

**STATUS**

**TITLE:** "The Corporation of the Village of Cumberland Heritage Designation (Japanese Cemetery) Bylaw No. 883, 2007."  
**APPLICANT:** Village of Cumberland  
**PURPOSE:** A Bylaw to give heritage designation to the Japanese Cemetery within the Village of Cumberland.



<b>COUNCIL:</b>	<b>Date:</b>	October 22, 2007
	<b>Decision:</b>	First and second reading
<b>PUBLIC HEARING:</b>	<b>Date:</b>	November 13, 2007
<b>COUNCIL:</b>	<b>Date:</b>	November 13, 2007
	<b>Decision:</b>	Third Reading
<b>COUNCIL:</b>	<b>Date:</b>	November 26, 2007
	<b>Decision:</b>	Fourth reading and adoption
<b>FORWARDED TO HERITAGE REGISTRY:</b>	<b>Date:</b>	November 27, 2007

**CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 883**

**A Bylaw to give heritage designation to  
the Japanese Cemetery within the Village of Cumberland.**

WHEREAS, pursuant to Section 967 of the *Local Government Act*, Council may by bylaw designate a building, structure, or land, in whole or in part, as a municipal heritage site;

AND WHEREAS, in the opinion of the Council there is the need to preserve heritage buildings, lands and structure, which represent periods and styles in the municipality's historic and cultural evolution;

AND WHEREAS the cemetery has "good feng shui", which refers to the power of the natural environment and composite influences of natural processes. It is believed that the fortunes of a man depend, among other things, on how well his ancestors are buried with respect to geomancy (the art of divining the future for good or ill fortune).

The earliest headstones in the Japanese cemetery date from 1901, when 9 Japanese miners were killed in the No. 6 Mine explosion: The cemetery was the final resting place of miners, mill workers and members of their families who lived in Cumberland and the Comox Valley until 1942, when all Japanese were evacuated as "enemy aliens" and interned to the BC interior or further east.

The Japanese cemetery land was conveyed by E&N Railway to Weldwood of Canada Limited in May 1966 and to the Village in 1978. In 1967, the Kiwanis Club of Courtenay, in consultation with the Buddhist Church of Vancouver and funded by donations from Japanese across Canada, oversaw the reclamation of the cemetery. Its 59 headstones were gathered together and set in a circular concrete memorial with the centre stone honouring the names of Japanese miners lost in mining disasters.

AND WHEREAS the Village wishes to acknowledge the contribution made by the Japanese and to honour those who lived and worked in Cumberland from the late 1800's by protecting the historical aspect and spiritual importance of the cemetery.

THEREFORE BE IT RESOLVED that the Council of the Corporation of the Village of Cumberland, in open meeting assembled hereby enacts as follows:

1. The property known as the Japanese Cemetery which is legally described as Lot E, Section 25, Comox District, Plan VIP65968 (PID 023-888-539) is hereby designated as a "Heritage Property" pursuant to the provisions of the *Local Government Act*.
2. Any of the following alterations to property in the Japanese Cemetery do not require a heritage alteration permit:
  - a) opening or closing of graves;
  - b) adding graves, engraving text;
  - c) regular maintenance, including cutting, trimming, watering, edging, top dressing the areas of graves, top dressing grass areas, work on wild areas, work on perpetual maintenance plots;
  - d) pruning of a tree to remove an existing or potential safety hazard;
  - e) removal of a dead or hazardous tree;
  - f) maintenance of hedges: including the removal, trimming, and replanting.

4. This bylaw shall come into force and effect upon final adoption hereof.
5. This Bylaw may be cited for all purposes as “The Corporation of the Village of Cumberland Heritage Designation (Japanese Cemetery) Bylaw No. 883, 2007.”

READ A FIRST AND SECOND TIME THIS 22<sup>ND</sup> DAY OF OCTOBER, 2007.

PUBLIC HEARING HELD THIS 13<sup>TH</sup> DAY OF NOVEMBER, 2007.

READ A THIRD TIME THIS 13<sup>TH</sup> DAY OF NOVEMBER, 2007.

ADOPTED THIS 26<sup>TH</sup> DAY OF NOVEMBER, 2007.

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Mayor

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Corporate Administration Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 883 cited as “The Corporation of the Village of Cumberland Heritage Designation (Japanese Cemetery) Bylaw No. 883, 2007” as adopted by the Village Council on the 26<sup>th</sup> day of November, 2007.

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Corporate Administration Officer