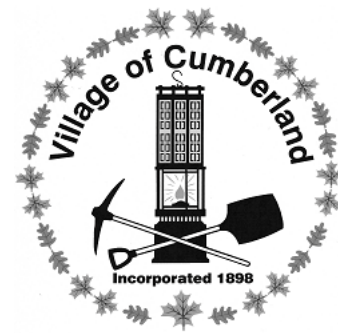


The Corporation of the Village of Cumberland
Regular Council Meeting Agenda

Tuesday, September 6, 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. Approval of Agenda

2.1. Agenda for Regular Council Meeting, September 6, 2022

Recommendation:

THAT Council Approve the Agenda for the September 6, 2022 Regular Council Meeting.

3. Minutes

3.1. Minutes

4

Recommendation:

THAT Council adopt the following minutes:

- Committee of the Whole, August 8, 2022
- Regular Council Meeting, August 8, 2022

4. Delegations

5. Correspondence

5.1. R. Kishi regarding Obon Tour Sponsorship

21

Recommendation:

THAT Council receive the correspondence from R. Kishi regarding the Obon Tour Dinner;

THAT Council support funding from the Obon Tour donations held by the Village.

6. Unfinished Business

7. Reports

7.1. Development Permit – Proposed Lot 4 (2787 Beck Avenue)
Prepared by Meleana Searle, Planner

22

Recommendation:

THAT Council receive the “Development Permit – Proposed Lot 4 (2787 Beck Avenue)” report.

THAT Council approve the development permit (2022-06-DP) for the property described as Proposed Lot 4 (2787 Beck Avenue).

- 7.2. Comox Valley Regional Tourism Service Summary 123
Prepared by Kaelin Chambers, Economic Development Officer

Recommendation:

THAT Council receive the Comox Valley Regional Tourism Service Summary report.

Recommendation:

THAT the Village of Cumberland consents to the adoption of the Comox Valley Regional District Bylaw No. 725 being “Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3” under section 346 of the Local Government Act.

- 7.3. Council Monthly Report August 2022 143

Recommendation:

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

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

8. Bylaws

- 8.1. Business Licence Amendment Bylaw No. 1171, 2022 145

Recommendation:

THAT Council give final adoption to Business Licence Amendment Bylaw No. 1171, 2022.

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.

- Advisory Planning Commission, 4:00 p.m. September 8
- Accessibility and Inclusion Committee, 3:00 p.m. September 12
- Heritage Committee, 5:00 p.m. September 12
- Committee of the Whole, 2:00 p.m. September 19

- Regular Council Meeting, 5:30 p.m. September 19

11. Question Period

12. Closed Portion

Recommendation:

THAT Council close the meeting to the public 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;

13. Adjournment

The Corporation of the Village of Cumberland
Regular Council Meeting Minutes



August 8, 2022, 5:30 p.m.
Council Chamber, 2675 Dunsmuir Avenue

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

Staff Present: Michelle Mason, Interim Chief Administrative Officer
Kevin McPhedran, Deputy CAO/Manager of Parks
Courtney Simpson, Manager of Development Services
Rob Crisfield, Manager of Operations
Andrea Samson, Manager of Finance & HR
Kaelin Chambers, Economic Development Officer
Karin Albert, Senior Planner
Meleana Searle, Planner
Mike Williamson, Manager of Protective Services
Rachel Parker, Corporate Officer

1. Call To Order

Called to order at 5:30 p.m. Mayor Baird commented on the armed standoff from the weekend. The RCMP has asked Council not to make any public announcements to avoid having people come up into the area. She commended neighbours for following directions from the police and that was grateful no one was hurt. She reminded that this is a family in our community and they need our support.

2. Agenda

2.1 Agenda for Regular Council Meeting, August 8, 2022

Motion 22-475

Moved by: Ketler

Seconded by: Brown

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

Carried Unanimously

3. Minutes

3.1 Minutes

Councillor Brown inquired to make sure Advisory Planning Committee meeting minutes were integrated into the next steps of the Development Modernization project.

Motion 22-476

Moved by: Sullivan

Seconded by: Sproule

THAT Council adopt the following minutes:

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

Carried Unanimously

Motion 22-477

Moved by: Ketler

Seconded by: Brown

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

Carried Unanimously

4. Delegations

None

5. Correspondence

5.1 Resident letter regarding B.C. Speculation Tax

Mayor Baird suggested that the Village engage with other members of the Comox Valley Regional District to consider a coordinated request to the Province.

Comment that it should be province wide.

Mayor Baird to consult with Mayor Wells of City of Courtenay.

Motion 22-478

Moved by: Brown

Seconded by: Ketler

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

Carried Unanimously

Motion 22-479

Moved by: Ketler

Seconded by: Brown

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

Carried Unanimously

6. Unfinished Business

None

7. Reports

7.1 Development Permit & Development Variance Permit – 3284 Second Street

Motion 22-480

Moved by: Brown

Seconded by: Ketler

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

Carried Unanimously

Motion 22-481

Moved by: Brown

Seconded by: Ketler

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%

Carried Unanimously

Motion 22-482

Moved by: Ketler

Seconded by: Brown

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:

- e. reduce the number of parking spaces required for the vacation rental from seven to five spaces.

Carried Unanimously

Motion 22-483

Moved by: Sullivan

Seconded by: Brown

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:

- f. allow a shipping container on the lot subject to installation of cladding to reflect the character of the primary dwelling

Opposed (2): Ketler, and Brown

Carried (3 to 2)

Motion 22-484

Moved by: Brown

Seconded by: Sproule

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:

g. reduce the rear setback of the shipping container from 1.5m (4.9ft) to 0.6m (1.9ft).

Opposed (2): Ketler, and Brown

Carried (3 to 2)

Motion 22-485

Moved by: Sullivan

Seconded by: Sproule

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:

h. reduce the the exterior side setback of the shipping container from 3.0m (9.8ft) to 0.3m (0.9ft)

Opposed (2): Ketler, and Brown

Carried (2 to 2)

Motion 22-486

Moved by: Brown

Seconded by: Sullivan

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).

Opposed (1): Ketler

Carried (3 to 1)

Motion 22-487

Moved by: Brown

Seconded by: Ketler

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).

Carried Unanimously

7.2 Development Variance Permit Application - 2688 Penrith Avenue

Motion 22-488

Moved by: Sullivan

Seconded by: Brown

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

Carried Unanimously

Motion 22-489

Moved by: Brown

Seconded by: Sullivan

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).

Carried Unanimously

7.3 Development Variance Permit Application 4640 Cumberland Road

Motion 22-490

Moved by: Ketler

Seconded by: Sullivan

THAT Council receive the “Development Variance Permit– 4640 Cumberland Road” report.

Carried Unanimously

Motion 22-491

Moved by: Sullivan

Seconded by: Brown

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).

Carried Unanimously

7.4 Development Variance Permit Application 3264 Fifth Street

Motion 22-492

Moved by: Ketler
Seconded by: Sullivan

THAT Council receive the “Development Variance Permit– 3264 Fifth Street” report.

Carried Unanimously

Motion 22-493

Moved by: Brown
Seconded by: Sullivan

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).

Carried Unanimously

- 7.5 Development Variance and Heritage Alteration Permit Amendment Applications, 2714 Dunsmuir Ave, for Referral

Motion 22-494

Moved by: Brown
Seconded by: Ketler

THAT Council receive the “Development Variance and Heritage Alteration Permit Amendment Applications, 2714 Dunsmuir Ave, for Referral” report.

Carried Unanimously

Motion 22-495

Moved by: Brown
Seconded by: Sproule

THAT Council refer the “Development Variance and Heritage Alteration Permit Amendment Applications, 2714 Dunsmuir Ave, for Referral” report to the Heritage Committee for comment.

Carried Unanimously

- 7.6 OCP and Zoning Amendment Application, Comox Lake Land Corporation, Referral Responses

Mayor Baird declared a conflict as she has family that are members of the applicant corporation and left the meeting at 6:25 p.m. Mayor Baird returned to the meeting at 6:50 p.m.

Motion 22-496

Moved by: Ketler

Seconded by: Brown

THAT Council receive the report "Referral Comments and Options – Comox Lake Land Corporation Rezoning Application".

Carried Unanimously

Motion 22-497

Moved by: Ketler

Seconded by: Brown

THAT Council refer the report "Referral Comments and Options – Comox Lake Land Corporation Rezoning Application" to the Advisory Planning Commission for comment.

Carried Unanimously

7.7 Urgent Replacement of Cumberland Fire/Rescue Unit #5

Motion 22-498

Moved by: Brown

Seconded by: Ketler

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

Carried Unanimously

Motion 22-499

Moved by: Sullivan

Seconded by: Brown

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 second-hand 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.

Carried Unanimously

7.8 Cumberland Trail Network: Memorandum of Understanding Agreement

Motion 22-500

Moved by: Brown

Seconded by: Ketler

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

Carried Unanimously

Motion 22-501

Moved by: Brown

Seconded by: Ketler

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.

Carried Unanimously

7.9 Anti-Racial Discrimination and Anti-Racism Policy

Motion 22-502

Moved by: Ketler

Seconded by: Sullivan

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

Carried Unanimously

Motion 22-503

Moved by: Sullivan

Seconded by: Brown

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

Carried Unanimously

7.10 Mayor and Council Monthly Reports

Motion 22-504

Moved by: Brown

Seconded by: Sproule

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

Carried Unanimously

8. Bylaws

8.1 Vacation Rentals Regulations – Amendment Bylaws

Motion 22-505

Moved by: Sullivan

Seconded by: Ketler

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

Carried Unanimously

Motion 22-506

Moved by: Brown

Seconded by: Sullivan

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”.

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

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

Carried Unanimously

8.2 Streamlining Accessory Dwelling Unit Approval Process

Motion 22-507

Moved by: Sproule

Seconded by: Sullivan

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

Carried Unanimously

Motion 22-508

Moved by: Sullivan

Seconded by: Brown

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.

Carried Unanimously

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

Motion 22-509

Moved by: Brown

Seconded by: Ketler

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

Carried Unanimously

Motion 22-510

Moved by: Sproule

Seconded by: Brown

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.

Carried Unanimously

9. New Business

None

10. Notices, Motions and Announcements

- 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.
- Regular Council Meeting Tuesday September 6, 2022 at 5:30 p.m.

11. Question Period

There were no questions.

12. Closed Portion

Motion 22-511

THAT Council close the meeting to the public at 8:02 p.m. pursuant to Section 90 of the Community Charter to consider:

(c) labour relations or other employee relations;

13. Adjournment

The meeting was adjourned at 8:30 pm

Mayor

Regular Council Minutes August 8, 2022

Certified Correct by Corporate Officer

**The Corporation of the Village of Cumberland
Committee of the Whole Meeting Minutes**



**August 8, 2022, 2:00 p.m.
Council Chamber, 2675 Dunsmuir Avenue**

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

Staff Present: Michelle Mason, Interim Chief Administrative Officer/CFO
Kevin McPhedran, Interim Deputy Administrative Officer
Kaelin Chambers, Economic Development Officer
Rachel Parker, Corporate Officer

1. Agenda

1.1 Agenda for Committee of the Whole meeting, August 8, 2022

Moved by: Brown
Seconded by: Sproule

THAT the Committee approve the Agenda for the August 8, 2022 Committee of the Whole meeting.

Carried Unanimously

2. Delegations

2.1 Regional Tourism Service - Comox Valley Regional District

Moved by: Sullivan
Seconded by: Brown

THAT the Committee receive the delegation of James Warren, Deputy Chief Administrative Officer and Lisa Kilpatrick, Economic Recovery and Community Resilience Coordinator from the Comox Valley Regional District regarding the Regional Tourism Service.

Carried Unanimously

Mr. Warren reviewed the regional service option and why a service for tourism service was considered as it is beneficial to have the service at a regional-wide level. Intent is that there is collaboration to brand and represent the Valley and for support and leverage of grant funding opportunities, and coordination of the regional hotel tax. From a governance perspective, tourism service is currently electoral areas and the City of Courtenay and service participation would add to strategic direction, regional MRDT or hotel tax expansion, Comox is participating through fee for service contract for four years which coincides with mortgage payment on Visitor Centre. Cumberland has approved one year agreement.

Service funding would be through a tax requisition for participants, and fee for service through contract, plus other sources of revenues including the regional MRDT hotel tax, and possible facility rental or disposition of property, decision-making by the service participants.

Ms. Kirkpatrick advised that the requisition rate for Cumberland from 2023-2026 is estimated from \$13,000 to \$20,000 depending on grants and revenues received. Goal is to fully repay mortgage by 2026, establishment of capital reserve fund for Visitor Centre. The service delivery through CVRD staff and tourism contract to 2023 is Tourism Vancouver Island (4VI), which works with tourism stakeholders, targets destination marketing and management for promotion and control capacity of particular sites, Destination BC and MRDT tax work plan, and administers the Tourism Advisory Committee (TAC). Next steps for the tourism service include managing visitors in sustainable way, destination development, service stability, and the future of the Visitor Centre, and review the regional MRDT tax.

Council members discussed the benefit of tourism management and to maximum tourism dollars through destination marketing funds, the benefit of having contractor TVI to reach out to Cumberland business community. Further comments were made on the acknowledgement that tourism is happening and how it would be managed by the Tourism Advisory Committee and how the Village can influence the destination management. Part of the mandate of the contractor is sustainable tourism, which will be discussed soon at a presentation, and will be part of the TAC meeting conversations, and the regional tourism master plan may address as it will be determined by service participants. Understanding of the regional MRDT tax and how Cumberland would participate without any hotels. A key piece is the 'online accommodators' which could be used for tourism purposes and affordable housing. Further comments were made to ensure all members input into the service and interest in administration of the MRDT tax where visitors are using accommodation in Courtenay and recreational resources in Cumberland. Discussion took place on commitments from CVEDS to fund not for profits and moving forward with commitments and decision-making through the Board. The service will be moving forward and look at community support opportunities later this year. Discussion took place that

the Village will no longer receive property taxes from the Visitor Centre property, and discussion on service membership with the ability to vote through the Board on budget and service plans, and future assets.

2.2 United Riders of Cumberland (UROC) - Strategic Trails Plan 2022

Moved by: Ketler

Seconded by: Brown

THAT the Committee receive the delegation of Dougal Browne, Executive Director and Adam Spiegel President from United Riders of Cumberland regarding the Strategic Trails Plan 2022.

Carried Unanimously

Mr. Browne introduced the United Riders of Cumberland (UROC) new president Adam Spiegel and introduced the 2022 Strategic Trails Plan as a progressive document developed by the UROC Board collaboratively with the Village, which will guide a new memorandum of understanding for trail management with the Village. UROC has a strong membership and sponsorship, and strong relationships with landowners.

Mr. Browne reviewed the three primary goals of the Strategic Trails Plan to address the different uses and interests to create positive experiences. Focus on maintaining positive relationship with trail builders to guide planned trail building to protect sensitive areas and build in sustainable manner and reducing risk of user conflicts through design and focused uses through trail designations and design. Mr. Browne further discussed addressing initial access points and pinch points to reduce heavy traffic access points and address more efficient ways of travelling into network. The Plan has a 3-5 year vision to guide UROC.

Discussion took place with Committee members on the potential end to expansion of the network through the improvement and links of the existing network through strategic and planned trail building of linked, connector, and climbing trails. Discussion also took place on building higher terrain with more gradient towards to the Beaufort Range with signature epic destination trails by linking existing trails. The impact of banked corners on walking users was discussed and the trail designations as 'gravity', 'multi-use' and 'nature' trails. Further discussion was the increased capacity of UROC and relationship with the Village, as well as messaging in the community, and addressing the congested access points, and continued messaging about multi-use trails and collaboration with the Forest Society on the toad migration and habitat. Discussion on the memorandum of understanding that will include values through trail planning and UROC's role as stewards of the land, and territorial land acknowledgement and building reconciliation through language and signage. the cost of the liability insurance coverage and costs are significant and are not expected to be reduced with the Village taking on liability for trails on Village-land along the watershed.

UROC is working on an internal sustainability strategy for operations and events.
Community concerns about dogs

3. Reports

3.1 Quarterly Reports - April - June 2022

Moved by: Sullivan

Seconded by: Ketler

THAT the Committee receive the second quarter reports for information.

Carried Unanimously

4. Question Period

No questions were received.

5. Closed Portion

Moved by: Ketler

Seconded by: Brown

THAT Council close the meeting to the public at 3:23 p.m. pursuant to Section 90 of the *Community Charter* to consider:

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Carried Unanimously

6. Adjournment

The meeting adjourned at 4:07 p.m.

Mayor

Certified Correct by Corporate Officer

Subject: FW: Obon tour dinner- Aug. 12, 2022

From: Roger <[REDACTED]>
Sent: Friday, July 29, 2022 11:46:09 AM
To: Leslie Baird <mayor.baird@cumberland.ca>
Subject: Obon tour dinner- Aug. 12, 2022

Hello Mayor Baird:

As previously discussed, the Obon tour is returning to Cumberland for 2022. I am a local contact helping to organize the tour. Rev. Grant Ikuta will be bringing a group of 45 on this years tour.

As well as the Obon ceremony on Aug. 13th at 10am, the group will be visiting the Cumberland Museum and hosting a dinner at Cumberland Legion on Aug. 12- 6:30pm, with Council members, Museum and community members invited.

On behalf of the Obon tour, I am requesting sponsorship of \$500 towards the cost of the Cumberland Legion dinner.

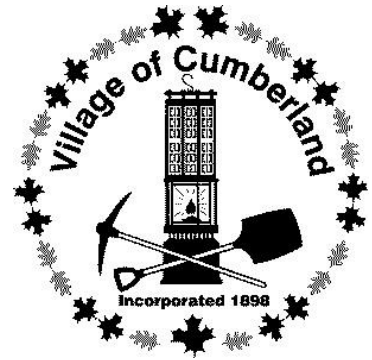
The tour group is looking forward to their visit in Cumberland, and it is great to see it back after a few years break.

Sincerely,

Roger Kishi

Sent from my iPhone

COUNCIL REPORT



REPORT DATE: 8/18/2022
MEETING DATE: 9/6/2022

File No. 2022-06-DP

TO: Mayor and Councillors
FROM: Meleana Searle, Planner
SUBJECT: Development Permit – Proposed Lot 4 (2787 Beck Avenue)

RECOMMENDATION

- i. THAT Council receive the “Development Permit – Proposed Lot 4 (2787 Beck Avenue)” report.
- ii. THAT Council approve the development permit (2022-06-DP) for the property described as Proposed Lot 4 (2787 Beck Avenue).



Subject Property

PURPOSE

The purpose of this report is to seek Council approval of a development permit to allow the construction of two industrial buildings and caretaker’s suite on Proposed Lot 4 (2787 Beck Avenue).

BACKGROUND

Proposed Development

The proposal is to construct two six-unit buildings for industrial warehousing. The property is currently under active subdivision. The proposed development complies with current zoning and siting of the buildings complies with setbacks from proposed lot lines. Allowing processing of the development permit prior to completion of the subdivision allows the applicant to advance establishing their business in the Village of Cumberland. Council may approve the development permit, but it can only be issued after the subdivision completes.

Construction of the Tree Island Yogurt facility is underway on Proposed Lot One. Only one building can be approved for construction prior to subdivision. A development permit for Drewry Electrical on Proposed Lot Six was approved by Council on April 25, 2022, and issuance is held in abeyance until after the subdivision is complete. Further building permits cannot be issued until the subdivision completes.

Bevan Industrial Lands

The Bevan Industrial Lands Concept Plan and Report (Concept Plan) was developed by the Village in cooperation with Hancock Timber in 2019-2020 with input from key stakeholders in the

community. The Bevan Industrial Lands contain approximately 500 hectares (1,235 acres) of land and represent the largest supply of industrial lands in the Comox Valley. The Concept Plan was approved by Village Council on September 14, 2020. Council's 2021 review of its 2020 to 2023 Strategic Priorities confirmed Economic Development as one of its key priority areas with the focus being on "Bevan Industrial Area Development."

Official Community Plan

Pursuant to the Official Community Plan (OCP), the proposed development is subject to two development permit areas (DPAs): DPA #1 -Environmental Protection and DPA #5 – Industrial.

The subject property is within Development Permit Area #1 (DPA #1) – Environmental Protection and is identified as a connectivity area. The primary function of this development permit area is to ensure that natural resources are protected, connectivity restored and maintained, and development impacts mitigated, including allowing decision makers to have the ability to secure the necessary information and be able to place conditions on development.

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

Zoning Bylaw

The subject property is zoned I-2 – Heavy Industrial, which permits a large variety of industrial principal uses. Residential use is permitted as an accessory use if it is an integral part of the principal use. The maximum size of a dwelling unit in this zone is 90.0m² (987.7ft²).

Village of Cumberland Strategic Priorities

The Village of Cumberland Strategic Priorities guide the Village's corporate management and decision-making. The primary purpose of the Strategic Priorities is to communicate the priorities of Council and the community and to focus and coordinate the resources of the Village of Cumberland Council and staff. The Village of Cumberland seeks to support the local economy by facilitating and leveraging the energy and resources in the private and non-profit sectors. One of the identified priorities is economic development, specifically the development of the Bevan Industrial Lands

ANALYSIS

Environmental Protection Area – DPA 1

The applicant has provided a bio-inventory and impact assessment report prepared by a registered professional biologist (R.P. Bio). The report outlines that there are no waterbodies on or within 100m of the project area, no plant species at risk, no invasive species designated noxious, no wildlife or wildlife habitat features and no environmentally sensitive areas. The report identifies that project development is expected to have a relatively minimal impact on the larger watershed area. Requirements of the development permit are that work is completed outside of the bird breeding season.

Connectivity for this area is being addressed through the current subdivision. On the north side of proposed Lots 1-3, a 3.0 metre wide bioswale will provide a connectivity corridor for wildlife. Fencing of these lots will be required to be on the inside of the bioswale to minimize fragmentation of the corridor.

Fencing is not proposed for this development allowing wildlife to pass through the property. Should fencing be installed later the permit requires it to be designed according to the guidelines described in, "A Landowners Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind" Montana Fish Wildlife and Parks. The application complies with all guidelines of Development Permit Area #6 – Environmental Protection.

Industrial – DPA 5

The property owner is proposing two industrial buildings with a total of 21 units, including a caretaker's suite. The buildings face away from each other with a circular, two directional travel lane and parking surrounding the buildings. There is also an interior alley at the rear of the buildings which is secured with gates at either end. The building facades has been fully articulated with different colours of cladding to create visual interest.

The site features landscaping throughout and features a patio with gazebo for site users on the south-west corner of the property. The application complies with all guidelines of Development Permit Area #5 -Industrial.

PUBLIC NOTIFICATION AND CONSULTATION

As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* the applicant has placed the required sign on-site.

Pursuant to the requirements of the *Local Government Act*, a notice of Council consideration of the Development Permit was mailed on August 18, 2022 to the owners of adjacent properties within 75.0metres. At the time of this report no submissions have been received by staff.

Staff recommends that Council does not require a neighbourhood public meeting. Although the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* states that Council may require that the applicant hold a neighbourhood public meeting, because Council has limited discretion when approving development permits, public meetings for development permit applications are generally not recommended.

REFERRALS

No referrals are recommended for this application. The proposed industrial buildings are consistent with the Bevan Lands Concept Plan approved by Council in 2020. The preparation of the Concept Plan included a component of public engagement, and the development of the Bevan Industrial Lands is a Council strategic objective.

ALTERNATIVES

1. THAT Council refer the development permit application (2022-06-DP) to the Advisory Planning Commission for comment.
2. THAT Council request further information or clarification or request the applicant to make changes to the plans. If changes are requested, specific direction about the type of

alterations should be presented including reference to the relevant development permit area guideline or guidelines.

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

None.

OPERATIONAL IMPLICATIONS

The review of Development Permit applications is part of the services provided by the Development Services Department.

CLIMATE CHANGE IMPLICATIONS

The proposed development permit is located within an existing industrial node. Efforts to mitigate climate change through the reduction of greenhouse gas emissions include: the building being solar ready, provision of indoor secured bike parking, and electric vehicle plugs-in.

ATTACHMENTS

1. 2022-06-DP DRAFT

CONCURRENCE

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

Respectfully submitted,

M. Searle

Meleana Searle
Planner

M. Mason

Michelle Mason
Interim Chief Administrative Officer



Corporation of the
Village of Cumberland

DEVELOPMENT PERMIT

TO: Acciano Development Inc.

OF: 3879 Warren Ave, Royston, BC V0R 2V0

1. This Development Permit (2022-02-DP) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as supplemented by this permit for the purposes of developing two industrial buildings on Proposed Lot 6.
2. This Development Permit applies to and only to a portion of those lands within the Village of Cumberland described below:

Legal Description: Lot A Section 34 Township 10 Comox District Plan EPP93477

Folio: 516 29039.521 **PID:** 031-308-937

Civic Address: Proposed Lot 4 (2787 Beck Avenue)

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

DPA#1 Environmental Protection Permit Area

- a) All work will be completed outside of the breeding bird season (March 15 – August 31) to minimize impacts to wildlife. If work cannot be completed outside of the breeding bird season, then pre-clearing nest and small wildlife sweeps will be conducted and protective buffers maintained around active nests, as directed by a Qualified Environmental Professional. Recommendations for appropriate timing of works, and associated mitigations, are provided in section 5.5 of the Bioinventory Report.
- b) An additional invasive species survey should be conducted during the growing season and prior to development proceeding to identify whether species not identified in the fall of 2019 currently exist in the project area, as per Bio-Inventory and Impact Report section 4.4.2.3.

DPA#5 Industrial Development Permit Area

- i On-site topsoils to be conserved and re-used on site.

- c) **Landscaping**
 - i Watering shall be via an on-site irrigation system with an automated 'smart' controller.
 - ii Efforts shall be made to restore native vegetation on site post re-grading.
 - iii Signage shall be subject to the applicable bylaw provisions.
- d) **Building Form and Character**
 - i The proposed building will be constructed substantially in compliance with the drawings attached as Schedule A.
 - ii The building shall be designed to be solar ready. This includes providing a conduit to the roof for future solar panel installation.
 - iii A minimum of two 240 volt EV plugs are to be provided.
 - iv All on-site lighting is to be fully shielded (full cut off).

4. Landscape Security

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

5. Expiry

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

6. Timing and Sequencing of Development

None

7. List of Reports or Plans attached as Schedules

1. Schedule A - Site Plan
2. Schedule B - Elevations
3. Schedule C – Bio-inventory and Impact Assessment, Sept.3, 2019
4. Schedule D – Landscape Plan
5. Schedule E – Site Servicing Report

8. Contaminated Sites Regulation

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

9. This Permit is not a Building Permit.

CERTIFIED as the **DEVELOPMENT PERMIT** granted by resolution of the Council of the Corporation of the Village of Cumberland on September 6, 2022.

Corporate Officer

Tree Island Subdivision

Bio-inventory and Impact Assessment

Version 2



Prepared for:

Acciano Development Inc.
3747 Island Hwy S
Courtenay, BC, V9N 9T4

September 3, 2019

Prepared by:

Ecofish Research Ltd.



Photographs and illustrations copyright © 2019

Published by Ecofish Research Ltd., Suite F, 450 8th St., Courtenay, B.C., V9N 1N5

For inquiries contact: Technical Lead documentcontrol@ecofishresearch.com 250-334-3042

Citation:

Ballin, L., A. Newbury, R. Day, and J. Kurtz. 2019. Tree Island Subdivision Bio-inventory and Impact Assessment. Version 2. Consultant's report prepared for Acciano Development Inc. by Ecofish Research Ltd., September 3, 2019.

Certification: *Certified – stamped version on file*

Senior Reviewer:

Jayson Kurtz, M.Sc., P.Biol. #2576. R.P.Bio. #1081
Fisheries Biologist/ Project Manager

Technical Leads:

Leah Ballin, MSFM, R.P.Bio. #2537, R.P.F. #4873
Wildlife Biologist/ Terrestrial Ecologist

Rachel Day, M.Sc., P.Geo. #37677
Environmental Professional

Disclaimer:

This report was prepared by Ecofish Research Ltd. for the account of Acciano Development Inc. (Tree Island Yogurt). The material in it reflects the best judgement of Ecofish Research Ltd. in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, is the responsibility of such third parties. Ecofish Research Ltd. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions, based on this report. This numbered report is a controlled document. Any reproductions of this report are uncontrolled and may not be the most recent revision.

EXECUTIVE SUMMARY

Acciano Development Inc is proposing to subdivide a 6.9 ha parcel (the Project area) within an area zoned for industrial use on Bevan Road in Cumberland, BC. Acciano Development Inc. retained Ecofish Research Ltd. to complete a bio-inventory for the Project as per the requirements of the Corporation of the Village of Cumberland Official Community Plan Bylaw No. 990. The bio-inventory covers the entire Project area proposed to be subdivided and the impact assessment is specific to the administrative subdivision and servicing.

A desktop background review and reconnaissance-level site survey were completed in March 2019 by a professional geoscientist and a professional biologist/professional forester to identify Environmentally Valuable Resources (EVRs) and Environmentally Sensitive Areas (ESAs) that may be present on or within 100 m of the Project area. The results of the bio-inventory and impact assessment for the Project area are presented for terrain and soils, hydrology and water quality, fish and aquatic ecosystems, terrestrial ecosystems and plants, and wildlife and wildlife habitat.

Topography of the Project area is relatively smooth and flat with well drained soils. Surface water is expected to infiltrate through the soil towards the unconfined sand and gravel aquifer (Aquifer No. 417) underlying the Project area. There are no waterbodies (e.g., streams, wetlands) or aquatic ecosystem areas mapped on or within 100 m of the Project area and no surface or groundwater was observed during the site survey. The nearest aquatic ecosystem is a fish-bearing wetland approximately 340 m from the Project area boundary. Roadside ditches between the Project area and Bevan Road were dry during the site survey; however, it is possible that during extremely heavy rains, water from the Project area may shed to these ditches, and that these ditches may be connected to wetlands or streams.

The Project area was logged in 2014/2015 and currently supports vegetation characteristic of the provincially red-listed western hemlock – Douglas-fir / Oregon beaked moss ecological community; including relatively rare western white pine, however, the ecological value of the young vegetation remaining after logging is lower than if the vegetation was at a later seral stage. No plant species at risk are documented to occur in the Project area, and none are expected. No invasive species designated as noxious under the *BC Weed Control Act* were identified in the Project area; however, other non-native invasive species were detected in the Project area (e.g., Scotch Broom, bull thistle, oxeye daisy, dandelion and clover).

No wildlife species at risk or wildlife habitat features have been detected on or within 100 m of the Project area. Use of the Project area for foraging by Mule Deer and a few avian species was confirmed during the site survey. Some avian species may also use the Project area for nesting. Although no wildlife trails were observed, wildlife (e.g., Mule Deer, Roosevelt Elk) likely pass through this area as they travel between seasonal foraging and breeding habitats and water sources. No amphibians or reptiles were observed during the site survey; however, Western Toads and other amphibian species may migrate across or seek cover in downed wood or soil in the Project area.

No ESAs or EVRs requiring buffers were identified on or within 100 m of the Project area, thus no restricted development or buffer zones have been designated.

Overall, in the context of the Project area being recently logged, in the vicinity of an active waste management facility, adjacent to a busy gravel road and active gravel mine, and being located over 340 m from an aquatic ecosystem, sensitive terrestrial ecosystem, park or protected area, Project development is expected to have a relatively minimal impact on the larger watershed area. Standard construction environmental best management practices for a Project of this size and type are expected to adequately mitigate potential impacts.

Appendix A details how Bylaw No. 990 conditions for DPA#1 Connectivity areas have been met by the development design and this bio-inventory, and recommends conditions of the development.

TABLE OF CONTENTS

EXECUTIVE SUMMARY II

LIST OF FIGURES VI

LIST OF TABLES VII

LIST OF MAPS..... VIII

LIST OF DRAWINGS VIII

LIST OF APPENDICES VIII

1. INTRODUCTION 1

1.1. BIO-INVENTORY SCOPE AND OBJECTIVES..... 1

1.2. PROJECT LOCATION AND ZONING..... 1

1.3. REGIONAL ECOLOGICAL CONTEXT..... 1

1.4. PROJECT AREA-SPECIFIC CONTEXT 2

2. REGULATORY CONTEXT..... 6

2.1. MUNICIPAL..... 6

2.2. PROVINCIAL..... 6

2.3. FEDERAL 6

3. METHODS..... 7

3.1. TERRAIN AND SOILS 7

3.1.1. *Background Review* 7

3.1.2. *Reconnaissance-level Site Survey*..... 7

3.2. HYDROLOGY AND WATER QUALITY..... 7

3.2.1. *Background Review* 7

3.2.2. *Reconnaissance-level Site Survey*..... 8

3.3. FISH AND AQUATIC ECOSYSTEMS..... 8

3.3.1. *Background Review* 8

3.3.2. *Reconnaissance-level Site Survey*..... 8

3.4. TERRESTRIAL ECOSYSTEMS AND PLANTS..... 8

3.4.1. *Background Review* 8

3.4.2. *Reconnaissance-level Site Survey*..... 9

3.5. WILDLIFE AND WILDLIFE HABITAT 9

3.5.1. *Background Review* 9

3.5.2. *Reconnaissance-level Site Survey*..... 10

4. RESULTS..... 10

4.1. TERRAIN AND SOILS 10

4.1.1. *Background Review* 10

4.1.2. *Reconnaissance-level Site Survey*..... 11

4.2. HYDROLOGY AND WATER QUALITY..... 12

4.2.1. *Background Review* 12

4.2.2. *Reconnaissance-level Site Survey*..... 13

4.3. FISH AND AQUATIC ECOSYSTEMS..... 14

4.3.1. *Background Review* 14

4.3.2. *Reconnaissance-level Site Survey*..... 14

4.4. TERRESTRIAL ECOSYSTEMS AND PLANTS..... 14

4.4.1. *Background Review* 14

4.4.2. *Reconnaissance-level Site Survey*..... 15

4.5. WILDLIFE AND WILDLIFE HABITAT 16

4.5.1. *Background Review* 16

4.5.2. *Reconnaissance-level Site Survey*..... 18

5. IMPACT ASSESSMENT FOR THE SUBDIVISION AND INSTALLATION OF SERVICING 19

5.1. TERRAIN AND SOILS 20

5.2. HYDROLOGY AND WATER QUALITY..... 23

5.3. FISH AND AQUATIC ECOSYSTEMS..... 28

5.4. TERRESTRIAL ECOSYSTEMS AND PLANTS..... 28

5.5. WILDLIFE AND WILDLIFE HABITAT 33

6. CLOSURE AND NEXT STEPS..... 37

REFERENCES..... 38

PROJECT MAPS..... 42

DRAWINGS 46

APPENDICES 48

LIST OF FIGURES

Figure 1. Plan of Lot D of Section 34, Township 10, Comox District (McElhanney 2018; date of background imagery unknown).4

Figure 2. Overview of general site topography on March 26, 2019.....11

Figure 3. Soil auger sample on March 26, 2019.12

Figure 4. Mapped critical habitat for Western Painted Turtle (ECCC 2018).17

LIST OF TABLES

Table 1. Project location and context.2

Table 2. Potential impacts and conceptual mitigations for terrain and soils.21

Table 3. Potential impacts and conceptual mitigations for hydrology and water quality.25

Table 4. Potential impacts and conceptual mitigations for terrestrial ecosystems and plants.29

Table 5. Potential impacts and conceptual mitigations for wildlife and wildlife habitat.34

LIST OF MAPS

Map 1. Project Overview5
Map 2. Wildlife Habitat Plots.....43
Map 3. Watersheds and Adjacent Waterbodies.....44
Map 4. Terrestrial and Aquatic Features.....45

LIST OF DRAWINGS

Drawing 1. Lot Plan - Option 1.....47

LIST OF APPENDICES

- Appendix A. Village of Cumberland Bylaw 990 requirements and how they are addressed in this report**
- Appendix B. Field data collected at wildlife habitat plots**
- Appendix C. Site photographs**
- Appendix D. At-risk wildlife and plant species considered**

1. INTRODUCTION

Acciano Development Inc. is proposing to subdivide 6.18 ha of land (the Project/ Project area) on Bevan Road in Cumberland, BC (Map 1) into six properties. Acciano Development Inc. retained Ecofish Research Ltd. to complete a bio-inventory for the Project as per the Corporation of the Village of Cumberland (Village of Cumberland) Official Community Plan (OCP) requirements.

The subdivision includes the administrative creation of lots and physical servicing (i.e., installation of roads, power and water) of lots, as well as a greenway along Bevan Road (Drawing 1).

1.1. Bio-inventory Scope and Objectives

A bio-inventory is required for the Project under Bylaw No. 990 of the Village of Cumberland's OCP (VOC 2014a) and Develop with Care: Environmental Guidelines for Urban and Rural Land Development (MFLNRO 2014). The bio-inventory will contribute to the development permit application information required by the Village of Cumberland for permitting the Project. The bio-inventory and impact assessment cover the entire Project area proposed to be subdivided and serviced.

Specifically, the objectives of this bio-inventory are to:

- Describe the baseline environmental conditions of the proposed Project area;
- Assess the potential impacts of the proposed Project on environmentally valuable resources (EVRs) and environmentally sensitive areas (ESAs) including sensitive ecosystems and terrestrial ecosystems at risk, aquatic and riparian ecosystems, species at risk, and wildlife and wildlife habitat features;
- Determine mitigation measures to minimize potential Project impacts. Mitigation measures may include establishing protective buffers or working within timing windows to minimize effects associated with species' sensitive life history periods; and
- Assess the proposed development against DPA#1 Connectivity Area requirements.

1.2. Project Location and Zoning

The Project area is defined as Parcel 006-688-527 (Lot D), Section 34, Township 10, Comox District, located at approximately 10U 351569, 5501388, on Bevan Road in Cumberland, BC (Figure 1, Map 1, Drawing 1). Under the OCP, the Project area is zoned as an Industrial Area (Map C in the Official Community Plan) and is mapped as an Environmental Development Permit (DPA#1) Connectivity Area (Map E in the Official Community Plan) (VOC 2014b). The location and zoning of the Project area are summarized in Table 1.

1.3. Regional Ecological Context

The Project area falls within the Comox Valley Regional District (CVRD) and South Island Forest District, approximately 1 km northeast of Comox Lake and 5 km west of the Salish Sea. The Project area is approximately 2.5 km northwest of the developed urban core of Cumberland, BC and

approximately 500 m north of the Comox Valley Waste Management Centre, which includes the regional landfill (Map 1).

Environmentally, the Project area is within the Coastal Western Hemlock biogeoclimatic zone, Very Dry Maritime subzone, Eastern variant (CWHxm1) and the Nanaimo Lowlands Ecoregion. The CWHxm1 occurs at lower elevations (up to 700 m) on the east side of Vancouver Island and is characterised by warm, dry summers, and moist, mild winters with little snowfall (Green and Klinka 1994). Vegetation growth is constrained by water deficits over the long growing season. CWHxm1 zonal sites are typically dominated by Douglas-fir (*Pseudotsuga menziesii*), with western hemlock (*Tsuga heterophylla*) and some western redcedar (*Thuja plicata*). Dominant understory species of the CWHxm1 include salal (*Gaultheria shallon*), dull Oregon-grape (*Mahonia nervosa*), red huckleberry (*Vaccinium parvifolium*), step moss (*Hylocomium splendens*) and Oregon beaked moss (*Kindbergia oregana*).

The regional context of the Project area is summarized in Table 1.

Table 1. Project location and context.

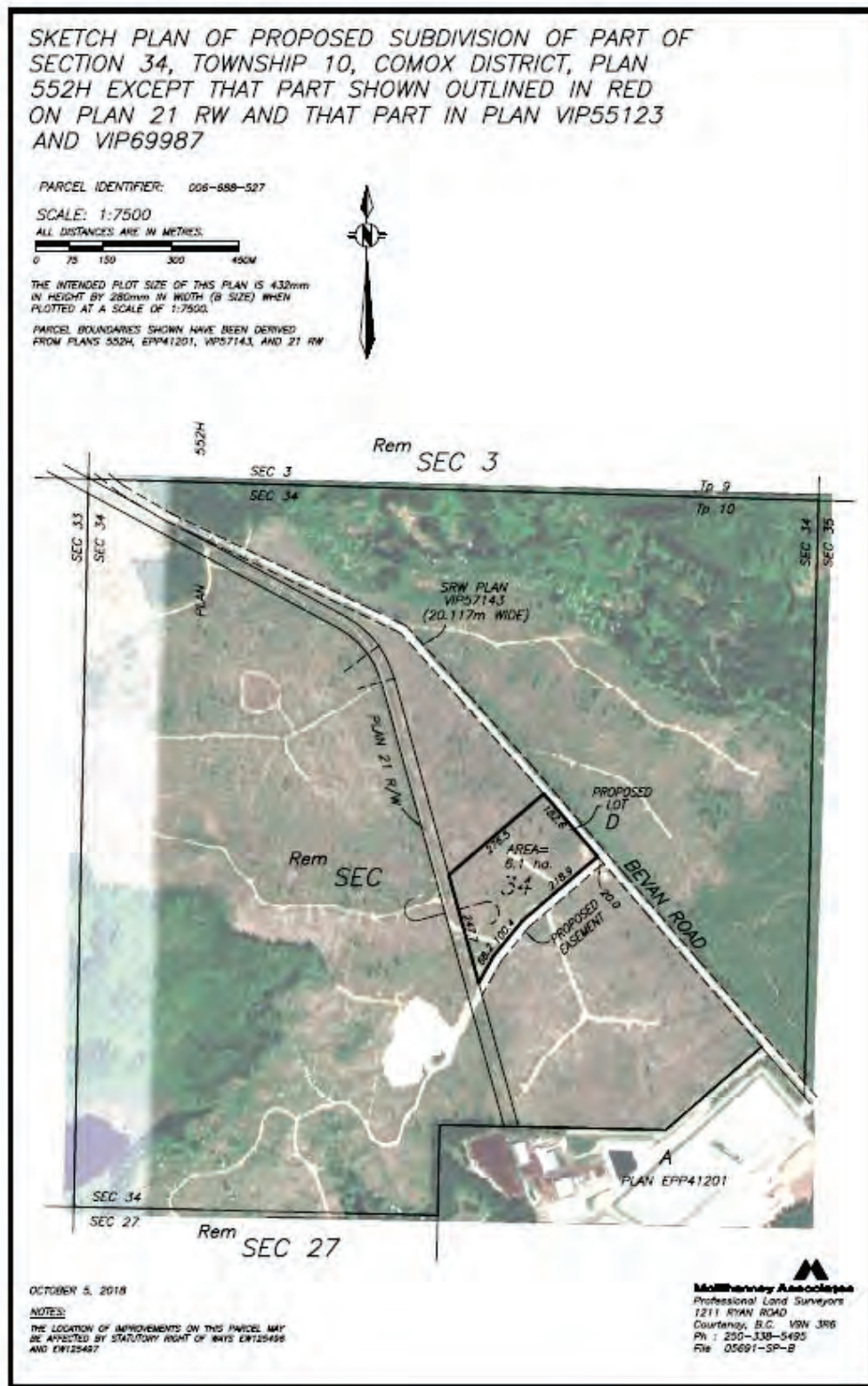
Parameter	Details
<u>Location and Zoning</u>	
Municipality	The Corporation of the Village of Cumberland
Parcel Identifier	006-688-527
Legal Property Description	Section 34, Township 10, Comox District
Area	6.9 hectares
Property Center Coordinates	UTM Zone 10U Easting 351569 Northing 5501388
Municipal Zoning	Industrial (I)
Development Permit Area	DPA#1 Environmental Protection DPA Connectivity Area
<u>Regional Ecological Context</u>	
Regional District	Comox Valley Regional District
Forest District	South Island Forest District
Ecoregion	Eastern Vancouver Island
Ecoprovince	Georgia Depression
Ecosection	Nanaimo Lowlands
Biogeoclimatic Zone	Coastal Western Hemlock Zone Very dry maritime eastern variant (CWHxm1)

1.4. Project Area-specific Context

The Project area-specific context, as investigated and described by LEA (2019) and Ryzuk Geotechnical (2019), and supported by Project specific work, is summarized here. The Project area is currently undeveloped, except for logging that occurred in approximately 1913 and 2014/2015. The Project area does not appear to have been used for illegal dumping and no contaminated site concerns were identified (Delaney, pers. comm. 2019).

To the west, the Project area is bounded by a railway right-of-way (ROW) that was used to transport coal from approximately 1849 to 1964, and on the far side of the ROW an active gravel pit has existed since approximately 2015. Thus, this gravel pit currently nearly abuts the Project area boundary. The remaining parcels surrounding the Project area are undeveloped except for logging that occurred from approximately 1996 to 2015. The road and associated laydown area to the south of the Project area were cleared and constructed between 2007 and 2012, and the adjacent lands, except for a narrow strip of trees on the opposite side of Bevan Road, were logged between 2004 and 2012 (CVRD 2019a).

Figure 1. Plan of Lot D of Section 34, Township 10, Comox District (McElhanney 2018; date of background imagery unknown).

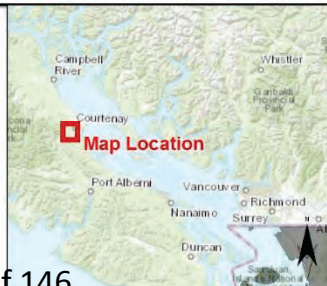


Project Location

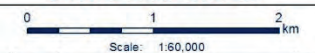


Legend

- Proposed Subdivision Lot
- Streams
- Parcel Boundary
- Parks and Protected Areas
- First Nation Reserve



MAP SHOULD NOT BE USED FOR LEGAL OR NAVIGATIONAL PURPOSES



NO.	DATE	REVISION	BY
1	09/04/2019	1413 TRI Pre-Location_2019Apr05	CCA
2			
3			
4			
5			

Date Saved: 09/04/2019
Coordinate System: NAD 1983 UTM Zone 10N



Map 1

2. REGULATORY CONTEXT

2.1. Municipal

The OCP for the Village of Cumberland, including Bylaw No. 990, is enabled by the provincial *Local Government Act* (2015). In the OCP, the Village of Cumberland designated environmental protection Development Permit Areas (DPA#1) (VOC 2014a). Specifically, DPA#1 identifies sensitive aquatic and terrestrial ecosystem areas, as well as connectivity areas, for which development restrictions apply. The OCP and *Local Government Act* require that any alteration to the land in a Development Permit Area is prohibited unless the owner first obtains a development permit from the Village of Cumberland. The application for a development permit in DPA#1 areas must include a bio-inventory following the procedures detailed in *Develop with Care: Environmental Guidelines for Urban and Rural Land Development* (MFLNRO 2014) and fulfill the general requirements and applicable habitat-specific supplemental requirements (i.e., for aquatic or terrestrial ecosystem areas or connectivity areas) in the OCP, as listed in Section 10.1.5 and Section 10.1.6, respectively. A detailed summary of these requirements and how they are addressed in this report is provided in Appendix A.

2.2. Provincial

Provincial environmental legislation that may be relevant to Project development includes the:

- *Wildlife Act* (1996) which contains provisions to generally protect wildlife and wildlife habitat, including prohibitions against destroying a bird or its egg, the nest of an Eagle, Peregrine Falcon, Gyrfalcon, Osprey, Heron or Burrowing Owl, or the nest of any bird when the nest is occupied by a bird or its egg.
- *Water Sustainability Act* (2014) which regulates water withdrawal and physical works in and about streams;
- *Riparian Areas Protection Act* (1997) which, if enabled by municipal legislation (in this case, Village of Cumberland Bylaw No. 990), regulates development adjacent to streams through the establishment of riparian buffers to protect aquatic habitats through the *Riparian Areas Regulation (RAR)*; and
- *Weed Control Act* (1996) which requires land occupiers to control noxious weeds on their property.

2.3. Federal

Federal environmental legislation potentially relevant to Project development includes the:

- *Fisheries Act* (1985) which protects fish and fish habitat;
- *Migratory Birds Convention Act* (1994) (MBCA) which contains provisions to protect all migratory birds by prohibiting disturbance to nests or eggs and from polluting waters or areas frequented by migratory birds; and

- *Species at Risk Act* (2002) (SARA) which prohibits the destruction, harassment, capture or possession of species listed as threatened, extirpated or endangered and protects their critical habitat if it is on federal land, or if the species is aquatic or protected under the MBCA.

3. METHODS

For each of the subject areas below (terrain and soils, hydrology and water quality, fish and aquatic ecosystems, terrestrial ecosystems and plants, wildlife and wildlife habitat) the background review included a desktop review of documents previously developed for the Project (i.e., LEA 2019), and publicly available provincial databases, maps and reports.

A reconnaissance-level site survey was completed on March 26, 2019 by a professional geoscientist and a professional biologist/professional forester to identify EVRs and ESAs, including species at risk or of regional concern, sensitive ecosystems, hydrological features, fish and aquatic ecosystems, or geographical features that may be present in or within 100 m of the Project area as well as document the general environmental characteristics of the site. The survey was based on *Develop with Care* (MFLNRO 2014) and standard provincial methodologies for environmental data collection (MOF 2010). The entire Project area was surveyed for EVRs and ESAs and detailed environmental data were collected within three wildlife habitat plots (WHP) (Map 2). The locations of the three WHP were selected to be representative of the Project area. Within each WHP, data on site characteristics, soils, hydrology, vegetation, and wildlife use were collected, as outlined in the following sub-sections. Water quality was not assessed as there was no standing water or water within 0.5 m of the surface to assess.

3.1. Terrain and Soils

3.1.1. Background Review

Terrain and soils information available on iMapBC (DataBC 2019) and in background reports, including surficial geology and soils, was reviewed on and within 100 m of the Project area.

3.1.2. Reconnaissance-level Site Survey

Terrain and soil field surveys were conducted to provide an overview of the environmental condition of the site. The surveys included measurements of slope and aspect, and a description of microtopography and slope position. Soil pits/auger holes were dug to 30 cm depth. Soils were classified by standard metrics including: texture, colour (Munsell 2009), nutrient regime, moisture regime, coarse fragment content and organic layers. These metrics are indicators of the productivity of the site.

3.2. Hydrology and Water Quality

3.2.1. Background Review

Freshwater atlas (e.g., streams, wetlands, watershed boundaries) and aquifer data publicly available on iMapBC (DataBC 2019) and iMapCVRD (CVRD 2019a) and background reports were reviewed on and within 100 m of the Project area.

3.2.2. Reconnaissance-level Site Survey

A reconnaissance-level site survey was conducted to examine any site drainage features, water shedding, collecting and conveyance areas. Surface and groundwater sources and flow, or lack thereof, were identified. *In situ* water quality measurements were not taken as no water was present on site.

3.3. Fish and Aquatic Ecosystems

3.3.1. Background Review

Freshwater atlas (e.g., streams, wetlands) and fish distribution data publicly available on iMapBC (DataBC 2019) and iMapCVRD (CVRD 2019a) and background reports were reviewed on and within 100 m of the Project area.

3.3.2. Reconnaissance-level Site Survey

A reconnaissance-level site survey was conducted to search for any aquatic ecosystems, or connections to aquatic ecosystems within 100 m of Project area.

3.4. Terrestrial Ecosystems and Plants

3.4.1. Background Review

3.4.1.1. Ecosystems at Risk and Sensitive Ecosystems

Publicly available provincial and municipal databases were reviewed to identify at-risk terrestrial ecosystems that may occur in the Project area. The BC Conservation Data Center (CDC) database was searched for federally and provincially listed terrestrial forested ecosystems (ecological communities) at risk that are known to occur in the CVRD and CWHxm1 (CDC 2019a). Sensitive Ecosystem Mapping for the area conducted by the Canadian Wildlife Service (1991, 1999) and updated for the Comox Valley (2011, 2014) was reviewed (CVRD 2019a) to identify if any sensitive ecosystems are known to occur on, or within 100 m, of the Project area. Vegetation Resource Inventory (VRI) ecosystem mapping has not been completed for the area, and any Terrestrial Ecosystem Mapping (TEM) that may have been conducted by private forest companies is not publicly available. Historic orthophotographs were also reviewed to provide insight to the ecological and disturbance history of the Project area (CVRD 2019a).

3.4.1.2. Plant Species at Risk

The BC Species and Ecosystems Explorer (CDC 2019a) was searched for federally and provincially listed plant species at risk that occur in the CVRD CWHxm1.

3.4.1.3. Invasive Species

Provincial (i.e., Invasive Alien Plant Program, DataBC 2019) and municipal (CVRD 2019a) databases were searched for nearby occurrences of invasive plant species.

3.4.2. Reconnaissance-level Site Survey

3.4.2.1. Ecosystems at Risk and Sensitive Ecosystems

Ecosystems were characterized from WHP (plot) data and a walkthrough of the Project area as per provincial methods for describing terrestrial ecosystems and conducting ecosystem mapping (MOF 2010, RIC 2000) by a qualified terrestrial ecologist experienced in air photo interpretation and familiar with ecosystems in the CWHxm1. As the entire assessment area (the Project area plus 100 m buffer) was determined to be the same ecosystem (BEC zone, site series and vegetation community) and of a similar age class, no ecosystem mapping was conducted.

3.4.2.2. Plants Species at Risk

A reconnaissance-level site survey was conducted to identify potential plant species at risk and associated suitable habitat within the Project area. As the field survey was conducted just after snow melt, before herbaceous species would be expected to be detectable, the focus of the survey was to support an assessment of the likelihood of occurrence of plant species at risk in the Project area.

3.4.2.3. Invasive Plant Species

Invasive plant species were searched for within the Project area, and if found, density and distribution were recorded and the species was classified by control priority, as per provincial legislation (i.e., *BC Weed Control Act*) and provincial and regional guidance (i.e., Invasive Alien Plant Program and Coastal Invasive Species Committee).

3.5. Wildlife and Wildlife Habitat

3.5.1. Background Review

A list of wildlife species that are provincially or federally designated as at risk and potentially occur in within the CWH biogeoclimatic zone and Comox Valley Regional District (with the exception of marine and fully aquatic species) was compiled from the BC Species and Ecosystem Explorer (CDC 2019a). Wildlife species at risk and other species of regional importance were ranked for likelihood of occurrence within each assessment area, as per defined criteria below. The likelihood of occurrence ranking reflects publicly available wildlife occurrence data (i.e., CDC 2019a, DataBC 2019, E-Fauna BC 2019), personal communications, general knowledge acquired from working and living in the CVRD, and species-specific wildlife habitat suitability as assessed during the field surveys. Criteria are as follows:

- Confirmed. The species has been detected within the assessment area. Species presence information was observed during the field surveys and/or recorded from the desktop review.
- High. The current range and distribution of the species overlaps the assessment area. Highly suitable habitat is present within the assessment area; however, we have not detected the species directly during field visits or indirectly through the desktop review.

- Moderate. The current range and distribution of the species overlaps the assessment area. Sufficiently suitable habitat is present within the assessment area; however, we have not detected the species directly during field visits or indirectly through the desktop review.
- Low. The current range and distribution of the species overlaps or borders the assessment area; however, sufficiently suitable habitat is not present. We have not detected the species directly during field visits or indirectly through the desktop review.
- Negligible. The current range, distribution, or habitat requirements of the species do not overlap or border the assessment area. It is unlikely that the species is ever present within the assessment area.

Provincial and federal wildlife habitat designations (i.e., Critical Habitat for Federally-Listed Species at Risk, Ungulate Winter Ranges, and Wildlife Habitat Areas) were also reviewed for potential overlap with the Project area.

Wildlife species and habitat information collected during field surveys and the desktop review was evaluated to predict the likelihood of impacts of the proposed works. Moreover, the information collected and collated was used to characterize wildlife habitat and identify sensitive sites that may require special consideration during construction.

3.5.2. Reconnaissance-level Site Survey

Wildlife habitat suitability was considered for all species at-risk and informed the likelihood of occurrence rankings (Section 3.5.1). Targeted species-specific wildlife surveys were not considered necessary and were not conducted because of the relatively low quality of habitat and likelihood of occurrence and detection of wildlife species at risk during the survey period; however, any wildlife species or wildlife sign (e.g., tracks, scat) that were detected were recorded as incidental observations. The survey was scheduled to meet Project timelines and did not occur during the peak avian breeding season or amphibian migration period.

4. RESULTS

4.1. Terrain and Soils

4.1.1. Background Review

The topography of the Project area is described as relatively smooth and flat at an elevation of approximately 160 meters above sea level (LEA 2019, Ryzuk 2019).

Surficial geology is consistent for the entire Project area and consists of loamy sand of a glaciofluvial origin. These soils are classified as well drained, indicating that water is removed from the soil readily in relation to supply (DataBC 2019, Ryzuk 2019). A study of 24 test pits conducted by Ryzuk (2019) found all 2.3 m deep pits to be dry.

Based on the lithology of the nearest water well, located within 500 m of the Project area in the northern part of the landfill, sand with gravel is present from surface to a depth of 19.2 m below ground level (LEA 2019).

No coal was detected along the surface of the old railway ROW west of the Project area; however, there is potential for subsurface soil contamination from metals, polycyclic aromatic hydrocarbons (PAH), and light and heavy polycyclic aromatic hydrocarbons (LEPH/HEPH), in the vicinity of the entire old railway ROW (LEA 2019). The site is not considered a contaminated site (Delaney pers. comm. 2019).

4.1.2. Reconnaissance-level Site Survey

Field observations confirmed information collated during the background review (Appendix B, Appendix C). The Project area was observed to be relatively smooth and flat (Figure 2). Soils were typically light reddish-brown (7.5YR 3/4) with a thin layer of overlying organic matter (< 10 cm) (Figure 3). Soils were typically a sandy to silty loam with a high percentage of coarse fragments (65-85%). The soil nutrient regime was generally classified as medium and the moisture regime was classified as sub-mesic to mesic. Soils were observed to be slightly moist, likely associated with recent snow melt (within the week prior). A higher organic matter content in the upper layer (FH/Ah) and slightly coarser sand was observed in soils in the middle of the Project area.

Due to the flat nature of the Project area, it is expected to have high stability and low erosion potential.

Figure 2. Overview of general site topography on March 26, 2019.



Figure 3. Soil auger sample on March 26, 2019.



4.2. Hydrology and Water Quality

4.2.1. Background Review

There are no waterbodies (e.g., streams, wetlands) or aquatic ecosystem areas mapped on or within 100 m of the Project area (DataBC 2019a, CVRD 2019a, VOC 2014c). The east side of the Project area is within the First Supply Creek watershed (Puntledge Watershed) and the west side is within the Comox Lake watershed (DataBC 2019 and LEA 2019) (Map 2). The Project area does not lie within a mapped floodplain (DataBC 2019 and LEA 2019).

Waterbodies located near the Project area include a pond area approximately 400 m to the southwest at the landfill, a tributary of Black Lake approximately 340 m to the west, First Supply Creek approximately 375 m to the northeast, and Nellie Creek approximately 520 m to the east (LEA 2019) (Map 3). First Supply Creek and Nellie Creek are tributaries of Morrison Creek.

Current climate data for the Comox Lake watershed (which will include higher precipitation and lower temperatures than the Project area due to the Project area being located in the lower elevations and in the rain shadow of the watershed) compiled by the Pacific Climate Impacts Consortium (PCIC) report on climate change states that annual precipitation in the Comox Lake watershed is 2,700 mm. The heaviest precipitation occurs during the fall and winter months (October through March, when precipitation exceeds 250 mm/month), while drier conditions prevail during the summer (May through September, when precipitation is < 100 mm/month). The Comox Lake watershed experiences mild temperatures, with an annual average of 6°C and monthly temperatures that are

above freezing for the majority of the year, ranging from a high of approximately 15°C in July and August and dipping slightly below freezing only in December and January. Snowfall in the lower elevations of the watershed (including the Project area) is transient.

The Pacific Climate Impacts Consortium (PCIC) projected changes in average (mean) temperature, precipitation and several derived climate variables from the baseline historical period, 1961-1990, to the 2050's for the Comox Valley region (Schnorbus 2018). The annual mean temperature is predicted to increase by 1.5°C by the 2050's. Annual precipitation is predicted to increase by 6%, with much of that increase occurring in winter (5%), while summer precipitation is predicted to decrease by 17%. Increase in winter precipitation is expected to occur as rainfall, as snowfall is predicted to be reduced by 36% in winter and 52% in spring.

Surface water is expected to infiltrate rapidly through the soil towards the unconfined sand and gravel aquifer (Aquifer No. 417) underlying the Project area (LEA 2019, Ryzuk 2019). Aquifer No. 417 is classified as IIIA aquifer, indicating a low density and moderate to high productivity with a high vulnerability from surface sources (DataBC 2019). Aquifer No. 417 is approximately 14.9 km². The aquifer lies within the Capilano Sediments litho stratigraphic unit (glacially lain matrix, reddish-brown in colour with a coarse, sandy texture). Depth to water in the aquifer ranges from 2.44 to 20.42 m (DataBC 2019). Recharge to the aquifer is likely from precipitation (DataBC 2019). Nearby wells (No. 115760 and No. 115769), located at the Comox Waste Management Centre, indicate static water levels of 25.9 m and 19.5 m below top of casing, respectively. Due to the unconfined nature of Aquifer No. 417, there may be hydrologic connectivity with Aquifer No. 951, which underlies Morrison headwaters.

A groundwater well drilled by Drill Well Enterprises Ltd. exists in the northeast corner of the Project area (10U 351641 E, 5501543 N; Province of BC Well Identification Number 54689). Data from the well including a pump test conducted by Drill Well and groundwater quality analysis conducted by Maxxam are presented in Wedler (2019b). The well is not yet registered in the Provincial Groundwater wells database.

4.2.2. Reconnaissance-level Site Survey

No surface or groundwater was observed at the time of the reconnaissance-level site survey (Figure 2). As a result, no *in situ* water quality measurements were taken. No surface hydrological features (e.g., water shedding, collection and conveyance areas) were observed on the Project area. Surface water is expected to infiltrate through the well drained soil towards the unconfined aquifer. Roadside ditches between the Project area and Bevan Road were dry during the site survey; however, it is possible that during extremely heavy rains, water from the Project area may shed to these ditches, and that these ditches may be connected to wetlands or streams. It is expected that water would run west in the Bevan ditches to the low point of land at the provincially mapped watershed boundary and then infiltrate north towards First Supply Creek.

4.3. Fish and Aquatic Ecosystems

4.3.1. Background Review

There are no waterbodies (e.g., streams, wetlands) or aquatic ecosystem areas mapped on or within 100 m of the Project area (DataBC 2019, CVRD 2019a, VOC 2014b). The nearest aquatic ecosystem (and confirmed fish-bearing waterbody) is approximately 340 m from the Project area (DataBC 2019, CVRD 2019a).

4.3.2. Reconnaissance-level Site Survey

No surface water or evidence of ephemeral aquatic ecosystems were observed on or within 100 m of the Project area, with the possible exception of roadside ditches along Bevan Road, which were dry at the time of the survey (see Section 4.2.2).

4.4. Terrestrial Ecosystems and Plants

4.4.1. Background Review

4.4.1.1. Ecosystems at Risk and Sensitive Ecosystems

The Project area is situated in the CWHxm1 biogeoclimatic zone. All but one of the naturally occurring terrestrial ecosystems (ecological communities) in the CWHxm1 are considered at risk (red or blue-listed) (CDC 2019a). However, the conservation value of forested ecosystems increases as they mature to older structural stages (e.g., old growth forest vs. short shrub) and the vegetation composition trends towards the climax ecosystem which is more representative of the described ecological community (CDC 2019b).

Sensitive Ecosystem Inventory (SEI) mapping for the Comox Valley (CVRD 2019a) does not show any sensitive ecosystems on, or within 100 m of the Project area. The closest mapped sensitive ecosystems are wetlands located approximately 340 m northeast and southwest of the Project area (CVRD 2019a).

A review of historic orthophotographs confirm that the Project area has been subject to recent (2014/2015) logging activity (Section 1.4) (Map 2).

4.4.1.2. Plant Species at Risk

No plant species at risk are documented to occur on the Project area, and none are expected as most plant species at risk that are known to occur in the CWHxm1 and Comox Valley Regional District are associated with shallow soil and wetland ecosystems (CDC 2019a, Appendix D).

4.4.1.3. Invasive Plant Species

No invasive noxious plant species have been documented to occur on or within 100 m of the Project area. Spotted knapweed (*Centaurea stoebe* ssp. *micranthos*), which is considered noxious by the provincial *Weed Control Act*, is the only invasive plant species documented in the vicinity of the Project area. The nearest spotted knapweed occurrence is approximately 900 m southeast of the Project area along Bevan Road at the Comox Valley Waste Management Centre (CVRD 2019a, Map 1).

4.4.2. Reconnaissance-level Site Survey

4.4.2.1. Ecosystems at Risk and Sensitive Ecosystems

Results of the field survey confirmed that the entirety of the Project area, as well as a 100 m buffer surrounding the Project area, is comprised of the provincially red-listed western hemlock – Douglas-fir / Oregon beaked moss (*Tsuga heterophylla* – *Pseudotsuga menziesii* / *Eruhyinchium*) ecosystem. This is the zonal (average) ecosystem that occurs in the CWHxm1 on sites with a very poor to medium nutrient regime and sub-mesic to mesic moisture regime. However, because the entirety of the Project area was recently logged (for the second time in recent history) and is in a shrub seral stage, with only a few residual standing young trees, the ecological value is lower than if the vegetation was at a later seral stage.

Vegetation on the Project area was mostly comprised of young planted and naturally regenerating trees (4-7 years old) and understory shrubs (30-50% cover), as well as herbs (8-20% cover) and mosses (25-35% cover). Some patches of young western redcedar, up to 2 m tall, and dispersed approximately 40-year-old western white pine (*Pinus monticola*) and western redcedar trees, up to 20 m tall (~1% cover), were retained during recent forest harvesting. The majority of the young planted and naturally regenerating trees were Douglas-fir, followed by western white pine, western hemlock and western redcedar. The shrub layer was dominated by salal, followed by Oregon grape and red huckleberry. The herb layer included trailing blackberry (*Rubus ursinus*), twinflower (*Linnaea borealis*), grasses and small sedges. The moss layer was dominated by step moss. It is of note that mature western white pine is rare in the CWH after a white pine blister rust spread through BC in approximately 1930 (Hunt 2009). The Project area supports an unusually high abundance of young specimens of the species. This species root systems are particularly sensitive and located close to the soils surface (MFLNRO 2019).

No ESAs were detected on or within 100 m of the Project area. Specifically, there were no mature terrestrial areas or aquatic ecosystem areas.

4.4.2.2. Plant Species at Risk

No plant species at risk were detected during the reconnaissance-level field survey. Furthermore, none of the plant species at risk present within the CVRD and CWHxm1 (Appendix D) are expected to occur within the Project area based on habitat characteristics observed in the field (i.e., young seral stage, zonal site series).

4.4.2.3. Invasive Plants

No invasive species designated as noxious under the *BC Weed Control Act* were identified in the Project area. However, Scotch broom (*Cytisus scoparius*), a species designated as ‘strategic control’ by the Coastal Invasive Species committee (CISC 2016), was detected on dry disturbed sites including along current and deactivated roads. The ‘control’ designation means that the species should be locally controlled when it poses a threat to sensitive ecosystems or other objectives such as ecosystem restoration. Bull thistle (*Cirsium vulgare*) and oxeye daisy (*Leucanthemum vulgare*), which have recently been removed from the Coastal Invasive Species committee priority lists, were detected sporadically

around the Project area, and along disturbed roadsides and other places with soil disturbance, respectively. Other non-native species that are not identified as priority invasive species such as dandelion and clover also occur in the Project area.

Invasive species surveys were conducted prior to leaf-out of most species. Therefore, an additional invasive species survey should be conducted during the growing season and prior to development proceeding (e.g., June) to identify whether other species currently exist in the Project area.

4.5. Wildlife and Wildlife Habitat

4.5.1. Background Review

4.5.1.1. Species at Risk and of Regional Concern

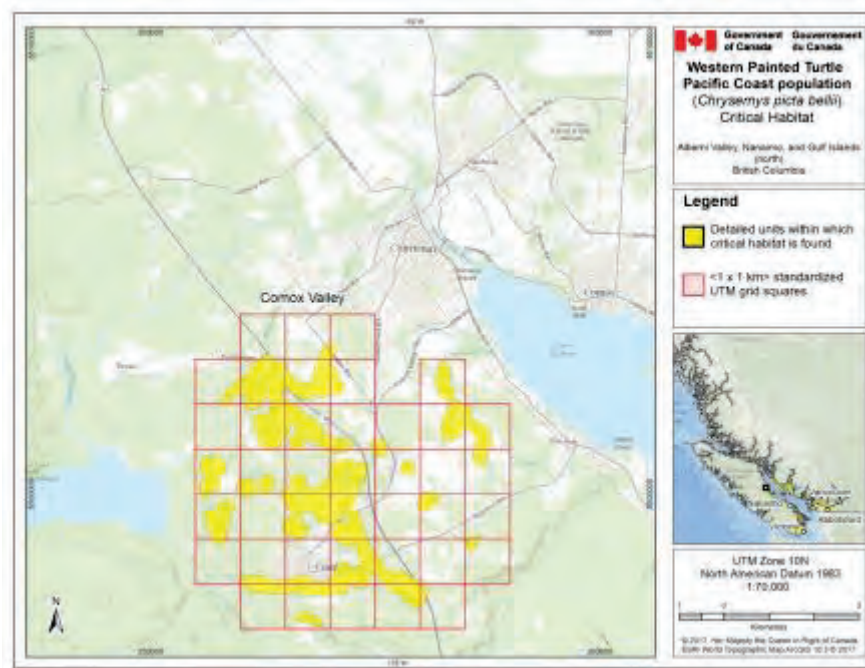
A list of wildlife species at risk and their likelihood of occurrence in the Project area is included in Appendix D.

Herpetofauna

There are no records of amphibian species at risk on or within 100 m of the Project area; however, two amphibian species at risk, Western Toad (*Anaxyrus boreas*) and Northern Red-legged Frog (*Rana aurora*), have been recorded within 5 km, along with other amphibian species that are not considered at risk (DataBC 2019).

There are no records of reptile species at risk on or within 100 m of the Project area; however, Western Painted Turtles (*Chrysemys picta*) have been documented within 5 km of the Project area (DataBC 2019) and critical habitat has been identified in several locations nearby (ECCC 2018), but not overlapping the Project area (Figure 4).

Figure 4. Mapped critical habitat for Western Painted Turtle (ECCC 2018).



Birds

There are no records of avian species at risk on or within 100 m of the Project area (DataBC 2019); however, several avian species at risk have been recorded within 5 km of the Project area. One avian species at risk, Common Nighthawk (*Chordeiles minor*), has been detected in nearby areas (English, pers comm. 2018) during a province-wide survey program. Common Nighthawks nest on the ground from mid-May to late July (BSC 2019). Western Screech-owls (*Megascops kennicottii kennicottii*), Northern Goshawks (*Accipiter gentilis laingi*), and Great Blue Herons (*Ardea herodias fannini*) have also been recorded within 5 km of the Project area. Western Screech-owls nest in cavities in deciduous and mixed wood riparian forests. Northern Goshawks nest and forage in mature and old-growth forest. Great Blue Herons usually nest colonially in mature trees. Therefore, there is no suitable nesting habitat for these species in the Project area. The closest Bald Eagle (*Haliaeetus leucocephalus*) nest (an EVR) is located approximately 900 m southeast of the Project area (WISA 2019) (but there is no nesting habitat in the Project area) (Map 4).

Mammals

There are no records of mammal species at risk on or within 100 m of the Project area (DataBC 2019). Furthermore, no ungulate winter range or wildlife habitat areas have been legally designated or proposed in the vicinity of the Project area (DataBC 2019). However, it is expected that Elk (*Cervus elaphus roosevelti*) migrate north-south through the area as Comox Lake provides a movement obstacle for the species to the west and the Highway 19 provides an obstacle to the east.

Invertebrates

There are no records of invertebrate species at risk on or within 100 m of the Project area (DataBC 2019); however, one invertebrate species at risk, the Common Wood-nymph (*Ceryonis pegala incana*), has a moderate likelihood of occurring in the Project area based on known distribution and habitat requirements including roadsides and clearcuts (Appendix D). The foodplants of the larval Common Wood-nymph are thought to be grasses (E-Fauna BC 2019).

4.5.1.2. Wildlife Habitat Features

No wildlife habitat features have been provincially mapped on or within 100 m of the Project area (Wildlife Habitat Features Layer; DataBC 2019). Wildlife habitat features include structures that are critical to wildlife species such as nest sites or locally important mineral licks. Wildlife habitat features may include wildlife trees, dens or nest sites, mineral licks, basking sites, caves, cliffs, rocky outcrops, aquatic areas, or structures potentially used for bat or avian nesting or roosting.

No aquatic habitats are located on or within 100 m of the Project area (Sections 4.2.2 and 4.3.2).

4.5.2. Reconnaissance-level Site Survey

4.5.2.1. Species at Risk and of Regional Concern

Herpetofauna

No herpetofauna were detected during the field survey. The Project area and surrounding 100 m do not contain moderate or high value amphibian habitat such as wetlands, streams, abundant moist woody debris, or old-growth forest. The lack of surface water on the Project area makes it unsuitable for Western Painted Turtles or breeding Northern Red-legged Frogs and Western Toads. The Project area also does not contain mature forest habitat (including substantial leaf litter and coarse woody debris) required by Wandering Salamander (*Aneides vagrans*). Nevertheless, Western Toads and other amphibian species may migrate across or seek cover in downed wood or soil in the Project area.

Birds

No avian species at risk were detected in the Project area. One Pileated Woodpecker (*Dryocopus pileatus*) was observed feeding on one of the second growth (approximately 20 cm dbh) western redcedar on the Project area. Droppings at the base of the tree indicated the tree was used for perching by other avian species as well, indicating the value of these residual trees on the landscape. Several Bald Eagles and Common Ravens (*Corvus corax*) were observed in the Project area, likely attracted to the area by human food waste at the Comox Valley Waste Management Centre. None of the trees in the Project area were large enough to provide raptor or cavity nesting habitat. Dark-eyed Juncos (*Junco hiemalis*), a songbird that nests in short shrubs, were observed within suitable habitat in the project area. Habitat is likely suitable for Common Nighthawk nesting, however, it is unlikely to provide high to moderately suitable nesting habitat for other avian species at risk.

Mammals

No high or moderate value habitat for mammal species at risk was present in the Project area. Abundant Mule Deer (*Odocoileus hemionus*) sign was observed within the Project area indicating that Mule Deer likely forage on the young vegetation in the area. Roosevelt Elk may occasionally pass through or near the Project area. Although the Project area contains ungulate foraging habitat it has been recently logged and thus does not contain suitable winter foraging habitat or thermal cover, which is largely characterized by a snow-intercepting canopy and is considered to be limiting seasonal habitat for ungulates.

Invertebrates

It is unlikely that invertebrate species at risk would be detected without the use of targeted surveys, which were not conducted during the reconnaissance-level site survey. Nevertheless, clearcut and roadside habitat is not thought to be limiting for the one invertebrate species at risk with a moderate likelihood of occurring in the Project area, the Common Wood-nymph.

4.5.2.2. Wildlife Habitat Features

No significant wildlife habitat features were observed in the Project area and the Project area is not expected to contain any significant wildlife habitat features. The larger residual young standing trees in the Project area were observed to be used for avian foraging and perching (Section 4.5.2.1). No wildlife trails were observed during the reconnaissance-level site survey; however, wildlife likely pass through this area as they travel between seasonal foraging and breeding habitats and water sources.

5. IMPACT ASSESSMENT FOR THE SUBDIVISION AND INSTALLATION OF SERVICING

The development permit application to subdivide Lot D into six properties (Map 2, Drawing 1) involves the administrative exercise of subdivision and land development for installing services (i.e., water, sewer, road access to lots, road drainage) (Wedler 2019), as well as dedication and construction of a greenway. The total area of the subdivision is planned to be 6.18 ha, with the total area of asphalt planned to be 2,742 m², with servicing installation requiring ground disturbance to a maximum depth of 2 m with an average depth of 1.2 m, and an asphalt pumphouse of 3 m x 5 m. In addition, a greenway path is planned to run along Bevan Road as requested by the Village as the park dedication. The total greenway area is planned to be 886 m². As the Project area is within an area zoned as DPA#1 Connectivity area, the development is assessed against relevant bylaw requirements in Appendix A.

At this stage in design development, general potential impacts from the construction and operation of services can be well predicted and general mitigations are provided. Once the servicing contracts have been awarded and detailed designs confirmed, detailed mitigations for some potential impacts must be confirmed and written into future plans, such as an Erosion and Sediment Control Plan and detailed site plans, as per Appendix A to be in compliance with Bylaw No. 990. A summary of potential

impacts of installing servicing for each of the five environmental resource categories is provided below.

5.1. Terrain and Soils

Terrain and soils may be lost, altered or degraded through soil removal, vegetation clearing and grubbing, regrading, excavating, infilling and compaction from machinery and vehicles associated with installation of servicing, construction of roads, and the greenway. Standard mitigation measures to minimize these impacts include minimizing site disturbance outside of the permanent footprint, stockpiling top soils for use in reclamation, and decompacting, rehabilitating and revegetating areas within the temporary construction footprint as soon as possible after construction.

As the Project area is flat, and installation of servicing will not result in ground disturbance below a depth of 2 m, with most servicing at a depth of 1.2 m, Ryzuk (2019) recommended that if trenching is done at a ratio of 1:1 (horizontal: vertical) the potential for erosion or slope instability is low. However, an Erosion and Sediment Control (ESC) will be developed and followed for this work.

Soil may also be contaminated through accidental spills of fuels or other hazardous materials. Standard mitigation measures to minimize the risk of accidental spills include double containment of hazardous materials stored in stationary equipment capable of holding 110% of the fluid contents, maintaining a large spill kit on site and immediately cleaning up accidental spills, placing a containment tray under machinery and vehicles not in use for an extended period of time, and ensuring equipment arrives on site in a clean condition and is well maintained to be free of leaks.

Specific potential impacts and conceptual mitigations are provided in Table 2.

Based on the implementation of prescribed mitigation measures and the scale and location of the anticipated works and activities associated with Project construction and operation, no residual impact to ESAs or EVRs is anticipated. Soil alteration is expected to be limited to the Project area and there is only a low likelihood of accidental spills of fuels or other hazardous materials.

Table 2. Potential impacts and conceptual mitigations for terrain and soils.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
Soils	Soil loss, alteration or degradation, soil erosion	Clearing, grubbing, regrading, excavating, infilling, and soil compaction from machines and vehicles	Clearing, grubbing, site regrading, excavating, infilling and other site disturbance will be minimized to the permanent footprint of impervious surfaces. The area of machine use will be minimized to the extent possible, especially outside of the permanent footprint of impervious surfaces.	Soil alteration within the permanent Project footprint	Develop with Care (MFLNRO 2014)
			Top soils will be stockpiled separately and used to cover exposed mineral soils and for onsite landscaping during site reclamation, if applicable. Stockpiled soils will be covered during wet weather.		
			A sediment and erosion control plan will be developed and implemented for all ground works.		
			Temporarily disturbed areas will be rehabilitated and revegetated, as soon as possible. Rehabilitation will include decompacting soils that were compacted within the temporary construction footprint, if applicable.		

Table 2. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
Soils (continued)	Soil contamination	Accidental spills of fuels or hazardous materials	Accidental spills onto soil or vegetation will be immediately cleaned using appropriate methods and materials (all contaminated soil will be excavated and removed from site to a certified treatment facility with chain of custody documents kept). A large spill kit will be available on site. Stationary equipment containing hazardous fluids will be in double containment capable of holding 110% of the fluid contents. Machines and vehicles not in use for an extended time will have a containment tray placed under the engine. Equipment will arrive on site in a clean condition and will be well maintained and free of fluid leaks.	Low likelihood of accidental spills contaminating soil	Develop with Care (MFLNRO 2014)

5.2. Hydrology and Water Quality

No watercourses occur on the property; however, hydrology and water quality may be altered through impacts to the aquifer and aquatic ecosystems that may be connected to the Project area by surface or subsurface hydrological pathways.

There may be surface connection between the Project area and aquatic ESA's through roadside ditches. The total asphalt area of proposed roads is 2,742m². Although the infiltration rate is expected to be very high (Ryzuk 2019, Lewkowich 2019), during extremely heavy rains, water may be shed from roads in the Project area into roadside ditches adjacent to Bevan Road. Water from these ditches is expected to run northwest towards First Supply Creek. Similarly, potential impacts to the aquifer include an alteration of the infiltration rate or ground water flow patterns resulting from the alteration of landscape slopes and the construction of impervious surfaces. Roadside ditches installed in the Project area will be designed to maximize infiltration thus minimizing the amount of water that leaves the Project area through surface pathways. The specific performance target for onsite rainwater capture and control will be to maintain pre-development flows from the subdivision up to the 5-year design storm. It is proposed that road drainage be managed with rock filled French drains. These have the complimentary effects of providing detention of run-off from the roads, treatment of the rain run off, and detention with infiltration into surrounding soils. Standard mitigation measures to minimize these impacts include managing rainwater in accordance with provincial and federal BMPs (MWLAP 2002a,b, DFO undated). It is also recommended that the Water Balance Model Express online tool, developed for the CVRD (2019b), be consulted to identify specific Low Impact Development (LID) design features that will minimize impacts to hydrology and water quality, such as rain gardens, infiltration swales and chambers. Existing groundwater hydrology will be maintained to the extent possible and natural hydrological patterns will be restored where practicable. The amount of runoff from roads expected to run off the Project area and infiltrate on site should be provided prior to construction and the potential effects of the calculated amount of runoff assessed.

The aquifer and aquatic ecosystems may also be impacted through pollution of ground or surface water resulting from stormwater run off or accidental spills during construction or operation. To avoid potential impacts from accidental spills or wastewater runoff, any concrete or other toxic runoff during construction will be contained and collected so that it does not enter any roadside ditch and any runoff into ditches connected to wetlands or streams will meet BC Approved Water Quality Guidelines for Aquatic Life, Wildlife and Agriculture (MOECCS 2018). An Erosion and Sediment Control Plan will be developed and implemented during construction. All infrastructure will meet or exceed Village requirements including installation of oil-grit separators in storm drains positioned to catch water from all hard-surfaced areas to mitigate potential contamination of the aquifer. This infrastructure is demonstrated to capture 90% of total suspended solids (TSS) and hydrocarbons in the first (most contaminated) storm after prolonged dry periods and all of the TSS and hydrocarbons in subsequent rain events.

Aquatic ecosystems potentially connected during extremely heavy rains to roadside ditches adjacent to the Property may be impacted through the introduction of sediment as a result of clearing, grubbing, regrading, excavating and infilling. To minimize these impacts, standard erosion and sediment control measures will be implemented to control source erosion and prevent sediment from entering roadside or railway ditches. If surface water is present in ditches adjacent to the Project area and these ditches are connected to aquatic ecosystems an Erosion and Sediment Control (ESC) Plan should be developed and implemented. Mitigation measures in the ESC may include minimizing the amount of disturbed ground at any one time and quickly providing surface protection (e.g., mulch, vegetation). In addition, stockpiled soil will be covered with a secured tarp or plastic to prevent runoff, as well as to avoid colonization by invasive plant species. Mitigation measures implemented to minimize impacts to terrain and soils will also minimize impacts to hydrology and water quality.

Water servicing for the property will initially be from an existing well (# 54689) drilled on the property into aquifer 417. This is an unconfined aquifer in the Comox Lake Watershed. This aquifer may be connected to an adjacent aquifer which feeds the Morrison Headwaters, an ecologically sensitive system. Water will not be withdrawn from the well at this phase except for testing. Furthermore, a provincial *Water Sustainability Act* permit is required for future groundwater use from this well. The Province will require confidence that watershed level effects are low before issuing a permit. The permit application for well use cannot be submitted until the property is transferred to the applicant.

Specific potential impacts and conceptual mitigations are provided in Table 3.

Based on the implementation of prescribed mitigation measures and the scale and location of the anticipated works and activities associated with Project construction and operation, minimal residual impact to ESAs or EVRs is anticipated. Soil alteration is expected to be limited to the Project area and there is only a low likelihood of accidental spills of fuels or other hazardous materials. Potential impacts to water infiltration and flow are expected to be small and there is low likelihood of accidental spills that may contaminate ground or surface water. Little to no water is expected to be withdrawn from the aquifer.

Table 3. Potential impacts and conceptual mitigations for hydrology and water quality.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
Aquifer and aquatic ecosystems			Mitigation measures implemented to minimize impacts to terrain and soils will also minimize impacts to hydrology and water quality.		Develop with Care (MFLNRO 2014)
	Pollution of ground water (i.e., aquifer) or surface water	Wastewater discharge during construction or operation	Development and Adherence to an Erosion and Sediment Control Plan (ESC)	Low likelihood of accidental spills or other pollution contaminating ground water or surface water	Federal <i>Fisheries Act</i> , Provincial <i>Water Sustainability Act</i>
			Any runoff from the site will meet BC Approved Water Quality Guidelines for Aquatic Life, Wildlife and Agriculture before entering any ditch that may be connected to a watercourse or other aquatic feature. Any concrete or other toxic runoff will be contained and collected so that it does not enter any ditch that may be connected to a stream or wetland.		BC Approved Water Quality Guidelines: Aquatic Life, Wildlife and Agriculture (MOECCS 2018)
	Accidental spills of fuels or hazardous materials		Any spills will be contained and cleaned up immediately.		

Table 3. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
Aquifer and aquatic ecosystems (continued)	Introduction of sediment to surface water bodies	Earthworks including clearing, grubbing, regrading, excavating, and infilling	If there is surface water in roadside or railway ditches (any time of year) and these are connected to a stream or wetland, then an Erosion and Sediment Control Plan (ESC) will be developed and implemented to prevent sediment contributions to local streams (depending on connectivity to streams, storm water systems and season of construction). Emphasis will be on source erosion control by minimizing the amount of disturbed ground at any one time and quickly providing surface protection with vegetation, mulch etc. Stockpiled soil will be covered with a secured tarp or plastic to prevent runoff.	Low likelihood of sediment entering streams or wetlands	

Table 3. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
Aquifer (continued)	Alteration of infiltration rate and flow patterns	Alteration of landscape slopes and construction of impervious surfaces	Rainwater will be managed in accordance with provincial and federal BMPs (MWLAP 2002, DFO undated). The Water Balance Model Express online tool, developed for the Comox Valley Regional District, will be consulted to minimize impacts to hydrology and water quality. This will include managing rainwater on site and maintaining pre-development drainage flows to the extent possible (i.e., effort will be made to infiltrate 90% or more of mean annual rain water within the footprint of the lot using Low Impact Development (LID) BMP's such as permeable paving, rain gardens, infiltration swales and chambers. Existing groundwater hydrology will be maintained to the extent possible. Natural hydrology patterns will be restored where practicable.	Relatively minor impact to water infiltration and flow	Stormwater Planning: A Guidebook for British Columbia (MWLAP 2002) Standards and Best Practices for Instream Works: Urban Stormwater Management (DFO undated)
Aquifer	Alteration of water level in aquifer or adjacent aquifers	Withdrawal from aquifer	No water will be withdrawn from aquifer at this phase.	None	<i>Water Sustainability Act</i>

5.3. Fish and Aquatic Ecosystems

There are no expected impacts to fish and aquatic ecosystems. Mitigation measures implemented to minimize impacts to hydrology and water quality (Table 3) will also minimize impacts to fish and aquatic ecosystems, which are potentially connected by surface flows to roadside ditches between the Project area and Bevan Road during extremely heavy rains, and to adjacent watersheds through subsurface flows.

5.4. Terrestrial Ecosystems and Plants

Potential impacts to an at risk ecological community includes habitat loss and/ or disturbance and colonization by invasive species. Within the servicing construction footprint, the shrub stage (approximately five years old) of the provincially red-listed western hemlock – Douglas-fir / Oregon beaked moss ecological community will be cleared. Some young western white pine trees (approximately 40 years old), which are not provincially or federally designated as at risk, but are relatively rare due to a historic pathogen epidemic will also be cleared within the construction footprint. Standard BMPs and mitigation measures, including retaining older trees within temporary clearing areas where feasible and revegetating temporary clearing areas with native vegetation as soon as possible, will minimize potential impacts. Areas temporarily disturbed during installation of servicing will be revegetated with native local seed mix or stock if they will not be further developed within a year or before the rainy season (i.e., October-April) to mitigate invasive species colonization and runoff. The risk of colonization of invasive species from machinery, vehicles or crew member belongings will be minimized by standard construction BMPs, such as ensuring machinery and construction crews entering and leaving the site are free of soil and vegetation that may contain invasive plant species or their seeds. If noxious weeds (as per the *BC Weed Control Act*) or high priority weeds (as per the Coastal Invasive Species Committee (CISC 2016)) colonize the Property they will be controlled as per the *Weed Control Act* and BMPs. Mitigation measures implemented to minimize impacts to terrains, soils, hydrology and water quality will also minimize impacts to terrestrial ecosystems and plants.

Specific potential impacts and conceptual mitigations are provided in Table 4.

Based on the implementation of prescribed mitigation measures, the scale and location of the anticipated works and activities associated with Project construction and operation, and the current condition of habitat on the Property, no residual impact to ESAs or EVRs is anticipated. Habitat loss will be limited to the Project area and there is only a low likelihood of introduction of invasive species, or spread of invasive species currently established on and around the Property due to Project construction or operation.

Table 4. Potential impacts and conceptual mitigations for terrestrial ecosystems and plants.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
At risk ecological communities and plants	Disturbance and/or loss of the provincially red-listed western hemlock - Douglas-fir/ Oregon beaked moss ecological community Loss of young western white pine (relatively rare but not considered at risk)	Clearing, grubbing, regrading, excavating, infilling, and soil compaction from machines and vehicles	Mitigation measures implemented to minimize impacts to terrains, soils, hydrology and water quality will also minimize impacts to terrestrial ecosystems and plants. Provincial BMPs (MFLNRO 2014) will be followed to the extent practical to minimize impacts. Project design will minimize Project footprint. Where vegetation clearing is required, mature trees and western white pine will be retained wherever possible. Machine operations and construction activities will be conducted in a manner that minimizes impacts to vegetation, with the intent that vegetation will only be cleared from sites required for construction use.	Loss of young provincially red-listed western hemlock - Douglas-fir / Oregon beaked moss ecological community and western white pine within the Project footprint and minimized disturbance in temporarily disturbed areas	Develop with Care (MFLNRO 2014)

Table 4. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
At risk ecological communities and plants (continued)	Disturbance and/or loss of the provincially red-listed western hemlock - Douglas-fir/ Oregon beaked moss ecological community Loss of young western white pine (relatively rare but not considered at risk) (continued)	Clearing, grubbing, regrading, excavating, infilling, and soil compaction from machines and vehicles (continued)	Machinery will avoid roots of retained trees where possible and temporary fencing will be placed around retained trees to protect root structures (MFLNRO 2014). Specifically, disturbance should be minimized within at least the extent of the trees branches (i.e., the tree's drip line), or within a radius 18 times the tree trunk diameter at breast height. Temporary fencing will be bright orange or another highly visible colour with a minimum height of 1.2 m and supported by poles a maximum distance of 2.5 m from one another. Tree protection plans will be communicated to the construction crew. Use of root barriers and retaining walls will be used as needed to prevent tree-infrastructure conflicts. Coarse woody debris and organic materials will be stockpiled and used for onsite landscaping during site reclamation, if applicable.		

Table 4. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
At risk ecological communities and plants (continued)	Disturbance and/or loss of the provincially red-listed western hemlock - Douglas-fir/ Oregon beaked moss ecological community Loss of young western white pine (relatively rare but not considered at risk) (continued)	Clearing, grubbing, regrading, excavating, infilling, and soil compaction from machines and vehicles (continued)	Organic debris may be piled for burning. Some piles may be left unburned to serve as wildlife habitat where feasible. If debris piles are burned, burning will be of short duration (i.e., < 72 hours) and will be carried out in accordance with permits obtained for that purpose. Debris pile burning would also require a Fire Preparedness Plan to be prepared that outlines measures that must be followed during burning. Other debris disposal options that may be considered include: removal, chipping, scattering or burying. Construction waste will be removed from the site and recycled or appropriately disposed of. Temporarily disturbed areas will be rehabilitated and revegetated with native vegetation, as soon as possible, where feasible.		<i>Environmental Management Act</i> Open Burning Smoke Control Regulation

Table 4. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
At risk ecological communities and plants (continued)	Colonization by invasive species	Introduction of invasive species from machinery, vehicles or crew member clothing	<p>All excavators and other equipment will be pressure washed to removal all soil and vegetation before arriving at site to avoid introducing invasives.</p> <p>Invasive plants and soil contaminated with the weeds and roots will be removed and disposed of at the landfill or buried under adequate fill (i.e. 3-5 m depending on species).</p> <p>If noxious or high priority invasives plants (BC Weed Control Act or Coastal Invasive Species Committee respectively) are already present, machines will be pressure washed before demobilizing from the site.</p> <p>Exposed soil will be densely planted as soon as practical or covered (i.e., with weed barrier and mulch).</p> <p>An invasive species survey should be conducted in the growing season prior to construction to document invasive species and any management recommendations made by a QEP, as well as post construction to verify that no species were introduced.</p>	Low likelihood of introduction of invasive species or spread of invasive species currently established on and around the Property	Provincial <i>Weed Control Act</i> ; Coastal Invasive Species Committee (CISC 2016)

5.5. Wildlife and Wildlife Habitat

Potential impacts to wildlife and wildlife habitat include disturbance or accidental mortality of wildlife, and human-wildlife conflict. Amphibians, reptiles, birds and/or their eggs and/or nests, and other small wildlife with low motility may be destroyed through accidental physical impact during vegetation clearing or from machinery, vehicles or workers. To minimize these potential impacts vegetation clearing and maintenance and potential debris pile burning will not occur during the breeding bird season (March 15 – August 31), if feasible. If not feasible, pre-clearing nest and small wildlife sweeps will be conducted and protective buffers maintained around active nests, as directed by a QEP. If amphibians or reptiles are encountered within the construction area and are at risk of physical impact they will be salvaged and relocated to habitat of equal or higher quality. All terrestrial and semi-aquatic wildlife are at risk of accidental mortality or harm from Project vehicles along roads and may be subject to the effects of accidental spills of fuels or hazardous materials. Standard construction BMPs will minimize this risk (e.g., Project vehicles will follow posted speed limits and use caution). Mitigation measures implemented to minimize impacts to terrain, soils, hydrology, water quality, terrestrial ecosystems and plants will also minimize impacts to wildlife and wildlife habitat.

Wildlife habitat alteration will occur from construction and operation of the facility. Impacts will be partially mitigated by minimizing facility lighting, using wildlife friendly fencing where appropriate for wildlife to pass, and minimizing ground disturbance.

The Project is situated in an area that may be frequented by large mammals including Mule Deer, Roosevelt Elk, Cougars (*Puma concolor*) and American Black Bears (*Ursus americanus*) which may interact and come into conflict with facility workers. All wildlife observations and encounters in the Project area will be reported to the QEP. Speed limits within the Project area will be below 20 km/hr. To minimize the risk of human-wildlife conflict, landscaping will be designed so that cover is not available for large mammals near areas of human activity. In addition, all bear/ wildlife attractants on site will be stored indoors or in animal-proof waste containers and plants that may attract bears, such as berry producing shrubs and fruit-bearing trees, will not be planted in the Project area.

Specific potential impacts and conceptual mitigations are provided in Table 5.

Based on the implementation of prescribed mitigation measures, the scale and location of the anticipated works and activities associated with Project construction and operation, and the current condition of habitat in the Project area, no residual impact to ESAs or EVRs is anticipated. Habitat loss is expected to be limited to the permanent Project footprint and there is only a low likelihood of wildlife mortality through physical impact, accidental spills of hazardous materials and human-wildlife conflict.

Table 5. Potential impacts and conceptual mitigations for wildlife and wildlife habitat.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
Wildlife and Wildlife Habitat			Mitigation measures implemented to minimize impacts to terrain, soils, hydrology, water quality, terrestrial ecosystems and plants will also minimize impacts to wildlife and wildlife habitat.		
Birds and bird nests	Disturbance or mortality to birds and/or their eggs and/or nests (as defined by relevant legislation)	Clearing of vegetation or disturbance from nearby construction activities	Vegetation clearing and maintenance and debris pile burning will not occur during the breeding bird season (March 15 - August 31), when feasible. If not feasible, pre-clearing nest sweeps will be conducted and protective buffers maintained around active nests, as directed by a QEP, prior to the removal or clearing of vegetation.	Low likelihood of mortality to birds and/ or their eggs and/ or of nesting habitat	Provincial <i>Wildlife Act</i> and <i>Wildlife Amendment Act</i> , Federal <i>Species at Risk Act</i> , Federal <i>Migratory Bird Act</i> ; Develop with Care (MFLNRO 2014)
Amphibians, reptiles and small mammals	Mortality of amphibians, reptiles or other small wildlife with low motility	Accidental physical impact from machinery, vehicles or workers	Amphibian, reptile and small mammals will be discouraged or salvaged from the footprint of the proposed facility and relocated to habitat of the same or better quality prior to vegetation clearing or earthworks. Exclusion fencing may be installed around the work area, as directed by a QEP, to prevent the re-introduction of small terrestrial wildlife species into the work area following the salvage. If wildlife migrations through Property (e.g., Western Toad) are encountered, a QEP will be retained direct mitigations.	Low likelihood of mortality to amphibians, reptiles and small mammals	Provincial <i>Wildlife Act</i> and <i>Wildlife Amendment Act</i> , Federal <i>Species at Risk Act</i>

Table 5. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
General wildlife	Mortality or harm to wildlife	<p>Accidental physical impact from machinery, vehicles or construction crew members</p> <p>Accidental spills of fuels or hazardous materials into aquatic habitat</p>	<p>Construction and crew vehicles will follow posted speed limits. If wildlife are encountered on the road they will be provided with ample time and space to move off of the road before the vehicle proceeds.</p> <p>Runoff from the site must meet BC Guidelines for Aquatic Life before entering any ditch that may be connected to a watercourse or aquatic feature.</p>	Low likelihood of mortality to wildlife	<p>Provincial <i>Wildlife Act</i> and <i>Wildlife Amendment Act</i>, Federal <i>Species at Risk Act</i></p> <p>Federal <i>Fisheries Act</i>, Provincial <i>Water Sustainability Act</i>, BC Guidelines for Aquatic Life</p>
	Habitat alteration	Change of use of habitat due to facility	<p>Lighting will be designed to provide the minimum necessary for safety purposes and to minimize light intrusion throughout the parcel.</p> <p>Fencing should be designed according to the guidelines described in A Landowners Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind, Montana Fish Wildlife and Parks, if it is intended for wildlife to pass through the area.</p> <p>The minimum amount of area will be disturbed as practicable including the building footprint, roads and pathways. Thus, habitat structures and connectivity to adjacent lands will be maintained as practicable.</p>		Develop with Care (MFLNRO 2014)

Table 5. Continued.

Environmentally Valuable Resource	Potential Impact	Effect Pathway	Mitigation	Residual Impact	Relevant Legislation and Best Management Practices
General wildlife (continued)	Human-wildlife conflict	Conflict arising from interaction of human workers and/or materials with large mammals that may frequent or pass through the area including Mule Deer, Roosevelt Elk, Cougars and American Black Bears.	Landscaping will be designed so that cover is not available for large mammals near areas of human activity.	Low likelihood of human-wildlife conflict	
		Wildlife (especially American Black Bear) may be attracted to food products or waste, and vegetation planted on the Property.	All bear attractants on site will be stored indoors or in animal-proof waste containers. Plants that may attract bears, such as berry producing shrubs and fruit-bearing trees, will not be planted on the Property.		

6. CLOSURE AND NEXT STEPS

This report fulfills the requirement of a bio-inventory for the Project area to be subdivided, as per the Village of Cumberland's OCP requirements (Bylaw 990; VOC 2014a) and Develop with Care (MFLNRO 2014).

Appendix A provides an assessment of how the development Project and this bio-inventory meet DPA#1 bylaw requirements for a Connectivity Area and should be used alongside the referenced sections of this report to guide formation of permit conditions, if issued.

Overall, in the context of the Project area being recently logged, in the vicinity of an active waste management facility, adjacent to a busy gravel road and active gravel mine, and being located over 340 m from an aquatic ecosystem, sensitive terrestrial ecosystem, park or protected area, land development for servicing is expected to have a relatively minimal impact on the larger watershed area as detailed in Section 5. No ESAs or EVRs requiring buffers were identified on or within 100 m of the Project area, thus no restricted development or buffer zones have been designated.

REFERENCES

- BSC (Bird Studies Canada). 2019. Nesting Calendar Query Tool: Region A2. Available online: <http://www.birdscanada.org/volunteer/pnw/rnest/>. Accessed on April 4, 2019.
- CDC (BC Conservation Data Center). 2019a. BC Species and Ecosystems Explorer. Available online at: <http://a100.gov.bc.ca/pub/eswp/>. Accessed on April 4, 2019.
- CDC (BC Conservation Data Center). 2019b. FAQ: Can mid-seral stages contribute to conservation of ecosystems at risk? Available online at: https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/conservation-data-centre/explore-cdc-data/faq#ecological_communities. Accessed on April 4, 2019.
- CISC (Coastal Invasive Species Committee). 2016. Coastal ISC Priority Invasive Plant List. Available online at: https://www.coastalisc.com/images/Plants/2016_Coastal_ISC_Priority_Plant_List_web.pdf. Accessed on April 8, 2019.
- CVRD (Comox Valley Regional District). 2019a. iMap 3.1. Available online at: <http://imap2.comoxvalleyrd.ca/imapviewer/>. Accessed on March 26, 2019.
- CVRD (Comox Valley Regional District). 2019b. Water Balance Model Express. Available online at: <https://comox.waterbalance-express.ca/>. Accessed on April 11, 2019.
- DataBC. 2019. iMapBC. Available online at: <https://maps.gov.bc.ca/ess/hm/imap4m/>. Accessed on March 3, 2018.
- DFO (Department of Fisheries and Oceans Canada). Undated. Standards and Best Practices for Instream Works: Urban Stormwater Management. Available online at: <http://www.env.gov.bc.ca/wld/instreamworks/downloads/UrbanStormwater.pdf>. Accessed on April 11, 2019.
- EC (Environment Canada). 1996. Technical Pollution Prevention Guide for the Dairy Processing Industry. Available online at: http://publications.gc.ca/collections/collection_2015/ec/En83-6-1996-11-eng.pdf. Accessed on April 10, 2019.
- ECCC (Environment and Climate Change Canada). 2018. Recovery Strategy for the Western Painted Turtle (*Chrysemys picta bellii*) Pacific Coast Population in Canada [Proposed]. *Species at Risk Act* Recovery Strategy Series. Environment and Climate Change Canada, Ottawa. 2 parts, 31 pp. + 59 pp.
- E-Fauna BC. 2019. Electronic Atlas of the Wildlife of British Columbia. Available online at: <http://ibis.geog.ubc.ca/biodiversity/efauna/>. Accessed on April 4, 2019.

- Environmental Management Act* Open Burning Smoke Control Regulation. B.C. Reg. 145/93 O.C. 481/93. Available online at: http://www.bclaws.ca/civix/document/id/complete/statreg/145_93. Accessed on April 11, 2019.
- Fisheries Act* (R.S.C., 1985, c. F-14). Available online at: <https://laws-lois.justice.gc.ca/eng/acts/f-14/>. Accessed on April 4, 2019.
- Green, R.N. and K. Klinka. 1994. A Field Guide for Site Identification and Interpretation for the Vancouver Forest Region. Land Management Handbook Number 28. Province of British Columbia, Ministry of Forests. Available online at: <https://www.for.gov.bc.ca/hfd/pubs/docs/Lmh/Lmh28.htm>. Accessed on April 3, 2017.
- Hunt, R.S. 2009. History of western white pine and blister rust in British Columbia. *The Forestry Chronicle*. July/August 2009, Vol 85 (4). Available online at: <https://pubs.cif-ifc.org/doi/pdf/10.5558/tfc85516-4>. Accessed on April 10, 2019.
- LEA (Lewkowich Engineering Associates Ltd.). 2019. Phase I Environmental Site Assessment. Proposed Lot D, Bevan Road, Cumberland, BC. Consultant's reported prepared for Tree Island Yogurt. January 15, 2019.
- Local Government Act [RSBC 2015]. 2015. Available online at: http://www.bclaws.ca/civix/document/id/lc/statreg/r15001_00. Accessed on April 4, 2019.
- McElhanney (McElhanney Consulting Services Ltd.). 2018. Sketch plan of proposed subdivision of part of Section 34, Township 10, Comox district. Drawing prepared by McElhanney Consulting Services Ltd in October 2018.
- MFLNRO (BC Ministry of Forests, Lands and Natural Resource Operations). 2014. Develop with Care. Available online at: <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices/develop-with-care>. Accessed on April 4, 2019.
- MFLNRO (BC Ministry of Forests, Lands and Natural Resource Operations). 2019. Western white pine. Available online at: <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/silviculture/tree-species-selection/tree-species-compendium-index/western-white-pine>. Accessed on April 8, 2019.
- Migratory Birds Convention Act*, S.C. 1994. Available online at: <https://laws-lois.justice.gc.ca/eng/acts/M-7.01/page-1.html>. Accessed on November 01, 2018.
- MOE (BC Ministry of Environment). 2019. Urban Stormwater Management BMPs. Available online at: <http://www.env.gov.bc.ca/wld/instreamworks/urbanstormwater.htm>. Accessed on April 10, 2019.

- MOECCS (BC Ministry of Environment and Climate Change Strategy). 2018. BC Approved Water Quality Guidelines: Aquatic Life, Wildlife and Agriculture. Water Protection & Sustainability Branch. March 2018. Available online at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/waterquality/wqgs-wqos/approved-wqgs/wqg_summary_aquaticlife_wildlife_agri.pdf. Accessed on April 11, 2019.
- MOF (BC Ministry of Forests). 2010. Field Manual for Describing Terrestrial Ecosystems 2nd Edition. Land Management Handbook 25. Victoria BC. Available online at: [http://www.for.gov.bc.ca/hfd/pubs/Docs/Lmh/Lmh25/Lmh25_ed2_\(2010\).pdf](http://www.for.gov.bc.ca/hfd/pubs/Docs/Lmh/Lmh25/Lmh25_ed2_(2010).pdf). Accessed on March 26, 2019.
- Munsell (Munsell Color). 2009. Munsell Soil Color Charts; With Genuine Munsell Color Chips. 68 p.
- MWLAP (BC Ministry of Water, Land and Air Protection). 2002a. Stormwater Planning: A Guidebook for British Columbia. Available online at: <https://www.toolkit.bc.ca/resource/stormwater-planning-guidebook-british-columbia>. Accessed on April 10, 2019.
- MWLAP (BC Ministry of Water, Land and Air Protection). 2002b. Environmental Best Management Practices for Urban and Rural land Development in British Columbia. Available online at: http://www.env.gov.bc.ca/wld/documents/bmp/urban_ebmp/urban_ebmp.html. Accessed on April 10, 2019.
- RIC (Resources Inventory Committee). 2000. Standard for Terrestrial Ecosystem Mapping (TEM) – Digital Data Capture in British Columbia. Province of British Columbia: Ecosystem Technical Standards and Database Manual. Available online at: <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/nr-laws-policy/risc/tem.pdf>. Accessed on November 5, 2018.
- Riparian Areas Protection Act* Riparian Area Regulation B.C. Reg. 376/2004. O.C. 837/2004. Available online at: http://www.bclaws.ca/civix/document/id/complete/statreg/376_2004. Accessed on April 4, 2019.
- Riparian Areas Protection Act*. [SBC 1997] Chapter 21. Available online at http://www.bclaws.ca/civix/document/id/complete/statreg/97021_01. Accessed on April 4, 2019.
- Ryzuk (Ryzuk Geotechnical Engineering and Materials Testing). 2019. Proposed Dairy Facility – Bevan Road, Cumberland BC. Consultant’s report dated April 4, 2019.
- Schnorbus, M.A. 2018. Climate change impacts on hydrology for the Comox Lake watershed. Report prepared for the Comox Valley Regional District by the Pacific Climate Impacts Consortium, Victoria, BC. April 2018.

- Species at Risk Act*, S.C. 2002, c.29. Available online at: <http://laws-lois.justice.gc.ca/PDF/S-15.3.pdf>. Accessed on April 4, 2019.
- VOC (Corporation of the Village of Cumberland). 2014a. Village of Cumberland Official Community Plan Bylaw No. 990. Available online at: <https://cumberland.ca/wp-content/uploads/2014/03/Bylaw-990-OCP-2014-03-20-proposed-amendments-OPT.pdf>. Accessed on January 30, 2019.
- VOC (Corporation of the Village of Cumberland). 2014b. Map of Development Permit Areas. Available online at: <https://cumberland.ca/wp-content/uploads/2013/07/Map-C-Development-Permit-Areas-Overview.pdf>. Accessed on April 10, 2019.
- VOC (Corporation of the Village of Cumberland). 2014c. Development Permit Area Guidelines. Available online at: <https://cumberland.ca/wp-content/uploads/2012/05/DPA1-Environmental-Protection.pdf>. Accessed on January 30, 2019.
- Water Sustainability Act* [SBC 2014] Available online at: <http://www.bclaws.ca/civix/document/id/complete/statreg/14015>. Last accessed March 5, 2019.
- Wedler (Wedler Engineering LLP. 2019. Civil Servicing Review Proposed 7 Lot Subdivision – Bevan Road, Cumberland, BC. Consultant’s letter to Scott Diguistini on May 14, 2019.
- Weed Control Act* [RSBC 1996] Chapter 487. Available online at: http://www.bclaws.ca/civix/document/id/complete/statreg/96487_01#section2. Accessed on April 4, 2019.
- Wildlife Act*, R.S.B.C 1996. Available online at: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96488_01. Accessed on April 4, 2019.
- WTSA (Wildlife Tree Stewardship Atlas). Available online at: <http://cmnmaps.ca/wits/>. Accessed on April 4, 2019.

Personal Communications

- Delaney, Coleen. 2019. Contaminated Sites Officer, BC Ministry of Environment and Climate Change Strategy. Email communication with Scott DiGuistini titled Site 4623 - Bevan Road (Former Mine Site), Cumberland on August 30, 2019.
- English, Phalina. 2018. Post-doctoral Research Biologist, Simon Fraser University. In person communication with Leah Ballin, Ecofish Research Ltd in October 2018.

PROJECT MAPS



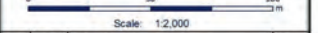
TREE ISLAND
Wildlife Habitat Plots

- Legend**
- Wildlife Habitat Plot
 - Proposed Subdivision Lot
 - Parcel Boundary

* The locations of the Proposed Subdivision Lot and Parcel Boundary are approximate.



MAP SHOULD NOT BE USED FOR LEGAL OR NAVIGATIONAL PURPOSES



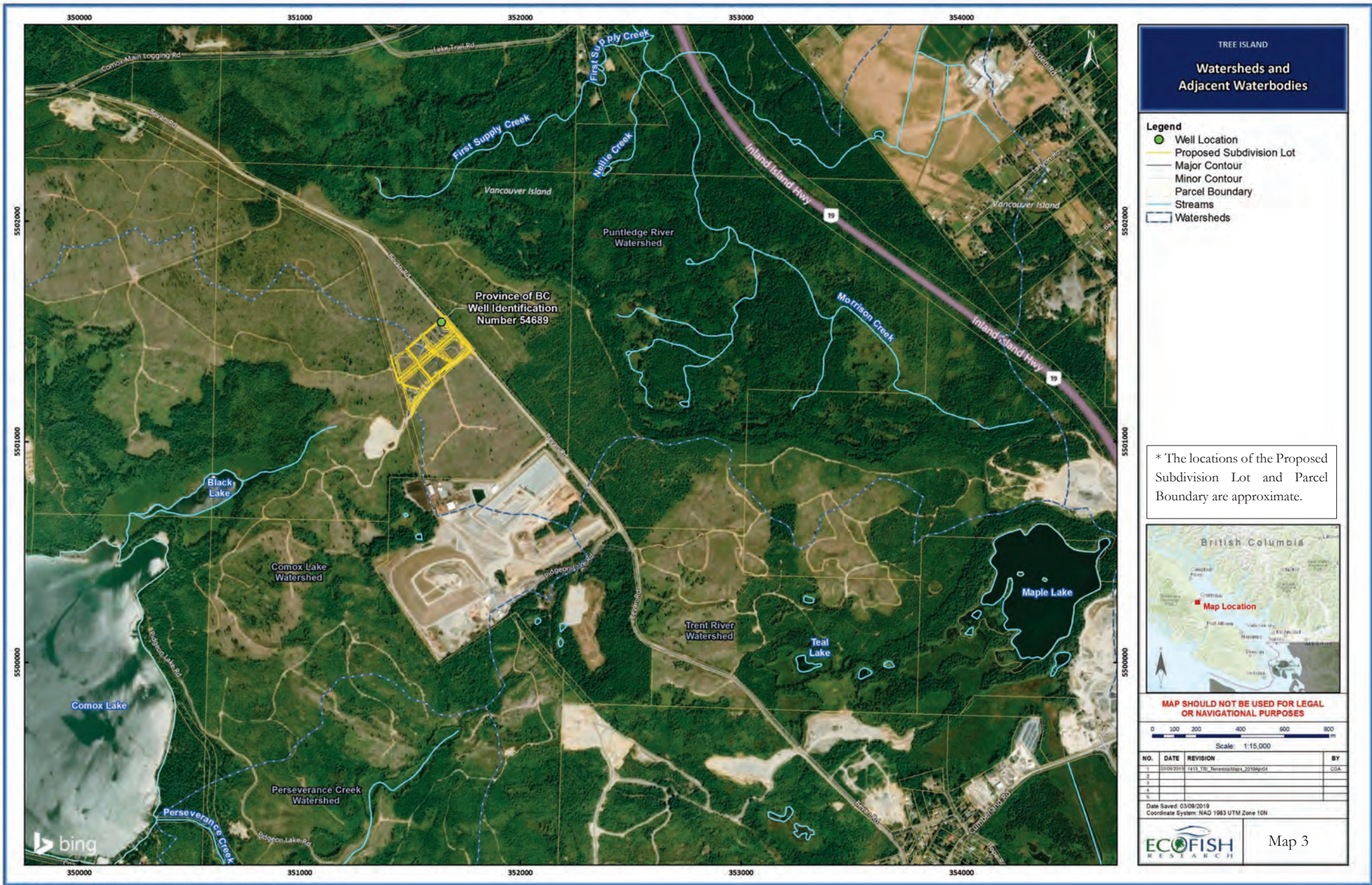
NO.	DATE	REVISION	BY
1	03/09/2018	1413_TRI_WildlifeHabitatPlots_3167_20190903	COA
2			
3			
4			
5			

Date Saved: 03/09/2018
Coordinate System: NAD 1983 UTM Zone 10N



Map 2

Path: M:\Projects-Active\1413\MXD\Overview\1413_TRI_WildlifeHabitatPlots_3167_20190903.mxd



TREE ISLAND
**Watersheds and
 Adjacent Waterbodies**

- Legend**
- Well Location
 - Proposed Subdivision Lot
 - Major Contour
 - Minor Contour
 - Parcel Boundary
 - Streams
 - Watersheds

* The locations of the Proposed Subdivision Lot and Parcel Boundary are approximate.



MAP SHOULD NOT BE USED FOR LEGAL OR NAVIGATIONAL PURPOSES

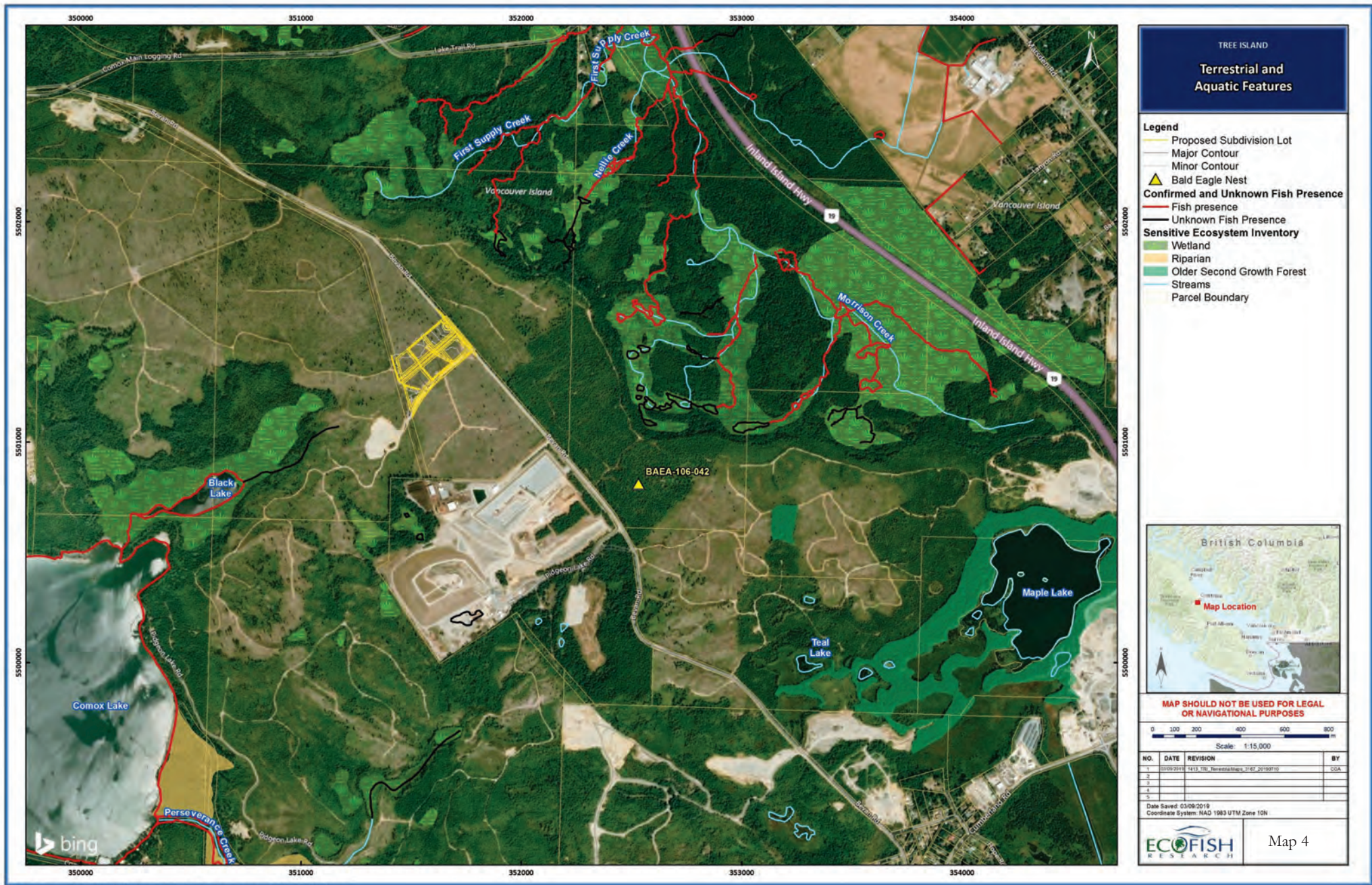
0 100 200 400 600 800
 Scale: 1:15,000

NO.	DATE	REVISION	BY
1	03/09/2019	1413 TRI Remediation 2019Map01	COA
2			
3			
4			
5			

Date Saved: 03/09/2019
 Coordinate System: NAD 1983 UTM Zone 10N



Map 3



Path: M:\Projects-Active\1413\MXD\Overview\1413_TR1_TerrestrialMaps_3167_20190710.mxd

DRAWINGS

APPENDICES

Appendix A. Village of Cumberland Bylaw 990 requirements and how they are addressed in this report

LIST OF TABLES

Table 1. Development Permit Area #1 Environmental Protection Guidelines – General Requirements. 1

Table 2. Development Permit Area #1 Environmental Protection Guidelines – Connectivity Areas. 9

Table 1. Development Permit Area #1 Environmental Protection Guidelines – General Requirements.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
1	Biological site inventory (bio-inventory) according to the procedures described in Develop with Care 2012 - Environmental Guidelines for Urban and Rural Land Development in British Columbia, Appendix B and amendments hereto, prepared by the Ministry of Forest Lands and Natural Resource Operations.	Develop with Care (2012, 2014) was followed for the current study, as per Section 1.1.	Complete
2	The bio-inventory should be prepared by a qualified professional biologist together with other professionals of different and relevant expertise, as the project warrants.	The report was prepared by qualified professional biologists, a professional forester and a professional geoscientist and reviewed by a senior professional biologist with expertise in wildlife and terrestrial ecology, hydrology, hydro-geology and geology, and construction environmental management, as per the report cover.	Complete
	If wetlands and riparian areas exist within the development area, hydrologists and hydro-geologists should be consulted to ensure the proper hydrological function is maintained within these ecosystems.	No wetlands or riparian areas are present in or within 100 m of the Project area, as per Section 4.2.	Complete
	A professional geoscientist should be consulted if there is erosion potential or slope instability.	There is low potential for erosion or slope instability, as determined by geoscientists (Ecofish, Ryzuk Geotechnical), as per Section 4.1 and 5.1.	Complete
	The consultant or team of consultants should have an understanding of wildlife biology—especially for species at risk, geomorphology, environmental assessment, and development planning in British Columbia, specific expertise in the wildlife species, wildlife habitat, and ecosystems of the West Coast region is highly preferred.	The consultant team has an understanding of wildlife biology—including for species at risk, geomorphology, environmental assessment, and development planning in British Columbia, and specific expertise in the wildlife species, wildlife habitat, and ecosystems of the West Coast region.	Complete

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 1. Continued.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
3	The bio-inventory shall:		
	a) Be in accordance with Develop with Care 2012: Environmental Guidelines for Urban and Rural Land Development in British Columbia (DWC) or most current edition, and with reference to Appendix B: Bio-inventory Terms of Reference.	Develop with Care (2012, 2014) was followed for the current study, as per Section 1.1.	Complete
	b) Locate the parcel relative to watershed area(s) and describe the hydrological features of the parcel—including water shedding, collecting and conveyance areas.	A map of the Project area relative to the watershed areas is provided in the Project Maps section at the end of the report and the hydrological features of the land are described in Section 4.2.	Complete
	c) Examine the natural environmental features within the parcel—including rare and threatened plant communities, endangered species listed under the <i>Provincial Wildlife Act</i> and the Federal <i>Species At Risk Act</i> (SARA) and any identified critical habitats for those species, and other important habitat features.	The natural environmental features of the Project area are examined within the report, as per Section 4.4 and 4.5.	Complete
	d) Provide a description and map(s) showing the boundaries of Environmentally Sensitive Areas—including 30.0 metres from the natural boundary of terrestrial areas, and 30.0 metres from the natural boundary of watercourses, wetlands and lakes, and 30.0 metres from the top of the bank of a watercourse, where a bank is within 15.0 metres of the natural boundary of the watercourse). Determine the restricted development and buffer zones on the parcel through an explanatory, reference or legal survey plan prepared by a BC Land Surveyor that shows these boundaries (refer to Section 4, Table 4.1 <u>Develop With Care</u> for recommended target buffer distances for biodiversity conservation).	No Environmentally Sensitive Areas were detected within the Project area, nor are any Terrestrial or Aquatic Ecosystem Areas identified in the OCP, as per Section 5. Therefore, no restricted development or buffer zones are necessary to protect ESAs in the Project area or within 100 m of the Project boundary.	Complete
	e) Examine the impact of the proposed development on the soils, vegetation, watercourses, wildlife, and hydrology in all restricted development and buffer zones; and provide development pattern and servicing recommendations to minimize these impacts.	No restricted development or buffer zones identified in the Project area, as per Section 5.	N/A
	f) Examine pre-development water quality and quantity on the site and provide mitigation and enhancement strategies to maintain pre-development water quality and quantity for the restricted development zones and buffer areas.	Groundwater quality data provided by Maxxam is presented in Wedler (2019b) and regional precipitation water quantity is described, as per Section 4.2. No surface or groundwater (examined to 2.3 m depth) observed during Ecofish or Ryzduk survey, thus no surface water quality or quantity data collected, as per Section 4.2, nor are restricted development zones or buffers exist within the Project area or within 100 m of the Project area, as per Section 5. Some pre-development water quantity data can be derived from the well pump test data that was collected during construction of the well as per Wedler 2019b.	Complete

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 1. Continued.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
3	The bio-inventory shall:		
	g) Examine the impact of the proposed development on the larger watershed area(s) including watercourses, habitat connectivity, water quality and quantity upstream and downstream, and possible cumulative hydrological impacts that may result; and provide development pattern and servicing recommendations to minimize them.	Section 5 of the bioinventory report provides an examination of the impact of the current proposed development on the natural environment in the Project area and the greater watershed. The potential impacts of the proposed development on the larger watershed are expected to be low. The potential impacts on groundwater recharge and/or watercourses > 100 m from the property as a result of impervious surfaces due to development are expected to be low. Infiltration capacity in the Project area is already high and infrastructure will be designed to maximize infiltration. However there is potential for stormwater runoff into existing ditch systems located on Bevan Road and into downstream waterbodies, especially for a storm larger than a current 5-year storm. Runoff is expected to flow to the northwest (i.e., First Supply Creek/ Puntledge watershed) based on 1 m contours. Water quality and quantity effects from runoff will be mitigated with stormwater infrastructure designed to Village standards, development of an Erosion and Sediment Control plan and adoption of other current best management practices, as per Section 5.2. No water is expected to be withdrawn at this phase thus watershed level effects from water withdrawal were not assessed, however, they will be assessed by the Province and project biologists as a component of the Water Sustainability Act application process. Wildlife may cross the Project area, however, the Project area does not contain known specific characteristics favorable for wildlife to use as a corridor as compared to the surrounding area. Impacts assessed and recommendations provided in Sections 5.4 and 5.5.	Complete
	h) Recommend appropriate timing of works associated with development in order to minimize impacts to wildlife during migration, breeding, birthing, and rearing seasons.	All work will be completed outside of the breeding bird season (March 15 - August 31) in order to minimize impacts to wildlife. If work cannot be completed outside of the breeding bird season, then pre-clearing nest and small wildlife sweeps will be conducted and protective buffers maintained around active nests, as directed by a QEP. Recommendations for appropriate timing of works, and associated mitigations, are provided in Sections 5.5.	Complete

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 1. Continued.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
4	The detailed bio-inventory is used to create the site plan. The site plan and development design must include:		
	a) Detailed drawings or plans clearly describing the proposed structures and the materials and type of construction to be employed, including a cross section of the proposed structure and its layout on the ground;	The conceptual and design drawings of the subdivision are included in the 'Drawings' section of the bio-inventory.	Complete
	b) A detailed description of existing structures near the proposed structure or area of work;	No structures are currently present on or in the vicinity of the Project area. The closest structure is the waste management facility, located approximately 500 m to the southwest of the Project area, and gravel roads which abut the north and east sides of the Project area, as per Section 1.3 and 1.4.	Complete
	c) A detailed drawing or plan clearly describing any area of the removal of rock, gravel, or soil;	Groundworks will be conducted for servicing the subdivision, as per the 'Drawings' section of the report. Detailed designs for the removal of rock, gravel and soil are not provided at this time.	Complete
	d) The reason and purpose of the work;	The purpose of work is to subdivide and service the land, as described in Section 1.	Complete
	e) The name of the contractor, if any, who will do the work;	The contractor has not yet been identified.	Not Required
	f) Time required for completion in calendar days;	The time required for completion of subdivision and servicing development has not yet been identified.	Not Required
	g) Any further information required by the Village to ensure compliance with this bylaw, including construction design or structural details of any part of the proposed works;	Design drawings for the subdivision including for servicing are provided in the 'Drawings' section of the bio-inventory. The Village has not requested additional information at the time of submission of this report.	Partial - future phase
	h) A description of how environmental protection DPA requirements will be met, and how any issues identified in the bio-inventory will be mitigated, and how recommended mitigation measures will be achieved;	Description of how DPA requirements will be met and recommendations for mitigations are provided in Section 5 of the bio-inventory and in this table.	Complete
	i) Any replanting prescription for vegetation in disturbed areas that is prescribed by the bio-inventory report;	No replanting prescriptions are provided at this time, however revegetation of temporarily disturbed areas, including for greenway construction, should be done as soon as practicable following disturbance to minimize colonization of invasive species.	Not Required
	j) A copy of any applicable federal and provincial approvals.	Provincial approvals will be required for potable water through the <i>Water Sustainability Act</i> for water extracted from the ground, and sewer through the <i>Waste Management Act</i> . The WSA application will be submitted following acquisition of the Project area by the applicant (estimated as September 30, 2019), as required by the province. Further, no water will be withdrawn at this phase.	Future phase

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 1. Continued.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
5	As a condition of the development permit and in accordance with the bio-inventory for the project, the Village may require monitoring of the development by a qualified professional such as a professional engineer or biologist.	A Qualified Environmental Professional will be retained to ensure development is conducted in accordance with the Development Permit, the bioinventory, and applicable BMP's. The QEP will conduct surveys for active bird nests and other wildlife with low motility (i.e., amphibians and reptiles) prior to any vegetation removal or grubbing in the breeding bird season (April 15 - August 31), as per Sections 5.	Complete
6	Should damage occur to an environmentally sensitive area during development, the Village shall require, at the developer's cost: a) A Professional assessment and report on the damage incurred along with recommended mitigations;	No ESAs were found to occur on the property. However, a QEP will be retained to ensure development is conducted in accordance with the Development Permit, the bioinventory, and applicable BMP's. If damage occurs to an ESA the QEP will provide an assessment of the damage and recommend mitigations, as per Section 5.	Complete
	b) Full mitigation and rehabilitation of the impacted ESA.	If damage occurs to an ESA, the QEP will oversee mitigation and rehabilitation of the impacted ESA.	Complete
7	Development design must reflect the objectives and guidelines of the <u>Standards and Best Practices for Instream Works, Land Development Guidelines for the Protection of Aquatic Habitat, Stormwater Management: A Guidebook for British Columbia</u> , <u>Develop with Care Environmental Guidelines for Urban and Rural Land Development in British Columbia</u> (Section 3 - Guidelines for Ecosystems and Species Protection and Section 4), <u>Access Near Aquatic Areas: A Guide to Sensitive Planning, Design and Management</u> and other best management practices guides produced by the provincial government.	Subdivision servicing should follow the BMPs and reflect the objectives and guidelines of Stormwater Management: A Guidebook for British Columbia and Develop with Care Environmental Guidelines for Urban and Rural Land Development in British Columbia (Section 3 - Guidelines for Ecosystems and Species Protection and Section 4), as per Section 5.2. No aquatic ecosystem areas or features occur within the Project area thus the remaining listed guidance does not apply.	Partial - future phase

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 1. Continued.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
8	Plan, design, and implement land development and subdivision in a manner that:		
	a) Supports the maintenance and restoration of natural system functions including watercourse, and groundwater recharge; hydrology	No watercourses occur in the Project area. Roadside ditches will be designed to maximize infiltration, as per Section 5.2 .	Complete
	b) Preserves natural features including soil, watercourses, groundwater, and native shrubs, groundcover and tree cover;	The subdivision will include ground disturbance for servicing and greenway construction. Natural features or the functions of natural features will be preserved where feasible and/ or planned, as per Section 5.1.	Complete
	c) Maintains connectivity and linkages with adjacent sensitive ecosystems and other habitat areas and minimizes fragmentation;	No sensitive ecosystems or important habitat areas were detected on or immediately adjacent to the Project area, as per Section 4.4 and 4.5. No park dedication to protect connectivity through the area is provided by the development as the park dedication is being aloted to a greenway for human travel. Prior to future development in the area, connectivity corridors for wildlife between key habitats including Comox Lake and Morrison headwaters should be planned and set	Complete
	d) Protects endangered, threatened, or vulnerable species or plant communities by avoiding disturbance to sites where rare plants are growing and where rare natural plant communities occur;	No mature communities at risk or rare plants were detected in the Project area as per Section 4.4.	Complete
	e) Maintains critical habitat structures such as old trees, snags, trees with cavities, and ephemeral wetlands.	No critical habitat structures were identified in the Project area, as per Section 4.4.	Complete
9	Retain mature vegetation wherever possible and incorporate it into the design of the project.	No mature vegetation occurs in the Project area as per Section 4.4. Vegetation will be disturbed for servicing during subdivision. Young trees that were left after the property was last logged should be left standing outside of the footprint required for construction of servicing, as per Section 5.4.	Complete
10	Demonstrate that a diligent effort has been made in site design to:		
	a) Preserve both the natural vegetation and tree cover; or	Historical forest densities and hydrological function will not be restored as the Project area is zoned for and planned to be an industrial area. However, BMPs for stormwater management will be followed to minimize alteration to hydrological function, as per Section 5.2.	Complete
	b) Restore historical forest densities and hydrological function.		Complete

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 1. Continued.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
11	Prevent disturbance of nesting sites and breeding areas. Animals must have access to the habitat that supports their reproduction in order to ensure future generations.	No specific nesting sites or breeding areas were identified in or immediately adjacent to the Project area as per Section 4.5. Nevertheless, all work should be completed outside of the breeding bird season (March 15 - August 31) in order to minimize potential impacts to wildlife. If work cannot be completed outside of the breeding bird season, then pre-clearing surveys for active bird nests and other wildlife with low motility (i.e., amphibians and reptiles) will be conducted and protective buffers maintained around active nesting sites and breeding areas, as directed by a QEP. Recommendations for appropriate timing of works, and associated mitigations, are provided in Sections 5.5.	Complete
12	Schedule work during times when impacts to wildlife will be minimal, including: a) Outside of known wildlife migration seasons. b) Outside of breeding, birthing, and rearing seasons (refer to Section 4 of 2012 Develop with Care Manual for breeding season least risk windows).	No high or moderate value migration habitat was detected in the Project area, as per Section 4.5. All work should be completed outside of the breeding bird season (March 15 - August 31) in order to minimize impacts to wildlife. If work cannot be completed outside of the breeding bird season, then pre-clearing nest and small wildlife sweeps will be conducted and protective buffers maintained around active nests, as directed by a QEP. All wildlife sightings should be provided to the QEP. Recommendations for appropriate timing of works, and associated mitigations, are provided in Sections 5.5.	Complete Complete
13	Preserve existing and potential connections to adjacent Terrestrial, Aquatic and Connectivity Areas by maintaining native shrub, groundcover and tree cover between habitats.	There are no Terrestrial or Aquatic Ecosystem areas adjacent to the Project Area as per Section 4 and Map 4.	Complete
14	Prevent foreign material from entering into any restricted development areas, including—without limitation—greases, oils, gasoline, sediments, and other contaminants during and after the construction phase of the proposed development.	No restricted development or buffer zones identified on or adjacent to the Project area, as per Section 5.	N/A
15	Design lighting on developments to provide the minimum necessary for safety purposes and to avoid light intrusion throughout the parcel.	No lighting will be installed for the subdivision.	Complete
16	Any fencing should be designed according to the guidelines described in A Landowners Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind , Montana Fish Wildlife and Parks.	No fencing will be installed for the subdivision.	Complete
17	Manage rainwater in accordance with the Water Balance Model or the most recent integrated watershed management or rainwater policy and design manual. This includes managing rainwater on site and maintaining pre-development drainage flows.	Subdivision servicing and site design will follow BMP's for rainwater management. Specifically, roads and ditches will be designed to manage most rainwater on site and maintain pre-development infiltration, as per Section 5.2.	Complete

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 1. Continued.

OCP Section	DP Language	Addressed in this report	Status
10.1.5	DPA#1 EP Guidelines – General Requirements		
18	Encroachment into the DPA by all development activities will not exceed that indicated in the site plan approved in the development permit. All development activities will avoid or minimize disturbance in the DPA beyond the building footprint. This may mean adjusting conventional practices with respect to locating machinery and stockpiles relative to excavations, use of hand labour as opposed to machinery, etc.	Development will not encroach on land outside of the Project area, unless permission provided in writing by landowner. Currently encroachment is planned for a hammerhead in the Village ROW as per the Drawing.	-
19	Prior to any development activity, the boundaries of restricted development and buffer zones identified in the bio-inventory will be clearly marked with a bright orange or other highly visible temporary fence with a minimum height of 1.2 meters and supported by poles a maximum distance of 2.5 meters from one another. This fence will remain in place throughout clearing, site preparation, construction, or any other form of disturbance.	No restricted development or buffer zones are identified in the Project area, as per Section 5.	N/A
20	Ensure that the roots of trees are protected during construction. The roots of mature trees typically extend from 1–3 times the height of the tree from the tree’s trunk and are found within 30.5–38.1 centimeters of the soil surface. Damage to these roots (especially in mature trees) can impede the tree’s ability to obtain water and nutrition and can cause it to fall or blow over. Communicate tree protection plans to everyone involved in the project.	No mature trees exist on the property. Young trees (i.e., 30-80 years old) that will not be removed for the facility will be protected from construction activities. Trees that are within planned retention areas will be protected with orange drift fence as per Section 4.4.	Complete
21	Any trail or pathway development must: a) Minimize the impacts of recreational use on restricted development zones and adjacent natural areas and systems; b) Adhere to the Village’s trail and pathway design and construction practices for ESADP Areas; c) Be designed to prevent motorized vehicle use to the maximum extent possible.	No restricted development zones exist in the Project area. Recreational use will be restricted to the greenway location chosen by the Village, as per Map 2. No maintenance of natural areas is included in the site plan. The greenway will adhere to the Village’s trail and pathway design and construction practices for ESADP Areas, as per Section 5. The subdivision is zoned industrial and requires motorized vehicle use. There is a dedicated greenway that will facilitate access by alternate methods.	Complete Complete Complete
22	When establishing watercourse and riparian buffer zones, consider the needs of all species and not just fish. For example, SPEAs established using the Riparian Areas Regulation methodology focus on the needs of salmon and trout and may not adequately protect other species such as amphibians, birds, and small mammals.	No watercourse or riparian buffer zones occur in the Project area or in the near vicinity, as per Section 4.3 and Map’s 2-4.	N/A

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Table 2. Development Permit Area #1 Environmental Protection Guidelines – Connectivity Areas.

OCP Section	DP Language	Addressed in this report	Status
10.1.6.3	DPA#1 EP Supplemental Guidelines – Connectivity Areas		
1	The following requirements apply to all development permit applications in all Connectivity Areas.		
	a) Locate development within the parcel where it will cause the least impact to natural habitat and the movement of native fauna between adjacent areas	The Project area is comprised of relatively uniform ecological characteristics. The development makes use of existing disturbance. Future development in Bevan area should include dedicated areas for wildlife movement through watershed.	Complete
	b) New road development within Connectivity Areas should be avoided to the maximum extent possible	Roads have been minimized to the extent possible.	Complete
	c) If new road development cannot be avoided, the length and width of road development must be minimized and:	Roads have been minimized to the extent possible.	Complete
	i) Appropriate wildlife crossing infrastructure as determined by the mitigation measures described in the bio-inventory must be designed and installed, using best practices for mitigating the effects of roads on local species	Speed limits should be set and posted to minimize the likelihood of collisions with wildlife, as per Section 5.5.	Complete
	ii) Establish Wildlife Traffic Zones with appropriate traffic warning signage and reduced speeds to mitigate dangers to the public and wildlife mortality threats	Appropriate speed limits (20 km/ hr) will be posted to mitigate dangers to humans and wildlife, as per Section 5.5.	Complete
	d) The location of recreational trails and pathways shall be in accordance with current Best Management Practices in British Columbia, including but not limited to <u>Develop with Care 2012–Environmental Guidelines for Urban and Rural Land Developments in British Columbia</u> and <u>Environmental Best Management Practices for Urban and Rural Land Development</u> (Section 3 Site Development and Management and Fact Sheet #5-Parks).	The Bevan greenway will be constructed in accordance with current best management practices and Village requirements, as per Section 5.	-
	e) To the maximum extent possible, the distribution and intensity of native vegetation and cover should be maintained throughout the property.	Subdivision, servicing and greenway construction will cause ground disturbance. The function of natural cover, such as infiltration will be restored to the extent possible	Complete
	f) Conserve trees in communities (groups of trees along with their associated understory) rather than isolating individual specimens. Groups of trees form a larger intact ecosystem and are more likely to maintain the important characteristics of the ecosystem over time than a few scattered trees. However, some ecosystems are characterized by or may contain some isolated trees and their conservation as well is important.	Subdivision, servicing and greenway construction will require land disturbance. Vegetated areas will be preserved during this phase where practicable.	Complete

¹Interpretation: 'Complete' means that the condition has been addressed and no further work is required, this may be because the work is complete and no further work is required or because any risk to potential ESA's/EVR's is low. 'N/A' means that the condition does not apply because the site conditions that the condition applies to are not present on site, '-' means that the condition does not require action or a commitment at this time; have been appropriately mitigated; 'Partial - future phase' means that bio-inventory requirement has been met for the current phase but needs to be reviewed in a future phase in consideration of detailed development design when sufficient design detail becomes available to fully address the condition; 'Future phase' means that the detailed development design is required to address the condition. 'Not Required' means this has been specifically stated by Village staff.

Appendix B. Wildlife Habitat Plot Survey Data

LIST OF TABLES

Table 1. Site description data1
Table 2. Ground cover data1
Table 3. Soil characteristics data2
Table 4. Vegetation composition data3

Table 1. Site description data.

Site	Site Series	Meso Slope Position	Structural Stage	Seral Stage	Estimated Age (years)	Canopy Closure	Slope (%)	Exposure	Micro-topography	Elevation (masl)
TRI-WHP01	01	Level	Low Shrub	Establishment	4	+ (<1%)	1	full sun	smooth	164
TRI-WHP02	01	Level	Tall Shrub	Establishment	7	+ (<1%)	1	full sun	smooth	164
TRI-WHP03	01	Level	Low Shrub	Establishment	5	+ (<1%)	1	full sun	smooth	164

Table 2. Ground cover data.

Site	Ground Cover					
	Rock	Water	Organic Matter	Bedrock	Mineral Soil	Decaying Wood
TRI-WHP01	Trace	Nil	Nil	Nil	Dominant	Subdominant
TRI-WHP02	Nil	Nil	Trace	Nil	Dominant	Subdominant
TRI-WHP03	Nil	Nil	Trace	Subdominant	Dominant	Nil

Table 3. Soil characteristics data.

Site	Soil Moisture	Soil Nutrient	Soil Texture	Coarse Fragment	Soil Colour ¹	Humus Form	Comment
TRI-WHP01	submesic	medium	silt loam	65-85%	medium (soil color 7.5 3/4)	Lignomodor	The humus form is ~2 cm FH that is loose, friable and has low mycelia content. The soil was slightly moist, at time of survey but is very well drained due to abundance of coarse fragments up to 7 cm diameter.
TRI-WHP02	mesic	medium	silt loam	10-35%	medium	Lignomodor	Organic layers comprised of a 8 cm LFH, mostly comprised of FH, that was friable and wood with some charcoal. Mineral soils create a stronger cast than other sites, the site has higher sand content than other sites and more deeper fine roots than TRI-WHP01.
TRI-WHP03	submesic	medium	silt loam	35-65%	medium (soil color 7.5 3/4)	Lignomodor	Soils very similar to TRI-WHP01, with an approximately 2 cm very friable FH overlaying a B layer. Small gravels present.

¹Soil color is the Munsell soil colour hue value and chroma.

Table 4. Vegetation composition data.

Site	Trees		Tall Shrubs		Short Shrubs		Herbs		Mosses and Lichens	
	Coverage (%)	Dominant Species	Coverage (%)	Dominant Species	Coverage (%)	Dominant Species	Coverage (%)	Dominant Species	Coverage (%)	Dominant Species
TRI-WHP01	1-5%	sparse residual white pine ~40 years old	1-5%	western redcedar understory retention; dead conifers (not included in cover estimate)	25-50%	salal, Oregon grape, blackcap raspberry, red huckleberry	5-25%	trailing blackberry, grasses and small sedges, twinflower, fireweeds	5-25%	step moss, others
TRI-WHP02	1-5%	white pine	5-25%	Douglas-fir, western hemlock, western redcedar; dead woody shrubs (not included in cover estimates)	25-50%	salal, red huckleberry, Douglas-fir, Oregon grape	5-25%	bracken fern	25-50%	step moss, others
TRI-WHP03	1-5%	western redcedar, white pine	0%	-	25-50%	salal, red huckleberry, Oregon grape, Douglas-fir, western hemlock, white pine	5-25%	-	25-50%	step moss, others

Appendix C. Site Photos

LIST OF FIGURES

Figure 1.	View north from plot centre, March 26, 2019.	1
Figure 2.	View southwest from plot centre, March 26, 2019.	1
Figure 3.	View of soils, March 26, 2019.	2
Figure 5.	View north from plot centre, March 26, 2019.	2
Figure 6.	View south from plot centre, March 26, 2019.	3
Figure 7.	View of B-layer soils, March 26, 2019.	3
Figure 8.	View of organic soil layers, March 26, 2019.	4
Figure 9.	View north from plot centre, March 26, 2019.	4
Figure 10.	View of soils, March 26, 2019.	5
Figure 11.	Largest tree on property, with evidence of woodpecker feeding and droppings indicating it has been used for avian perching, March 26, 2019.	5

1. TRI-WHP01

Figure 1. View north from plot centre, March 26, 2019.



Figure 2. View southwest from plot centre, March 26, 2019.



Figure 3. View of soils, March 26, 2019.



2. TRI-WHP02

Figure 4. View north from plot centre, March 26, 2019.



Figure 5. View south from plot centre, March 26, 2019.

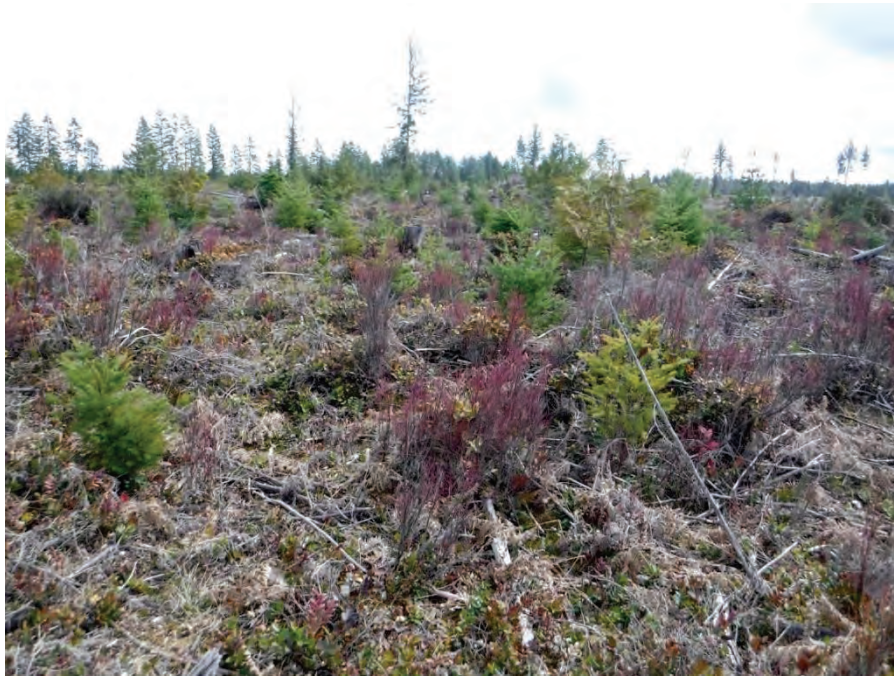


Figure 6. View of B-layer soils, March 26, 2019.



Figure 7. View of organic soil layers, March 26, 2019.



3. TRI-WHP03

Figure 8. View north from plot centre, March 26, 2019.



Figure 9. View of soils, March 26, 2019.



Figure 10. Largest tree on property, with evidence of woodpecker feeding and droppings indicating it has been used for avian perching, March 26, 2019.



Appendix D. At-risk wildlife and plant species considered

LIST OF TABLES

Table 1. Avian species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019)..... 1

Table 2. Herpetofauna and mammal species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019).....2

Table 3. Invertebrate species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019).3

Table 4. Plant species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019).....4

Table 1. Avian species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019).

Common Name	Scientific Name	Pre-field Likelihood of Occurrence ¹	Likelihood of Interaction by Season ¹			Federal Designation		Provincial Designation	
			Breeding Period	Overwintering Period	Other (e.g., migrating, foraging)	COSEWIC Status	SARA Status	BC List	Identified Wildlife ²
Band-tailed Pigeon	<i>Patagioenas fasciata</i>	Moderate	Low	-	Low	SC (Nov 2008)	1-SC (Feb 2011)	Blue	
Barn Owl	<i>Tyto alba</i>	Low	Low	-	Low	T (Nov 2010)	1-T (Jun 2018)	Red	
Barn Swallow	<i>Hirundo rustica</i>	Moderate	Low	-	Low	T (May 2011)	1-T (Nov 2017)	Blue	
Black Swift	<i>Cypseloides niger</i>	Low	Low	-	Low	E (May 2015)		Blue	
Caspian Tern	<i>Hydroprogne caspia</i>	Negligible	Negligible	Negligible	Negligible	NAR (May 1999)		Blue	
Common Nighthawk	<i>Chordeiles minor</i>	Moderate	High	-	High	SC (May 2018)	1-T (Feb 2010)	Yellow	
Double-crested Cormorant	<i>Phalacrocorax auritus</i>	Negligible	Negligible	Negligible	Negligible	NAR (May 1978)		Blue	
Evening Grosbeak	<i>Coccythraustes vespertinus</i>	High	Moderate			SC (Nov 2016)		Yellow	
Great Blue Heron, <i>fannini</i> subspecies	<i>Ardea herodias fannini</i>	Low	Negligible	Negligible	Negligible	SC (Mar 2008)	1-SC (Feb 2010)	Blue	Y (May 2004)
Green Heron	<i>Butorides virescens</i>	Low	Negligible	Negligible	Negligible			Blue	
Marbled Murrelet	<i>Brachyramphus marmoratus</i>	Low	Negligible	Negligible	Negligible	T (May 2012)	1-T (Jun 2003)	Blue	Y (May 2004)
Northern Goshawk, <i>laingi</i> subspecies	<i>Accipiter gentilis laingi</i>	Moderate	Negligible	Low	Low	T (Apr 2013)	1-T (Jun 2003)	Red	Y (May 2004)
Northern Pygmy-Owl, <i>swarthi</i> subspecies	<i>Glaucidium gnoma swarthi</i>	High	Negligible	Low	Low			Blue	Y (Jun 2006)
Olive-sided Flycatcher	<i>Contopus cooperi</i>	Moderate	Low	Low	Low	SC (May 2018)	1-T (Feb 2010)	Blue	
Peregrine Falcon, <i>pealei</i> subspecies	<i>Falco peregrinus pealei</i>	Low	Negligible	Low	Low	SC (Dec 2017)	1-SC (Jun 2003)	Blue	
Purple Martin	<i>Progne subis</i>	Low	Negligible					Blue	
Short-eared Owl	<i>Asio flammeus</i>	Low	Low	Low	Low	SC (Mar 2008)	1-SC (Jul 2012)	Blue	Y (May 2004)
Western Screech-Owl, <i>kennicottii</i> subspecies	<i>Megascops kennicottii kennicottii</i>	High	Negligible	Low	Low	SC (Mar 2012)	1-T	Blue	

¹ **Confirmed** - The species has been detected within the Project area. Species presence information was recorded during the field surveys and/or gleaned from the background review. **High** - The current range and distribution of the species overlap the Project area. Highly suitable habitat is present within the Project area; however, the species has not been detected. **Moderate** - The current range and distribution of the species overlap the Project area. Sufficiently suitable habitat may be present within the Project area; however, the species has not been detected. **Low** - The current range and distribution of the species may overlap or border the Project area; however, it is unlikely that sufficiently suitable habitat is present. The species has not been detected. **Negligible** - The species is likely to occur within the Comox

² Identified under the Identified Wildlife Management Strategy.

Table 2. Herpetofauna and mammal species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019).

Common Name	Scientific Name	Pre-field Likelihood of Occurrence ¹	Likelihood of Interaction by Season ¹			Federal Designation		Provincial Designation	
			Breeding Period	Overwintering Period	Other (e.g., migrating, foraging)	COSEWIC Status	SARA Status	BC List	Identified Wildlife ²
Northern Red-legged Frog	<i>Rana aurora</i>	Moderate	Low		Moderate	SC (May 2015)	1-SC (Jan 2005)	Blue	Y (May 2004)
Wandering Salamander	<i>Aneides vagrans</i>	Low-Moderate	Low	Low	Low	SC (May 2014)	1-SC (Feb 2018)	Blue	
Western Toad	<i>Anaxyrus boreas</i>	Moderate	Low	Moderate	Moderate	SC (Nov 2012)	1-SC (Jun 2018)	Yellow	
Western Painted Turtle, Pacific coast population	<i>Chrysemis picta</i>	Low	Negligible	Negligible	Low	T (2016)	1-E (2007)	Red	
American (Common) Water Shrew, <i>brooksi</i> subspecies	<i>Sorex palustris brooksi</i>	Moderate	Low	Low	Low			Red	Y (Jun 2006)
Ermine, <i>anguinae</i> subspecies	<i>Mustela erminea anguinae</i>	Moderate	Moderate		Low			Blue	
Keen's (Long-eared) Myotis	<i>Myotis keenii</i>	Moderate	Low		Moderate	DD (Nov 2003)	3 (Mar 2005)	Blue	Y (May 2004)
Little Brown Myotis	<i>Myotis lucifugus</i>	High	Low		Moderate	E (Nov 2013)	1-E (Dec 2014)	Yellow	
Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>	Moderate	Low		Moderate			Blue	
Roosevelt Elk	<i>Cervus elaphus roosevelti</i>	Moderate	Low	Low	Moderate				
Vancouver Island Marmot	<i>Marmota vancouverensis</i>	Negligible	Negligible	Negligible	Negligible				
Wolverine, <i>vancouverensis</i> subspecies	<i>Gulo gulo vancouverensis</i>	Negligible	Negligible	Negligible	Negligible	SC (May 2014)	1-SC (Jun 2018)	Red	Y (May 2004)

¹ **Confirmed** - The species has been detected within the Project area. Species presence information was recorded during the field surveys and/or gleaned from the background review. **High** - The current range and distribution of the species overlap the Project area. Highly suitable habitat is present within the Project area; however, the species has not been detected. **Moderate** - The current range and distribution of the species overlap the Project area. Sufficiently suitable habitat may be present within the Project area; however, the species has not been detected. **Low** - The current range and distribution of the species may overlap or border the Project area; however, it is unlikely that sufficiently suitable habitat is present. The species has not been detected. **Negligible** - The species is likely to occur within the Comox

² Identified under the Identified Wildlife Management Strategy.

Table 3. Invertebrate species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019).

Common Name	Scientific Name	Likelihood of Occurrence ¹	Federal Designation		Provincial Designation	
			COSEWIC Status	SARA Status	BC List	Identified Wildlife ²
Threaded Vertigo	<i>Nearctula rowellii</i>	Low	SC (Apr 2010)	1-SC (Jul 2012)	Blue	
Western Thorn	<i>Carychium occidentale</i>	Low			Blue	
Evening Fieldslug	<i>Deroceras hesperium</i>	Low	DD (Nov 2003)		Red	
Prairie Fossaria	<i>Galba bulimoides</i>	Negligible			Blue	
Sunset Physa	<i>Physella virginea</i>	Negligible			Blue	
Broadwhorl Tightcoil	<i>Pristiloma johnsoni</i>	Low			Blue	
Wrinkled Marshsnail	<i>Stagnicola caperata</i>	Negligible			Blue	
Alkali Bluet	<i>Enallagma clausum</i>	Negligible			Blue	
Blue Dasher	<i>Pachydiplax longipennis</i>	Negligible			Blue	
Autumn Meadowhawk	<i>Sympetrum vicinum</i>	Negligible			Blue	
Western Pine Elfin, sheltonensis	<i>Callophrys eryphon sheltonensis</i>	Low			Blue	
Common Wood-nymph, incana subspecies	<i>Ceryonis pegala incana</i>	Moderate			Red	
Common Ringlet, insulana subspecies	<i>Coenonympha tullia insulana</i>	Low			Red	
Sand-verbena Moth	<i>Copablepharon fuscum</i>	Negligible	E (Nov 2013)	1-E (Jul 2005)	Red	
Properthus Duskywing	<i>Erynnis properthus</i>	Negligible			Red	
Edith's Checkerspot, taylori subspecies	<i>Euphydryas editha taylori</i>	Negligible	E (May 2011)	1-E (Jun 2003)	Red	
Dun Skipper	<i>Euphyes vestris</i>	Low	T (Apr 2013)	1-T (Jun 2003)	Red	
Western Branded Skipper, oregonia	<i>Hesperia colorado oregonia</i>	Low	E (Nov 2013)		Red	
Clodius Parnassian, claudianus subspecies	<i>Parnassius clodius claudianus</i>	Low			Blue	
Rocky Mountain Parnassian, olympiannus	<i>Parnassius smintheus olympiannus</i>	Low			Blue	
Greenish Blue, insulanus subspecies	<i>Plebejus saepiolus insulanus</i>	Low	E (May 2012)	1-E (Jun 2003)	Red	

¹ **Confirmed** - The species has been detected within the Project area. Species presence information was recorded during the field surveys and/or gleaned from the background review. **High** - The current range and distribution of the species overlap the Project area. Highly suitable habitat is present within the Project area; however, the species has not been detected. **Moderate** - The current range and distribution of the species overlap the Project area. Sufficiently suitable habitat may be present within the Project area; however, the species has not been detected. **Low** - The current range and distribution of the species may overlap or border the Project area; however, it is unlikely that sufficiently suitable habitat is present. The species has not been detected. **Negligible** - The species is likely to occur within the Comox Valley Regional District; however, suitable habitat is not present and the species is very unlikely to occur within the Project area.

Table 4. Plant species at risk within the CWH Biogeoclimatic Zone and Comox Valley Regional District (CDC 2019).

English Name	Scientific Name	Likelihood of Occurrence	Provincial Designation		Federal Designation	
			BC List		COSEWIC	SARA
banded cord-moss	<i>Entosthodon fascicularis</i>	Negligible	Blue		SC (May	1-SC (Aug 2006)
black knotweed	<i>Polygonum paronychia</i>	Negligible	Blue			
Henderson's checker-mallow	<i>Sidalcea hendersonii</i>	Negligible	Blue			
heterocodon	<i>Heterocodon rariflorus</i>	Low	Blue			
Macoun's meadow-foam	<i>Limnanthes macounii</i>	Low	Red		T (Nov 2004)	1-T (Aug 2006)
Nuttall's quillwort	<i>Isoetes nuttallii</i>	Low	Blue			
poverty clover	<i>Trifolium depauperatum</i> var.	Low	Blue			
purple sanicle	<i>Sanicula bipinnatifida</i>	Low	Red		T (May 2001)	1-T (Jun 2003)
slimleaf onion	<i>Allium amplexans</i>	Low	Blue			
Vancouver Island beggarticks	<i>Bidens amplissima</i>	Negligible	Blue		SC (Nov	1-SC (Jun 2003)
western cowbane	<i>Oxypolis occidentalis</i>	Low	Blue			
western wahoo	<i>Euonymus occidentalis</i> var.	Low	Red			
white-top aster	<i>Sericocarpus rigidus</i>	Moderate	Blue		SC (Apr	1-SC (Jun 2003)
yellow montane violet	<i>Viola praemorsa</i> var.	Low	Red		E (Nov 2007)	1-E (Jun 2003)
yellow sand-verbena	<i>Abronia latifolia</i>	Negligible	Blue			
curve-leaved cow-hair moss	<i>Ditrichum schimperi</i>	Moderate	Blue			
long-beaked water feathermoss	<i>Platyhypnidium riparioides</i>	Negligible	Blue			



BC LANDSCAPE STANDARDS
 All construction to meet the requirements as set out in the BC Landscape Standards, 2010 edition prepared by the BC Society of Landscape Architects and the BC Landscape and Nursery Association, jointly.
 Copies of the BC Landscape Standards are available through the BCMA office at 1-800-574-7772.
 Contractor to consult with designer regarding any discrepancies.
 Contractor to consult with designer if plant substitutions are required due to availability.
 Contractor is responsible for obtaining written confirmation of utility locations prior to commencing digging.
 Contractor is responsible for providing one year of maintenance and one year warranty on all materials and workmanship, from acceptance of landscape.
 Refer to landscape specifications supplied with this plan at building permit level. If you did not receive the specifications, please contact the designer.

TOP SOIL REQUIREMENTS:
 Minimum depth for shrub beds: 450mm (18")
 Minimum depth for groundcover: 300mm (12")
 Minimum depth for mulch: 75mm (3")
 Minimum depth for lawn areas: 300mm (12")
 Trees as per detail on these drawings.

LANDSCAPE AREA

PLANT AREA	2440 sqm	26,265 sqft
FESCUE GRASS AREA	1934 sqm	20,792 sqft
FESCUE & WILDFLOWERS	5032 sqm	5,416 sqft
CONCRETE PATIO	952 sqm	974 sqft
TOTAL LANDSCAPE	4180 sqm	53,667 sqft

PROJECT
 INDUSTRIAL BUILDING
 297 BECK AVE
 CUMBERLAND, BC

ENGINEER
 HEDLER ENGINEERING

LANDSCAPE DESIGNER
 MYSTIC WOODS
 LANDSCAPE DESIGN
 phone: 250-266-1527
 design@mysticwoods.ca

DRAWN BY:
 Carole Fishwin G.D., G.P.
 Certified Landscape Designer
 Qualified Postscript
 Member of the BCMA / CMA

LANDSCAPE ARCHITECT
 ALISON HUBBETT BCMA
 740 Lap Road
 Comox, B.C. V8P 5V6
 phone: 250-255-4255
 ahubett@gnol.com
 REVIEWED AND APPROVED:
 Alison Hubett BCMA
 Landscape Architect
 Member of the BCMA
 SCALE: 1:200

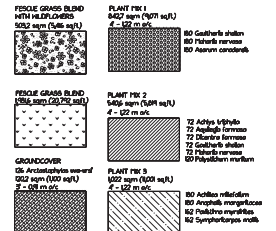
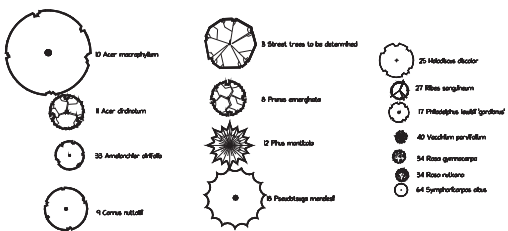
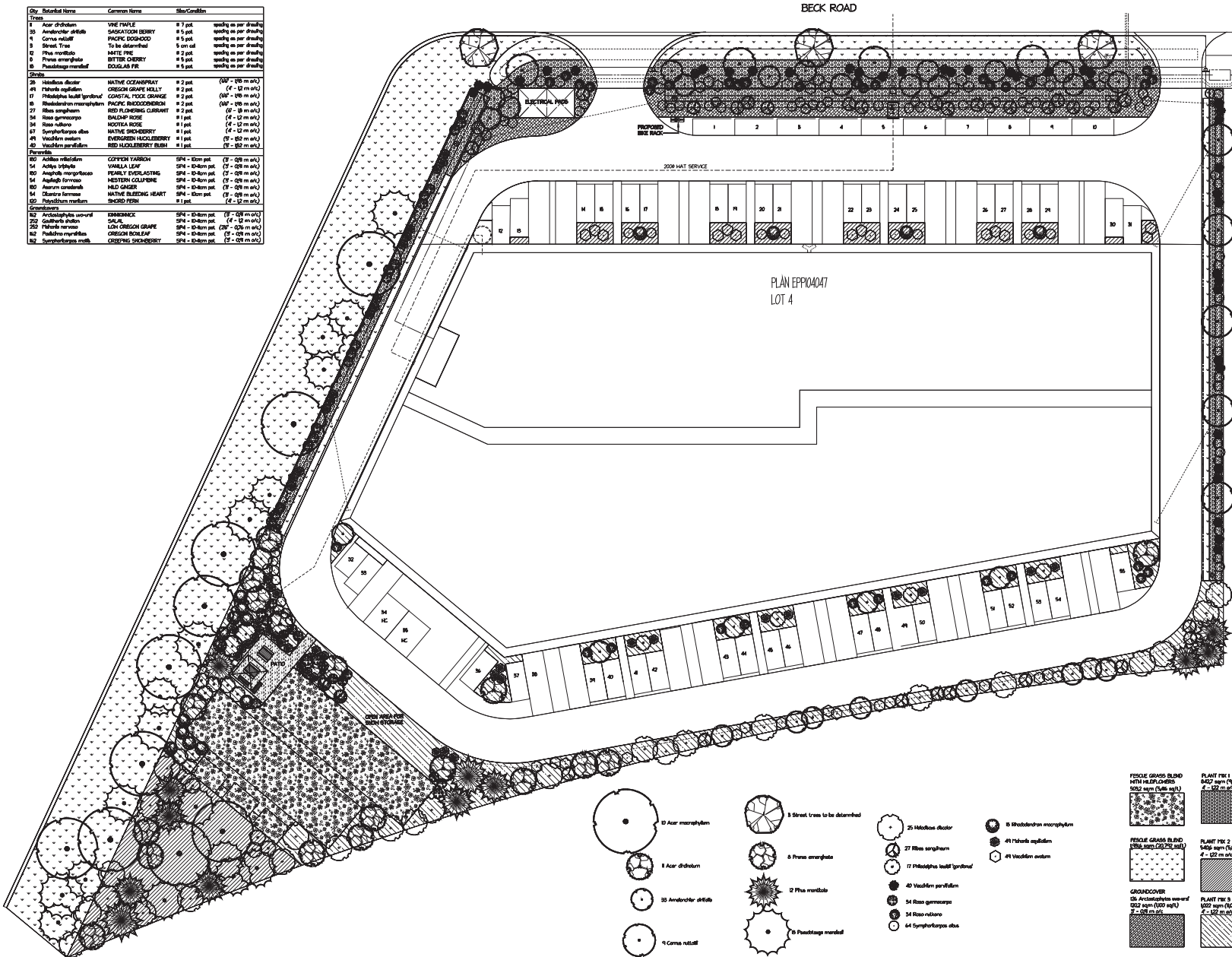
DATE: May 17, 2022 **FOR REVIEW**
Issue: May 6, 2022 **FOR REVIEW**
Issue: May 18, 2022 **FOR DEVELOPMENT PERMIT**
Issue: June 21, 2022 **FOR DEVELOPMENT PERMIT**

Not for Construction!
 LANDSCAPE DRAWINGS TO BE PROVIDED FOR BUILDING PERMIT
 U3 - CONSTRUCTION PLAN
 LA - THEORITICAL PLAN

DRAWING
 LANDSCAPE ARCHITECTURE

DRAWING #: LA 17 2

Qty	Botanical Name	Common Name	Size/Container
1	<i>Acacia drishum</i>	VINE MAPLE	# 3 pot. specify as per drawing
33	<i>Amelanchier alabamica</i>	SARGATOOM BERRY	# 5 pot. specify as per drawing
4	<i>Cornus nuttallii</i>	PACIFIC DOGWOOD	# 5 pot. specify as per drawing
3	Street Tree	To be determined	5 cm cal. specify as per drawing
12	<i>Pinus monticola</i>	MATTE FINE	# 2 pot. specify as per drawing
6	<i>Pinus emarginata</i>	BITTER CHERRY	# 5 pot. specify as per drawing
6	<i>Prunella monticola</i>	DOUGLAS PR	# 5 pot. specify as per drawing
Shrub:			
28	<i>Hebecladus discolor</i>	NATIVE OZONSPRAT	# 2 pot. (W - 10 m cal.)
41	<i>Philadelphus rugifolius</i>	OREGON GRAPE HULLY	# 2 pot. (F - 12 m cal.)
17	<i>Philadelphus lewisii</i>	COASTAL POCKE GRANGE	# 2 pot. (W - 10 m cal.)
8	<i>Rubus cuneifolius</i>	PACIFIC RIBBOGONDRICH	# 2 pot. (W - 10 m cal.)
27	<i>Rosa rugosa</i>	RED FLORINDEN CLUSTRA	# 2 pot. (F - 12 m cal.)
34	<i>Rosa gmelinensis</i>	BALDAP ROSE	# 1 pot. (F - 12 m cal.)
34	<i>Rosa rubra</i>	NOOTKA ROSE	# 1 pot. (F - 12 m cal.)
47	<i>Symphoricarpos alba</i>	NATIVE SHIMBERRY	# 1 pot. (F - 12 m cal.)
48	<i>Vaccinium ovatum</i>	OVERSHED HUCKLEBERRY	# 1 pot. (F - 12 m cal.)
40	<i>Vaccinium parviflorum</i>	RED HUCKLEBERRY BUSH	# 1 pot. (F - 12 m cal.)
Perennials:			
80	<i>Androsace villosa</i>	COTTON TARBUSH	SP4 - 40cm pot. (F - 09 m cal.)
54	<i>Asclepias tuberosa</i>	WAXILLA LEAF	SP4 - 40cm pot. (F - 09 m cal.)
80	<i>Asperula monophylla</i>	PEARLY VIOLETASTING	SP4 - 40cm pot. (F - 09 m cal.)
54	<i>Aquilegia formosa</i>	WESTERN COLUMBERE	SP4 - 40cm pot. (F - 09 m cal.)
80	<i>Astragalus canadensis</i>	RED GRASS	SP4 - 40cm pot. (F - 09 m cal.)
54	<i>Diastema ferrea</i>	NATIVE BLEEDING HEART	SP4 - 40cm pot. (F - 09 m cal.)
80	<i>Phloxium maritimum</i>	SHRED PINK	# 1 pot. (F - 12 m cal.)
Groundcover:			
80	<i>Androsace villosa</i>	EMBRANCE	SP4 - 40cm pot. (F - 09 m cal.)
200	<i>Galium aparine</i>	SALE	SP4 - 40cm pot. (F - 12 m cal.)
80	<i>Malva nuttallii</i>	LON OREGON GRAPE	SP4 - 40cm pot. (F - 09 m cal.)
80	<i>Malva nuttallii</i>	OREGON HOLLIF	SP4 - 40cm pot. (F - 09 m cal.)
80	<i>Symphoricarpos alba</i>	OREGON SHIMBERRY	SP4 - 40cm pot. (F - 09 m cal.)



BC LANDSCAPE STANDARDS
 All construction to meet the requirements as set out in the BC Landscape Standards, 2012 edition, prepared by the B.C. Society of Landscape Architects and the B.C. Landscape and Nursery Association jointly.
 Copies of the BC Landscape Standards are available through the BC LNA office at 1-604-574-7772

Contractor to consult with designer regarding any discrepancies.

Contractor to consult with designer if plant substitutions are required due to availability.

Contractor is responsible for obtaining written confirmation of utility locations prior to commencing dig work.

Contractor is responsible for providing one year of maintenance and one year warranty on all materials and workmanship, from acceptance of landscape.

Refer to landscape specifications applied with this plan at building permit level. If you do not receive the specifications, please contact the designer.

TOP SOIL REQUIREMENTS:
 Minimum depth for shrub beds: 450mm (18")
 Minimum depth for groundcover: 300mm (12")
 Minimum depth for mulch: 75mm (3")
 Minimum depth for lawn areas: 300mm (12")
 Trees as per detail on these drawings.

LANDSCAPE AREA

PLANT AREA	2,440 sqm	26,266 sqft
FESCUE GRASS AREA	1,936 sqm	20,972 sqft
FESCUE & MULCH/COVER	5052 sqm	5,416 sqft
CONCRETE PATIO	552 sqm	594 sqft
TOTAL LANDSCAPE	4,980 sqm	53,667 sqft

PROJECTS

INDUSTRIAL BUILDING
 2787 BECK AVE,
 CUMBERLAND, B.C.

ENGINEERS
 WEDLER ENGINEERING

LANDSCAPE DESIGNER:
 MYSTIC WOODS
 LANDSCAPE DESIGN
 phone: 250-266-1527
 design@mysticwoods.co

DRAWN BY:
 Corinne Matheson CLD, CP
 Certified Landscape Designer
 Qualified Plantperson
 Member of the
 BC LNA / CLNA

LANDSCAPE ARCHITECT:
 ALISON HENNETT BCOLA
 766 Loop Road
 Courtenay, B.C. V9P 1V6
 phone: 250-255-4055
 ahenne@alisonhennett.com

REVIEWED AND APPROVED BY:
 Alison Henne BCOLA
 Landscape Architect
 Member of the BCOLA

SCALE: 1:200

DATE: May 17, 2022 For review
ISSUED: May 16, 2022 For review
ISSUED: May 11, 2022 For Development Permit
ISSUED: June 24, 2022 For Development Permit

"Not for Construction"

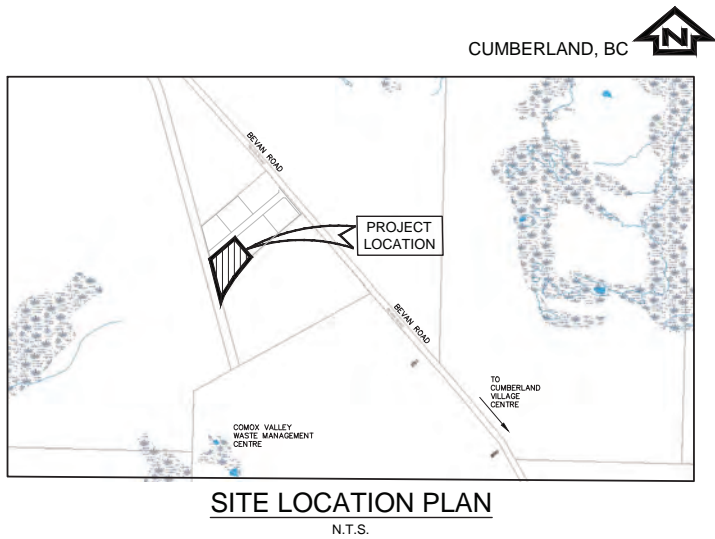
LANDSCAPE DRAWINGS TO BE PROVIDED FOR BUILDING PERMIT
 L3 - CONSTRUCTION PLAN
 L4 - SPECIFICATIONS

DRAWING:
 LANDSCAPE PLANTING PLAN

DRAWING #:
 L2 OF 2

Drawing Index:

Drawing #	Title of Drawing
V21-0519/A-00	COVER SHEET & SITE LOCATION PLAN
V21-0519/A-01	KEY PLAN
V21-0519/A-02	SERVICING PLAN
V21-0519/A-03	GRADING AND STORMWATER MANAGEMENT PLAN



Client:
ACCESS BUSINESS DEVELOPMENT CORPORATION

Project:
LOT 4-BEVAN INDUSTRIAL SUBDIVISION
2787 BECK AVENUE
CUMBERLAND, BC

Engineering Services Provided by:



WEDLER

www.wedler.com

THE WEDLER GROUP

- Abbotsford
1,604,746,0300
- Chilliwack
1,604,792,0651
- Courtenay
1,250,334,3263
- Surrey
1,604,588,1919

REVISION B

Project No: V21-0519/A
Date: JULY 2022
REVISED ADDRESS AND BIKE STALLS

WEDLER
ENGINEERING



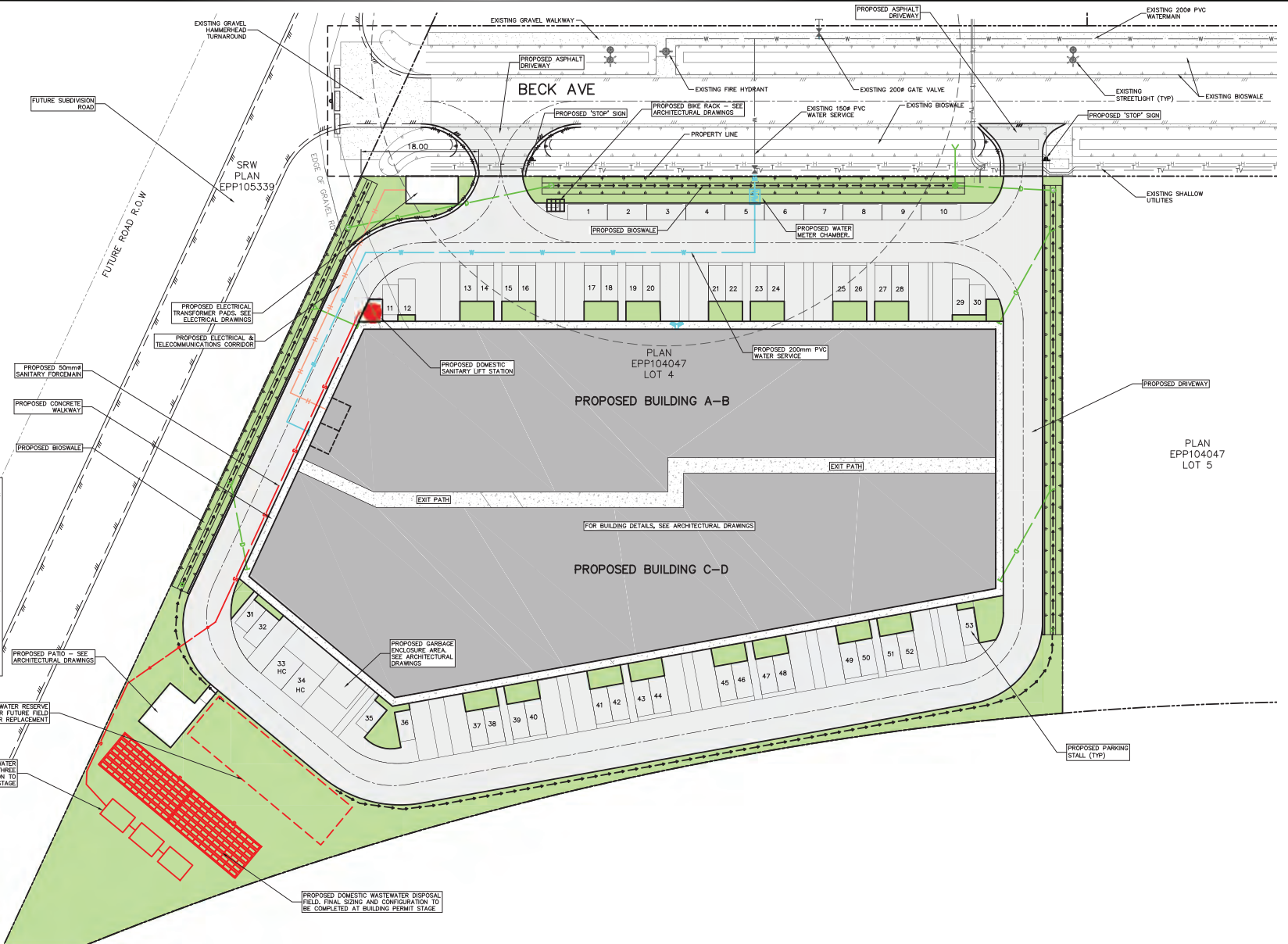


SCALE 1:300 (METRES)

SYMBOL	DESCRIPTION
	EXISTING FLOW CONTROL MANHOLE
	EXISTING CLEANOUT
	EXISTING INFILTRATION DATCH BASIN
	EXISTING GATE VALVE
	EXISTING HYDRANT
	WATER
	WATER METER
	DRAINAGE
	SANITARY
	SMALL CENTERLINE
	DITCH CENTERLINE
	SIGN
	STREET LIGHT
	HYDRO
	TELLUS
	SHAW
	LOT LINE
	EDGE OF ASPHALT
	TOP OF BANK
	BUILDING
	CONCRETE
	ASPHALT
	LANDSCAPING

GENERAL NOTES:

- FOR BUILDING PLANS, SEE CURRENT SET OF ARCHITECTURAL DRAWINGS - MATHWE CHENG ARCHITECT INC.
- FOR LEGAL PLAN, SEE PLAN EPP104047, LOT 4. LEGAL DESCRIPTION OF PROPERTY IS LOT 4, SECTION 34, TOWNSHIP 10, COUNTY DISTRICT, PLAN EPP104047.
- ALL WORKS, MATERIALS AND TESTING SHALL BE IN ACCORDANCE WITH THE CURRENT ISSUE OF THE MASTER MUNICIPAL CONSTRUCTION DOCUMENTS. ALL TESTING SHALL BE PERFORMED BY A CERTIFIED TESTING COMPANY.
- ALL DIMENSIONS AND ELEVATIONS ARE METRIC.
- INFORMATION ON THE DRAWINGS REGARDING EXISTING UTILITIES WAS COMPILED FROM 3RD PARTY FIELD SURVEYS. THIS INFORMATION IS NOT NECESSARILY ACCURATE OR COMPLETE.
- ALL EARTHWORKS, MATERIALS, SUBGRADE AND PAVEMENT STRUCTURE TO BE APPROVED BY A GEOTECHNICAL ENGINEER, AND TO COMPLY WITH GEOTECHNICAL REPORT NUMBER 10221-1, DATED DECEMBER 18, 2020, PREPARED BY RYZOK GEOTECHNICAL.
- CONTRACTOR TO CALL "BO ONE CALL" TO LOCATE EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- TRAFFIC PLAN REQUIRED FOR MOBILIZATION AND USE OF EQUIPMENT, AND FOR PEDESTRIAN CONTROL DURING ROADWAY CLOSURES.



REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY
A	ISSUED FOR DEVELOPMENT PERMIT	2022-05-12	JAF				
B	REVISED ADDRESS AND BIKE STALLS	2022-07-12	JAF				

PROJ. NO.	GRM
DESIGN/DRAWN	JAF
PEER REVIEWED	---
HORIZ. SCALE	1:300
VERT. SCALE	---



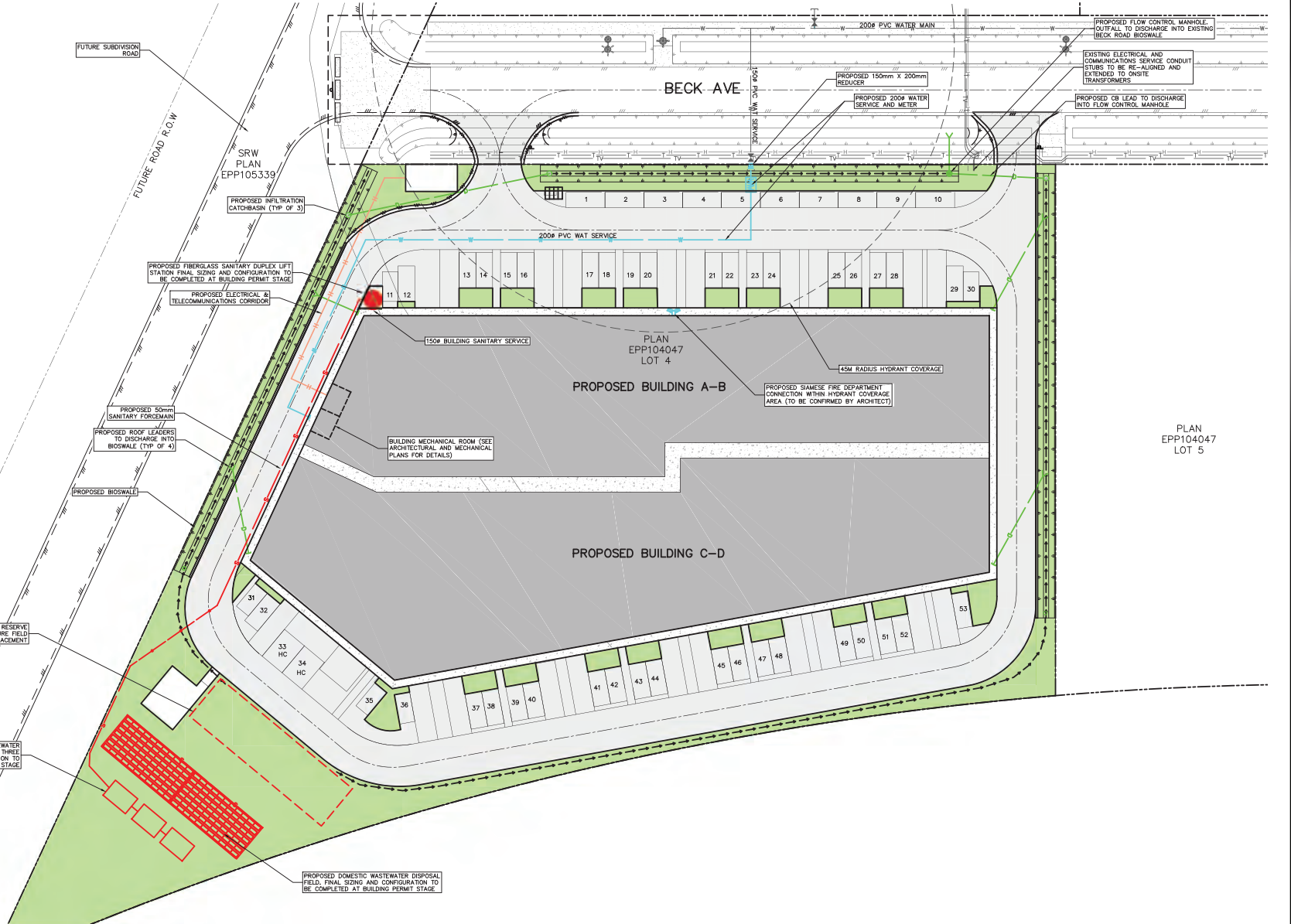
- THE WEDLER GROUP
- Abbotsford 1.866.296.0000
 - Chilliwack 1.800.792.0651
 - Coquitlam 1.250.934.2063
 - Surrey 1.800.588.3919

ACCESS BUSINESS DEVELOPMENT CORPORATION	DRAWING NO.	OF 3
LOT 4 - BEVAN INDUSTRIAL SUBDIVISION	V21-0519/A-01	
2787 BECK AVENUE, CUMBERLAND, BC	LOCAL GOVERNMENT FILE -FILE-	
KEY PLAN	PHASE	REVISION
		B.

N:\21\0519\0519A-01-01-Bevan Industrial\Subdivisions\ABDC\Current Drawings\01-0519A-01.dwg 2022/7/12 12:52:44 PM jaf



- SERVICING NOTES**
1. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE MASTER MUNICIPAL CONSTRUCTION DOCUMENT DESIGN GUIDELINE MANUAL AND MASTER MUNICIPAL CONSTRUCTION DOCUMENT SPECIFICATIONS AND STANDARD DETAIL DRAWINGS VOLUME 2 - PLATINUM EDITION.
- STORM**
1. ALL STORM SEWER PIPE AND FITTINGS SHALL CONFORM TO MMCD SECTION 33.40.01 UNLESS OTHERWISE SPECIFIED.
 2. ALL NEW STORM SEWER PIPE SHALL BE PVC SDR35.
- SANITARY**
1. ALL STORM SEWER PIPE AND FITTINGS SHALL CONFORM TO MMCD SECTION 33.30.01 UNLESS OTHERWISE SPECIFIED.
 2. ALL NEW SANITARY SEWER PIPE SHALL BE PVC SDR35.
- DOMESTIC SEWAGE TREATMENT AND DISPOSAL**
1. ALL WORKS AND PERMITTING TO BE UNDER THE BC MINISTRY OF HEALTH'S SEWERAGE SYSTEM STANDARD PRACTICE MANUAL (SPM) VERSION 3.
 2. TOTAL DESIGN FLOW = 11500 L/DAY DDF FOR 21 WAREHOUSE UNITS WITH 3 STAFF/JUNIT + 1 CARETAKER SUITE.
 3. THE PROPOSED SYSTEM PROVIDES TREATMENT TO TYPE 2 EFFLUENT STANDARDS.
 4. FINAL SIZING OF TANKS TO BE DETERMINED AT BUILDING PERMIT STAGE.
 5. FINAL SIZING OF DISPERSAL FIELD TO BE DETERMINED AT BUILDING PERMIT STAGE.
- WATER**
1. ALL WATER PIPE AND FITTINGS SHALL CONFORM TO MMCD SECTION 33.11.01 UNLESS OTHERWISE SPECIFIED.



N:\21\0519\0519A-02\1 - Revs\Industrial\Subdiv\4805\Current\Drawings\V21-0519A-02.dwg 2022/7/12 12:51:48 PM jhewer

REV	DESCRIPTION	YYYY-MM-DD	BY	REV	DESCRIPTION	YYYY-MM-DD	BY
A	ISSUED FOR DEVELOPMENT PERMIT	2022-05-05	JAF				
B	REVISED ADDRESS AND BIKE STALLS	2022-07-12	JAF				

PROJ. MGR.	GRM
DESIGN/DRAWN	JAF
PEER REVIEWED	---
HORIZ. SCALE	1:300
VERT. SCALE	---

WEDLER
ENGINEERING

www.wedler.com

THE WEDLER GROUP

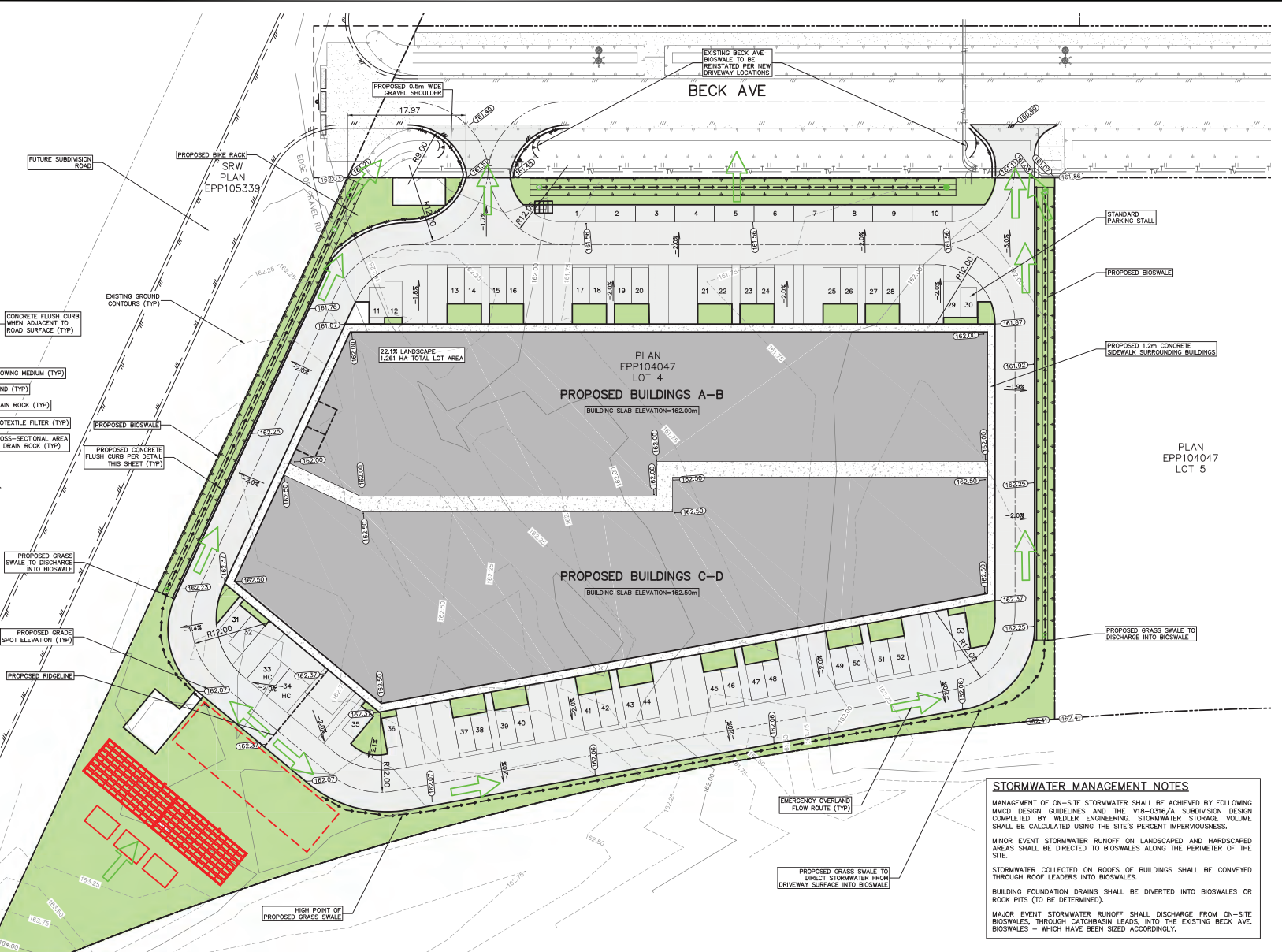
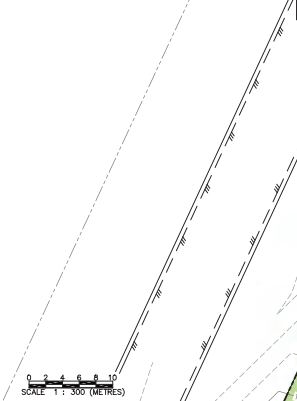
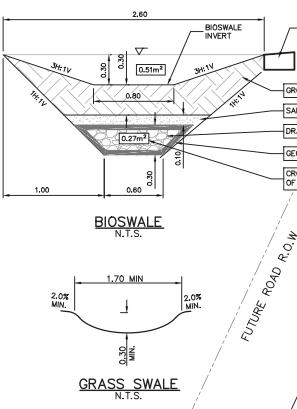
- Abbotsford 1.864.290.0000
- Chilliwack 1.804.792.0651
- Courtenay 1.250.334.2003
- Surrey 1.800.568.3919

<p>ACCESS BUSINESS DEVELOPMENT CORPORATION</p> <p>LOT 4 - BEVAN INDUSTRIAL SUBDIVISION</p> <p>2787 BECK AVENUE, CUMBERLAND, BC</p> <p>SERVICING PLAN</p>	<p>DRAWING NO. OF 3</p> <p>V21-0519/A-02</p> <p>LOCAL GOVERNMENT FILE -FILE-</p> <p>PHASE REVISION</p> <p style="text-align: right;">.B.</p>
--	---



GRADING PLAN LEGEND

EXISTING CONTOURS	
EXISTING ELEVATION	
PROPOSED ELEVATION	
LOT GRADING	
LOT LINE	
TOP OF BANK	
DRAINAGE SWALE	
EMERGENCY OVERLAND FLOW	



STORMWATER MANAGEMENT NOTES

MANAGEMENT OF ON-SITE STORMWATER SHALL BE ACHIEVED BY FOLLOWING UMCD DESIGN GUIDELINES AND THE V18-0316/A SUBDIVISION DESIGN COMPLETED BY WEDLER ENGINEERING. STORMWATER STORAGE VOLUME SHALL BE CALCULATED USING THE SITE'S PERCENT IMPERVIOUSNESS.

MINOR EVENT STORMWATER RUNOFF ON LANDSCAPED AND HARDSCAPED AREAS SHALL BE DIRECTED TO BIOSWALES ALONG THE PERIMETER OF THE SITE.

STORMWATER COLLECTED ON ROOFS OF BUILDINGS SHALL BE CONVEYED THROUGH ROOF LEADERS INTO BIOSWALES.

BUILDING FOUNDATION DRAINS SHALL BE DIVERTED INTO BIOSWALES OR ROCK PITS (TO BE DETERMINED).

MAJOR EVENT STORMWATER RUNOFF SHALL DISCHARGE FROM ON-SITE BIOSWALES, THROUGH CATCHBASIN LEADS, INTO THE EXISTING BECK AVE. BIOSWALES - WHICH HAVE BEEN SIZED ACCORDINGLY.

N:\21\0519-A-03-04-01-1-Rev-Industrial\Subdivision-ABCC\Current\Drawings\01-0519-A-03-04-01-1-21-01-01-1W-1.dwg 2022/07/12 12:25:01 RW JHewner

REV	DESCRIPTION	YYYY-MM-DD	BY	REVISION	DESCRIPTION	YYYY-MM-DD	BY
A	ISSUED FOR DEVELOPMENT PERMIT	2022-05-05	JAF				
B	REVISED ADDRESS AND BIKE STALLS	2022-07-12	JAF				

PROJ. WGR.	GRM
DESIGN/DRAIN	JAF
PEER REVIEWED	---
HORIZ. SCALE	1:300
VERT. SCALE	---



THE WEDLER GROUP
 ■ Abbottsford 1-804-796-0900
 ■ Chatham 1-804-792-0651
 ■ Courtenay 1-250-384-2063
 ■ Surrey 1-800-568-5919

ACCESS BUSINESS DEVELOPMENT CORPORATION
 LOT 4 - BEVAN INDUSTRIAL SUBDIVISION
 2787 BECK AVENUE, CUMBERLAND, BC

GRADING AND STORMWATER MANAGEMENT PLAN

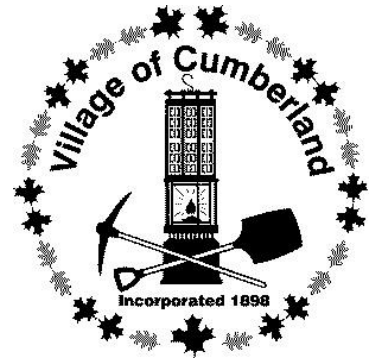
DRAWING NO. **V21-0519/A-03** OF 3
 LOCAL GOVERNMENT FILE
 -FILE-
 PHASE REVISION
 B.

2022 - WEDLER ENGINEERING LLP - ALL RIGHTS RESERVED - THIS DOCUMENT IS PROTECTED BY COPYRIGHT LAW AND MAY NOT BE REPRODUCED IN ANY MANNER, OR FOR ANY PURPOSE, EXCEPT BY WRITTEN PERMISSION OF COPYRIGHT HOLDER.

www.wedler.com
 EGBC PERMIT TO PRACTICE #100016

PROGRESS PRINT - NOT FOR CONSTRUCTION

COUNCIL REPORT



REPORT DATE: August 10, 2022
MEETING DATE: September 6, 2022

TO: Mayor and Councilors
FROM: Kaelin Chambers, Economic Development Officer
SUBJECT: Comox Valley Regional Tourism Service Summary

RECOMMENDATION

- I. THAT Council receive the Comox Valley Regional Tourism Service Summary report
- II. THAT the Village of Cumberland consents to the adoption of the Comox Valley Regional District Bylaw No. 725 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3" under section 346 of the Local Government Act.

PURPOSE

The purpose of this report is to present Council with a summary report pertaining to the CVRD's July 14, 2022, request for the council consent to the inclusion of the Village of Cumberland as a formal participant in the Comox Valley Tourism Service (Service 550).

PREVIOUS COUNCIL DIRECTION

Date	Resolution
July 11, 2022	THAT Council direct staff to respond to the Comox Valley Regional District's request to consent to the adoption of the Comox Valley Regional District Bylaw No. 725 and request an extension for the Village response to September 30th, 2022, AND THAT Council direct staff to bring forward a future report that considers the CVRD's request for the inclusion of Cumberland as a formal participant in the Comox Valley Tourism Service.
	THAT Council direct staff to invite the CVRD to appear as a delegation at a future meeting to present the outcomes of the service review conducted in 2021 and 2022 and provide further detail on their invitation to the Village to join the regional tourism service.

BACKGROUND

Beginning on June 14th, 2022, CVRD staff began the process of implementing the recommendations of the service review, including updating Bylaw No. 725 (Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3). Included within this process was an invitation to the Village on July 4, 2022, requesting Council consent to the adoption of the Comox Valley Regional District Bylaw No. 725 which would result in the Village rejoining Service 550 as a formal member/participant. The CVRD requested the Village respond to this invitation by August 15, 2022.

In a July 11th Village council meeting, council directed staff to request an extension to the CVRD's consent request (to September 30, 2022) and to bring forward further information pertaining to the Village's regional tourism service options for 2023.

On August 8th CVRD staff participated in a Committee of the Whole meeting as a delegation and presented details on the revisions made to Service 550, how the Village would participate as a member of the Service and the potential benefits and opportunities afforded to the community in doing so. At that time, the benefits of joining the service were discussed, including:

- The cost and value of the services provided as a formal participant.
- The ability to participate in the administration of the service via the Service 550 Administrative Committee.
- Full involvement in the services strategic planning process, including opportunities to provide review/input on service related workplans, budgets and/or schedules.
- The opportunity to participate and/or benefit from the disposition of service-related assets, such as the Visitor Information Centre.
- Participation and inclusion within an expanded CVRD Municipal and Regional District Tax (MRDT) program.

ALTERNATIVES

1. Not consent to the CVRDs request for the inclusion of the Village of Cumberland as a formal participant in the Comox Valley Tourism Service

Staff have not recommended this alternative as there are very limited options in accessing this level and quality of service. Not participating in a regional service will require additional time and cost to the Village in establishing internal tourism service, and engaging/coordinating these efforts with our regional partners

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

Participating as a service member/participant will be addressed through regional tax requisitions and will not require direct budgeting on behalf of the Village.

OPERATIONAL IMPLICATIONS

Joining the service will have minimal impact on Village operations beyond the establishment of the Village a service participant.

Some limited capacity will be required for the village in contributing to the long-term planning process for the Service.

Likewise, effort will be required from staff in the implementation of the Service, as Village staff will participate in the Service 550 Administrative Committee (CAO or CAO-designate).

ATTACHMENTS

1. 2022 - 2026 Financial Plan – Comox Valley Tourism Service Function 550

CONCURRENCE

Kevin McPhedran, Interim Deputy CAO *KM*

Respectfully submitted,

Kaelin Chambers

Kaelin Chambers
Economic Development Officer

M. Mason

Michelle Mason
Interim Chief Administrative Officer

File: 3900-02

July 4, 2022

Via email: rparker@cumberland.ca

Village of Cumberland
1809 Beaufort Avenue
Comox, BC V9M 1R9

Attention: Ms. Rachel Parker Corporate Officer

Dear Ms. Parker:

Re: Bylaw No. 725 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3"

The Comox Valley Regional District (CVRD) Board, at its meeting of March 15, 2022, gave three readings to Bylaw No. 725 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3". The intent of the bylaw is to further implement the outcomes of the service review conducted in 2021 and 2022 by including the Village of Cumberland as a participant in the Comox Valley Tourism Service.

This bylaw, prior to submission for approval from the Inspector of Municipalities, requires written consent of the participants in the service, being the Directors for Electoral Areas A, B and C, the City of Courtenay and the Village of Cumberland.

In light of the above, the board requests your council to consent to the bylaw amendment under section 346 of the *Local Government Act* by considering the following resolution:

THAT the Village of Cumberland consent to the adoption of the Comox Valley Regional District Bylaw No. 725 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3" under section 346 of the *Local Government Act*.

The inclusion of the Village of Cumberland as a formal participant in the Comox Valley Tourism Service is aligned with the findings of the service review and the existing tourism service contract that is in place for 2022. By way of background I've attached the staff report dated February 8, 2022 concerning the service review along with Bylaw No. 725 at third reading.

We would appreciate a response by August 15, 2022 in order to move forward with the bylaw in a timely manner. If you have any questions, please contact me at 250-334-6052 or via email at ldennis@comoxvalleyrd.ca.

We look forward to hearing from you.

Sincerely,
L. Dennis
Manager of Legislative Services

Attachments: Staff report dated February 8, 2022
Bylaw No. 725

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 725

A bylaw to amend the Comox Valley Tourism Service to include the Village of Cumberland as a participant in the service

WHEREAS the Board of the Comox Valley Regional District adopted Bylaw No. 345 being “Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016” on October 25, 2016” to convert and establish the Comox Valley Economic Development Service;

AND WHEREAS the board wishes to amend the service establishing bylaw to further implement the outcomes of the service review conducted in 2021 and 2022 by including the Village of Cumberland as a participant in the service;

AND WHEREAS pursuant to the *Local Government Act* (RSBC, 2015, c.1), at least two-thirds of the participants have given consent on behalf of the electors to the adoption of this bylaw;

AND WHEREAS pursuant to the *Local Government Act* (RSBC, 2015, c.1), the approval of the Inspector of Municipalities has been obtained;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Amendment

1. Bylaw No. 345 being “Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016” is hereby amended by:

- a) Adding to section 4 (Boundaries) the words “and the Village of Cumberland” such that section 4 reads as follows:

“The boundaries of this service shall be the boundaries of Baynes Sound (Electoral Area A (excluding Denman and Hornby Islands)), Lazo North (Electoral Area B), Puntledge/Black Creek (Electoral Area C) and inclusive of the City of Courtenay and the Village of Cumberland.”

- b) Deleting from section 5 (Participating local governments ‘Members’) the word “and” before the words “the City of Courtenay” and adding the words “the Village of Cumberland” such that section 5 reads as follows:

“The participants of this service are Baynes Sound (Electoral Area A, excluding Denman and Hornby Islands), Lazo North (Electoral Area B), Puntledge/Black Creek (Electoral Area C), the City of Courtenay and the Village of Cumberland.”

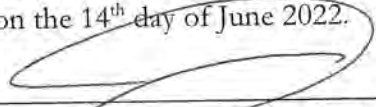
Citation

This Bylaw No. 725 may be cited as “Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3”.

Read a first and second time this 14th day of June 2022.

Read a third time this 14th day of June 2022.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 725 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3" as read a third time by the board of the Comox Valley Regional District on the 14th day of June 2022.


Deputy Corporate Legislative Officer

Electoral Area A director written consent obtained this day of 2022.

Electoral Area B director written consent obtained this day of 2022.

Electoral Area C director written consent obtained this day of 2022.

City of Courtenay council resolution given this day of 2022.

Village of Cumberland council resolution given this day of 2022.

Approved by the Inspector of Municipalities this day of 2022.

Adopted this day of 2022.

Chair

Deputy Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 725 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 3" as adopted by the board of the Comox Valley Regional District on the day of 2022.

Deputy Corporate Legislative Officer

In-camera

The CVRD Board released this report from
in-camera at its February 15/22 meeting**DATE:** February 8, 2022**FILE:**6750-20/CV**TO:** Chair and Directors
Regional District Board**FROM:** Russell Dyson
Chief Administrative OfficerSupported by Russell Dyson
Chief Administrative Officer*R. Dyson***RE: Comox Valley Economic Development Service – Service Review Final Report****Purpose**

To seek the Board's endorsement of the recommendations from the service review of the Comox Valley Economic Development Service, Function 550.

Recommendations from the Chief Administrative Officer:

1. THAT the Board concur with the recommendations provided in the Report on the Service Review dated January 2022 and staff be directed to bring forward an amendment to Bylaw No. 345 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016" to:
 - a) remove the Town of Comox as a participant and modify the service boundaries accordingly;
 - b) modify the service name to reflect the Comox Valley Regional Tourism Service;
 - c) modify the service purpose and related provisions to remove reference to economic development and insert tourism and destination marketing services;
 - d) insert language concerning the Town of Comox's
 - i. obligation to contribute their portion of debt and facility maintenance costs until the Vancouver Island Visitor Centre (VIVC) mortgage is retired; and
 - ii. entitlement to a share of any benefits from the disposition, lease or re-purposing of the VIVC during the period in which the Town of Comox contributes to the VIVC mortgage debt and maintenance costs.

AND FURTHER THAT staff be authorized to negotiate service contracts with the Town of Comox and the Village of Cumberland for tourism and destination marketing services with such contracts being subject to Board approval;

AND FINALLY THAT such direction and the public release of this staff report and the report on the service review dated January 2022 be actioned upon receipt of affirmative responses to the service findings report from all of the service participants.

2. THAT upon adoption of the amendment to Bylaw No. 345 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016" to repurpose the service as the Comox Valley Regional Tourism Service, the Village of Cumberland be invited to participate in the service through contract for 2022 and join the service as a formal participating area starting in 2023.

3. THAT staff be directed to undertake a transition planning process for the Vancouver Island Visitor Centre to identify and assess options for the use of the facility.
4. THAT the Comox Valley Economic Development Select Committee, established to consider matters relating to the contract deliverables with the Comox Valley Economic Development Society, be disbanded.

Executive Summary

- On October 30, 2020 the Town of Comox requested a service review of the Comox Valley Economic Development Service, Function 550 citing dissatisfaction with the service governance model and the resulting challenges to service delivery. [The staff report dated November 19, 2020](#) detailed this request and the framework for dispute resolution in regards to regional district services.
- The review process has followed the statutory framework provided for in the *Local Government Act* in which participant representatives, assisted by a third-party facilitator, reviewed the terms and conditions of the service and undertook negotiations to identify common interests and reach agreement on the issues identified.
- The enclosed Report on the Service Review dated January 2022 documents this process conducted over an eleven-month period and articulates the outcomes and recommendations for consideration by each of the service participants.
- In summary, the recommendations provide for a restructuring and redesign of Function 550 by focusing the service purpose on tourism and destination marketing services as well as removing the Town of Comox as a participant under terms obligating contributions to the outstanding mortgage for the Vancouver Island Visitor Centre (VIVC) and with a corresponding entitlement to any benefits arising from the disposition, lease or re-purposing of the facility. This adjustment to the service purpose means economic development services will no longer be delivered to the region and instead undertaken individually by each jurisdiction. The recommendations also provide for the establishment of tourism service contracts with both the Town of Comox and Village of Cumberland (Village) so that they may benefit from the service, with the latter body being invited to join the redesigned service as a formal participant. Should Cumberland join the service the contract between the Comox Valley Regional District (CVRD) and the Village would be terminated at the appropriate time.
- In consideration of the significance of the VIVC and the decentralization of visitor services a transition planning process for the facility is proposed to be initiated in 2022 to identify and assess options for its use. The process is expected to carry into and expand in 2023 as the regional tourism service is further developed.
- In recognition of the need for and benefits of collaboration and information sharing in regards to the parties' individual economic development activities, the service review representatives also supported the notion of holding of ad hoc regional economic development roundtables. It is noted that such roundtables can be accommodated through Elected Officials' Forums that the CVRD regularly conducts or through municipal-led events.
- Subject to endorsement by each of the participating bodies, this staff report seeks the Board's endorsement of the necessary actions stemming from the review recommendations as well as the public release of the report. Staff will provide a verbal update at the February 15, 2022 meeting respecting the consideration by each of the parties.
- Staff have updated the Ministry's Planning and Land Use Management Branch respecting the status of the service review negotiations and will notify the Minister of Municipal Affairs should agreement be reached.

- A public news release to communicate the completion of the process and the direction concerning implementation of the recommendations is also planned to be issued following confirmation of agreement by all parties.
- The draft Function 550 budget, developed around the provision of tourism services, will be presented to CVRD Board on March 15, 2022 and will include information concerning a potential contract extension with Tourism Vancouver Island. The amending bylaw associated with the implementation of the service review recommendation would also be considered at that time, should this initiative proceed.

This report is being considered in-camera in accordance with section 90(1)(k) of the Community Charter which provides that part of a board meeting may be closed to the public if the matter pertains to negotiations and related discussions respecting the proposed provision of regional district services that are at their preliminary stages and that, in the view of the board, could reasonably be expected to harm the interests of the regional district if they were held in public.

Prepared by:

J. Martens

Jake Martens
General Manager
of Corporate Services

Concurrence:

J. Warren

James Warren
Deputy Chief
Administrative Officer

Government Partners and Stakeholder Distribution (Upon Agenda Publication)

N/A	✓
-----	---

Attachments: Appendix A – Report on the Service Review dated January 2022



Statutory Service Review
Comox Valley Economic Development Service
January, 2022

REPORT ON THE SERVICE REVIEW

RECOMMENDATIONS

Recommendations arising from the Service 550 Service Review, for presentation to the City of Courtenay, Town of Comox and Comox Valley Regional District:

- > *THAT the parties amend Conversion Bylaw No. 345 (2016) to remove the economic development component of the service.*
- > *THAT the parties support the creation of ad hoc regional roundtables as forums for collaboration on initiatives aimed at promoting the economic development of the Comox Valley.*
- > *THAT the parties amend Conversion Bylaw No. 345 (2016) to remove the Town of Comox as a participating jurisdiction.*
- > *THAT the parties endorse a Fee-for-Service Contract between the Town of Comox and CVRD, as described under "Recommendation 4" in the Report on the Service Review, designed to:*
 - *enable Comox to partake in and benefit from the Comox Valley visitor services and destination marketing initiatives developed and delivered on behalf the Service 550 participants*
 - *ensure that Comox pays its share of the outstanding VIVC mortgage debt*

- *enable Comox to receive a share of any benefits from the disposition, lease or re-purposing of the VIVC, during the period in which the Town's contributions to the VIVC mortgage debt continue*

- > *THAT the Village of Cumberland be invited to join the re-designed and renamed Service 550 (Comox Valley Regional Tourism).*
- > *THAT Conversion Bylaw No. 345 (2016) be amended to reflect the name change to the service, and the inclusion of the Village of Cumberland as a participant.*

INTRODUCTION

At the end of October, 2020, the Town of Comox exercised its authority under section 357(1) of the *Local Government Act* to initiate a statutory review of the Comox Valley Economic Development Service (Service 550). In accordance with section 355(2) of the *Act*, one elected official from each participating jurisdiction was selected to represent the jurisdiction in the Service Review process. The Chair of the Comox Valley Regional District (CVRD) was selected to represent the Regional District Board.

Pursuant to section 359(1) of the *Act*, the CVRD Board arranged for the Preliminary Meeting of the Service Review to be held on January 19, 2021. At that meeting, representatives agreed to a scope of



review and a process to guide discussions. Within the agreed scope, and guided by the agreed process, the representatives participated in a total of six meetings (in addition to the Preliminary Meeting) over an eleven-month period ending on December 14, 2021.

An independent local government consultant was retained by the parties to design the Service Review process, facilitate Service Review meetings, and develop — in consultation with the local government Chief Administrative Officers — possible solutions for consideration by the representatives. This report, titled *Service Review Recommendations*, has been prepared by the consultant based on the outcomes of the Service Review. The report will be presented for consideration to the parties' governing bodies — namely, the CVRD Board of Directors, the Town of Comox Municipal Council, and the City of Courtenay Municipal Council.

The report begins by profiling Service 550 as it existed at the start of the Service Review, and as it continues to exist today pending endorsement and implementation of the recommended changes. The scope of the Service Review is then outlined, followed by a chronological examination of the Service Review meetings. The report ends by presenting the outcomes of the Service Review as recommendations to the local governments.

The primary purpose of the report is to present recommendations aimed at resolving the concerns of the parties, and concluding the Service Review. The report also serves, however, as the official record of the Service Review and its outcomes. For this reason, the chronological examination of the meetings is documented in considerable detail, as are the outcomes of the Review.

COMOX VALLEY ECONOMIC DEVELOPMENT — SERVICE 550

Service Participants

The Comox Valley Economic Development Service is a long-standing service of the CVRD, established in 1976 under supplementary letters patent. The service's *Conversion Bylaw No. 345*, adopted by the Board in 2016, identifies the following participating jurisdictions:

- City of Courtenay
- Town of Comox
- Electoral Area A
- Electoral Area B
- Electoral Area C

The service area includes the whole of the participating municipalities and the whole of Electoral Areas B and C. In Electoral Area A, only the Baynes Sound portion of the jurisdiction is included.

Service Definition

Conversion Bylaw No. 345 sets out the purpose of the service: to "encourage the responsible expansion of the Comox Valley economic base as well as enhance wealth and employment opportunities". A set of specific, core economic development activities to be undertaken in pursuit of this purpose is also set out in the bylaw.

Service 550's scope of activities evolved over time to include two additional areas of focus, both of which are related to tourism. These focus areas are identified as:

- destination marketing, which includes efforts aimed at promoting the Comox Valley as a vacation destination
- visitor information services, which are activities aimed at helping visitors to the Comox Valley learn about the area and experience its range of visitor experiences

Service Governance

CVRD Board is the ultimate governing body for Service 550. Decisions taken by the Board follow the default voting provisions of the *Local Government Act*.

Historically, the role of the Board in decision-making has been limited by the presence of the Comox Valley Economic Development Society (CVEDS), an independent entity created to deliver the service (see below). Prior to the recent dissolution of the Society, the CVEDS Board of Directors played an important role in service governance.

Service Finance

The 2021 budget for Service 550 projected close to \$1.17 million in expenses. This amount was the total required to provide the full service, including its economic development and tourism elements, for the year. A 2021 tax requisition of \$0.98 million covered the bulk of the expenses. The full tax burden was allocated among participants on the basis of converted assessment.

Service Delivery

At the start of the Service Review and for many years prior to that time, Service 550 was delivered by CVEDS on behalf of the Regional District. CVEDS was established in 1998 by the member jurisdictions (not the CVRD corporation) as a non-profit service delivery body. The CVRD entered into a new service contract with the Society in mid-2020.

SCOPE OF REVIEW

At the Review's Preliminary Meeting in January, 2021, the representatives of the parties considered the issues raised by the Town of Comox in its notice of Service Review. Individual representatives then put forward additional issues to consider for inclusion in the scope of the Review.

Based on their discussion of the full set of issues presented, representatives agreed to focus the Review on three issues:

- *Current Service Delivery* — Representatives agreed — albeit for different reasons — that the Comox Valley Economic Development Society could not continue in its role as the economic development and tourism service agency for the local governments of the Comox Valley. Representatives agreed to identify and examine the implications for the service of terminating the CVEDS' contract.
- *Service Definition* — Representatives expressed different views with respect to elements of Service 550 that should remain regional in nature and within the shared service, and elements that should be provided at a local or sub-regional level outside of Service 550. The jurisdictions were united, however, on the need to re-define the existing service to focus on a reduced scope of activities. The Service

Review, it was agreed, would be the process through which the representatives could determine the specific service elements of the to provide through a re-defined Service 550.

- *Delivery Model* — Representatives agreed to use the Service Review to determine the specific service model — in-house, arm's-length agency or service contractor — for delivery of the re-defined, shared service.

It is important to highlight the issue of service definition in the scope of Service Review. The representatives' decision to use the Service Review as the vehicle to re-design Service 550's elements, including its list of participants, reflected the view shared by all parties that significant changes to the service were required. The decision also reflected an understanding that not all jurisdictions would continue to collaborate through a collective service of the Regional District in all aspects of economic development and tourism. Through the review, it was determined, the representatives would recognize and facilitate decisions by all individual jurisdictions to participate or not participate in the re-designed service. This accommodation was provided not only to the Town of Comox — the participant that initiated the Service Review — but to all jurisdictions.

SERVICE REVIEW CHRONOLOGY

March, 2021

The representatives to the Service Review held their first meeting on March 16, 2021. In the weeks leading up to this date, the CVRD Board issued contract termination notice to CVEDS. Efforts began immediately to identify the implications of contract termination, and of the potential resulting dissolution of CVEDS, for the parties. These efforts remained ongoing after the March 16 meeting.

In discussions at the meeting itself, representatives made progress in identifying possible changes to the service. All representatives, for example, confirmed that there was no interest in retaining regional economic development in a re-defined Service 550. Representatives were quick, however, to support the creation of *ad hoc* regional economic roundtables at which jurisdictions and others —



including K'ómoks First Nation — could share information and develop shared initiatives.

On the tourism side, at least some of the representatives expressed an interest in continuing with the shared provision of visitor services in Service 550. The same representatives spoke to the value, as well, in continuing to participate in shared destination marketing efforts aimed at drawing targeted groups of visitors to the Comox Valley.

In the weeks following the March 16 meeting, the Members of CVEDS met with the CVEDS' Board of Directors to review the Society's assets and liabilities, and to understand the intentions of the Board with respect to dissolution. The Regional District Board approved an interim *Five-Point Plan* designed by staff to provide short-term stability to ongoing tourism and economic development activities, and to give the parties to the Service Review the time required to complete their process.

A key element of the *Five-Point Plan* was a proposal aimed at protecting the Vancouver Island Visitor Centre (VIVC), a community asset held by CVEDS and funded through Service 550. Under the *Plan* the CVRD would assume from CVEDS title to the facility, as well as Centre's outstanding mortgage liability. The *Plan* also called on the CVRD to assume responsibility for the tourism service delivery sub-contract between CVEDS and Tourism Vancouver Island (TVI), and to replace CVEDS in its role as Secretariat for the Economic Recovery Task Force.

April, 2021

The second meeting of the Service Review was held on April 20, 2021. Most of the time at this meeting was spent discussing possibilities for shared tourism. Key points from the discussion were as follows:

- *Regional Tourism* — All jurisdictions except for the Town of Comox expressed an interest in regional tourism, and a commitment to taking responsibility for the VIVC facility, VIVC mortgage and TVI delivery contract.
- *New Service Design* — All representatives agreed that the current tourism service, based

out of the VIVC, was not the preferred service model for the Comox Valley. A new vision, scope and service model for a Comox Valley visitor services and destination marketing function was required.

- *Full-Region* — Several representatives expressed a desire to expand the tourism service area to include the Village of Cumberland, Hornby Island and Denman Island. Several also highlighted the importance of, and opportunities for, engaging K'ómoks First Nation.

Following the April 20 meeting, the Service Review facilitator spoke individually to each of the representatives and to the local government CAOs to better understand the parties' interests. The following points emerged from these discussions:

- The Town of Comox did not wish to participate in any form of shared, Regional District service, including a re-designed service focused on visitor services and destination marketing.
- The City of Courtenay and Electoral Areas A, B and C remained interested in collaborating on visitor services and destination marketing through a regional tourism service, re-imagined and re-defined through ongoing discussion involving all willing parties, including the Village of Cumberland and other jurisdictions that are not currently participating in Service 550.
- The City of Courtenay, CVRD and CVEDS were in discussions with Destination BC to determine how to transfer the Municipal Regional District Tax (MRDT) from CVEDS to a new designated recipient in a way that would avoid any interruption in the program.
- The CVRD remained intent on implementing the agreed *Five-Point Plan* and, in so doing, assuming ownership and responsibility for the mortgage liability of the VIVC, as well as responsibility for the contract with TVI.
- All parties remained interested in collaborating on economic development initiatives through *ad hoc* regional roundtables. None of the



parties, however, expressed interest in participating in a formal regional economic development service.

May, 2021

The third meeting of the Service Review was held on May 13, 2021. The meeting focused on regional tourism (economic development, the parties had determined, would be provided through local economic development services, not as part of a re-designed Service 550). Two regional tourism scenarios were presented for discussion by representatives at the meeting:

- *Regional Tourism WITHOUT Town of Comox* — Under this scenario, the City of Courtenay and Electoral Areas A, B and C would choose to participate in a revised Service 550 focused on the provision of regional visitor services and destination marketing initiatives. Invitations to join the service would be sent to the Village of Cumberland Municipal Council, along with the Chairs of Denman Works and the Hornby Island Community Economic Development Corporation.

The Town of Comox would not participate in the service. The Town's decision to withdraw from Service 550 entirely would trigger a discussion on compensation — specifically, the question as to whether or not Comox should be expected to compensate the remaining participants for a portion of the cost incurred by the service in taking ownership of the VIVC.

Regional tourism would be delivered for at least an initial period by TVI on contract to the CVRD. The participants would engage in a strategic planning process to examine the potential to transition visitor services from a centralized VIVC-based model to a more dynamic, decentralized model.

Destination marketing efforts in the service would be supported in part by MRDT funds, which could be administered by TVI on behalf of the service and the hospitality sector. The annual tax requisition paid by the participating jurisdictions would fund a portion of visitor service and destination marketing costs, but

would also be used to pay the VIVC mortgage and operation.

Efforts would be taken to promote a "Team Comox Valley" approach by collaborating with a Town of Comox local tourism service, the K'ómoks First Nation and other entities in the region.

- *Regional Tourism WITH Town of Comox* — Under this scenario, the Town of Comox would participate along with Courtenay and Electoral Areas A, B and C in a revised, tourism-focused Service 550. As in the other scenario, invitations to join the service would be sent to the Village of Cumberland and the Islands.

TVI would deliver the service on contract to the CVRD, and would work with the parties to help develop a decentralized visitor services model. The voting model for the service would be examined to address concerns raised by Comox (and possibly shared by others) related to a perceived inability to influence decision-making. Changes would be introduced using the authority under the *Local Government Act* to ensure that weighted stakeholder decisions reflected the broad consensus of participants.

The MRDT program, which would support destination marketing initiatives, could be collected over a broader, regional area to capture overnight accommodation providers (including online services) throughout the region.

The first scenario, which would result in regional tourism *without* the Town of Comox, was the agreed outcome of the May 13 meeting. The matter of an "exit fee" to be paid by Comox was discussed at length. Representatives agreed that an equitable fee would include an amount to address the Town's portion of the mortgage liability connected to the VIVC, as well as a portion of the cost associated with any outstanding items connected to the imminent dissolution of CVEDS. Both the VIVC- and CVEDS-related costs, it was agreed, were the responsibility of all current Service 550 participants. Representatives did not agree on a rationale for additional compensation to address the ongoing operation of the VIVC.

Representatives resolved at the end of the meeting to pause the Service Review in order to provide sufficient time to implement the *Five-Point Plan*. Implementation could not be completed until the CVRD had received all information related to the transfer of the VIVC facility and TVI contract to the Regional District, along with any outstanding items connected to the dissolution of CVEDS.

July, 2021

The fourth meeting of the Service Review was held on July 27, 2021. Representatives focused their discussions on two papers that were developed and distributed in advance of the meeting. The first paper, titled *Service 550 Re-Design Proposal* set out a blueprint for a Comox Valley Regional Tourism Service with participation by all five existing Service 550 participants, including the Town of Comox, and all other jurisdictions that wished to join (e.g., Village of Cumberland). The second paper was titled *"Exit Fee" Framework*. This paper addressed the need to determine an exit fee for any existing participant to leave Service 550 entirely.

Both papers were developed by the facilitator in the weeks following the May 13 meeting. Drafts were presented to the Chief Administrative Officers of the Town of Comox, City of Courtenay and CVRD. The *Service 550 Re-Design Proposal* was written, notwithstanding the outcome of the May 13 meeting, to address the possibility that Comox may wish to understand what a revised regional tourism service could look like prior to determining its final course of action. It was thought, in particular, that safeguards outlined in the proposed re-design — for example, a provision for automatic future service reviews — could provide Comox with the necessary comfort to consider remaining in a regional function.

The *Service 550 Re-Design Proposal* ended with a set of suggested next steps for representatives to consider. The most immediate of these steps called on the representatives of the City of Courtenay and Town of Comox to present the proposal to their respective Municipal Councils in order to obtain the Councils' approvals-in-principle. The Electoral Area Directors were asked to present the proposal to the CVRD Board to obtain the same approval. The facilitator was made available to all of the parties to

assist in presenting the paper; the facilitator was also made available to the Village of Cumberland to present and explain the proposed re-design.

In August, 2021, the facilitator presented the proposal to the Electoral Area Services Committee of the CVRD Board. In September, 2021, the facilitator met to discuss the proposal with the City of Courtenay Council and Village of Cumberland Council. The Town of Comox's representative to the Service Review, along with the Town's Chief Administrative Officer, presented the proposal to Comox Town Council.

On September 10, 2021, shortly after the presentation to Comox Town Council, the Chair of the CVRD received a letter from Comox's Mayor, announcing the Town's decision to withdraw entirely from Service 550. The letter noted that Comox would be providing all elements of Service 550 — economic development, visitor services and destination marketing — as local services.

October, 2021

Representatives met for the Service Review's fifth meeting October 14, 2021. The *"Exit Fee" Framework* paper presented at the July 27 meeting set the stage for the October discussions. The paper identified the purpose of an exit fee, outlined a set of principles to help guide discussion on a fee, and listed suggested exit fee components.

Importantly, the paper reminded the representatives that their agreement to use the Service Review as the vehicle to re-design Service 550's elements, including its list of participants, reflected the view shared by all parties that significant changes to the service were required. The representatives' agreement also reflected an understanding that not all jurisdictions would continue to collaborate through a collective service of the Regional District in all aspects of economic development and tourism. Through the review, it was determined, the parties would recognize and facilitate decisions by each jurisdiction to participate or not participate in the re-designed service. This accommodation was provided not only to the Town of Comox — the participant that initiated the Review — but to all jurisdictions.



At the meeting, representatives made some progress in determining an appropriate exit fee. There was consensus that the fee for Comox — and, indeed, for any jurisdiction that wished to withdraw from all elements of the service — should take into account the following factors:

- the outstanding mortgage debt on the VIVC
- the need to complete outstanding capital repairs on the VIVC (repairs that were identified through a recent review of the Centre's state of repair)
- any outstanding liabilities associated with the dissolution of CVEDS
- any outstanding costs incurred to indemnify CVEDS' Directors from future potential (unanticipated) liabilities

Representatives did not reach agreement on the question of whether a departing jurisdiction, after paying the exit fee, should receive a portion of any revenues generated by the sale of facility, should such a sale occur.

After tabling the matter for further consideration, representatives received a presentation from Tourism Vancouver Island — the current tourism contractor — on the importance of, and the potential for, some level of ongoing collaboration in destination marketing under the shared "Comox Valley" brand, as well as the potential for ongoing cooperation on visitor services through a decentralized model with a scaled-back use of the VIVC. The Mayor and Chief Administrative Officer from the Village of Cumberland were welcomed into the meeting to hear the presentation and participate in group discussion on it. TVI's presentation was requested based on the understanding that, despite the lack of full support for a new regional tourism service, all jurisdictions had indicated an interest in some level of collaboration on destination marketing and visitor services efforts.

Following the presentation, representatives of the jurisdictions, including the Village of Cumberland, explored possible structural arrangements for ongoing collaboration. Two options were put forward by the facilitator. The options are similar to one another in most respects. Both options, for

example, feature the following elements:

- *Regional Tourism Service* — Central to both options was a re-designed Service 550 focused on destination marketing and decentralized visitor services. The resulting service — Comox Valley Regional Tourism — would be a service of the Regional District with five participating jurisdictions:
 - City of Courtenay
 - Village of Cumberland
 - Electoral Area A (Baynes Sound)
 - Electoral Area B
 - Electoral Area C
- *Tourism Vancouver Island* — In both options the CVRD would contract service delivery to Tourism Vancouver Island.
- *Town of Comox* — The Town of Comox would not be a participating jurisdiction in the service under either option. In both options, however, the Town would receive, benefit from and pay for the service through a fee-for-service contract.

The chief difference between the options concerned the body with which Comox would contract. In one option, Comox would contract with the CVRD to contribute to and collaborate on visitor services and destination marketing initiatives delivered by TVI. In the other option, Comox would contract directly with TVI for the services. It was determined that the first option, featuring a contract with the CVRD, would be the most straightforward for all parties, including TVI.

December, 2021

December 14, 2021, was the final meeting of the Service Review. The matter of the exit fee was the focus of the meeting.

The agenda for the meeting included a "Setting the Stage" background section that set out the points on which representatives had reached agreement in October. The background section noted, as well, that CVRD staff had confirmed earlier in 2021 that capital reserves in place for the Centre were sufficient for the necessary capital repairs to the

facility. Staff had also confirmed that the 2021 Service 550 budget was sufficient to accommodate all costs associated with the dissolution of CVEDS. The amount of funding — if any — required to indemnify CVEDS' Directors from future liabilities was not entirely known; however, based on information available in December, the risk of future costs was (and remains) considered low.

The exit fee component that was both certain and known going into the December Service Review meeting was the outstanding mortgage debt on the VIVC. The Town of Comox's total share of the debt at the end of 2021 was approximately \$72,000.

In response to the wishes of the Service 550 participants, the CVRD agreed to undertake, with existing service participants only, a *VIVC Transition Planning Process* in 2022 to identify and assess options for the Visitor Centre facility. A decision emerging from the planning process to sell the facility would generate proceeds that would benefit the service and the participating jurisdictions that, by virtue of their continued participation, assumed responsibility for the facility. A decision to retain ownership of the Centre, but to re-purpose it as a venue for other uses, could generate lease revenues that would also benefit the service and its jurisdictions.

Should a jurisdiction that withdraws from Service 550, but pays its share of the VIVC's outstanding mortgage debt, be entitled to share in the financial benefits generated by the re-purposing or sale of the facility? Or, should the financial benefits flow solely to the jurisdictions that continue to participate in the re-designed Service 550 — the service to which the facility is attached? These questions informed the development of exit fee options for the Service Review parties to consider.

Two options were developed for discussion at the December 14 meeting:

- *Option 1: No Exit Fee* — Under this option, a departing jurisdiction would pay its full 2022 Service 550 requisition in January, 2022, and withdraw from the service by March 31 of the same year. The jurisdiction would pay no exit fee, but would also receive no share of benefits generated by the re-purposing or disposition of

the VIVC. The jurisdiction would not be expected to make any contributions to the ongoing operation or improvement of the facility, including any improvements required to address unforeseen incidents.

In essence, Option 1 dealt with the issue of future benefits by eliminating the need for an exit fee. In that respect, the option was straightforward and would result in a clean and final separation for the departing jurisdiction from the service. The option embraced the position that the VIVC and its future use are the responsibility of, and for the benefit of, the service and its participating jurisdictions only. Non-participants would have no responsibility for, no role in governing, and stand to receive no benefit from, the Centre, irrespective of past payments made.

- *Option 2: Mortgage, Improvements & Maintenance* — In this option, the departing jurisdiction would pay its full 2022 Service 550 requisition in 2022, and withdraw from the service by March 31 of that year. The jurisdiction would enter into an exit fee contract with the CVRD under which the jurisdiction would be required to make an annual VIVC facility payment to cover the jurisdiction's portion of:
 - the mortgage debt for the facility
 - the cost to maintain the facility
 - facility improvement costs necessary to keep the facility in a state of proper repair

The jurisdiction would make the facility payment each year for four years, or until the mortgage debt had been fully retired. During the term of the payment contract, the jurisdiction would be entitled to a share of any financial benefits generated by the re-purposing or sale of the Centre. At the end of the contract term, the jurisdiction's payments towards the facility would end, as would the jurisdiction's claim on any financial benefits.

Following considerable discussion, the representatives of the City of Courtenay, Electoral Areas B

and C, and the CVRD Board endorsed Option 2.¹ The Town of Comox representative agreed to present Option 2 to Comox Council to ensure acceptance.

SERVICE REVIEW RECOMMENDATIONS

The Service 550 Service Review began on January 19, 2021, with the preliminary meeting of representatives. From the outset, the parties to the Review, through their representatives in the process, agreed to use the Review as a vehicle to re-design Service 550. This agreement reflected the view shared by all parties that significant changes to the service were required. The agreement also reflected an understanding that not all jurisdictions would continue to collaborate through a collective service of the Regional District in all aspects of economic development and tourism. Through the review, it was determined, the parties would recognize and facilitate decisions by every individual jurisdiction to participate or not participate in the re-designed service. This accommodation was provided not only to the Town of Comox — the participant that initiated the Service Review — but to all jurisdictions.

Over six subsequent meetings, representatives considered a range of proposals that were designed to help address concerns and, where possible, align the parties' interests. By the end of December, 2021, a number of outcomes had emerged. These outcomes are outlined in this final section of the report as recommendations to the local governments represented in the Service Review.

Recommendation 1:

Economic Development Service

The first recommendation arising from the Service Review concerns the economic development component of Service 550:

- *THAT the parties amend Conversion Bylaw No. 345 (2016) to remove the economic development component of the service.*

If endorsed by the parties, this recommendation would eliminate economic development as a

shared, regional service of the Regional District. Individual jurisdictions could choose to create (or to not create) their own, local economic development services.

Recommendation 2:

Regional Roundtables

All representatives to the Service Review expressed support for local government jurisdictions to come together, along with K'ómoks First Nation and other interested parties, in *ad hoc* regional economic development roundtables. These roundtables would be convened as forums for collaboration on initiatives aimed at promoting the economic development of the Comox Valley. The recommendation on roundtables is as follows:

- *THAT the parties support the creation of ad hoc regional roundtables as forums for collaboration on initiatives aimed at promoting the economic development of the Comox Valley.*

Recommendation 3:

Participation in Regional Tourism

Through its representative to the Service Review, and in its letter of September 10, 2021, to the Chair of the CVRD Board, the Town of Comox has expressed its desire exit Service 550 entirely, including the service's regional tourism components. The recommendation to the local governments on this point is as follows:

- *THAT the parties amend Conversion Bylaw No. 345 (2016) to remove the Town of Comox as a participating jurisdiction.*

Recommendation 4:

Exit Fee

The recommendation on the matter of the exit fee arises from the discussion on the Option 2 proposal as presented to representatives at the December 14, 2021, Service Review meeting. In accordance with this discussion, the exit fee for the Town of Comox would be determined and paid as follows:

¹ The Electoral Area A Director was not present, but agreed in advance to support the agreed option.

- Comox would pay its full Service 550 requisition for 2022, based on the same terms as those which apply to the other Service 550 participants.
 - Comox would withdraw from Service 550 on or before March 31, 2022, with the support of the remaining participants.
 - Comox would enter into a Fee-for-Service Contract with the CVRD to partake in and benefit from the Comox Valley visitor services and destination marketing initiatives developed by Tourism Vancouver Island on behalf the Service 550 participants.
 - The price of the Town's Fee-for-Service Contract for 2022 would be \$0, since Comox would have already paid the full 2022 service requisition.
 - The Contract price for subsequent years, beginning 2023, would be determined by Comox and the CVRD based on anticipated Service 550 costs in those years — costs that would include, specifically, the cost of the service contract for tourism services, regular VIVC maintenance, and the remaining mortgage payments required to retire the VIVC debt.
 - For clarity, the Town of Comox would not be expected to contribute towards the cost of any future VIVC capital improvements beyond those capital repairs that have already been identified by the CVRD and shared with the parties.
 - The parties have agreed to fund the identified repairs, in their entirety, using existing Service 550 capital reserves towards which the Town has already contributed.
 - The cost of future capital improvements that may be determined beyond 2022 would be born solely by the jurisdictions that participate in Service at the time.
 - For as long as the Town of Comox continued to pay through its Fee-for-Service contract a portion of the VIVC mortgage debt, the Town would receive a share of any proceeds earned as a result of a decision by the Service 550 participants to dispose of the Centre.
 - The Town's share would be negotiated by the parties, taking into account past payments made to the facility by all jurisdictions.
 - During the period in which the Town's VIVC debt contributions continued, efforts by the Service 550 participants to lease or otherwise re-purpose the Centre could generate revenues for the service.
 - Any such revenues would be used to help reduce total net service costs.
 - Comox's share of the benefits associated with these revenues would be realized through the Town's annual Fee-for-Service Contract payment, which (as noted) would be based each year on the Service 550 service costs (net of capital improvements not already identified for funding out of existing capital reserves)
 - Once the Town's contributions to the VIVC mortgage debt had ended, the Town would renounce its legal claim to a portion of any benefits generated by the future disposition, lease or re-purposing of the Centre.
- The recommendation on the matter of the exit fee is as follows:
- *THAT the parties endorse a Fee-for-Service Contract between the Town of Comox and CVRD, as described under "Recommendation 4" in the Report on the Service Review, designed to:*
 - *enable Comox to partake in and benefit from the Comox Valley visitor services and destination marketing initiatives developed and delivered on behalf the Service 550 participants*

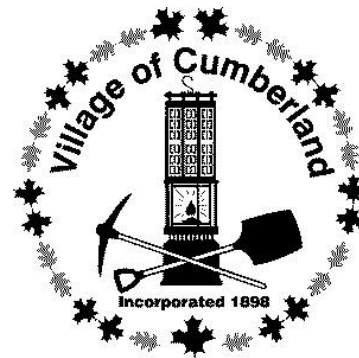
- *ensure that Comox pays its share of the outstanding VIVC mortgage debt*
- *enable Comox to receive a share of any benefits from the disposition, lease or re-purposing of the VIVC, during the period in which the Town's contributions to the mortgage debt continue*

Recommendations 5 and 6:**Village of Cumberland**

Strong support was expressed in the Service Review for expanding Service 550 — re-designed and renamed to focus on regional tourism — to include the Village of Cumberland. Accordingly, it is recommended:

- *THAT the Village of Cumberland be invited to join the re-designed and renamed Service 550 (Comox Valley Regional Tourism).*
- *THAT Conversion Bylaw No. 345 (2016) be amended to reflect the name change to the service, and the inclusion of the Village of Cumberland as a participant.*

COUNCIL MEMBER REPORT



.VDATE: August 31, 2022
 TO: Mayor and Councillors
 FROM: Councillor Brown
 SUBJECT: August 2022 Monthly Report

Date	Event	Comments
August 1	LGPMR	UBCM’s Local Government Policing Modernization Roundtable Meeting Continuing to review and provide input to the Special Committee on Reforming the Police Act’s recommendations
August 6	Meet and Greet	Meet and greet with David Eby (running for BC NDP Leader and by default Premier) hosted by Ronna Rae Leonard
August 8	COTW	Council Committee of the Whole For more info: COTW Aug 8, 2022
	Regular Council	Regular Council Meeting For more info: Regular Council Meeting Aug 8, 2022
August 13	Obon Ceremony	Ceremony at the Japanese Cemetery service will be given by Rev. Grant Ikuta of Steveston BC Jodo Shinshuu Buddhist Temple. Rev. Ikuta and Group of 42 participants of the Vancouver Island Obon Cemetery Visitation Tour are visiting Vancouver Island Nikkei Cemeteries. Obon is a Buddhist Service to honor ancestors, and respect and express gratitude for life today. As part of their annual service, members from the BC Jodo Shinshuu Buddhist Federation have been making an annual pilgrimage to Vancouver Island to visit cemeteries in a number of towns and to honor Japanese Canadian pioneers who lived and died on the Island prior to WWII. The Obon tour began in 1978.
August 14	Source Encounters	Canoe and watershed talk/walk with Connected by Water This place-making workshop responds to the question ‘how can we ensure a healthy climate-resilient watershed’ and is designed for artists, writers and educators with the goal of building a legacy of watershed protection and helping our community more deeply understand the history, science, and values that have informed the protection of lands in the watershed – including Coal Beach, Lower Perseverance, Cumberland Forest, BC Parks Ecological Reserve and Cumberland’s Lake Park.
August 15	LGPMR	UBCM’s Local Government Policing Modernization Roundtable Meeting Continuing to review and provide input to the Special Committee on Reforming the Police Act’s recommendations

August 17	CV Substance Use Strategy	Working Group meeting – Update on work plan, hiring facilitator (to be announced shortly), Simms park International overdose awareness day table.
August 18	Community Justice Centre	Brief board meeting – tech breakdown – to be continued
August 24	CBA	Regular Monthly Meeting
August 25	Community Justice Centre	August 18 th meeting continued Successor Patron discussion Director Recruitment/Nominations report Crown Referrals MOU in place 2023 Campagnolo Lecturer Update Budget Adoption of Values, Vision and Mission of CJC
August 26	VIRL	Executive Committee Meeting Draft 2 of Budget, financial update

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1171

A Bylaw to amend Business Licence Bylaw No. 896, 2009

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

1. This Bylaw shall be cited as “Business Licence Amendment Bylaw No. 1171, 2022”.
2. The Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009 is amended in Section 5 by **inserting**
“j. A person applying for the issuance or renewal of a licence to carry on a Vacation Rental use must:
 - i) Complete and submit an application for a licence in a form satisfactory to the Village;
 - ii) Pay to the Village the applicable licence fees prescribed under Schedule A attached to this Bylaw;
 - iii) Provide evidence, to the satisfaction of the Village, that a *residential use* is occurring in the same dwelling unit or another dwelling unit on the same lot;
 - iv) Provide written consent from the registered property owner;
 - v) Provide the name and current telephone number of a local contact who has consented to respond within 24 hours of being contacted by the Village.
 - vi) Comply with the Village’s parking requirements.”
3. The Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009 is amended by **inserting**

“VACATION RENTALS

- 5.2 A person carrying on a Vacation Rental use must:
 - a) limit their operation to the dwelling unit issued a business licence;
 - b) display their valid Village of Cumberland business licence within the *dwelling unit* used as a **vacation rental**;
 - c) identify a valid Village of Cumberland business licence number in each and every advertisement, listing, or promotional material that is intended to communicate the availability of a **vacation rental**;
 - d) prominently display an outdoor sign on the premises identifying the name and a phone number of the person managing the *vacation rental*;

- e) at all times provide to the Village the name and current telephone number of a local contact, identified on the licence, who has consented to respond within 24 hours of being contacted by the Village;
- f) respond to the Village within 24 hours of being contacted by the Village.”

Severability

- 4. If any section or subsection of this Bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.

READ A FIRST TIME THIS	13TH	DAY OF	JUNE	2022.
READ A SECOND TIME	13TH	DAY OF	JUNE	2022.
READ A THIRD TIME	8TH	DAY OF	AUGUST	2022.
ADOPTED THIS		DAY OF		2022.

Mayor

Corporate Officer