

The Corporation of the Village of Cumberland
Regular Council Meeting Agenda

Monday, August 8, 2022, 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 live on the [Village of Cumberland YouTube channel](#)

Pages

1. Call To Order

2. Agenda

2.1. Agenda for Regular Council Meeting, August 8, 2022

Recommendation:

THAT Council approve the Agenda for the August 8, 2022 Regular Council meeting.

3. Minutes

3.1. Minutes

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Recommendation:

THAT Council adopt the following minutes:

- Committee of the Whole, July 11, 2022
- Regular Council Meeting, July 11, 2022

Recommendation:

THAT Council receive the following committee minutes:

- Homelessness & Affordable Housing Minutes, July 20, 2022
- Accessibility & Inclusion Committee, July 18, 2022
- Advisory Planning Commission minutes, July 14 & 21, 2022

4. Delegations

5. Correspondence

5.1. Resident letter regarding B.C. Speculation Tax

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Recommendation:

THAT Council receive the correspondence from a resident regarding BC speculation tax.

Recommendation:

THAT Council direct staff to bring forward a report on the BC Speculation Tax.

6. Unfinished Business

7. Reports

- 7.1. Development Permit & Development Variance Permit – 3284 Second Street
Prepared by Meleana Searle, Planner

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Recommendation:

THAT Council receive the “Development Permit & Development Variance Permit – 3284 Second Street” report.

Recommendation:

THAT Council approve the application for a development permit (2022-01-DP) for the property described as Lot 1, Block 5, District Lot 21, Nelson District, Plan 522 (3284 Second Street).

THAT Council approve the development variance permit (2022-03-DV) for the property described as Lot 1, Block 5, District Lot 21, Nelson District, Plan 522 (3284 Second Street) to:

- a. allow the accessory dwelling unit to be attached to the dwelling unit with a deck
- b. increase the height of the accessory dwelling unit to a maximum of 7.6m (25.0ft)
- c. increase the gross floor area of the secondary suite to a maximum of 100.8m² (1,085.0ft²)
- d. increase the gross floor area of the secondary suite as a percentage of the residence to 50%
- e. reduce the number of parking spaces required for the vacation rental from seven to five spaces.
- f. allow a shipping container on the lot subject to installation of cladding to reflect the character of the primary dwelling
- g. reduce the rear setback of the shipping container from 1.5m (4.9ft) to 0.6m (1.9ft).
- h. reduce the the exterior side setback of the shipping container from 3.0m (9.8ft) to 0.3m (0.9ft)

THAT Council deny the application for a development variance permit (2022-03-DV) for the property described as Lot 1, Block 5, District Lot 21, Nelson District, Plan 522 (3284 Second Street) to increase the gross floor area of the accessory dwelling unit to a maximum of 133.8m² (1,440.0ft²).

- 7.2. Development Variance Permit Application - 2688 Penrith Avenue
Prepared by Meleana Searle, Planner

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Recommendation:

THAT Council receive the “Development Variance Permit – 2688 Penrith Avenue” report.

Recommendation:

- THAT Council approve the development variance permit to vary the required number of parking spaces from five to one for a childcare program, on the property described as Lot 1, Block 4, District Lot 21, Nelson District, Plan 522 (2688 Penrith Avenue).
- 7.3. Development Variance Permit Application 4640 Cumberland Road Prepared by Meleana Searle, Planner 78
- Recommendation:**
THAT Council receive the “Development Variance Permit– 4640 Cumberland Road” report.
- Recommendation:**
THAT Council approve the development variance permit to reduce the east side-setback from 7.5m (24.6ft) to 3.0m (9.8ft) for a new industrial warehouse on the property described Lot 1, Section 25, Township 10, Comox District, Plan 35738 (4640 Cumberland Road).
- 7.4. Development Variance Permit Application 3264 Fifth Street Prepared by Meleana Searle, Planner 87
- Recommendation:**
THAT Council receive the “Development Variance Permit– 3264 Fifth Street” report.
- Recommendation:**
THAT Council approve the development variance permit to reduce the rear setback from 4.5m (24.6ft) to as close as 4.3m (14.1ft) for a single family dwelling on the property described Lot A District Lot 21 Nelson District Plan EPP107936 (3264 Fifth Street).
- 7.5. Development Variance and Heritage Alteration Permit Amendment Applications, 2714 Dunsmuir Ave, for Referral Prepared by Karin Albert, Senior Planner 93
- Recommendation:**
THAT Council receive the “Development Variance and Heritage Alteration Permit Amendment Applications,2714 Dunsmuir Ave, for Referral” report.
- Recommendation:**
THAT Council refer the “Development Variance and Heritage Alteration Permit Amendment Applications, 2714 Dunsmuir Ave, for Referral” report to the Heritage Committee for comment.
- 7.6. OCP and Zoning Amendment Application, Comox Lake Land Corporation, Referral Responses Prepared by Karin Albert, Senior Planner 153
- Recommendation:**
THAT Council receive the report “Referral Comments and Options – Comox Lake Land Corporation Rezoning Application”.
- Recommendation:**
THAT Council refer the report “Referral Comments and Options – Comox

Lake Land Corporation Rezoning Application” to the Advisory Planning Commission for comment.

- 7.7. Urgent Replacement of Cumberland Fire/Rescue Unit #5 172
Prepared by Fire Chief Mike Williamson

Recommendation:

THAT Council receive the Urgent Replacement of Cumberland Fire/Rescue Unit #5 report.

Recommendation:

THAT Council approve the expenditure of up to \$80,000, to be funded through Fire Vehicle and Protective Equipment reserve for the unexpected replacement of Cumberland Fire/Rescue unit #5 and THAT Council direct staff to bring forward an amendment to the adopted 2022-2026 Financial Plan Bylaw to reflect this expenditure.

THAT Council approve sole supplier procurement for the purchase of a secondhand Fire vehicle (Cumberland Fire/Rescue unit #5 replacement vehicle) due to uncertainties with and the current supply chain issues in the second hand vehicle market.

- 7.8. Cumberland Trail Network: Memorandum of Understanding Agreement 175
Kevin McPhedran, Interim Deputy Chief Administrative Officer

Recommendation:

THAT Council receive the Cumberland Trail Network Memorandum of Understanding report;

Recommendation:

THAT Council enter into the Memorandum of Understanding for Access, Collaborative Management and Use of a Cumberland Trail Network, as attached to this report dated July 28 2022 and authorize the Mayor and Chief Administrative Officer to execute the agreement.

- 7.9. Anti-Racial Discrimination and Anti-Racism Policy 235
Prepared by Rachel Parker, Corporate Officer

Recommendation:

THAT Council receive the Anti-Racial Discrimination and Anti-Racism Policy report.

Recommendation:

THAT Council refer the proposed Anti-Racial Discrimination and Anti-Racism Policy to staff for review and recommendation.

- 7.10. Mayor and Council Monthly Reports 260
- Mayor Leslie Baird
 - Councillor Gwyn Sproule
 - Councillor Jesse Ketler
 - Councillor Sean Sullivan

- Councillor Vickey Brown

Recommendation:

THAT Council receive the Mayor and Council monthly reports for July 2022.

8. Bylaws

- 8.1. Vacation Rentals Regulations – Amendment Bylaws 264
Prepared by Karin Albert, Senior Planner

Recommendation:

THAT Council receive the July 22, 2022 report “Vacation Rental Regulations – Amendment Bylaws” report.

Recommendation:

THAT Council amend Bylaw 1170, 2022 by:

striking “for whom” from the definition for residential use under section 2 (b) following “means occupancy and use by a person or persons”

THAT Council give third reading and adopt the thus amended Bylaw 1170, 2022, cited as “Zoning Amendment Bylaw No. 1170, 2022”.

Recommendation:

THAT Council give third reading to Bylaw 1171, cited as “Business Licence Amendment Bylaw No. 1171, 2022”.

Recommendation:

THAT Council direct staff to enforce the vacation rental regulations in the Zoning Bylaw on a proactive basis.

- 8.2. Streamlining Accessory Dwelling Unit Approval Process 276
Prepared by Courtney Simpson, Manager of Development Services

Recommendation:

THAT Council receive the Streamlining Accessory Dwelling Unit Approval Process report.

Recommendation:

THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 1174, 2022;

THAT Council give first and second reading to Zoning Amendment Bylaw No. 1175, 2022;

THAT Council refer the Streamlining Accessory Dwelling Unit Approval Process report, draft amending bylaws, and draft application guide to the Advisory Planning Commission, Accessibility and Inclusion Committee, and the Homelessness and Affordable Housing Committee; and

THAT Council direct staff to schedule a Public Hearing.

- 8.3. Development Cost Charges (DCC) Update Bylaw No. 1173, 2022 289

Recommendation:

THAT Council receive the Development Cost Charges Bylaw No. 1173, 2022 Report.

Recommendation:

THAT Council give 1st, 2nd and 3rd readings to “Development Cost Charges Bylaw No. 1173, 2022”;

THAT Council direct staff to refer the DCC Background Report by Urban Systems dated July 21 2022 to the Ministry of Municipal Affairs for approval by the Inspector of Municipalities.

9. New Business

10. 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 noticed of motion introduced by a Council Member.

- Accessibility and Inclusion Committee August 15 at 3 p.m.
- Heritage Committee Monday, August 15 at 5 p.m.
- Homelessness and Affordability Committee, Wednesday August 17 at 9:30 a.m.
- Committee of the Whole Tuesday September 6, 2022 at 2 p.m.
- Regular Council Meeting Tuesday September 6, 2022 at 5:30 p.m.

11. 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 using subject line "Question Period"; Note: please limit to questions only - comments will not be read.

12. Closed Portion

Recommendation:

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

(c) labour relations or other employee relations;

13. Adjournment