

The Corporation of the Village of Cumberland  
Regular Council Meeting Agenda

Monday, October 3, 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](#)

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Pages

1. Call To Order

2. Approval of Agenda

2.1. Agenda for Regular Council Meeting, October 3, 2022

**Recommendation:**

THAT Council Approve the Agenda for the October 3, 2022 Regular Council Meeting.

3. Minutes

3.1. Adoption of Minutes

5

**Recommendation:**

THAT Council adopt the following minutes:

- Regular Council Meeting, September 21, 2022

**Recommendation:**

THAT Council receive the following minutes:

- Accessibility & Inclusion Select Committee, September 12, 2022

4. Delegations

5. Correspondence

5.1. L. Everson - Gukw̓as sa Wagalus-Rainbow House - Letter of Support

15

**Recommendation:**

THAT Council receive the correspondence from L. Everson regarding the Gukw̓as sa Wagalus-Rainbow House project.

**Recommendation:**

THAT Council direct staff to provide a letter of support for the Gukw̓as sa Wagalus-Rainbow House project, to support their upcoming grant applications.

6. Unfinished Business

7. Reports

- 7.1. Cumberland Fire and Rescue “Live Fire Training Facility Project”: Grant Application and Budget Amendment 17  
Prepared by Mike Williamson, Fire Chief & Kevin McPhedran, Interim Deputy CAO

**Recommendation:**

THAT Council receive the Cumberland Fire and Rescue “Live Fire Training Facility Project”: Grant Application and Budget Amendment report.

**Recommendation:**

THAT Council support an application to the UBCM Community Emergency Preparedness Fund: Volunteer and Composite Fire Department Equipment and Training program for \$30,000 for the Live Fire Training Facility Project;

AND THAT Council approve the expenditure of up to \$30,000, to be funded through “Fire Vehicle and Protective Equipment Replacement Reserve”, for “Live Fire Training Facility Project” and THAT Council direct staff to include this in the 2023-2027 Financial Plan Bylaw to reflect this expenditure.

- 7.2. Solid Waste Collection Contract Extension 21  
Prepared by Rob Crisfield, Manager of Operations

**Recommendation:**

THAT Council Receive the Solid Waste Collection Contract Extension report;

**Recommendation:**

THAT Council approve the extension of the current solid waste collection contract with the proposed rate increase of 11% to take effect October 1, 2022, through to December 31, 2023, with an additional 6-month extension if required beyond December 31, 2023 at a rate increase of 9%;

AND THAT Council authorize the Mayor and CAO to execute the contract extension.

- 7.3. Rental Fees for Oct 21, 2022 Community Potluck 24  
Prepared by Mayor Baird

**Recommendation:**

THAT Council receive the correspondence "Rental fees for Oct. 21, 2022 Community Potluck" from Mayor Baird.

**Recommendation:**

THAT Council pay \$80 out of Council’s public relations budget for the rental fees for the Cultural Centre for the community potluck expected to be held October 21, 2022.

7.4. Mayor and Council Monthly Reports - September 2022

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

**Recommendation:**

THAT Council receive the monthly reports for September 2022 from Mayor and Council.

8. **Bylaws**

- 8.1. Streamlining Accessory Dwelling Unit Approval Process – Amendment 29  
Bylaws  
Prepared by Courtney Simpson, Manager of Development Services

**Recommendation:**

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

**Recommendation:**

THAT Council give third reading to, and adopt, "Official Community Plan Amendment Bylaw No. 1174, 2022"; and

THAT Council amend Zoning Amendment Bylaw No. 1175, 2022 as follows:

to 4.2 c), by deleting "in width" and replacing with "clearance"; and to 4.2 e) vi), by deleting "Include an unobstructed, hard-surfaced lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU" and replacing with: "Include an unobstructed, lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU, with a surface that is hard packed and permeable such compacted gravel, permeable pavers, or flagstone."

THAT Council give third reading to, and adopt, "Zoning Amendment Bylaw No. 1175, 2022".

- 8.2. Bylaw 1176, Zoning Amendment Bylaw, 4699 Cumberland Road 38

**Recommendation:**

THAT Council give third reading and adopt "Zoning Amendment Bylaw, No 1176, 2022".

- 8.3. Bylaw 1177 - 2023 Permissive Tax Exemptions 39

**Recommendation:**

THAT Council adopt "Permissive Tax Exemption 2023 Bylaw No. 1177, 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.

- Wednesday, October 5, 2022 – Advance voting open to all electors  
Wednesday, October 12, 2022 – Advance voting open to all electors  
Saturday, October 15, 2022 – General voting day
- Monday October 24, 2022 - Committee of the Whole 2 p.m. Regular Council Meeting 5:30 p.m.

**11. Question Period**

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

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

**12. Closed Portion**

**Recommendation:**

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

(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; and,

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

**13. Adjournment**

**The Corporation of the Village of Cumberland**

**Regular Council Meeting Minutes**

**September 21, 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, Chief Administrative Officer/CFO  
Kevin McPhedran, Interim Deputy Chief Administrative Officer  
Courtney Simpson, Manager of Development Services  
Rob Crisfield, Manager of Operations  
Karin Albert, Senior Planner  
Meleana Searle, Planner  
Rachel Parker, Corporate Officer

**\*\*The Regular Council Meeting of Sep. 19, 2022 was postponed to Wednesday Sep. 21, 2022**

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**1. Call To Order**

Mayor Baird called the meeting to order at 5:31 p.m. and made a territorial acknowledgement.

Mayor Baird recognized the recent passing of past Mayor Bronco Moncrief and noted his achievements, recognized his work in the community, and his lively character.

**2. Approval of Agenda**

2.1 Agenda for Regular Council Meeting, September 21, 2022

Motion 22-523

**Moved by:** Brown

**Seconded by:** Sullivan

THAT Council approve the agenda for the September 21, 2022 Regular Council Meeting.

**Carried Unanimously**

**3. Minutes**

3.1 Adoption of Minutes

Motion 22-524

**Moved by:** Sproule

**Seconded by:** Sullivan

THAT Council adopt the following minutes:

- Committee of the Whole Meeting, September 6, 2022
- Regular Council Meeting, September 6, 2022

**Carried Unanimously**

3.2 Receipt of Minutes

Motion 22-525

**Moved by:** Brown

**Seconded by:** Sproule

THAT Council receive the following minutes:

- Heritage Committee Meeting, August 15, 2022

**Carried Unanimously**

**4. Delegations**

None

**5. Correspondence**

None

**6. Unfinished Business**

None

**7. Reports**

7.1 Wastewater Upgrade Project – Progress Update and Budget Amendment

Motion 22-526

**Moved by:** Brown

**Seconded by:** Ketler

THAT Council receive the report “Wastewater Upgrade Project - Progress Update and Budget Amendment”.

**Carried Unanimously**

Motion 22-527

**Moved by:** Sullivan

**Seconded by:** Ketler

THAT Council approve the additional expenditure of up to \$2,710,000 for “Phase 1 Wastewater Upgrade Project” with:

- \$1,550,000 to be funded through Sewer and Water Infrastructure Asset Replacement Reserve; and
- \$1,160,000 to be funded through GMF (borrowing/grant).

THAT Council approve the expenditure of up to \$650,000 for “Phase 2 Wastewater Upgrade Project – Pre-Construction Program” with:

- \$195,000 to be funded through Sewer and Water Infrastructure Asset Replacement Reserve; and
- \$455,000 to be funded through GMF (borrowing/grant).

THAT Council direct staff to bring forward an amendment to the adopted 2022-2026 Financial Plan Bylaw to reflect these expenditures.

**Carried Unanimously**

Motion 22-528

**Moved by:** Sullivan

**Seconded by:** Ketler

That Council approve an increase of \$2,710,000 to the Maple Reinders contract, for the “Phase 1 Wastewater Upgrade Project”; and

THAT Council authorize staff to enter into contracts totalling \$650,000 to execute the “Phase 2 Wastewater Upgrade Project – Pre-Construction Program”.

**Carried Unanimously**

- 7.2 Development Variance and Heritage Alteration Permit Amendment Applications, 2714 Dunsmuir Ave

Motion 22-529

**Moved by:** Ketler

**Seconded by:** Sullivan

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

**Carried Unanimously**

Motion 22-530

**Moved by:** Brown

**Seconded by:** Ketler

THAT Council approve heritage alteration permit (2022-01-HAP) for 2714 Dunsmuir Avenue, properties legally described as Lot 1, Block 6, District Lot 21, Nelson District, Plan 522 and The West 1/2 of Lot 2, Block 6, District Lot 21, Nelson District, Plan 522 with a requirement to change the black corrugated metal on all outer finishes; and

THAT Council approve development variance permit (2022-07-DV) to vary Zoning Bylaw No. 1027, 2014 to increase the front maximum setback for the proposed development to 2.15 metres for 50 percent of the façade.

**Carried Unanimously**

Motion 22-531

**Moved by:** Brown

**Seconded by:** Ketler

That Council require a peer review for the geotechnical report for the blasting under a building permit issued for the development at 2714 Dunsmuir Avenue.

**Carried Unanimously**

7.3 Fire Service Review Report

Motion 22-532

**Moved by:** Ketler

**Seconded by:** Brown

THAT Council receive the Fire Service Review Report.

**Carried Unanimously**

Motion 22-533

**Moved by:** Ketler

**Seconded by:** Brown

THAT Council direct staff to consider the recommendations of the Fire Service Review report in the 2023-2027 financial planning process.

**Carried Unanimously**

7.4 Local Government Climate Action Program

Motion 22-534

**Moved by:** Ketler

**Seconded by:** Brown

THAT Council receive the Local Government Climate Action Program report.

**Carried Unanimously**

Motion 22-535

**Moved by:** Brown

**Seconded by:** Sullivan

THAT Council direct staff to post on the Village website a completed and signed attestation form to confirm all Local Government Climate Action Program funds were, or will be, used towards climate action; and a completed PDF version of the required program survey.

**Carried Unanimously**

7.5 Municipal Finance Authority Financing for 2022 Vehicle/Equipment Purchase

Motion 22-536

**Moved by:** Ketler

**Seconded by:** Sproule

THAT Council receive the Municipal Finance Authority Financing for 2022 Vehicle/Equipment Purchase report.

**Carried Unanimously**

Motion 22-537

**Moved by:** Sullivan

**Seconded by:** Brown

THAT Council approve the short-term borrowing from the Municipal Finance Authority through the Equipment Financing Program up to \$65,000 for the purchase of a 2022 bylaw enforcement van for a five year term that must be repaid in five years.

**Carried Unanimously**

**8. Bylaws**

8.1 2023 Permissive Tax Exemptions

Motion 22-538

**Moved by:** Ketler

**Seconded by:** Sullivan

THAT Council receive the 2023 Permissive Tax Exemptions report.

**Carried Unanimously**

Motion 22-539

**Moved by:** Brown

**Seconded by:** Ketler

THAT Council consider first, second, third reading of the “Permissive Tax Exemption 2023 Bylaw No. 1177, 2022”.

**Carried Unanimously**

8.2 Zoning Amendment, 4699 Cumberland Road, First and Second Reading of Bylaw 1176

Motion 22-540

**Moved by:** Ketler

**Seconded by:** Brown

THAT Council receive the “Zoning Amendment, 4699 Cumberland Road, First and Second Reading” report.

**Carried Unanimously**

Motion 22-541

**Moved by:** Sullivan

**Seconded by:** Brown

THAT Council give first and second reading to Bylaw 1176 cited as “Zoning Amendment Bylaw No. 1176, 2022”.

**Carried Unanimously**

**9. New Business**

None

**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.

- Homelessness & Affordable Housing Committee, September 21
- Public Hearing - Accessory Dwelling Units Modernization Bylaws, September 26 7:00 pm
- Committee of the Whole & Regular Council Meeting October 3

**11. Question Period**

Questions were received on the following matters:

- Heritage alteration permit and variance permit for 2714 Dunsmuir Avenue

**12. Closed Portion**

Motion 22-542

**Moved by:** Sullivan

**Seconded by:** Ketler

THAT Council close the meeting to the public at 7:25 p.m. pursuant to Section 90 of the *Community Charter* to consider:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

**Carried Unanimously**

**13. Adjournment**

The meeting was adjourned at 7:45 p.m.

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Mayor

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Certified Correct by Corporate Officer

**The Corporation of the Village of Cumberland  
Accessibility and Inclusion Select Committee Minutes**



**September 12, 2022 at 3 p.m.  
Council Chamber, 2675 Dunsmuir Avenue**

**Members Present:**

Judy Norbury, chair  
Suzanna Wong  
Brenda Lenahan (by video)  
Jaye Mathieu  
Rhianna Walz

**Regrets:** Vickey Brown, Councillor

**Staff:**

Rachel Parker, Corporate Officer  
Courtney Simpson, Manager of Development Services  
Meleana Searle, Planner  
Sydney Rankmore, Planner, Urban Systems (by video)

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Ms. Norbury called the meeting to order at 3:04 pm.

- 1. Approval of Agenda**
- 2. Adoption of Minutes:** Norbury/Mathieu: Adopt the July 18, 2022. **Carried**
- 3. Unfinished Business**
  - 3.1 Streamlining Accessory Dwelling Unit Approval Process

Committee members gave positive feedback on the guide, including visitable and step-free access with level entry and accessible bathrooms even though not completely accessible. It was suggested to encourage or incentivize accessible features. Positive feedback was given on the brochure layout and that the information presented is easy to understand.

**Mathieu/Norbury:**

That the Accessibility and Inclusion Committee recommend support of the proposed bylaws to streamline the accessory dwelling unit approval process; and That the Accessibility and Inclusion Committee recommend no changes to the Accessory Dwelling Unit How-To Guide and accept as presented.

**Carried**

- 3.2 Public event to promote social equity and inclusion – November 2022
- AMSSA *Respect for All* workshops in late November 2022 with three sessions: two for staff and one for Council/A&I Committee and invited community organization representatives
  - Each session 2.5-3 hours, maximum 20 attendees with nine spaces for community representative invitations
  - Option for online option for people with barriers was discussed and to explore option for second public session
  - Committee members suggested inviting the following organizations to participate:
    1. Cumberland Community School Principal
    2. Cumberland School District 71 Trustee
    3. Cumberland Community Schools Society
    4. Cumberland Business Association
    5. Cumberland Community Forest Society
    6. Cumberland Parent Advisory Committee
    7. Cumberland Museum and Archives
    8. Cumberland Lake Wilderness Society
    9. Cumberland Arts and Culture Society
    10. United Riders of Cumberland
    11. Weird Church
    12. Cumberland Community Church
    13. One at large
    14. One at large
- 3.3 BC Building Code Accessibility Working Group
- June 29-30, 2022: Judy reported on the Accessibility Features break out.
  - Two members will submitted to attend the September 21, 2022 sessions.
- 3.4 Committee Work Plan Development for 2023
- Discussion on reviewing Committee Terms of Reference in January 2023
  - Accessibility and events in Cumberland – look at accessibility guide for events, use an infographic one pager
- 3.5 Budget requests submitted for 2023:  
Accessibility Plan: \$20,000  
Annual training for Committee members: \$1,500

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

- 4.1 FYI: Small Business BC offers grant funding and free education for Disability Employment Month
- 4.2 FYI: Comox Valley Social Planning Society, Everyday Ableism Workshops

4.2 FYI: Lake Park – Accessibility Update.

**5. Reports from committee members**

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

- November 21, 2022 at 3 p.m.

**7. Adjournment:** 4:47 pm

**Subject:** FW: Gukw̓as sa Wagalus-Rainbow House-Letter of Support  
**Attachments:** GsW-Rainbow House Letter of Support Template.docx

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**From:** Lee Everson [REDACTED]  
**Sent:** September 26, 2022 12:10 PM  
**To:** Leslie Baird <[mayor.baird@cumberland.ca](mailto:mayor.baird@cumberland.ca)>  
**Subject:** Gukw̓as sa Wagalus-Rainbow House-Letter of Support

Hello Mayor Baird,

I hope this note finds you well and enjoying some of the lovely Fall weather.

Dawn 2 Dawn is applying to a variety of funding agencies for developmental, capacity and operational funding support for Gukw̓as sa Wagalus-Rainbow House project. Gukw̓as sa Wagalus-Rainbow House is a new project that will house indigenous and non-indigenous 2SLGBTQIA+ youth who are or at risk of becoming homeless in the Comox Valley.

Would the Cumberland Council be able to provide a letter in support of the project? I've attached a template for your reference in hopes of making the process easier, as I know you are very busy.

Thank you, I look forward to hearing from you.

Halakas'la

LEE  
Gukw̓as sa Wagalus - Rainbow House  
Lee Everson - PM - (she, her)  
[REDACTED]

I am honoured to live on the traditional unceded ancestral lands of my family, the Puntlege, E'iksen and K'omoks Peoples.

## SAMPLE LETTER OF SUPPORT

Date

To whom it may concern:

I/we are pleased to write this letter of support for Gukw̓as sa Wagalus - Rainbow House, a new project of Dawn to Dawn: Action on Homelessness, in partnership with Pride Society Comox Valley.

The need for youth-focused, appropriate, and supported transitional housing serving our 2SLGBTQIA+ First Nations and non-indigenous community members is clear and overdue.

2SLGBTQIA+ (queer) youth are two to three times more likely to be homeless than non-queer youth. They can be shunned by family and are wary of shelters for their personal safety. Often, they leave home and fail to complete their schooling, perpetuating cycles of homelessness.

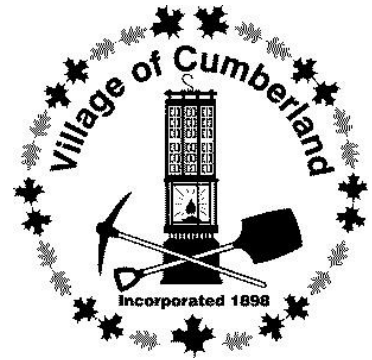
On-site supports at Gukw̓as sa Wagalus - Rainbow House will be provided by a live-in peer member of the queer community to enable the residents to achieve their goals and gain independence. Additional supports may be provided through community outreach workers and appropriate community services.

It is our belief that this project will provide an important service not currently provided in the Comox Valley and surrounding region.

Regards,

(name)

# COUNCIL REPORT



REPORT DATE: September 26, 2022  
MEETING DATE: October 3, 2022

File No.

TO: Mayor and Councillors  
FROM: Mike Williamson, Fire Chief & Kevin McPhedran, Interim Deputy CAO  
SUBJECT: Cumberland Fire and Rescue “Live Fire Training Facility Project”: Grant Application and Budget Amendment

## RECOMMENDATION

- i. THAT Council receive the *Cumberland Fire and Rescue “Live Fire Training Facility Project” Grant Application and Budget Amendment* report.
- ii. THAT Council support an application to the *UBCM Community Emergency Preparedness Fund: Volunteer and Composite Fire Department Equipment and Training* program for \$30,000 for the Live Fire Training Facility Project;
- iii. AND THAT Council approve the expenditure of up to \$30,000, to be funded through “Fire Vehicle and Protective Equipment Replacement Reserve”, for “Live Fire Training Facility Project” and THAT Council direct staff to include this in the 2023-2027 Financial Plan Bylaw to reflect this expenditure.

## PURPOSE

The purpose of this report is to

- Provide Council with information on the proposed \$60,000 Cumberland Fire Rescue “Live Fire Training Facility Project” for the back of the Fire Hall on Cumberland Road in support of volunteer training to ensure continued compliance with the province of BC’s “Structure Firefighters Competency and Training Playbook” for full service operations;
- To seek Council approval for the submission of an application to UBCM’s *Community Emergency Preparedness Fund: Volunteer and Composite Fire Department Equipment and Training* program for \$30,000 in support of the project.
- To seek Council approval for the expenditure of up to \$30,000 in matching funds for the project, to be funded by the Village’s “Fire Vehicle and Protective Equipment Replacement Reserve”.

## PREVIOUS COUNCIL DIRECTION

September 22 2022	THAT Council direct staff to consider the recommendations of the Fire Service Review report in the 2023-2027 financial planning process.
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## BACKGROUND

Over the course of 2022, the Village completed a comprehensive review of the Village Fire Service, culminating the August 2022 [Cumberland Fire Service Review](#) report, authored by Dave Mitchell and Associates. This report was received by Council in September 2022. The following recommendations from the report are specific to the continued development and expansion of local fire training facilities:

*#6.3 The Department budget for the acquisition and installation of appropriate training props at the fire hall, to enable it to meet both recruit training and maintenance training.*

*#7-3: That the Department continue to expand its training ground capabilities at the fire hall to ensure the highest level of training within Cumberland, reducing the need to travel further from the Village for required training.*

Justification for enhanced training opportunities includes ensuring that members are trained to the competencies outlined in the “Structure Firefighters Competency and Training Playbook” for the Village’s declared “Full Service” operations; to enable diverse and interesting training opportunities are made available to members to the benefit of volunteer recruitment and training; and to achieve long term cost savings by expanding in house training opportunities, and being less reliant on the provision of costly, third party training institutes in light of the increasing provincial training standards.

### Proposed “Live Fire Training Facility Project”

In support of the above objectives, Cumberland Fire and Rescue is proposing to take advantage of a current UBCM grant opportunity to install a live fire training facility on the grounds of the existing Fire Hall on Cumberland Road. The project aligns with previous infrastructure plans for the site, with some infrastructure installed at time of fire hall construction in 2020-21 (e.g. natural gas to the back training area). Specifically, the proposed project’s scope includes the construction of two concrete pads that are required for live fire props, position the natural gas lines to provide safe burning to the members, and to purchase props (e.g. sea cans for “structures”) required to meet the BC Playbook for exterior level. Should funding allow, the project may also include the addition of further props/units to comply with the BC Playbooks for interior standard (e.g. stairs); however, subject to construction costs, this scope may be deferred to a future phase II.

The total value of the project is estimated to be \$60,000. The UBCM grant is for up to \$30,000, with the additional 50% (\$30,000) proposed to be funded by the Village’s “Fire Vehicle and Protective Equipment Replacement Reserve”. More information on the Financial Implications of use of this reserve may be found below.

## ALTERNATIVES

1. Not proceed with any action at this time.

*Staff do not recommend this option as should Council not support the grant application and reserve fund expenditure, with the forecasted increase in costs of training new and existing members, Council can anticipate receiving an operational budget increase request in the 2023-2027 Financial Planning process in support of off-site live fire training needs. Alternatively, should funding not be made available during that process, training levels for members may not meet Playbook standards,*

*placing additional risks and liability on the Village based on member competency, confidence and overall satisfaction considerations.*

## **STRATEGIC OBJECTIVE**

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

## **FINANCIAL IMPLICATIONS**

Member Training: Cumberland Fire/Rescue's annual operating costs to train new members is over \$5,000.00 per member, including \$1,200.00 for live fire 1 and 2; Justice Institute of BC (JIBC) courses for interior, exterior and full service (\$2000 total), in addition to wages and travel for training. At the present time, all live fire must be contracted out as we do not have the facility to provide live fire training in house. By installing a live fire training facility on site, and forecasting the needs to train an average of three new recruits per year at \$1200 per person for live fire, the installation of training facility would save the Village approximately \$18,000 over five years (\$1200 x 3 members x 5 years), minus minor operational costs (natural gas, prop replacement, etc.). Additionally, under expected changes to the "Playbook" (anticipated to be implemented by the province in the next 1-2 years), more frequent live fire training is expected to be required by full service members; the installation of a local live fire training facility would therefore provide additional savings.

Fire Vehicle and Protective Equipment Replacement Reserve: the reserve is set up for the purpose of supporting major capital expenditures for the fire service, including vehicles, apparatus, major equipment/gear, and other related facilities. The current balance of the reserve is just over \$217k and \$87.5k is contributed to the reserve on an annual basis. Forecasted future expenses, to be funded by the reserve and/or other means (borrow, grants, etc.) include:

- Breathing apparatus
- Turn out gear
- Vehicles and apparatus: 2<sup>nd</sup> Duty Truck; Rescue Truck replacement; Engine 3 replacement with Quint
- Training equipment and props.

Current annual contributions to the reserve will not cover the full cost of the above expenses over the forecasted cycle, and the expenditure of up to \$30,000 for this project will put additional pressure on this reserve. However, spending from this reserve is recommended by staff given the alternative is to increase the training budget for out-of-house live fire training in order to meet provincial training requirements.

More information on long range financial planning for major fire service expenses will be brought forward during the 2023-2027 Financial Planning process.

**OPERATIONAL IMPLICATIONS**

The other issue is the ongoing training that the must be provided to the senior firefighter. We must evaluate their skills against a Job Performance Standard (JPS). To comply with the Fire Commissioner BC playbook, the member must demonstrate those skill that apply to the Village of Cumberland Fire full Service. We must go to Comox Fire Rescue or Courtenay Fire Department to train with live fire and meet the compliance that we must keep. This causes an issue, because we must take one apparatus out of the village and a crew to go with it. This limits the time that we can do actual fire for that group. Every time this causes a scheduling issue and cost that we could prevent if a live fire training facility was installed in Cumberland.

By initiating the construction to the training Center in the back of the fire hall, this will provide a direct impact on the training of the new members and the senor firefighters. That will increase the service we provide by reducing property lost and live safety due to their high standard of training.

This new site will be environmentally friendly. Because we are using natural gas as the main source for the fire. As per the NFPA 1403 Standard on Live Fire Training Evolutions, this is the better way to minimized damage to the environment and no trace of carbon can go in the water source around the fire hall because natural gas is a clean burn.

Finally, project management for the project is proposed to be overseen by the Fire Chief, with support from other departments as required.

**ATTACHMENTS**

None.

**CONCURRENCE**

None.

Respectfully submitted,

M. Williamson

\_\_\_\_\_  
Mike Williamson  
Fire Chief

And

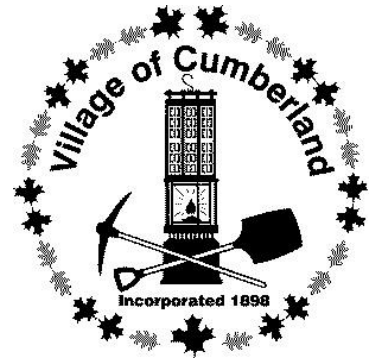
K. McPhedran

\_\_\_\_\_  
Kevin McPhedran  
Interim Deputy Chief Administrative Officer

M. Mason

\_\_\_\_\_  
Michelle Mason  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: September 22, 2022  
MEETING DATE: October 3, 2022

File No. 5360

TO: Mayor and Councillors  
FROM: Rob Crisfield, Manager of Operations  
SUBJECT: Solid Waste Collection Contract Extension

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## RECOMMENDATION

- i. THAT Council Receive the Solid Waste Collection Contract Extension report;
- ii. AND THAT Council approve the extension of the current solid waste collection contract with the proposed rate increase of 11% to take effect October 1, 2022, through to December 31, 2023, with an additional 6-month extension if required beyond December 31, 2023 at a rate increase of 9%;
- iii. AND THAT Council authorize the Mayor and CAO to execute the contract extension.

## PURPOSE

Seek approval from Council to extend the solid waste collection contract with Emterra Environmental to allow continued collection and provide staff with time to review the feasibility of implementing a cart system and alignment with regional solid waste initiatives.

## PREVIOUS COUNCIL DIRECTION

N/A

## BACKGROUND

The current solid waste collection contract with Emterra Environmental expired at the end of March this year and was extended by 6 months to allow additional time to consider future options for a joint collection contract with the City of Courtenay and Town of Comox. Unfortunately, it became evident during the collection contract RFP development process that the Village would not be in a financial position to participate in this contract when considering the addition of waste carts, and as a result we pulled out. Fortunately, the Village along with KFN and the CVRD were included in a clause that gives us an option to take advantage of the pricing in the contract at a later date.

In the meantime, until staff can complete a full analysis on solid waste collection including the addition of a cart system and continued service for ICI customers, we need to continue to collect

solid waste. While the current collection contractor did experience some service delays this past year, they have for the most part been resolved. Emterra has proposed a 15-month extension with the option of an additional 6 months. The extension is similar to other municipal contract extensions in the Valley put in place to also provide time to roll out new collection contracts and implement cart systems to complement the regional initiatives on processing organic waste.

Staff is seeking Council approval to extend the current contract with Emterra to the end of 2023 with the provision of an additional 6 months at the discretion of the Village.

## **ALTERNATIVES**

1. Instruct staff to initiate a full procurement process for solid waste collection.

## **STRATEGIC OBJECTIVE**

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

## **FINANCIAL IMPLICATIONS**

The proposed rate increases of 11% from October to end of 2023 along with the additional 6 month at 9% have been accounted for in the Solid Waste Collection rates and do not require changes to the current solid waste rate structure.

## **OPERATIONAL IMPLICATIONS**

There will be little operational implications with a contract extension. If council wishes to pursue other options including a new procurement process, staff will need to juggle other work priorities to allow time to complete this work including an in-depth analysis of implementing a cart system.

## **CLIMATE CHANGE IMPLICATIONS**

Nothing relevant to this report.

## **ATTACHMENTS**

1. None

## **CONCURRENCE**

Michelle Mason, Chief Financial Officer **MM**

Respectfully submitted,

R. Crisfield

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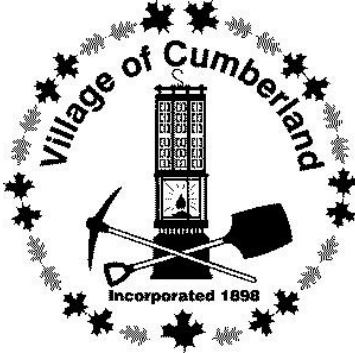
Rob Crisfield  
Manager of Operations

M. Mason

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Michelle Mason  
Chief Administrative Officer

# COUNCIL MEMBER REPORT



DATE: October 3, 2022  
TO: Mayor and Councillors  
FROM: Mayor Baird  
SUBJECT: Rental Fees for Oct 21, 2022 Community Potluck

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File No.

**Summary**

The purpose of this report is to request that Council pay for Cumberland Cultural Centre rental fees for a community potluck to show support and solidarity for the totem pole project on site at the gwaX' dzi dsas Cumberland Affordable Housing Project.

**Background**

Karver Everson will be carving a totem pole at the site of the gwaX' dzi dsas Cumberland Affordable Housing Project.

Dawn to Dawn will be holding a community potluck on October 21, 2022 with the purpose to show support and solidarity for the totem pole project at gwaX' dzi dsas Cumberland Affordable Housing Project site. The available space for this community potluck is the Cultural Centre. Council's Recreation Fees bylaw charges \$20 per hour for Not-for-Profit rentals fees of the Cultural Centre. The potluck is expected to be 4 hours and therefore, the total rental charge would be \$80.

One of Council's strategic priority is Reconciliation with Indigenous peoples and therefore this report is providing a recommendation to use Council's public relations budget to pay for the rental fees in support of this community potluck.

**Requested Motion**

THAT Council pay \$80 out of Council's public relations budget for the rental fees for the Cultural Centre for the community potluck expected to be held October 21, 2022.

Respectfully submitted,

L. Baird

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Leslie Baird, Mayor

# COUNCIL MEMBER REPORT



DATE: Sept 28, 2022  
 TO: Mayor and Councillors  
 FROM: Councillor Brown  
 SUBJECT: September 2022 Monthly Report

Date	Event	Comments
Sept 1	Special Council Meeting	To celebrate Councillor Sproule's contribution to the Village
Sept 3	Perseverance Folk Fest	Volunteered for a bar shift at the best little Folk Festival!
Sept 6	COTW	Closed Meeting Committee of the Whole – Fire Service Review
	Council	<a href="#">Sept 6 2022 Council Meeting</a>
Sept 7	CV Substance Use Committee	In person update on interviews, poster dissemination and new coordinator
Sept 8	APC	Advisory Planning Commission Meeting – ADU streamlining and Comox Lake Corp Rezoning See full agenda here: <a href="#">APC Sept 8 2022 Agenda</a>
Sept 9	Golf	Mayors Golf Tournament Fundraiser
Sept 12 -16	UBCM	Attended: Investing in Public Safety Reform Reconciliation in Action RCMP Meeting with Courtenay and Comox Minister of Education Meeting Minister of Forests Meeting Ministry of Land, Water and Resource Meeting Minister of Childcare Meeting Private Managed Forest Land Association Reception AVICC Luncheon Columbia Institute Reception Address by the Leader of the Opposition Kevin Falcon Cabinet Town Hall – Stronger Public Services

		All policy resolution sessions
Sept 17	40 Knots	Fundraiser for Kus-Kus-Sum
Sept 18	LUSH	Second Annual Farm to Table Fundraiser
Sept 20	CVC Collective	Fall Magazine Launch
Sept 21	Council	Regular Council Meeting (Moved because of the Monday holiday) <a href="#">Council Agenda Sept 21 2022</a>
Sept 22	CBA	Mixer and celebration of the THRIVE project
Sept 23	Climate Caucus	Discussion around extremist candidates across the province
	Meeting with cyclists	Discussion on alternate bike path for connector
Sept 24	VIRL	Vancouver Island Regional Library Board Meeting to pass budget Large increases are coming for Library requisition
Sept 26	Public Hearing	Streamlining ADU applications
Sept 28	CBA	Monthly Meeting
Sept 30	Reconciliation Day	National Day for Truth and Reconciliation – Spirit Walk

# COUNCIL MEMBER REPORT

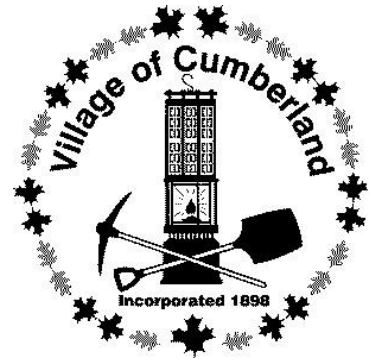


DATE: September 28, 2022  
 TO: Mayor and Councillors  
 FROM: Councillor Ketler  
 SUBJECT: September 2022 Monthly Report

Date	Events	Comments
Date	Event	Comments
Sep 1	Special Council Meeting	Presentation of Freedom of the Village to Councillor Gwyn Sproule
Sep 6	Social Planning Society Meeting	Society update
Sep 6	Village Committee of the Whole	<a href="https://cumberland.ca/meeting-info/">https://cumberland.ca/meeting-info/</a>
Sep 6	Regular Council Meeting	<a href="https://cumberland.ca/meeting-info/">https://cumberland.ca/meeting-info/</a>
Sep 7	CVRD Chair/Vice Chair/CAO agenda meeting	Staff updates
Sep 7	Coalition to End Homelessness	Member updates
Sep 8	CVRD Special meeting	In-camera meeting
Sep 8	Source Encounters Watershed Tour	Connected by Water – Tina Willard and Meaghan Cursons - Comox Lake
Sep 9	BC Municipal Climate Leadership Council	Prep meeting for Ministers lunch at UBCM
Sep 12	UBCM Minsters lunch hosted by BCMCLC	Roundtable with five Ministers to talk about climate issues
Sep 13	UBCM	Minster Meetings: CVRD - Minister of Land, Water and Resource Stewardship, Josie Osborne Village – RCMP meeting CVRD – Minister of Environment and Climate Change Strategy, George Heyman CVRD – Minister of Health, Adrian Dix Village – Minster of Forests, Katrina Conroy Village – Minister of Land, Water and Resource Stewardship, Josie Osborne AGM: Municipal Insurance Association of BC

		Welcome Reception
Sep 14	UBCM	AVICC Luncheon
Sep 14	CVRD Chair/Vice Chair/CAO agenda meeting	Set agenda for following week's CVRD Board meeting
Sep 15	UBCM	Minister Meetings: CVRD – Minister of Forests, Katrina Conroy Meeting with UBCM President Brian Frenkel Climate Energizer Event – hosted by Neighbors United, Stand Earth and Community Energy Association UBCM Banquet
Sep 20	CVRD Board	Last meeting of the term! Delegation – Island Corridor Foundation Demo of new CVRD Dashboard Update on Air Quality Adopted new Regional Parks bylaw!!!!
Sep 21	Village Homelessness and Affordable Housing Committee	Streamlining ADUs Vacation Rentals
Sep 21	Regular Council Meeting	<a href="https://cumberland.ca/meeting-info/">https://cumberland.ca/meeting-info/</a>
Sep 22	Rooted in Place project opening	Dunsmuir and Second mural project by Cumberland Business Association – funded by ICET and 4VI
Sep 23	Walk of Achievement	Presentation of award to Hon. Jody Wilson-Raybould
Sep 26	Village Public Hearing	ADU Modernization bylaw
Sep 27	KFN/CVRD meeting	Monthly updates
Sep 27	Cumberland All Candidates Meeting	Village election debate
Sep 28	Everyday Ableism	Hosted by Social Planning Society - Filberg

# COUNCIL REPORT



REPORT DATE: 9/23/2022  
MEETING DATE: 10/3/2022

File No. 3010

TO: Mayor and Councillors  
FROM: Courtney Simpson, Manager of Development Services  
SUBJECT: Streamlining Accessory Dwelling Unit Approval Process – Amendment Bylaws

## RECOMMENDATION

- i. THAT Council receive the Streamlining Accessory Dwelling Unit Approval Process report;
- ii. THAT Council give third reading to, and adopt, Official Community Plan Amendment Bylaw No. 1174, 2022; and
- iii. THAT Council amend Zoning Amendment Bylaw No. 1175, 2022 as follows:  
*to 4.2 c), by deleting “in width” and replacing with “clearance”; and  
to 4.2 e) vi), by deleting “Include an unobstructed, hard-surfaced lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU” and replacing with: “Include an unobstructed, lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU, with a surface that is hard packed and permeable such compacted gravel, permeable pavers, or flagstone.”*
- iv. THAT Council give third reading to, and adopt, Zoning Amendment Bylaw No. 1175, 2022.

## PURPOSE

The purpose of this report is to recommend third reading and adoption of the proposed bylaws to streamline the Accessory Dwelling Unit (ADU) approval process for adoption.

## PREVIOUS COUNCIL DIRECTION

Date	Resolution
August 8, 2022	<p>THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 1174, 2022;</p> <p>THAT Council give first and second reading to Zoning Amendment Bylaw No. 1175, 2022;</p> <p>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</p>

	THAT Council direct staff to schedule a Public Hearing.
July 11, 2022	THAT Council refer the Streamlining Accessory Dwelling Unit Approval Process report to the Advisory Planning Commission, the Homelessness and Affordable Housing Committee, and the Accessibility and Inclusion Committee.  THAT Council direct staff to draft bylaws to amend development approval procedures to streamline the approval process for Accessory Dwelling Units.
May 22, 2021	THAT Council direct staff to submit an application to the Union of BC Municipalities Local Government Development Approvals Program, for funding to review and update the Village of Cumberland’s development approvals processes including information technology to support it, and that the Village of Cumberland provide overall grant management.

**BACKGROUND**

Bylaw 1174 amends the Official Community Plan to exempt an ADU from the development permit process. Bylaw 1175 amends the Zoning Bylaw to expand on the list of specific requirements for ADUs; as much as possible, the development permit area guidelines were translated to Zoning Bylaw regulations. Once these bylaws are adopted, a development permit for an ADU will no longer be required. Compliance with the requirements in the Zoning Bylaw will be confirmed upon review of a building permit application.

A housekeeping change for clarity in Bylaw 1175 is recommended to 4.2c) to describe the clearance area that must be provided for emergency services. This replaces the words “in width” with “clearance”.

Based on recommendation from the Advisory Planning Commission, a change to Bylaw 1175 is recommended to encourage permeable pathways. The following is currently proposed to be added to the Zoning Bylaw requirements for an ADU in 4.2g)vi):

*Include an unobstructed, hard-surfaced lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU.*

The purpose of requiring the path be hard-surfaced is so that it is accessible, such as for use with a wheelchair or stroller. To balance this goal with other goals of stormwater management, the requirement is now recommended to read as follows:

*Include an unobstructed, lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU, with a surface that is hard packed and permeable such compacted gravel, permeable pavers, or flagstone.*

**PUBLIC ENGAGEMENT AND CONSULTATION**

The Advisory Planning Commission, Accessibility and Inclusion Committee, and Homelessness and Affordable Housing Committee provided input on the overall project and concept of streamlining the ADU approval process. All the respective committees indicated support for the proposed concept of streamlining. At subsequent meetings, they were asked to review the proposed bylaws. All committees supported the proposed bylaws with the Advisory Planning Commission recommending a change regarding the permeability of the required path, as discussed above.

Information was provided to the public through a Village news post that shared a new webpage with information on the project at [cumberland.ca/accessory-dwelling-unit-streamlining/](http://cumberland.ca/accessory-dwelling-unit-streamlining/). This includes a draft of the ADU How-to Guide that is being developed as a companion to the bylaw changes. The Guide is intended to make it easy for the average property owner to understand the requirements and process for building an ADU, and to encourage their design to fit in with the existing neighbourhood. Further public input will be sought on the draft Guide separately, and further opportunities for input will be advertised through a news release.

A public hearing was held on Monday, September 26<sup>th</sup>. Notification was published in the Comox Valley Record on Wednesday, September 14 and 21, as required. There were no submissions from the public as a result of the notification and up until the close of the public hearing (Attachment 1 – Public Hearing Report).

### **ALTERNATIVES**

1. That Council further amend the bylaw(s) prior to adoption
2. That Council not adopt the bylaws.

### **STRATEGIC OBJECTIVE**

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

### **FINANCIAL, OPERATIONAL AND CLIMATE CHANGE IMPLICATIONS**

Implications of the bylaw amendments were discussed in earlier staff reports.

### **ATTACHMENTS**

1. Public Hearing Report, September 26, 2022
2. Proposed Official Community Plan Amendment Bylaw No. 1174, 2022
3. Proposed Zoning Amendment Bylaw No. 1175, 2022

Respectfully submitted,

C. Simpson

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Courtney Simpson  
Manager of Development Services

M. Mason

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Michelle Mason  
Interim Chief Administrative Officer

**The Corporation of the Village of Cumberland**

**PUBLIC HEARING**

**September 26, 2022 at 7 p.m.**

**Council Chamber, 2675 Dunsmuir Avenue**



**Bylaw(s):      Official Community Plan Amendment Bylaw No. 1174, 2022  
                     Zoning Amendment Bylaw No. 1175, 2022**

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

Regrets:                      None

Staff Present:                Courtney Simpson, Manager of Development Services  
                                     Melissa Roeske, Legislative Services Coordinator  
                                     Meleana Searle, Planner

Mayor Baird called the public hearing to order at 7:00 p.m.

Mayor Baird stated that all persons who believe their interest in property is affected by the proposed bylaw will be afforded a reasonable opportunity to be heard or to present written submissions respecting the matters contained in the bylaw that is subject to the hearing.

Ms. Simpson presented the proposed bylaw and provided a summary of the proposed amendments to the Official Community Plan Bylaw No. 1174, 2022 and the Zoning Bylaw No. 1175, 2022:

In general terms, the purpose of Bylaw 1174 is to remove the requirement for a development permit from Development Permit Area 6 – Residential infill, for an accessory dwelling unit.

In general terms, the purpose of Bylaw 1175 is to add requirements for accessory dwelling units to the Zoning Bylaw that were previously found in Development Permit Area 6 – Residential Infill (in the Official Community Plan). In addition, the following requirements for accessory dwelling units are added or adjusted from the current Development Permit Area:

- One shade tree shall be provided per accessory dwelling unit.
- A solid screen of fence or hedge shall be provided where an ADU is located within 4.5 metres of a parcel boundary.
- An ADU shall not include any balconies, roof top decks, or above ground patios facing the rear or side yard immediately adjacent to a neighbouring property.
- In the R1-A zone, transparent surfaces on external second story ADU walls, adjacent to an interior side or rear lot line, shall be limited to 20% of the total wall area where the setback from the lot line is less than 2.0 metres.
- For uphill sloping lots, with slopes greater than 20%, no portion of the roof of an ADU shall be higher than the peak of the roof of the principal detached dwelling on the same parcel.

The following submissions were received at the public hearing:

**None**

Mayor Baird called three times for submissions and hearing none the public hearing was adjourned at 7:06 p.m.

Certified Fair and Accurate:

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Mayor

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Legislative Services Coordinator

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 1174**

**A bylaw to amend the Official Community Plan Bylaw.**

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

1. This Bylaw shall be cited as “Official Community Plan Amendment Bylaw No. 1174, 2022”.
2. Part D, Section 10.6.1 of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended by removing the following:  
‘Single Family with accessory dwelling unit (garage apartment, coach house, laneway house)’
3. Part D, Section 10.6.3 of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended by adding point (q) under subsection (1) which states:  
‘q. For construction, alteration, renovation, addition, or demolition of an accessory dwelling unit.’
4. Part D, Section 10.6.6 of the Village of Cumberland Official Community Plan Bylaw No. 990, 2014 is repealed in its entirety.
5. At its meeting on August 8, 2022, Council considered and passed a resolution with respect to opportunities for consultation on this Bylaw with persons, organization, and authorities it considered to be affected, as per sections 475 and 476 of the *Local Government Act*.

**READ A FIRST & SECOND TIME THIS            8th    DAY OF            August            2022.**

**PUBLIC HEARING HELD THIS                    26<sup>th</sup>    DAY OF            September        2022.**

**READ A THIRD TIME THIS                    XX     DAY OF            [month]           2022.**

**ADOPTED THIS                                    XX     DAY OF            [month]           2022.**

\_\_\_\_\_  
Mayor

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

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1175

A Bylaw to amend Zoning Bylaw No. 1027, 2016

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

- 1. This Bylaw shall be cited as "Zoning Amendment Bylaw No. 1175, 2022".

Zoning Amendments

- 2. The Zoning Bylaw No. 1027, 2016 is amended in Part 2, Section 2.2 by inserting the following definitions:

Table with 2 columns: Accessory Dwelling Unit, means a separated secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit on a fee simple lot.

- 3. The Zoning Bylaw No. 1027, 2016 is amended in Part 4, by repealing section 4.2 and substituting the following:

4.2 Accessory Dwelling Units

a) Where an accessory dwelling unit (ADU) is permitted, the following regulations shall apply:

- i) an ADU shall not be located in a front yard;
ii) the ADU must be fully detached from (and with no breezeway to) any single family dwelling on the subject lot;
iii) the gross floor area of the ADU:
1) must not exceed 90.0 square metres (968.8 square feet); and
2) must be less than 75% of the GFA of the single family dwelling.

b) The Height of an ADU must not exceed:

- i) if one storey, 6.5 metres (21.3feet); or
ii) if two storeys, 7.5 metres (24.6feet).

c) Notwithstanding the setback regulations for the Zone:

- i) lots with interior side yards less than 1.5 metres (4.9feet); and
ii) with a rear lane less than 6.0 metres (19.7feet) wide or a lane which is greater than 6.0 metres but is not accessible year-round;

must provide no less than 1.5 metres (4.9feet) in width from the entrance of the ADU, past the principal building for emergency access from the frontage.

If a fence is installed within the 1.5 metres (4.9feet) clearance area, a gate, accessible at all times and no less than 1.5 metres in width, needs to be provided.

- d) An ADU shall not be subdivided from the parent property under the Strata Property Act.
- e) The landscaping and screening for an ADU shall:
  - i) Include one shade tree per ADU.
  - ii) Follow the Village of Cumberland's Urban Forest Management Plan for tree spacing and species type.
  - iii) All required landscaping shall be watered by a fully automatic irrigation system that meets or exceeds IIABC standards. Run-off onto sidewalks, streets, or parking areas shall not be permitted.
  - iv) Notwithstanding Section 4.2 (e) (iii), existing areas of undisturbed native vegetation which have been accepted as a landscape buffer or shade tree are exempt from requiring a fully automatic irrigation system.
  - v) A solid screen shall be provided and maintained where an ADU is located within 4.5 metres of a parcel boundary, consisting of either fencing or a hedge with a minimum height at maturity of 2.0 metres, along rear and interior side parcel boundaries adjacent to the ADU and its outdoor amenity space.
  - vi) Include an unobstructed, hard-surfaced lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU.
- f) Outdoor lighting for any development shall meet current dark skies guidelines and be located and arranged so that no direct rays of light are directed at any adjoining properties.
- g) An outside amenity area shall be provided in the form of a deck, dedicated yard, garden, or similar feature. A parking area does not qualify as an outside amenity area.
  - i) The amenity area shall have a minimum width of 2.5 metres and must not be less than 10.0 square metres (107 square feet) in area.
  - ii) Amenity areas shall be provided along the rear property line or internal to the lot.
- h) An ADU shall not include any balconies, roof top decks, or above ground patios facing the rear or side yard immediately adjacent to a neighbouring property.
- i) In the R1-A Zone, transparent surfaces on external second storey ADU walls, adjacent to an interior side or rear lot line, shall be limited to 20% of the total wall area where the setback from the interior and rear lot lines is less than 2.0 metres.
- j) For uphill sloping lots, with slopes greater than 20%, no portion of the roof of an ADU shall be higher than the peak of the roof of the principal detached dwelling on the same parcel.
- k) Garages shall not protrude beyond the front entrance of a unit.
- l) ADU's shall provide energized outlets capable for Level 2 electric vehicle charging.
- m) ADU's shall be designed to be solar ready and include the technical components to facilitate the use of solar panels.
- n) Waste disposal and recycling bins provided for the ADU shall be screened from adjacent properties.

**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.

<b>READ A FIRST &amp; SECOND TIME THIS</b>	<b>8th</b>	<b>DAY OF</b>	<b>August</b>	<b>2022.</b>
<b>PUBLIC HEARING HELD THIS</b>	<b>26th</b>	<b>DAY OF</b>	<b>September</b>	<b>2022.</b>
<b>READ A THIRD TIME THIS</b>	<b>XX</b>	<b>DAY OF</b>	<b>[month]</b>	<b>2022.</b>
<b>ADOPTED THIS</b>	<b>XX</b>	<b>DAY OF</b>	<b>[month]</b>	<b>2022.</b>

Mayor

Corporate Officer

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 1176**

**A bylaw to amend the Zoning Bylaw No. 1027, 2016**

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

**Citation**

1. This Bylaw may be cited for all purposes as the “Zoning Amendment Bylaw No. 1176, 2022”.

**Text Amendments**

2. The Zoning Bylaw No. 1027, 2016 is hereby amended as follows:
  - a. to section 7.2 R-1A—Infill Residential Zone, add the following after sub-section 8. Conditions of Uses:

9. Additional Regulations	a) for the property described as Lot 5, Block 5, District Lot 24, Nelson District, Plan 4222 (4699 Cumberland Road): <ol style="list-style-type: none"> <li>i) <i>Accessory buildings</i> substantially under construction by August 24, 2022 are permitted to have a combined Floor Area no greater than 100.0square metres(1,076.4square feet).</li> <li>ii) <i>Accessory buildings</i> substantially under construction by August 24, 2022 are permitted to have a height maximum of 6.0metres (19.6ft).</li> </ol>
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READ A FIRST & SECOND TIME THIS	21 <sup>ST</sup>	DAY OF	SEPTEMBER	2022.
READ A THIRD TIME THIS	—	DAY OF	_____	2022.
ADOPTED THIS	—	DAY OF	_____	2022.

\_\_\_\_\_  
Mayor

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

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1177

**A bylaw to exempt from taxation certain lands and improvements for the 2023 taxation year.**

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

- 1 This Bylaw may be cited as "Permissive Tax Exemption 2023 Bylaw No. 1177, 2022".
- 2 The following land or improvements, or both, are exempted from taxation for the 2023 taxation year as follows:
  - (a) the following land or improvements, or both, held by a charitable, philanthropic or other not for profit corporation and meeting the provisions under section 224(2)(a) of the *Community Charter*:
    - (i) that portion of Lot 3, Block H, Plan 522E, District Lot 21, Nelson Land District, PID 008-932-212, occupied by the Cumberland and District Historical Society; and
    - (b) the following land and improvements used for the purposes of a church hall or the area of land surrounding a church as permitted under section 224(2)(f) of the *Community Charter*:
      - (i) that portion of Lot 1, Block 4, Plan 522, District Lot 21, Nelson Land District, PID 008-970-513, held BC Conference Property Development Council United Church Of Canada; and
      - (ii) that portion of Lot B, Plan 43397, District Lot 21 Nelson Land District, PID 003-382-281, held by the Cumberland Community Church.

3 This Bylaw shall come into full force and effect and is binding on all persons during the 2023 taxation year.

<b>READ A FIRST TIME THIS</b>	<b>21<sup>ST</sup></b>	<b>DAY OF</b>	<b>SEPTEMBER</b>	<b>2022.</b>
<b>READ A SECOND TIME THIS</b>	<b>21<sup>ST</sup></b>	<b>DAY OF</b>	<b>SEPTEMBER</b>	<b>2022.</b>
<b>READ A THIRD TIME THIS</b>	<b>21<sup>ST</sup></b>	<b>DAY OF</b>	<b>SEPTEMBER</b>	<b>2022.</b>
<b>ADOPTED THIS</b>		<b>DAY OF</b>		<b>2022.</b>

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Mayor

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Corporate Officer