: <a href="https://virl.bc.ca/about/library-board/board-meetings/">https://virl.bc.ca/about/library-board/board-meetings/</a>
April 11	CV Substance Use Strategy	Working group meeting <ul style="list-style-type: none"> <li>Ensuring all substances and users are included in outreach with WWM</li> <li>Planning for Committee Meeting</li> </ul>
	Council	Regular Council Meeting <a href="https://cumberland.ca/meetings/9-2022-r-2/">https://cumberland.ca/meetings/9-2022-r-2/</a>
April 13	CVFCP	Food Supply/Municipal Policy Committee  Baseline of local food production – regional agrologist  Healthy Public Policy – Plan H Emergency Food Response: Developing a Framework for action webinar <a href="https://www.youtube.com/watch?v=pwFr7wmuxzo">https://www.youtube.com/watch?v=pwFr7wmuxzo</a>
April 14	Council	Meeting K’omoks Council
April 20	Climate Caucus	FCM staff presented upcoming programs, the federal budget spending initiatives, and the Federal Climate Plan (recording is on the CC Website elected’s login)
	Broken Drug Policies	Regular bi-weekly meeting Discussion around safe supply amounts/access

	Economic Development Steering Committee	Link to Agenda: <a href="https://cumberland.ca/meetings/01-2022-ed/">https://cumberland.ca/meetings/01-2022-ed/</a> Committee Review/Update Economic Development Strategy Update Short Term Vacation Rental Regulation Review and Recommendations Recreation, Arts and Culture Plan Update
April 21	Ministry of Municipal Affairs	DRIPA Webinar: Guidance for local and First Nations electeds and staff; guidance on DRIPA, next steps in implementation and implications for local gov'ts and examples of reconciliation in action.
April 22 Earth Day	Climate Caucus	Community Energy BC presented an analysis of the Clean BC 2030 Roadmap and Budget 2022 and the implications on local government climate action and emerging strategies for this decade of climate action.
	CYCC	Comox Youth Climate Council Earth Day at Simms Park Attended along with other electeds to answer questions about how local governments are addressing climate change.
April 25	Substance Use Strategy	Outreach planning, funding update for phase 2
	LGMPR	Local Government Policing Modernization Roundtable Each member shared our key issues around policing. I managed to gather some input from CJC, and fellow electeds and shared the following: <ul style="list-style-type: none"> <li>• Police are doing the work of social services</li> <li>• Restorative Justice represents a more compassionate, community building approach to crime and public safety and needs to be encouraged</li> <li>• Policing is a public service that crosses municipal boundaries and thus funding should not be reliant on property taxes. Additionally, since lower income areas tend to attract more policing the funding model doesn't work.</li> <li>• We need more investment in social spending to address mental health and addictions and housing.</li> <li>• We need mental health outreach teams</li> <li>• Community policing is not being practiced – police need to be incentivized and resourced to build relationships in the community so that people can share concerns</li> </ul>
	Council	Committee of the Whole <a href="https://cumberland.ca/meetings/10-2022-cotw/">https://cumberland.ca/meetings/10-2022-cotw/</a>
		Council Meeting <a href="https://cumberland.ca/meetings/11-2022-r/">https://cumberland.ca/meetings/11-2022-r/</a>
April 27	CBA	Cumberland Business Association Meeting
April 28	Climate Caucus	Climate Caucus staff presented the findings of their project on managing natural assets.
	Comox Valley Foundation	Volunteering for the Small Neighborhood Grants Fund to help assess grant applications.

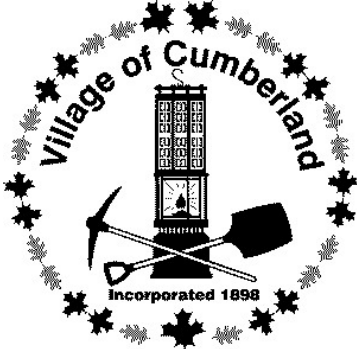
# COUNCIL MEMBER REPORT



DATE: May 5<sup>th</sup> 2022  
 FROM: Councillor Sproule  
 SUBJECT: April 2022 Report

Date	Event	Comments
1 <sup>st</sup> to 3 <sup>rd</sup>	AVICC conference Victoria	Workshops attended
	- Emergency management BC	
	- Shoreline restoration	
	-Climate Leadership Plan	
	-Affordable Housing – Community infrastructure	-approval powers-who?
	-Think big when you're a small town	
4 <sup>th</sup>	Heritage Committee	
6 <sup>th</sup>	Visited site of 00 survey Monument in the Park	
	Designed Interpretive sign for above	
26 <sup>th</sup>	- DCCs open house	
	- AGM Canadian Council for the Blind	

# COUNCIL MEMBER REPORT



DATE: May 3, 2022  
 TO: Mayor and Councillors  
 FROM: Councillor Ketler  
 SUBJECT: April Monthly Report

Date	Events	Comments
Date	Event	Comments
Apr 1-3	Association of Vancouver Island and Coastal Communities Conference	Event sessions, meeting with MLA Leonard, meeting with Minister Osborne and presentation of resolution at assembly. Resolution: "Pesticide Use within Community Drinking Water Supply Areas" was passed and will go forward to UBCM. <a href="https://avicc.ca/agm-convention/2022-victoria-1-3/">https://avicc.ca/agm-convention/2022-victoria-1-3/</a>
Apr 6	CVRD Chair/Vice Chair/CAO agenda meeting	Set agenda for following week's CVRD Board meeting
Apr 6-8	Local Government Leadership Academy	Event sessions for professional development <a href="https://lgla.ca/2021/09/13/lgla-2022-leadership-forum/">https://lgla.ca/2021/09/13/lgla-2022-leadership-forum/</a>
Apr 11	Regular Council Meeting	<a href="https://cumberland.ca/meeting-info/">https://cumberland.ca/meeting-info/</a>
Apr 12	CVRD Board	<p><b>MOTIONS:</b></p> <p><b>FOOD HUB</b>            -"THAT the Comox Valley Regional District (CVRD) Board appoint to the Food Hub Stewardship Group"</p> <ul style="list-style-type: none"> <li>• Jessica Macpherson</li> <li>• Gerry McClintock</li> <li>• Spencer Serin</li> <li>• Mike Obal</li> <li>• Sheldon Gunter</li> <li>• James McKerricher</li> <li>• Diane Jackson</li> <li>• Jeff Groat</li> </ul> <p><b>2022 REC GRANT REQUESTS</b>            -" THAT recreation grants be provided in the amount listed below to the identified non-profit clubs for Recreation Grant Service, function 600:</p> <ul style="list-style-type: none"> <li>• Comox Valley United Soccer Club - \$6,000;</li> <li>• Comox Valley Cycling Coalition - \$2,000;</li> <li>• The CV Therapeutic Riding Society - \$2,500;</li> </ul>

		<ul style="list-style-type: none"> <li>• Comox Valley Exhibition Association - \$10,000;</li> <li>• Hornby Island Athletics Ass. - Hornby Island Eagles - \$3,500.</li> <li>• Comox Valley Minor Hockey Association - \$20,000</li> </ul> <p>-“THAT staff bring back a report in 2023 outlining the merits and feasibility of holding function 600 under the authority of the Recreation Commission Budget”</p> <p><b>DIRECTORS REMUNERATION</b></p> <p>-“ THAT the report regarding Elected Officials Remunerations and Expenses Review be referred to the consultant for further investigation to include some of the points raised by the directors, including extended extended health benefits, family care, parental leave, RSP match, and a review of existing transit and recreation benefits”</p> <p><b>ISLAND CORRIDOR FOUNDATION</b></p> <p>-“ THAT the Board maintain the commitment under the Island Corridor Foundation (ICF) Contribution Agreement whereby the funds remain in the unallocated surplus reserve within the Administration and General Government Function until April 15, 2023 when the matter will be reconsidered.”</p> <p>-“THAT the CVRD Board's representative on the Island Corridor Foundation (ICF) be requested to initiate a process required for revising the mandate of the ICF to consider alternate uses for the rail bed.”</p> <p><b>MT WASHINGTON FIRE HALL</b></p> <p>-“ THAT Bylaw No. 685 being "Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1" be adopted.”</p> <p>-“THAT Bylaw No. 686 being "Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021" be adopted.”</p>
Apr 20	Cumberland Homelessness and Affordable Housing Committee	Discussion around referral from Council on Vacation Rentals. Committee recommendations sent to Council.
Apr 20	CVRD Chair/Vice Chair/CAO agenda meeting	Set agenda for following week’s CVRD Board meeting
Apr 21	Webinar	Declaration of Rights of Indigenous Peoples Act Guidance for Local Governments
Apr 22	Earth Day!	Participated in local government panel and CV Youth Climate March
Apr 25	KFN/Cumberland meeting	Council to Council relationship building meeting
Apr 25	CV Substance Use Strategy Committee	Update from Walk With Me on Phase 1 peer research – mapping experiences, identifying gaps in services

Apr 25	Regular Council Meeting	<a href="https://cumberland.ca/meeting-info/">https://cumberland.ca/meeting-info/</a>
Apr 26	CVRD Board	<p><b>Comox Valley Tourism Service Agreements- Comox &amp; Cumberland</b></p> <p>“THAT in accordance with the recommendations from the service review of the Comox Valley Economic Development Service, Function 550, the Comox Valley Regional District Board endorses the Comox Valley Tourism Services Agreement between the Comox Valley Regional District and the Town of Comox; AND FURTHER THAT the Chair and Corporate Legislative Officer be authorized to execute the agreement.”</p> <p>“THAT in accordance with the recommendations from the service review of the Comox Valley Economic Development Service, Function 550, the Comox Valley Regional District Board endorses the Comox Valley Tourism Services Agreement between the Comox Valley Regional District and the Village of Cumberland; AND FURTHER THAT the Chair and Corporate Legislative Officer be authorized to execute the agreement.”</p>
Apr 27	CVRD Chair/Vice Chair/CAO agenda meeting	Staff updates
Apr 28	KFN Chief and Council meeting	Monthly CVRD update of action items
Apr 28	Meeting at North Island College	Meeting with Lisa Domae and Diane Naugler
Apr 28	Cumberland Community Forest Society Meeting	Volunteer meet and greet
Apr 30	Farmers Market 30 <sup>th</sup> Anniversary	Participated in speeches and handing out cupcakes

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 1167**

**A bylaw to establish property tax rates and impose property value taxes for the year 2022.**

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

1. This Bylaw may be cited as “2022 Property Tax Rates Bylaw No. 1167, 2022.”
2. The following rates are imposed and levied for the year 2022:
  - (a) for all lawful and general purposes of the municipality on the taxable assessed value of land and improvements for general purposes, rates are shown in column A of Schedule A to this Bylaw;
  - (b) for the purposes of the Vancouver Island Regional Library on the taxable assessed value of land and improvements for general purposes, rates are shown in column B of Schedule A to this Bylaw;
  - (c) for the purposes of Comox Valley Regional District on the taxable assessed value of land and improvements for general purposes, rates are shown in column C of Schedule A to this Bylaw;
  - (d) for the purposes of Comox Valley Regional District on the taxable assessed value of land and improvements for hospital purposes, rates are shown in column D of Schedule A to this Bylaw; and
  - (e) for the purposes of the Comox-Strathcona Regional Hospital District on the taxable assessed value of land and improvements for hospital purposes, rates are shown in column E of Schedule A to this Bylaw.

<b>READ A FIRST TIME THIS</b>	<b>25<sup>TH</sup></b>	<b>DAY OF</b>	<b>APRIL</b>	<b>2022.</b>
<b>READ A SECOND TIME THIS</b>	<b>25<sup>TH</sup></b>	<b>DAY OF</b>	<b>APRIL</b>	<b>2022.</b>
<b>READ A THIRD TIME THIS</b>	<b>25<sup>TH</sup></b>	<b>DAY OF</b>	<b>APRIL</b>	<b>2022.</b>
<b>ADOPTED THIS</b>		<b>DAY OF</b>		<b>2022.</b>

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Mayor

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Corporate Officer

**SCHEDULE A**  
*(Dollars of tax per \$1,000 of assessed value)*

Property Class	( column A)	( column B)	( column C)	( column D)	( column E)
	Municipal  General	<b>VANCOUVER</b> Island Regional Library  General	Regional District  General      Hospital		Regional Hospital District  Hospital
		1 Residential	2.3423	0.1545	0.2421
2 Utilities	50.8039	3.3511	5.2511	1.1116	1.0168
3 Supportive Housing	2.3423	0.1545	0.2421	0.3176	0.2905
4 Major Industry	7.1533	0.4712	0.7384	1.0798	0.9877
5 Light Industry	7.1533	0.4712	0.7384	1.0798	0.9877
6 Business and Other	7.0561	0.4650	0.7287	0.7781	0.7117
7 Managed Forest	34.3514	2.2665	3.5516	0.9528	0.8715
8 Rec/Non Profit	2.3423	0.1545	0.2421	0.3176	0.2905
9 Farm	2.3423	0.1545	0.2421	0.3176	0.2905