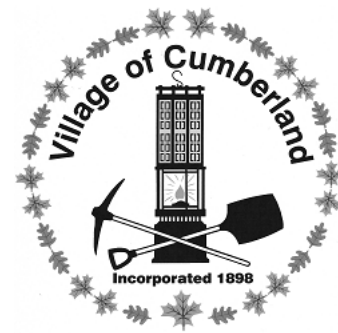


The Corporation of the Village of Cumberland  
Regular Council Meeting Agenda

Monday, January 23, 2023, 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. Agenda

2.1 Agenda for Regular Council Meeting, January 23, 2023

**Recommendation:**

THAT Council approve the Agenda for the January 23, 2023 Regular Council Meeting.

3. Minutes

3.1 Adoption of Minutes

5

**Recommendation:**

THAT Council adopt the following minutes:

- Committee of the Whole December 2, 2022
- Regular Council Meeting January 9, 2023

THAT Council receive the following minutes:

- Accessibility and Inclusion Select Committee November 21, 2022

4. Delegations

4.1 Beaufort Family Health Society

13

**Recommendation:**

THAT Council receive the delegation of Janet Bonaguro, Beaufort Family Health Society regarding a non-profit family health clinic.

5. Correspondence

6. Unfinished Business

7. Reports

7.1 Development Variance Permit Application 2712 Dunsmuir Avenue  
Prepared by Meleana Searle, Planner

14

**Recommendation:**

THAT Council approve the development variance permit application to reduce the required number of off-street parking stalls from eight to zero, the number of commercial loading spaces from two to zero, and to change the seven class two bicycle parking stalls to class one, on the property described as Lot B District Lot 21 Nelson District Plan EPP61337 (2712 Dunsmuir Avenue).

- 7.2 Resolutions to the Association of Vancouver Island and Coast Communities Convention and Watershed Security Strategy Advocacy Prepared by Kevin McPhedran, Interim Deputy Chief Administrative Officer 35

**Recommendation:**

THAT Council submit the resolutions attached to this report dated January 16 2023 to the Association of Vancouver Island Coastal Communities:

- a) Watershed Security Strategy and Fund, and
- b) Managed Forest Council Representation

THAT Council send letters to the provincial ministers of Water, Land and Resource Stewardship; Emergency Management and Climate Readiness; and Environment and Climate Change Strategy; and the MLA for Mid Island-Pacific Rim, to advocate for funding and support for Village watershed protection initiatives as part of province’s Watershed Security Strategy and Fund and the 2023 provincial budget development process.

- 7.3 2023-2027 Financial Plan, Committee of the Whole Report 43

**Recommendation:**

THAT Council make the following specific changes to the draft 2023-2027 detailed budgets and present the proposed 2023-2027 detailed budget package and a proposed 2023-2027 Financial Plan Bylaw to the public at the February 6, 2023 Village Hall meeting so that the tax revenue increase for 2023 is 6.16% to existing 2022 taxpayers:

- Remove eBike for staff at \$6,000 and explore funding from active transportation funds;
- Confirm Parking Study to be funded from parking in lieu funds;
- Move \$50,000 for new utility worker service truck to 2024, direct staff to retain the two trucks slated for disposal in 2023 in order to revisit the fleet plan to consider alternative energy vehicles;
- Increase annual debt payments for public works fleet by \$5,000 per year beginning in 2023;
- Add cyber insurance at \$7,400 per year;
- Reduce records management funded by reserves by \$5,000 in 2023;

- Add increase of \$19,050 per year to total Council remuneration as set by bylaw;
- Add \$100,000 in 2023 and an additional \$80,000 in 2024 for combined staffing additions to be reported back to Council;
- Add \$6,280 per year to be funded by taxes for VOIP phone licensing to start in 2025;
- Add \$10,000 per year for bylaw community patrol services and increase the revenue sharing from the Lake Park Campground by \$3,000 per year;
- Add \$2,000 per year for fire fleet material and supply;
- Add \$3,500 per year for fire fleet fuel and oil increase;
- Add \$1,000 per year for fire fleet insurance increase;
- Add \$100 per year for fire volunteer occupational health and safety supplies;
- Add \$4,400 per year for firefighter call out wages to 2023 and an additional \$4,400 to the 2024 year;
- Add \$300 per year for fire staff professional memberships;
- Add \$1,000 per year for fire uniform increases;
- Add \$400 per year for regional fire meeting hosting costs;
- Add \$300 per year for Fire department coffee;
- Add \$1,000 per year for firefighter banquet increase;
- Add \$250 per year for Fire Department office material increase;
- Increase to fire vehicle & protective equipment replacement reserve annual contribution by \$15,000 in 2025, \$3,000 in 2026, and \$2,000 in 2027 to bring the total fire vehicle & protective equipment replacement reserve contribution to \$107,500 by 2027;
- Include Fire debt annual payments for vehicle purchases (2025-\$30,640 for Rescue 4 replacement/2026-\$147,490/2027 \$40,360 for the Quint Ladder Truck)
- Add \$6,000 for community events for the summer music series to be funded by host amenity funds;
- Add \$750 per year starting in 2024 for Nikkei Park operating;
- Add \$1,000 per year for Village Park contracted services;
- Add \$1,000 per year for Village Trail Network contracted service;
- Add \$27,000 per year for Transportation fleet cost increases;

- Add \$5,000 per year for general engineering services;
- Add \$3,000 per year starting in 2024 for Public Works materials;
- For distribution of property taxes among property classes, set the multiplier for class 7 to 19-times the residential rate.
- Add \$20,000 per year to the Community Service Partnership program from host amenity funds;
- Retain 10% of annual contributions to the host amenity funds to stabilize eventual taxes required to fund the Community Service Partnership program.

**8. Bylaws**

**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.

- Board of Variance January 25, 2023 at 12 pm Council Chambers
- Village Hall Financial Plan February 6, 2023 at 7pm Council Chambers
- Advisory Planning Commission February 9, 2023 at 4pm Council Chambers

**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**

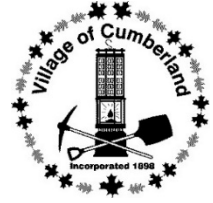
**Recommendation:**

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

(c) labour relations or other employee relations;

**13. Adjournment**

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



**Friday, December 2, 2022 3:00 p.m.  
Council Chamber, 2675 Dunsmuir Avenue**

Council Present: Mayor Vickey Brown  
Councillor Neil Borecky  
Councillor Jesse Ketler  
Councillor Sean Sullivan  
Councillor Troy Therrien

Staff Present: Michelle Mason, Chief Administrative Officer

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Mayor Brown called the meeting to order at 3:00 p.m. and acknowledged the meeting is taking place on the unceded traditional territory of the K'ómoks First Nation.

**1. Approval of Agenda  
Borecky/Therrien**

THAT the Committee approve the Agenda for the December 2, 2022 Committee of the Whole Meeting.

**Carried Unanimously**

**2. Closed Portion  
Ketler/Borecky**

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.

**Carried Unanimously**

**3. Adjournment**

The meeting was adjourned at 4:50 p.m.

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Mayor

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Certified Correct by Corporate Officer

**The Corporation of the Village of Cumberland**  
**Regular Council Meeting Minutes**



**January 9, 2023, 5:30 p.m.**  
**Council Chamber, 2675 Dunsmuir Avenue**

Council Present: Mayor Vickey Brown  
Councillor Neil Borecky  
Councillor Jesse Ketler  
Councillor Troy Therrien

Regrets: Councillor Sean Sullivan (due to illness)

Staff Present: Michelle Mason, Chief Administrative Officer  
Rachel Parker, Corporate Officer  
Courtney Simpson, Manager of Development Services  
Rob Crisfield, Manager of Operations  
Kaelin Chambers, Economic Development Officer  
Karin Albert, Senior Planner  
Meleana Searle, Planner

**1. Call To Order**

Mayor Brown called the meeting to order at 5:30 p.m. and recognized the unceded traditional territory of the K'ómoks First Nation and expressed gratitude for their care and stewardship of this land since time immemorial.

**2. Agenda**

2.1 Agenda for Regular Council Meeting, January 9, 2023

Motion 23-001

**Moved by:** Ketler

**Seconded by:** Therrien

THAT Council approve the agenda for the January 9, 2023 Regular Council Meeting amended to consider report 7.3, Council Policy on Review of Development Permits for Parking in the VCMU-1 Zone as the first report, and consider the Variance Permit application for 2712 Dunsmuir as item 7.3.

**Carried Unanimously**

**3. Minutes**

3.1 Adoption of Minutes

Motion 23-002

**Moved by:** Ketler

**Seconded by:** Borecky

THAT Council adopt the following minutes:

- Committee of the Whole Meeting, November 8-10, 2022
- Committee of the Whole Meeting, November 18 & 25, 2022
- Regular Council Meeting, December 12, 2022
- Special Council Meeting, January 4, 2023

**Carried Unanimously**

3.2 Receipt of Committee Minutes

Motion 23-003

**Moved by:** Therrien

**Seconded by:** Ketler

THAT Council receive the following minutes:

- Advisory Planning Commission, December 8, 2022

**Carried Unanimously**

**4. Delegations**

4.1 1st Cumberland Scouts - Canadian World Jamboree Contingent

Motion 23-004

**Moved by:** Ketler

**Seconded by:** Borecky

THAT Council receive the delegation of the 1st Cumberland Scouts - Canadian World Jamboree Contingent.

**Carried Unanimously**

**5. Correspondence**

None

**6. Unfinished Business**

None

**7. Reports**

- 7.1 Council Policy on Development Variance Permits for Parking in the VCMU-1 Zone  
Motion 23-005

**Moved by:** Borecky  
**Seconded by:** Therrien

THAT Council adopt the Council Policy on Review of Development Variance Permits for Parking in the Village Core Commercial Mixed-Use (VCMU-1) Zone.

**Carried Unanimously**

- 7.2 Development Permit – Proposed Lot 2 (2794 Beck Avenue)  
Motion 23-006

**Moved by:** Borecky  
**Seconded by:** Ketler

THAT Council approve the development permit (2022-07-DP) for the property described Lot A Section 34 Township 10 Comox District Plan EPP93477 (2794 Beck Avenue).

**Carried Unanimously**

- 7.3 Development Variance Permit Application 2712 Dunsmuir Avenue

**Moved by:** Therrien  
**Seconded by:** Borecky

THAT Council approve the development variance permit application to reduce the required number of off-street parking stalls from eight to zero, the number of commercial loading spaces from two to zero, and the number of class two bicycle parking stalls from seven to zero on the property described as Lot B District Lot 21 Nelson District Plan EPP61337 (2712 Dunsmuir Avenue).

**Moved by:** Therrien  
**Seconded by:** Ketler

That Council withdraw the motion to approve the development variance permit application to reduce the required number of off-street parking stalls from eight to zero, the number of commercial loading spaces from two to zero, and the number of class two bicycle parking stalls from seven to zero on the property described as Lot B District Lot 21 Nelson District Plan EPP61337 (2712 Dunsmuir Avenue).

**Carried Unanimously**

Motion 23-007

**Moved by:** Ketler

**Seconded by:** Therrien

That Council refer the development variance permit application to reduce the required number of off-street parking stalls from eight to zero, the number of commercial loading spaces from two to zero, and the number of class two bicycle parking stalls from seven to zero on the property described as Lot B District Lot 21 Nelson District Plan EPP61337 (2712 Dunsmuir Avenue) to staff.

**Carried Unanimously**

7.4 Rural Economic Diversification and Infrastructure Program

Motion 23-008

**Moved by:** Borecky

**Seconded by:** Therrien

THAT Council approve the application for \$97,125 to the Rural Economic Diversification and Infrastructure Program for completion of the Village of Cumberland Investment and Development Readiness Project, with the Village cash contribution of \$10,000 and in-kind contribution of \$9,713.

**Carried Unanimously**

7.5 Council Monthly Reports

Motion 23-009

**Moved by:** Ketler

**Seconded by:** Borecky

THAT Council receive the monthly reports for information.

**Carried Unanimously**

**8. Bylaws**

8.1 Development Cost Charges Bylaw 1173, 2022

Motion 23-010

**Moved by:** Ketler

**Seconded by:** Borecky

THAT Council adopt the Development Cost Charges Bylaw 1173, 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.

- Accessibility and Inclusion Select Committee, January 16, 2023 3pm

**11. Question Period**

Questions were received on the following matters:

- Variance for 2712 Dunsmuir Avenue
- Cumberland Investment and Development Readiness project

**12. Adjournment**

Motion 23-011

**Moved by:** Borecky

**Seconded by:** Ketler

THAT Council adjourn the meeting at 7:16 p.m.

**Carried Unanimously**

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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**



**November 21, 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 (by video) arrived at 3:14 pm

**Regrets:**

Troy Therrien, Councillor

**Staff Present:**

Rachel Parker, Corporate Officer  
Ryan Parton, Manager of Recreation

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Ms. Norbury called the meeting to order at 3:05 p.m.

- 1. Approval of Agenda:** Approved.
- 2. Adoption of Minutes:** September 12, 2022. Approved.
- 3. Unfinished Business**
  - 3.1 Public event to promote social equity and inclusion – November 2022
    - AMSSA *Respect for All* workshops facilitated by Mosaic, November 23 at 3 p.m. for members of Council, Accessibility and Inclusion Committee, and representatives from community groupsDiscussion took place on focusing on accessibility in inclusion and the possibility of video access to the sessions.
  - 3.2 BC Building Code Accessibility Working Group Input  
Discussion on Committee members' participation in these working groups on adaptable buildings and accessibility features in the BC Building Code. It was noted new building are not required to have elevators and suggestion that new housing be accessible and visitable.
- 4. New Business**
  - 4.1 Accessibility for Events - Development of checklist for Community Events

Discussion on how to ensure accessibility requirements are met by event organizers, universally accessible and inclusive approach, and focus on basics including washrooms and parking with guidance on how to provide amenities.

Members agreed to draft a checklist based on examples, such as SPARC BC guide, and review before next regular meeting. Discussion on holding a seminar in early February.

**5. Reports from committee members**

- Discussion on portable toilets in Village parks, whether playground bark mulch is being racked, sidewalk access from parking spots at Dunsmuir and Fourth Street, pathway redesign on Egremont from the Westwood subdivision, update of the 2016 Facility and Infrastructure Review
- Brenda noted a meeting with the School District 71 Superintendent on the new Childcare Centre and discussion on playgrounds and standards for outdoor spaces
- Judy noted funds for an accessible trail in CVRD Seal Bay Park
- Rachel noted opportunity to participate in Canadian Commission on Building and Fire Code public review
- Rachel noted 4VI Experience Comox Valley Accessibility Guide and will send to CBA and CMA

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

- January 16, 2022 at 3 p.m.
  - Bring Facilities review tracking sheet

**7. Adjournment**

The meeting was adjourned at 4:41 p.m.

December 23, 2022

Mayor & Council  
Village of Cumberland  
info@cumberland.ca

Dear Mayor & Council:

### **Beaufort Family Health Society**

In April 2022 the Beaufort Family Health Society was registered in British Columbia, with a founding Board of five community stakeholders interested in establishing a community-led medical clinic in Cumberland BC.

The Society is working to operate a non-profit family health clinic at the former Ginger Goodwin Clinic, staffed with community-values oriented family physicians and nurse practitioners that want to work in an interdisciplinary facility (the clinic is co-located with a physiotherapy practice and pharmacy) and with interdisciplinary allied health professionals (e.g. mental health, social work, dietician).

Our Society is in the process of:

- Securing start-up and practitioner funding;
- Securing the facility lease;
- Recruiting for Family Physicians, Nurse Practitioners, and clinic staff;
- Identifying potential patients;
- Setting up clinic operations; and
- Recruiting additional board members.

In 2023 we will:

- Begin public communications around the clinic opening;
- Conduct a thorough community needs assessment to ensure the complement of practitioners makes sense for the broader Comox Valley and Cumberland specifically (which has a much younger average age);
- Conduct a long-term strategic planning exercise;
- Identify additional sources of funding for community-oriented programming that falls outside the funding available for practitioners.

The Society looks forward to appearing as a delegation to Council on January 23, 2023 to provide an update of our work to date, and to request Council's consideration of a permissive property tax exemption and/or community grants.

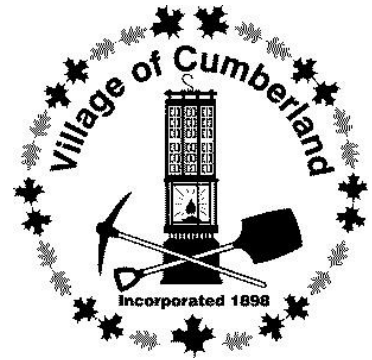
We appreciate Council's attention to this important community matter, and can be contacted at:  
BeaufortFamilyHealthSociety@shaw.ca

Sincerely,

### **Beaufort Family Health Society Board of Directors**

Linda Oprica - President  
Roger Kishi - Vice President  
Keith Tatton - Treasurer  
Janet Bonaguro - Secretary  
Emma Gledhill - Director at Large

# COUNCIL REPORT



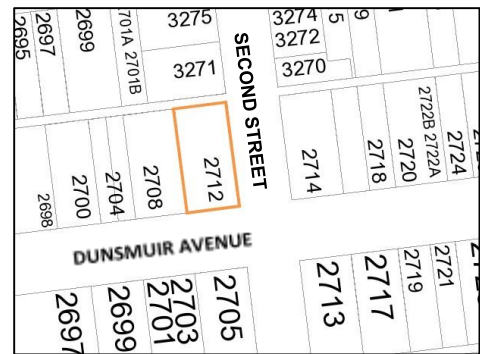
REPORT DATE: 1/11/2023  
MEETING DATE: 1/23/2023

File No. 2022-08-DV

TO: Mayor and Councillors  
FROM: Meleana Searle, Planner  
SUBJECT: Development Variance Permit Application 2712 Dunsmuir Avenue

## RECOMMENDATION

THAT Council approve the development variance permit application to reduce the required number of off-street parking stalls from eight to zero, the number of commercial loading spaces from two to zero, and to change the seven class two bicycle parking stalls to class one, on the property described as Lot B District Lot 21 Nelson District Plan EPP61337 (2712 Dunsmuir Avenue).



**Subject Property**

## PURPOSE

The Village received an application for a development variance permit at 2712 Dunsmuir Avenue. The applicant is proposing to reduce the required number of off-street parking spaces from eight to zero, commercial loading spaces from two to zero and to change the seven class two bicycle parking stalls to class one.

## PREVIOUS COUNCIL DIRECTION

Date	Resolution
January 9, 2023	That Council refer the development variance permit application to reduce the required number of off-street parking stalls from eight to zero, the number of commercial loading spaces from two to zero, and the number of class two bicycle parking stalls from seven to zero on the property described as Lot B District Lot 21 Nelson District Plan EPP61337 (2712 Dunsmuir Avenue) to staff.

## BACKGROUND

### *Proposed Development*

The subject property, built in 1894, has significant cultural and heritage value to the community. The applicants are proposing a full restoration of the building, which has an estimated cost of approximately four million dollars. As the building covers 100% of the property, and the applicants

are not proposing to demolish any portion of the structure, off-street parking isn't possible. The initial work, which does not require a Heritage Alteration Permit (HAP), includes main floor interior renovations to accommodate the owner's retail business (NOBL Wheels) and a new durable metal roof.

### ***Official Community Plan***

The Official Community Plan Bylaw No. 990, 2014 (OCP) designates Cumberland's downtown commercial core as a heritage conservation area. The historic form and scale of the commercial buildings is integral to the Village's appearance and ambience. The objective of the Heritage Conservation Area designation of the commercial core is to ensure that "revitalization or new development in the downtown area is compatible with the scale and character of the existing downtown heritage character" (OCP, p. 157).

Pursuant to the Official Community Plan (OCP), the subject property at 2712 Dunsmuir Avenue is in the Heritage Conservation Area and is subject to a Heritage Alteration Permit (HAP). However, the phase one work being complete by the applicant falls under the exemptions and therefore a HAP is not required at this time.

### ***Zoning Bylaw***

The subject property is zoned VCMU-1 – Village Core Commercial Mixed-Use, which permits a variety of commercial, professional, residential, and accessory uses.

The Zoning Bylaw No. 1027, 2016 (Zoning Bylaw) requires one employee parking space, seven visitor spaces and two commercial loading spaces for the 669.0m<sup>2</sup> retail area. The parking is required by the principal use changing from office to retail minor. Retail minor is defined as "the use of a building having a total floor area less than 2,800.0m<sup>2</sup> but equal to or greater than 300.00m<sup>2</sup> for the retail sale and rental of consumer goods."

The applicant is also required to provide eight class one and seven class two bicycle parking stalls. Class 1 bicycle stalls are to be located in a secured or controlled area protected from inclement weather and are intended to serve residents or employees. Class two bicycle parking stalls can be unsecured or in an uncontrolled area and are intended for short-term parking needs, and located within the street allowance, parallel with the direction of travel.

## **ANALYSIS**

### ***Land use justification***

Best practices for evaluating development variance permit applications typically look for an acceptable land use justification such as:

- i. the ability to use or develop the property is unreasonably constrained or hindered by having to comply with the bylaw requirement;
- ii. there is a net benefit to the community or immediate area that would be achieved through the variance approval; or,
- iii. the proposed variance would allow for more efficient and effective use and development of the subject property.

The subject property was constructed in 1894 (128 years ago), before parking was considered and zoning regulations were adopted. As the existing building covers 100% of the property, a cash-in-lieu payment is the only option other than demolishing part, or all, of the building to

accommodate the parking requirements. All bicycle parking is proposed to be provided in the building as class one bicycle parking spaces. There will be separate bicycle racks for employees and visitors. Employees will store their bikes in a staff only area, leaving all spaces at the front of the building for visitors. As most mountain bikes are significant financial investments it's anticipated that most visitors to the business would prefer to store their bike in a secure location within view.

The proposed variance could have a direct impact on the preservation of the building which has significant cultural value to the community. The statement of significance, complete in 2019, identifies 2712 Dunsmuir Avenue as having historical, cultural, social, heritage and aesthetic values that characterise the ebbs and flows of the economic life of Cumberland.

In 2003, the Heritage BC issued the report: *Incentives for Heritage Conservation: A Survey of British Columbia's Local Governments*. The report found that local governments must take a more active role in promoting heritage conservation in their communities. The information received from the survey illustrates that many communities feel that they do not have the means or sufficient community interest to provide incentives for heritage conservation. However, not all incentives require a large budget or excessive planning. One example given of an incentive that can be used by local government is Zoning Concessions. The report suggests that local governments relax or vary any of the provisions of their land-use regulations to help incentivize developers to preserve heritage buildings.

The proposed variance would allow for more effective and efficient development of the property by allowing the property owner to invest the cash-in-lieu funds into the restoration of the building.

#### *Impacts of the Variance*

Where a land use justification for a proposed variance has been demonstrated, the application should then be evaluated based upon the impact(s) (positive or negative) of the variance.

Impact(s) may be classified into the following three general categories:

- i. Aesthetic impact. This includes the impact of the proposed variance on the streetscape, the views from adjacent properties, compatibility with neighbourhood design standards, etc.
- ii. Functional impact. This includes the impact of the proposed variance on the function of the property for the permitted uses and the potential impact of the variance on the function of adjacent properties, or road right-of-ways.
- iii. Environmental impact. This includes the impact of the proposed variance on the long term sustainability of the natural environment or the direct impact on a specific feature of the natural environment.

The proposed variance would have a positive impact on the aesthetics of the building and streetscape as the building would be retained, restored and no longer vacant.

Functional impacts of the variance include a potential increase in traffic and parking on the streets adjacent to the subject property.

Fifteen class one bicycle parking stalls will be provided inside the building and will accommodate both employees and visitors. Employee's bikes will be stored in an 'employee only' area of the business.

There is no easily quantifiable impact to the environment. However, employees and customers may be more inclined to walk or bike to the subject property if parking is not as readily available.

Additionally, as discussed in their rationale letter (Attachment 2) NOBL Wheels promotes employees to bike to work by offering financial incentives to do so.

### *Future Development*

As mentioned in the applicant’s letter, they intend to complete a full restoration of the building. Future phases of development will include expanding the interior renovations to the upper floors and making improvements to the exterior of the building. Options for securing restoration and preservation of the heritage building, such as through a Heritage Revitalization Agreement (HRA), can be discussed at a future development phase. At this time the recommendation is to support opening of the retail business. The proposed parking variance would only apply to the area of the occupancy permit for the portion of the building being used for the first phase of interior renovations.

### **PUBLIC NOTIFICATION AND REFERRALS**

Pursuant to the requirements of the Village of Cumberland Development Procedures and Fees Bylaw No. 1073, 2018:

1. The Applicant has placed the required signage on site.
2. Village staff prepared a notice of Council consideration of a Development Variance Permit which was mailed to owners and occupants of properties within 75.0 metres on October 24, 2022, meeting the Bylaw minimum of 10 days before Council considers the application.

At the time of this report, staff have received feedback from four members of the public. See Attachment 3 – Public Feedback.

### **ALTERNATIVES**

1. THAT Council deny the development variance permit application to reduce the required number of off-street parking stalls from eight to zero, the number of commercial loading spaces from two to zero, and to change the seven class two bicycle parking stalls to class one, on the property described as Lot B District Lot 21 Nelson District Plan EPP61337 (2712 Dunsmuir Avenue)

### **STRATEGIC OBJECTIVE**

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

### **FINANCIAL IMPLICATIONS**

Approval of the variance would mean that the Village would not receive a parking cash-in-lieu payment of \$80,000.

The *Local Government Act*, Section 525 states that parking cash-in-lieu payments can be used to either provide new and existing off-street parking spaces, or transportation infrastructure that supports walking, bicycling, public transit, or other alternative forms of transportation.

## **OPERATIONAL IMPLICATIONS**

The review of development variance permit applications is part of the services provided by Development Services.

## **CLIMATE CHANGE IMPLICATIONS**

The proposed variance does not have an easily quantifiable impact on factors contributing to climate change.

## **ATTACHMENTS**

1. Draft Permit
2. Letter from Applicant
3. Public Feedback

## **CONCURRENCE**

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

Respectfully submitted,

***M. Searle***

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Meleana Searle  
Planner

***M. Mason***

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Michelle Mason  
Chief Administrative Officer



**TO:** 1984 Holdings Ltd.

**OF:** 2712 Dunsmuir Avenue, Cumberland, BC, V0R 1S0

This Development Variance Permit (2022-08-DV) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as specifically varied or supplemented by this Permit for the purposes of operating a retail minor use.

1. This Development Variance Permit applies to and only to those lands within the Village of Cumberland described below, and only applies to the area of the occupancy permit for the 670.0m<sup>2</sup> portion of the building shown in the attached plans. This permit does not apply to any expansion of occupancy, use, or change of use to buildings, structures and other development thereon:

**Legal Description:** LOT B DISTRICT LOT 21 NELSON DISTRICT PLAN EPP61337

**Folio:** 516 00022.000 **PID:** 030-314-747

**Civic Address:** 2712 Dunsmuir Avenue

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this Permit: The Zoning Bylaw No.1076, 2016 is varied as follows:

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

Section 6.3.3 Parking requirements are reduced to zero spaces for the employee and visitor retail minor use at 2712 Dunsmuir Avenue.

Section 6.13 The off-street commercial loading stalls are not required

3. **Security**

None.

4. **Expiry**

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

5. **Timing and Sequencing of Development**

None.

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

Schedule A – Building Permit Floor Plan

7. **Contaminated Sites Regulation**

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

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

CERTIFIED as the DEVELOPMENT VARIANCE PERMIT approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on January 23, 2022.

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Corporate Officer

# Schedule A - Building Permit Floor Plan

## BUILDING STATISTICS

**BUILDING AREA:**  
866 sq. ft.

**BUILDING HEIGHT:**  
2 STOREY

**BUILDING CONSTRUCTION:**  
COMBUSTIBLE AND NON-COMBUSTIBLE  
(WOOD FRAME, BRICK, CONCRETE BLOCK)

**BUILDING IS SPRINKLERED:**  
NO

## 2018 BCBC SUMMARY

**APPLICABLE:** Div. B, Part 3

**OCCUPANCY CLASSIFICATION:**  
ARTICLES 3.2.2.68 (GROUP E, UP TO 2 STOREYS)

### SECTION 3.1 - GENERAL

**3.1.17) OCCUPANT LOAD**  
80 MAX.

### SECTION 3.2 - BUILDING FIRE SAFETY

**3.2.4.1) EXCEPTIONS IN DETERMINING BUILDING HEIGHT**

2) EXISTING MEZZANINE LESS THAN 80% OPEN TO BELOW (EXISTING IS 56%, SEE MEZZANINE PLAN)

7) ENCLOSED SPACE WITHIN MEZZANINE, REDUCED FROM 63% TO 34% (SEE MEZZANINE PLAN)

**3.2.4) FIRE ALARM SYSTEM**  
NOT REQUIRED

**3.2.2.68) FIRE RESISTANCE RATINGS:**  
MAXIMUM BUILDING AREA: 500 sq. ft. (FACING 3 STREETS)

FLOORS = 45 MIN  
ROOF = 0 HR.  
LOAD BEARING = 45 MIN

### SECTION 3.3 - SAFETY WITHIN FLOOR AREAS

**3.3.1.3) MEANS OF EGRESS**  
PROVIDED FROM ALL FLOOR AREAS

**3.3.1.5) EGRESS DOORWAYS**  
REQUIRED: 2  
PROVIDED: 3

### SECTION 3.4 - EXITS

**3.4.2) - NUMBER AND LOCATION OF EXITS FROM FLOOR AREAS**  
FLOOR AREAS ARE SERVED BY TWO EXITS  
THE EXITS WILL MEET THE REQUIREMENTS OF THIS SECTION

**3.4.2.1) - TRAVEL DISTANCE**  
TRAVEL DISTANCE PERMITTED: 40 M  
TRAVEL DISTANCE PROVIDED: 24.9 M

**3.4.2) EGRESS FROM MEZZANINE**  
DISTANCE LIMIT PERMITTED: 25 M  
DISTANCE LIMIT PROVIDED: 15.2M

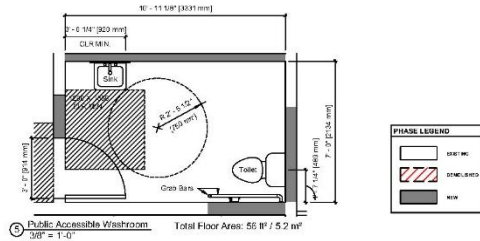
### SECTION 3.8 - ACCESSIBILITY

ACCESS FOR PERSONS WITH DISABILITIES  
WILL MEET THE REQUIREMENTS OF  
SECTION 3.8

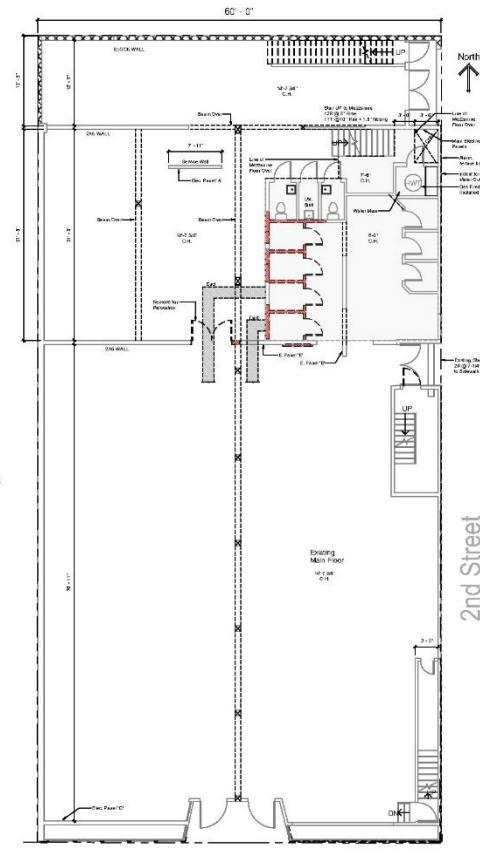
**3.8.2.8) ACCESSIBLE WASHROOM REQUIRED**  
REQUIRED: 1  
PROVIDED: 1

### CONSULTANT DRAWINGS

A101 - FLOOR PLANS  
S1.1 - MAIN FLOOR REMEDIATION PLAN  
S1.2 - TRUSS REMEDIATION DETAILS  
S1.3 - COLLAR TIE RELOCATION DETAILS  
M.1 - MECHANICAL HVAC NEW WORK  
ED1 - SITE PLAN  
ED2 - POWER AND SYSTEMS  
ED3 - LIGHTS AND CEILING  
ED4 - ELECTRICAL DEMO PLAN



Public Accessible Washroom  
5/8" = 1'-0"



Existing Main Floor + Demo  
1/8" = 1'-0"

Dunsmuir  
MAIN FLOOR = 686 sq. ft. +/-

# NOBL WHEELS TENANT IMPROVEMENT

(NOTE: ONLY MAIN FLOOR TO BE RENOVATED)

CIVIC: 2706 Dunsmuir Avenue, Cumberland, BC  
LEGAL DESCRIPTION: Westlary and Eastlary 1/2 of Lot  
6, Block 3, District Lot 21, Nelson District, Plan 522

## CONSULTANTS

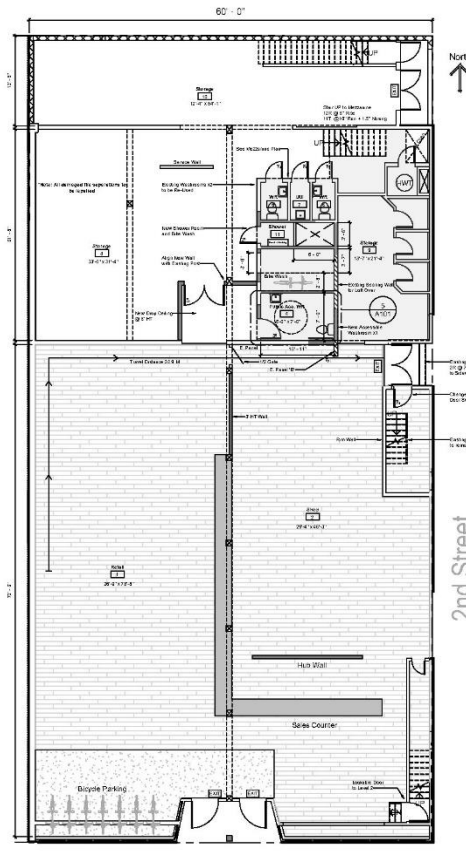
**PRIME CONSULTANT & ARCHITECT**  
MacDonald Hagerty Architects, Ltd.  
Marie Hagerty, Architect A.B.C.  
E - Marie@MHArchitects.ca  
T - 604.345.9733

**STRUCTURAL**  
HSI - Homs Structural Inc.  
Eric Haddens  
E - ehaddens@homsstructural.com  
T - 250.296.8300

**MECHANICAL**  
SMCN Consulting Ltd.  
Blake Simmons, P.Eng.  
E - bsko@smcn.ca  
T - 780.991.9615

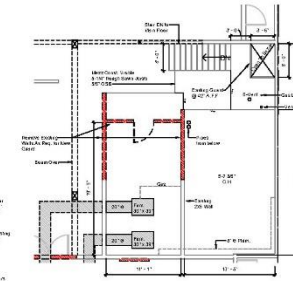
**ELECTRICAL**  
Muir Engineering  
Brian Muir  
E - brian@muireng.ca  
T - 250.850.0870

**GENERAL CONTRACTOR**  
AFC Construction  
guthrie@afcconstruction.com  
E - guthrie@afcconstruction.com  
T - 250.977.1789



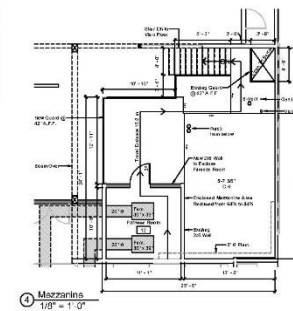
Main Floor  
1/8" = 1'-0"

Dunsmuir  
MAIN FLOOR = 686 sq. ft. +/-



Existing Mezzanine + Demo  
1/8" = 1'-0"

MEZZANINE = 676 sq. ft. +/-  
AREA OPEN TO BELOW = 58%  
EXISTING ENCLOSED AREA IN MEZZANINE: 63%



Mezzanine  
1/8" = 1'-0"

MEZZANINE = 676 sq. ft. +/-  
AREA OPEN TO BELOW = 58%  
NEW ENCLOSED AREA IN MEZZANINE: 34%



3030-05-15  
1/8" = 1'-0"  
1/8" = 1'-0"  
1/8" = 1'-0"  
1/8" = 1'-0"



Nobl  
2706 Dunsmuir Ave  
Tenant Improvement

ANS D  
FLOOR PLANS

Drawn By  
Suzanne

A101

3030-05-15

To whom it may concern,

### **PREAMBLE**

We have spent the last year reviewing and detailing out a number of different plans for the building. Despite it being less expensive to start from scratch, our long term vision is to complete a full restoration. We aspire to maintain and enhance the building's heritage and character while bringing it up to a higher safety standard, and to maintain it such that it lasts another 100 years.

The complete vision will take years to complete and will ultimately cost close to 4 million dollars all-in.

Phase 1 of our project is designed to have our business operating in the building within 2022, so that we can have a spring "launch" in 2023, just in time for the cycling season. As you'll see in the renovation plan, we are putting on a durable new roof, and performing the interior upgrades needed to suit our business.

This initial renovation is budgeted at \$500,000. Investing this amount of money in the building should provide you with some assurance that demolishing the building in favor of building something from scratch is out of the question. We think the property is vital to Cumberland's identity. The cycling community is growing stronger and we feel we'll be able to run a profitable business in Cumberland for many years. By continually investing in the building over time, we hope to see this building thrive and become a centerpiece that residents are proud of.

### **BICYCLE PARKING**

Our interior plans show bike parking inside of the building for consumers as well as staff. Half of the front of the building is dedicated to bicycle parking. We noticed the parking calculations had an amount of required bicycle parking spots. We hope that our interior parking—which we believe is far superior and will be preferred by the public due to the value of most bikes—satisfies this need and we hope this can be confirmed. Based on feedback from the cycling community, our existing customers, as well as staff, we know that most are not interested in leaving \$5,000-\$10,000 (or more) bikes outside, unattended, but rather would be excited at the prospect of rolling them in through our front door, putting it on a rack, and knowing that it's safe.

### **JOB CREATION**

Creating jobs in Cumberland is an exciting prospect for us. We already employ many staff that call Cumberland home, and we expect to continue to create jobs in the area. As you will have noted, our plans include a shower area and changeroom, and our goal is to encourage our staff

to ride their bikes to work. We are reinforcing this healthy practice by paying staff a bonus, based upon how much mileage they walk or ride on their way to work.

We believe we are bringing something valuable and unique to the village. We are creating jobs, improving the aesthetics in a core area of town, filling a key vacant building (one rich with history), and most importantly, we are investing in preserving the heritage that draws so many to Cumberland. This isn't a short play for us as we know the investment this will take—both in time and in financial resources.

### **PARKING REQUIREMENTS**

As a small business, our vision carries considerable financial risk for us. We have considered the alternatives and believe the most viable approach is to improve the property in stages.

One of the largest stumbling blocks for us is the financial cost associated with meeting the parking requirements of the Village. In reality, we could continue to rent in Courtenay (our current location) for many years (close to a decade) before we exceed the cost associated with meeting the parking requirements here in town.

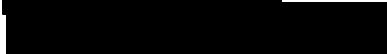
When we consider the parking requirements cost, and then consider the fact that we're investing so much, taking on all of the risk, creating so many local jobs, supporting other local businesses, paying our staff extra to ride bikes to work (currently, with plans to continue this incentive), and the fact that we're going to attract customers who show up on bikes over vehicles, we would like to request a variance on this requirement.

We know that our success depends on our ability to get up and running in a cost-effective manner. We know that our building remains an eyesore for everyone, but that with our investment, it will be a highlight and centerpiece in town that all residents are proud of.

It is our request that the council considers a variance on this requirement down to zero, so that we can repatriate those funds into the improvements we have planned.

Thank you for your consideration as we work towards preserving and restoring part of Cumberland's heritage for all to enjoy.

Thank you



1894 Holdings Ltd.

**Meleana Searle**

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**From:** [REDACTED]  
**Sent:** October 28, 2022 12:13 PM  
**To:** Planning  
**Subject:** Re: 2712 Dunsmuir

Dear Meleana,

I am writing in support of the variance application regarding parking spaces for 2712 Dunsmuir Ave. I am all for waiving the fee for the parking spaces so that the money can go towards restoring this beautiful historic building.

Thank you!

Sincerely,

[REDACTED]  
[REDACTED] 2nd Street

## Meleana Searle

---

**From:** [REDACTED]  
**Sent:** November 1, 2022 11:10 AM  
**To:** Planning  
**Subject:** file 2022-08-DV

Hi Meleana,

I received your letter regarding the development variance permit for 2712 Dunsmuir Avenue. I am emailing to comment that I am not in favour of waiving the cash-in-lieu fee for parking.  
Regards

[REDACTED]



November 2022

To whom it may concern;

Please find this letter in opposition to development variance permit, file 2022-08-DV, 2712 Dunsmuir Avenue.

While I respect the costs of restoration on the large Big Store building to be robust, the neighbourhood and community at whole should not bear these costs, in the form of waving parking-in-lieu fees. These fees have been considered by staff and council as the cost to the community to fail to provide parking, to support the growing parking needs of the Village. Further, a variance of these in lieu fees was recently denied to the project across the street, 2714 Dunsmuir Ave.

While this building was at 100% of lot use prior to current ownership, I invite the current owners to consider removing the addition to the building, which extends into the alley and is not bylaw conforming. Removing that section of the building, which is younger than the rest of the building and doesn't have any bearing on the heritage nature of the structure, would allow the building to align with the rest of the structures in the alley and could create the parking spaces the bylaws asks of a business of its nature.

The alley in this block is problematic, with the Big Store building literally bearing some of the brunt of the commercial transport in the block. Delivery vehicles working to supply Dwain's Liquor Store, The Waverley Hotel and the BC Liquor Store all use the alley, the frequency in which vehicular damage happens should be pause for concern. The addition on this building contributes to the challenge of the area, creating too tight of a space for large vehicles to safely exit the alley onto Second St, resulting in the gutters on the building needing regular replacement, after being mashed by transport trailers. If parking is at capacity more often on this street, the alley exit will be more challenging for these large vehicles to manoeuvre safely.

As a residential homeowner on Second St, I was dismayed the August 15, 2022 Heritage Committee minutes called Second St a commercial street, which was also referenced in the September 21 Regular Council Meeting; *Second Street streetscape*

- *Second Street is also a commercial street. Would like to see an option to animate Second Street. E.g. consider moving the interior patio, which would be in the shade most of the day, to front Second Street and be associated with commercial unit CRU- 3.*

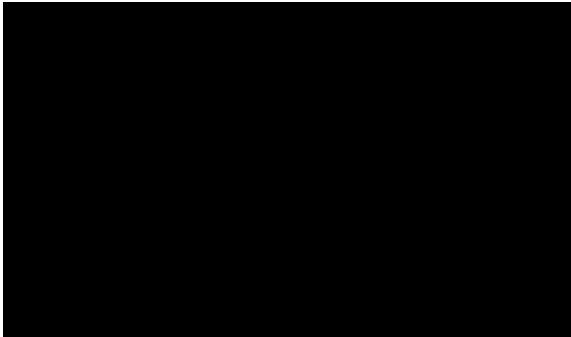
The single family home, with Second St frontage, my family has occupied since 2013 was built in 1930, yet, in the absence of a parking plan with residential parking provisions, I often come home with groceries and can't park in front of my home, to unload. To add the pressure of a shortfall of six parking spaces on the block is going to add to the clash of residential peace vs commercial pursuits.

After years of watching the Big Store building fade, I am so happy to see life and action in the space, once again. The business planning to move into the space has so much potential to contribute to the rich community that is Cumberland. This contribution should also include

either six parking spaces by removing the addition on the building and easing alley pressures as well, or the stated parking-in-lieu fees, as per schedule.

Thank you for time of council and staff, in your deliberations.

If anyone would like to connect about further, please do not hesitate.



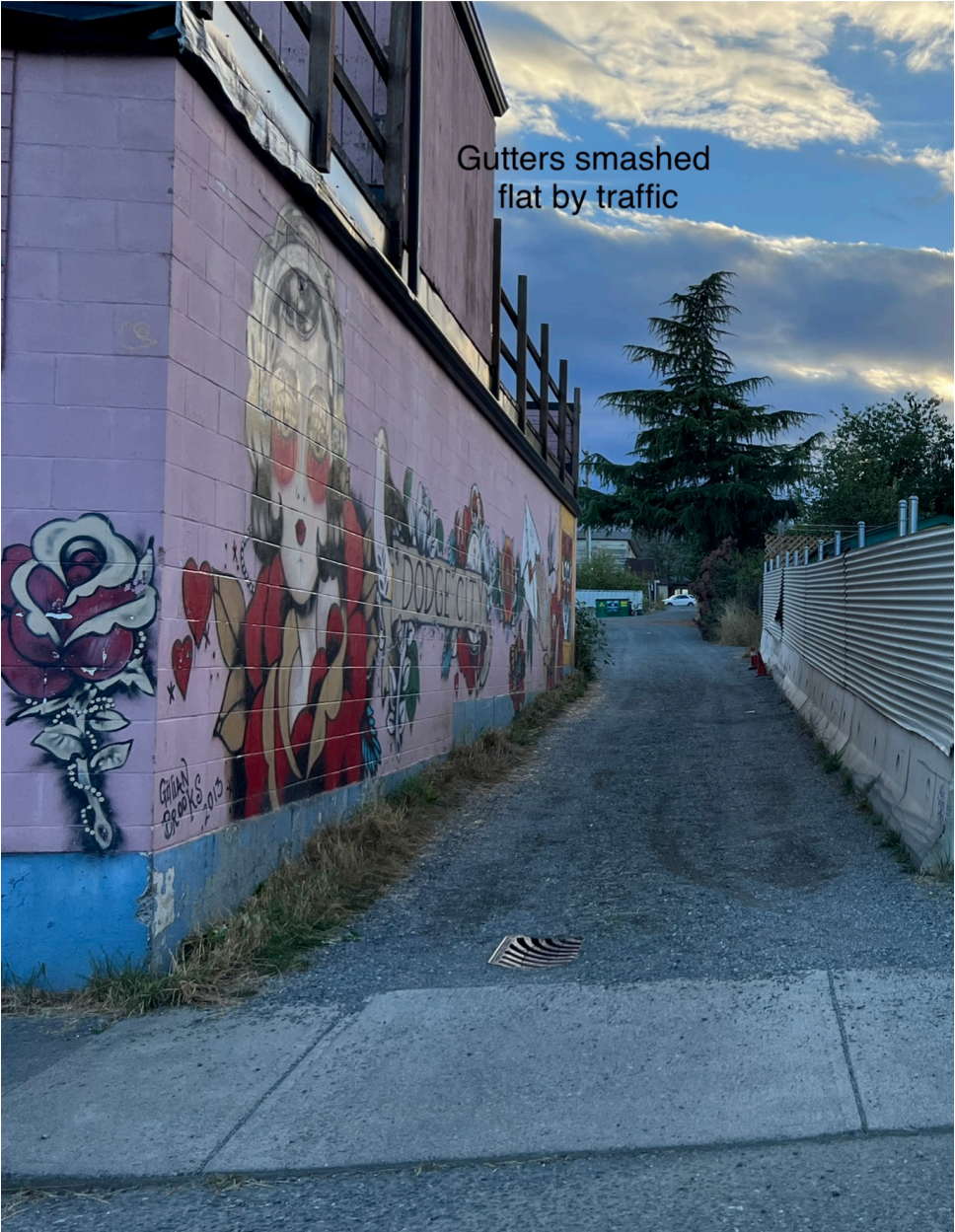
January 7, 2022 - delivery vehicle stuck in alley, trailer caught on the Big Store addition.



Building, prior to 2013, note the gutters missing from the section closest to Second St.



Fall 2022, gutters smashed flat by transport trailers, after installation prior to current owners taking possession



July 23

9:34 AM



Various states of gutter damage

The white marks in the hair area are where the transport trailer strikes the building.

January 17, 2021  
3:58 PM

38%

Share Like Info Delete Edit



September 23, 2020  
6:03 PM



Gutter damaged, watch the water pour out the end

May 29, 2020  
3:20 PM



More ongoing gutter damage in various states

## Meleana Searle

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**From:** [REDACTED]  
**Sent:** November 3, 2022 9:09 AM  
**To:** Planning  
**Cc:** Vickey Brown; [REDACTED]  
**Subject:** Variance Permit for 2712 Dunsmuir

For your consideration,

As a neighbouring commercial property owner, I support the granting of this Variance to reduce the number of parking spaces from six to zero and waive the cash-in-lieu of parking requirements for 2712 Dunsmuir Ave. I also challenge the Village to permanently remove any parking or other bylaw requirements on heritage buildings that are difficult if not impossible to fulfill. This could be done by simply "grandfathering" these buildings to keep doing what they have been doing, in some cases for over 120 years.

Requiring a Variance for a heritage building built before the adaptation of the current bylaw is nothing short of kafkaesque. This building, and many others on Dunsmuir, was designed, built and used for decades when people predominantly walked the village core instead of driving. Forcing these carbon friendly buildings to now have parking when there is little or no land to do this, is overly bureaucratic and creates an administrative burden for both the Village and the owner. From a bystanders view, it could appear that this is nothing but an attempt by the Village to extract funds from the property owner.

Increasing financial, regulatory (Bylaw and Building Code) and bureaucratic burdens on a property directly threatens the life of a heritage building. Preserving an old building should be easier and cheaper than building new, but this is currently not the case. The Heritage committee should create "carrots" to encourage owners to rehabilitate buildings instead of the current "stick" method to try and force compliance. The Village currently has no stated financial or bylaw exemptions in place for Heritage buildings, but instead imparts increased fees and added processes, like this Variance.

So does the Village value heritage buildings more than parking? Do we live in an era where the Village facilitates the preservation and re-use of our past and proactively fights climate change, or does the Village want to continue to enforce dated bylaws that favour suburban sprawl, the destruction of heritage buildings and increased carbon usage? I am reminded of the phrase "the greenest building is the one already built".

I challenge the new Village administration to quickly draft and approve bylaws that take an economical and common sense approach to the preservation of Heritage buildings by reducing unnecessary administrative requirements and economic barriers. Remove things like hard parking requirements that change with usage and cannot be met with existing buildings and lots. Offer upfront incentives to property owners to preserve heritage buildings and streamline the process of getting the many vacant and underused properties on Dunsmuir back into their intended commercial use.

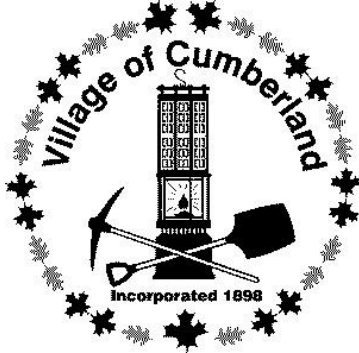
Sincerely,

[REDACTED]

[REDACTED]



# COUNCIL REPORT



REPORT DATE: January 16, 2023  
MEETING DATE: January 23, 2023

File No. 0390-20

TO: Mayor and Councillors  
FROM: Kevin McPhedran, Interim Deputy Chief Administrative Officer  
SUBJECT: Resolutions to the Association of Vancouver Island and Coast Communities Convention and Watershed Security Strategy Advocacy

**RECOMMENDATION**

- i. THAT Council submit the resolutions attached to this report dated January 16 2023 to the Association of Vancouver Island Coastal Communities:
  - a) Watershed Security Strategy and Fund, and
  - b) Managed Forest Council Representation
- ii. THAT Council send letters to the provincial ministers of Water, Land and Resource Stewardship; Emergency Management and Climate Readiness; and Environment and Climate Change Strategy; and the MLA for Mid Island-Pacific Rim, to advocate for funding and support for Village watershed protection initiatives as part of province’s Watershed Security Strategy and Fund and the 2023 provincial budget development process.

**PURPOSE**

The purpose of this report is to:

- a. present draft resolutions to Council to consider for submission to the Association for Vancouver Island and Coastal Communities conference; and
- b. present the additional advocacy opportunity of sending letters to Provincial Ministers with influence over the province’s Watershed Security Strategy and Fund and our MLA.

**PREVIOUS COUNCIL DIRECTION**

Date	Resolution
Dec 12, 2022	THAT Council direct staff to prepare resolutions on the Watershed Security Fund application to lands in Private Managed Forest Lands and on representation on the Private Managed Forest Land Council for submission to the 2023 Association of Vancouver Island Coastal Communities conference.

## **BACKGROUND**

The 2023 AVICC convention is planned to take place from April 14 to 16, 2023 in Nanaimo. In December 2022, Council directed staff to prepare two resolutions, which are attached for Council discussion and final approval. The development of both draft resolutions were supported by Latitude Conservation Solutions, Village consultant, and the Cumberland Community Forest Society, Village partner, for the Perseverance Watershed Initiative (PWI). Council may make changes to these drafts prior to approval.

Resolutions of provincial interest endorsed by AVICC will be submitted to UBCM Resolution Committee for review for submission to the UBCM convention in September 2023. The AVICC resolution guidelines recommend focus on issues that are province-wide and to avoid repeat resolutions - see <https://avicc.ca/wp-content/uploads/2022/11/2023-AVICC-Call-for-Resolutions.pdf> for additional background information.

In addition to the advocacy opportunity presented by AVICC, Council may wish advocate to the province for support for local watershed protection initiatives (such as PWI) in the context of private managed forest lands as part of the province's ongoing development of the Watershed Security Strategy. The current opportunity consists of sending letters to each of the minister responsible for the strategy (Minister of Lands, Water and Resource Stewardship), other ministers supporting the strategy development (Emergency Management and Climate Readiness; and Environment and Climate Change Strategy), and our local MLA, in advance of the province's February 2023 budget process. Should Council wish to pursue this opportunity, draft letters will be provided for Mayoral review and final sign off based on content similar to the AVICC resolution on the Watershed Security Fund, albeit with a more local focus.

While submitting resolutions through the area association is preferred, Council may also submit late resolutions directly to UBCM by June 20, 2023, if new issues arise that Council wishes to address. Council may also request meetings with cabinet ministers on matters of interest to the Village at the fall UBCM convention.

## **ALTERNATIVES**

1. Council may discuss resolutions for submission to the 2022 AVICC convention. It is not required that Council submit resolutions.
2. Any other action deemed appropriate by Council.

## **STRATEGIC OBJECTIVE**

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

## **FINANCIAL IMPLICATIONS**

Researching and preparing resolutions has been supported by consultants and partner organizations working with the Village on the Perseverance Watershed Initiative, with costs for this work to be expensed from that project. There are also costs for members to attend the AVICC and UBCM conferences.

## **OPERATIONAL IMPLICATIONS**

The resolutions topics suggested by Council have required input from the staff team due to the breadth of topics and necessary research required.

## **CLIMATE CHANGE IMPLICATIONS**

Climate resilience for Village drinking water supply sources is at the core of advocating for additional resources for, and jurisdiction over, watershed lands.

## **ATTACHMENTS**

- A. AVICC Backgrounder and Resolution: Watershed Security Fund
- B. AVICC Backgrounder and Resolution: Managed Forest Council

## **CONCURRENCE**

Rachel Parker, Corporate Officer **RP**

Respectfully submitted,

***K. McPhedran***

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Kevin McPhedran  
Interim Deputy Chief Administrative Officer

***M. Mason***

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Michelle Mason  
Chief Administrative Officer

**Attachment A.**  
**AVICC Backgrounder and Resolution**  
**Watershed Security Fund**  
**Village of Cumberland, 2023**

**Backgrounder**

Healthy watersheds are at the forefront of climate resiliency and are the foundation of all social, environmental and economic systems. Today, many watersheds in B.C. are facing challenges that will require new management approaches to help ensure they remain sustainable for future generations. Watershed security requires sustainable and independent funding for communities to build the capacity and resilience required to secure the health of their local watersheds, including the fish, wildlife and nature that depend on them. Failing to act now and into the future will make these watersheds more vulnerable to impacts of climate change.

Achieving watershed security on eastern Vancouver Island is made even more complex by the historic land ownership context resulting from the 1884 Settlement Act which saw over 2 million acres of unceded land on south eastern Vancouver Island granted by the crown to private owners. The legacy of this historic land grant means that rapidly growing communities on eastern Vancouver Island are responsible for providing safe, sustainable drinking water for our communities from privately owned lands, where active forestry is taking place, and over which we have no authority.

On November 26th, 2020, the BC government committed to creating a Watershed Security Strategy and Fund in their current mandate. Then in April 2022, the Ministry of Water, Land and Resource Stewardship was established with a mandate focused on reconciliation, economic recovery and environmental sustainability. This includes a mandate letter commitment for the ministry to establish a Watershed Security Strategy and a Watershed Security Fund. In addition, the 2022 Declaration on the Rights of Indigenous Peoples Act (Declaration Act) Action Plan commits the Province to co-development of the Watershed Security Strategy with First Nations

On January 25th, 2022, the Province of BC released a [Watershed Security Strategy and Fund discussion paper](#) and launched a public engagement process. The Village of Cumberland was among many Vancouver Island communities who provided formal feedback during the Watershed Security Strategy and Fund Discussion Paper Engagement Process. This feedback included the need to:

- ***Consider the unique private land land ownership context of eastern Vancouver Island in the development and implementation of the Strategy.***
- *Support communities to manage jurisdictional overlap*
- *Recognize, support and fund local processes underway in order to gain efficiencies and leverage watershed governance activities already underway between watershed knowledge holders, stakeholder, land owners and indigenous government.*

- *Support and fund local government for restoration and remediation to address significant legacy infrastructure issues (logging and mining) in our watershed.*
- *Support and fund collaborative data collection and monitoring at the local level to better understand how our watersheds function and how we can support their resilience.*
- *Support and fund watershed land securement projects, and long term community watershed management obligations.*
- *Support and funding to build community climate resilience through education, risk assessment and adaptation including the protection of natural climate solutions.*

In November 2022 the province released their ['What We Heard Report'](#) from the engagement on the Watershed Security Strategy and Fund. The engagement process uncovered the following key themes emphasizing the importance of:

- *Reconciliation, climate change and governance*
- *Creating a culture of one water: Encompassing cultural, social, economic and environmental systems*
- *Understanding water and watersheds, including watershed assessment and risk, adaptive management and knowledge systems*
- *Working together on watershed governance: The need for local approaches, integration across sectors, policy and legislation, and compliance and enforcement*
- *Stewarding watersheds: The importance of source water protection, land water links, water for agriculture, water conservation, watershed restoration, fish and healthy aquatic ecosystems*
- *Building capacity and funding watersheds: Developing internal and external resourcing capacity and providing funding for watersheds*

While the key themes in the What We Heard Report responded to many of the issues expressed by Island communities, it did not reference the unique context and specific challenges facing communities managing drinking water on privately owned lands including the legislative and regulatory content (PMFLA) and new resources for land protection and land acquisition.

The next step for the Watershed Security Strategy and Fund is the release of an **Intentions Paper**, which will be informed by the public engagement to date and will include proposed actions for the Watershed Security Strategy. These actions will be developed in collaboration with the B.C.- First Nations Water Table and Treaty Nations, as committed to in the Declaration Act Action Plan. Public engagement on the Intentions Paper will take place in early 2023, and work on the Watershed Security Fund will follow the development of the strategy

### **Resolution**

Whereas achieving watershed security on eastern Vancouver Island is made even more complex by the historic land ownership context resulting from the 1884 Settlement Act which saw over 2 million acres of unceded land on south eastern Vancouver Island granted by the crown to private owners.

And Whereas the legacy of this historic land grant means that rapidly growing communities on eastern Vancouver Island are responsible for providing safe, sustainable drinking water for our communities from privately owned lands, where active forestry is taking place, and over which we have no authority.

Be it resolved that, AVICC request that the Province of BC and the Ministry of Water, Land and Resource Management acknowledge this unique context and fund the critical work required to achieve watershed security on eastern Vancouver Island.

**Attachment B.**  
**AVICC Backgrounder and Resolution**  
**Managed Forest Council**  
**Village of Cumberland, 2023**

**Backgrounder**

Managed Forest Land is a classification of property under BC Assessment (class 7) established in 1988 to encourage private landowners to manage their lands for long-term timber production<sup>1</sup>.

In 2022 there were 281 Managed Forests in BC comprising 805,000 hectares of private land. From this area, 4.5 million cubic meters of timber were harvested in 2022, representing 8% of the provincial harvest in that year<sup>2</sup>

Property included in the Private Managed Forest Land Reserve must comply with the *Private Managed Forest Land Act* (2003)<sup>3</sup> (the Act) and the *Private Managed Forest Land Council Regulation* (2007)<sup>4</sup> (the Regulation). Forest harvesting on property included in the Private Managed Forest Land Reserve is unrestricted by local government bylaws<sup>1</sup>.

The Managed Forest Council regulates forest management activity on Private Managed Forest Lands. Part 2 of the Act establishes the Private Managed Forest Land Council (now known as the Managed Forest Council) and specifies that, “The object of the council is to encourage forest management practices on private managed forest land, taking into account the social, environmental and economic benefits of those practices.”<sup>3</sup>

The Managed Forest Council is comprised of 5 council members. Two of the council members are appointed by the Minister of Forests, two are appointed by owners of private managed forest land, and the fifth (the Chair) is appointed by the four other council members. According to the Act, council members appointed by the Minister and the owners must be knowledgeable in matters pertaining to either forest management or local government<sup>3</sup>.

Many managed forests include or could affect downstream points of diversion associated with individual water licenses or licensed waterworks intakes associated with community drinking water supply systems operated by local governments. While the protection of drinking water quality is an “objective” of the Act, water licensees (including local government) have no authority to influence forest management practices taking place in watersheds that are associated with drinking water supply. In some instances, managed forest owners are obligated to inform water purveyors of forest management activities, but there is no requirement for the owners to incorporate any feedback that may be provided.

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<sup>1</sup> Managed Forest Council. 2023. <https://www.mfcouncil.ca/landowners/what-is-managed-forest-land/>. Accessed on January 3, 2023.

<sup>2</sup> Managed Forest Council. 2022. MFC 2021-2022 Annual Report. <https://www.mfcouncil.ca/mfc-2021-2022-annual-report/>. Accessed on January 3, 2023.

<sup>3</sup> Private Managed Forest Land Act. SBC 2003. [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03080\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03080_01). Accessed on January 03, 2023

<sup>4</sup> Private Managed Forest Land Council Regulation. BC Reg. 182/2007. [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/11\\_182\\_2007](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/11_182_2007). Accessed on January 03, 2023.

In 2016 the council published a document titled *Results of a Survey of Managed Forest Operations Protecting Drinking Water Quality*<sup>5</sup>. The document highlights that the protection of water quality for domestic consumption is a key management objective under the legislation. The Managed Forest Council undertook a survey of both managed forest owners and water licensees to determine “whether harvesting practices on managed forests are undertaken in a manner that protects drinking water quality for licensed water intakes, and to determine if owners are aware of their regulatory responsibilities related to their protection.”

While the survey indicated that approximately 25% of the water licensees reported a decrease in water quality which they attributed to forest management activities taking place in the Managed Forests upstream of their intakes, the report concluded that “...water quality planning assessments and operational practices conducted by private managed forest land owners are consistent with industry standards and the scale of their operations.”

Water licensees responded that riparian tree retention alongside streams that contribute to domestic water systems should be enhanced and that harvesting should be reduced in the relevant watersheds. No recommendations were included in the survey and no subsequent amendments to the Regulation have been made to address those concerns.

The Managed Forest Council has the duty to create, update and enforce the regulations affecting forest management on private managed forest lands, thus it is ultimately the responsibility of the Council to ensure that drinking water quality is in fact adequately protected. Given the significance of forest management activities to the drinking water services provided by local governments to hundreds of thousands of British Columbians, at least one of the Council members appointed by the Minister should specifically represent the interests of local governments, and not just be “knowledgeable in matters relating to local government”.

### **Resolution**

Whereas local governments are required to provide drinking water services to their communities and,

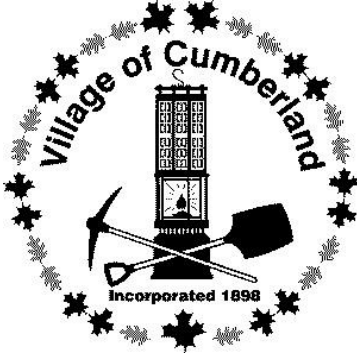
Whereas many community watershed are included in or affected by forest management activities occurring on private managed forests,

Be it resolved that the Private Managed Forest Land Act be amended such that the Managed Forest Council must include one member that represents the interests of local government.

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<sup>5</sup> Managed Forest Council. 2016. Results of a Survey of Managed Forest Operations Protecting Drinking Water Quality. <https://mfcouncil.ca/wp-content/uploads/2017/07/MFC-Water-License-Survey-web.pdf>. Accessed on January 03, 2023.

# COUNCIL REPORT



REPORT DATE: January 18, 2023  
MEETING DATE: January 23, 2023

File No. 0550-01

TO: Mayor and Councillors  
FROM: Committee of the Whole  
SUBJECT: 2023-2027 Financial Plan, Committee of the Whole Report

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### RECOMMENDATION

THAT Council make the following specific changes to the draft 2023-2027 detailed budgets and present the proposed 2023-2027 detailed budget package and a proposed 2023-2027 Financial Plan Bylaw to the public at the February 6, 2023 Village Hall meeting so that the tax revenue increase for 2023 is 6.16% to existing 2022 taxpayers:

- Remove eBike for staff at \$6,000 and explore funding from active transportation funds;
- Confirm Parking Study to be funded from parking in lieu funds;
- Move \$50,000 for new utility worker service truck to 2024, direct staff to retain the two trucks slated for disposal in 2023 in order to revisit the fleet plan to consider alternative energy vehicles;
- Increase annual debt payments for public works fleet by \$5,000 per year beginning in 2023;
- Add cyber insurance at \$7,400 per year;
- Reduce records management funded by reserves by \$5,000 in 2023;
- Add increase of \$19,050 per year to total Council remuneration as set by bylaw;
- Add \$100,000 in 2023 and an additional \$80,000 in 2024 for combined staffing additions to be reported back to Council;
- Add \$6,280 per year to be funded by taxes for VOIP phone licensing to start in 2025;
- Add \$10,000 per year for bylaw community patrol services and increase the revenue sharing from the Lake Park Campground by \$3,000 per year;
- Add \$2,000 per year for fire fleet material and supply;
- Add \$3,500 per year for fire fleet fuel and oil increase;
- Add \$1,000 per year for fire fleet insurance increase;
- Add \$100 per year for fire volunteer occupational health and safety supplies;
- Add \$4,400 per year for firefighter call out wages to 2023 and an additional \$4,400 to the 2024 year;
- Add \$300 per year for fire staff professional memberships;
- Add \$1,000 per year for fire uniform increases;
- Add \$400 per year for regional fire meeting hosting costs;
- Add \$300 per year for Fire department coffee;

- Add \$1,000 per year for firefighter banquet increase;
- Add \$250 per year for Fire Department office material increase;
- Increase to fire vehicle & protective equipment replacement reserve annual contribution by \$15,000 in 2025, \$3,000 in 2026, and \$2,000 in 2027 to bring the total fire vehicle & protective equipment replacement reserve contribution to \$107,500 by 2027;
- Include Fire debt annual payments for vehicle purchases (2025-\$30,640 for Rescue 4 replacement/2026-\$147,490/2027 \$40,360 for the Quint Ladder Truck)
- Add \$6,000 for community events for the summer music series to be funded by host amenity funds;
- Add \$750 per year starting in 2024 for Nikkei Park operating;
- Add \$1,000 per year for Village Park contracted services;
- Add \$1,000 per year for Village Trail Network contracted service;
- Add \$27,000 per year for Transportation fleet cost increases;
- Add \$5,000 per year for general engineering services;
- Add \$3,000 per year starting in 2024 for Public Works materials;
- For distribution of property taxes among property classes, set the multiplier for class 7 to 19-times the residential rate.
- Add \$20,000 per year to the Community Service Partnership program from host amenity funds;
- Retain 10% of annual contributions to the host amenity funds to stabilize eventual taxes required to fund the Community Service Partnership program.

## **PURPOSE**

This report presents recommendations made by the Committee of the Whole at its budget workshops held January 4, 11 and 18, 2023.

## **BACKGROUND**

Council held its annual budget workshops on January 4, 11 and 18, 2023 as a Committee of the Whole. Members reviewed the proposed capital and operating projects and budget prepared by staff based on Council's 2020-2023 Strategic Priorities, the impact of the plan on property taxes, and considered a number of budget items not included in the draft budget.

A budget Village Hall and open house is scheduled for February 6, 2023 at 7 p.m. to present the 2023-2027 Financial Plan to the community before consideration of the required bylaw.

Feedback from this public open house will be provided to Council when Council considers the financial plan bylaw.

Respectfully submitted,

**V. Brown**

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Vickey Brown, Mayor  
Chair, Committee of the Whole