

Accessibility and Inclusion Select Committee
Minutes
November 17, 2025 at 3 p.m.
Cultural Centre, 2674 Dunsmuir Avenue
Second Floor, Moncrief Hall



Present: Rhianna, Judy, Rhianna, Kate, Jen
Regrets: Laura, Troy, Brenda, Suzanna

Staff: Rachel, Tyler, Joel, Karin

The meeting was called to order at 3:06pm.

1. Approval of Agenda

The agenda was approved. Roundtable of introductions.

2. Lake Park Concept Plan, Staff Presentation:

- (a) Staff presentation on Phase I transitioning of two waterfront RV sites to day-use area, including accessible parking and a beach mat.

Discussion:

- use of cart path chip for access pathways, two more accessible parking spaces using CSA standards, new beach mat access, accessible picnic tables, separate from bike parking, outdoor shower possibly,
- tables, lower end table for campstove end for tiered surface
- use of core gravel foundation in parking area is good
- discussion on logistics of mobi mats
- future shower to be accessible
- dedicated accessible RV or tent site
- feedback by email as well to tfarley@cumberland.ca through November.

3. 2026 Roads and Utilities Capital Works Projects, Staff Presentation:

- (a) First Street Roadworks Design from Penrith Avenue to Windermere Avenue

Discussion:

- vehicle pavement comes up to pedestrian level – continuous sidewalk
- twizzies for tactile surfaces
- Windermere sidewalk crossing improvements
- grading will be matched – no utilities

- (b) Ulverston Avenue Sidewalk from Fifth Street to Tenth Street

Discussion:

- continuation at sidewalk at Fifth Street
- narrower pedestrian crossing at Mill Street
- raised crosswalks/speed bump
- elongate drop downs to make decline longer slope
- use flat curbs rather than rollover curb

4. Official Community Plan Bylaw, Staff Presentation for feedback on Diversity, Equity and Inclusion section 9.1

<https://engagecomoxvalley.ca/official-community-plan-review>

Discussion:

- positive feedback for high level policy
- consistency in singular plural for para 9.1.2.1

5. Action Plan to Remove Barriers – Survey Deadline December 1

- Posters and Survey Distribution:
<https://engagecomoxvalley.ca/barriers-village-services>

6. Adjournment

The meeting adjourned at 4:30 p.m.

Office of the Chair

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File: 6470-20/Cumberland

December 10, 2025

Sent via email only: info@cumberland.ca

Mayor Vickey Brown
PO Box 340
Cumberland, BC V0R 1S0

Dear Mayor and Council:

Re: Referral Comments – Village of Cumberland Official Community Plan and Zoning Bylaw

On behalf of the Comox Valley Regional District (CVRD) Board, thank you for the opportunity to review the Village of Cumberland's draft Official Community Plan (OCP) and zoning bylaw.

At its meeting on December 9, 2025, the CVRD Board accepted the Regional Context Statement (RCS) contained in Section 1.11 of the OCP. By accepting the RCS, the Board confirms that the proposed OCP is consistent with the goals, vision, and objectives of the Comox Valley Regional Growth Strategy (RGS) Bylaw No. 120, 2010.

Resolution

THAT the Board forward the letter with staff's comments attached as Appendix A of the staff report dated December 3, 2025, to the Village of Cumberland regarding Bylaw No. 1230, "Village of Cumberland Official Community Plan Bylaw No. 1230, 2025," and Bylaw No. 1238, "Village of Cumberland Zoning Bylaw No. 1238, 2025";

THAT the Board request that Village of Cumberland staff engage Comox Valley Regional District staff early in the subsequent Official Community Plan and zoning bylaw amendment process to support regional collaboration and ensure regional comments, interests, operations, and services are addressed; and

AND FINALLY THAT the Board accept the Regional Context Statement contained in Section 1.11 of Bylaw No. 1230 as required under section 448(2) of the *Local Government Act* (RSBC 2015, c.1).

Based on the analysis attached as Schedules A and B to the aforementioned staff report (enclosed), the Board is satisfied that the draft OCP and RCS are substantively consistent

The Comox Valley Regional District respectfully acknowledges the land on which it operates is on the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land.

with the Comox Valley Regional Growth Strategy. In particular, the Board recognises that the OCP:

- Directs growth to Cumberland's Municipal Area within the Core Settlement Area and supports compact, complete community development.
- Provides sufficient land use capacity to meet estimated twenty-year housing needs and supports a more diverse housing mix.
- Integrates climate action, transportation, infrastructure, and hazard management directions that align with regional objectives.
- Confirms Cumberland's role as an employment and industrial centre within the regional structure.

The Board recognises that the Village is proceeding toward bylaw adoption by December 31, 2025, and that a further round of minor amendments is planned following adoption.

Given the range of comments identified below, the Board encourages the Village to engage CVRD staff at the outset of that amendment process to support coordinated implementation and ensure that regional interests, operations, and services are reflected. This engagement will help confirm shared understanding, address technical refinements, and maintain alignment across jurisdictions. CVRD staff look forward to working with Village staff through the next update and ongoing implementation.

Key themes for collaboration identified in Schedules A and B include:

1. Regional growth management and housing
 - Clarify how the Historic Village Commercial Core, or a defined Town Centre area, will meet RGS Town Centre density expectations, with supporting land use designations and zoning tools that enable higher densities over time.
 - Communicate how Cumberland's housing directions and zoning patterns contribute to the regional 40–30–30 housing mix objective for Municipal Areas, while recognising this as a regional, rather than municipal, target.
 - Align OCP and RGS time horizons by acknowledging that the OCP extends to 2050, and committing to review and update the RCS and related policies following future RGS amendments, including the next planned RGS review in 2027.
2. Watershed protection, environmental mapping, and conservation-oriented zoning
 - Complete and update watershed, freshwater, and DPA mapping so boundaries, ecological features, and hazard areas are accurate and consistently applied across the OCP and zoning bylaw.
 - Ensure that OCP designations and zoning within the watershed, including Parks and Open Space, Greenway, Working Forest, Recreation and Tourism, and Forest Stewardship Greenway, reflect a conservation-first approach. This may include

removing residential use as a principal use, reinstating greenway buffers, and considering a distinct watershed or conservation zone where protection is the primary purpose.

- Align land use and zoning near Coal Beach, Bevan, and other sensitive areas so that permitted uses and recreation expectations support drinking water protection and do not create unintended development potential.
 - Strengthen water conservation and servicing policies by recognising indoor and outdoor efficiency measures and reflecting planned integration of Royston into the regional water system.
 - Update supporting references and policy foundations, including the Comox Lake Watershed Protection Plan, regional drinking water context, and land acknowledgement, to ensure they reflect current regional and Indigenous partnerships.
3. Comox Strathcona Waste Management (CSWM) interests and landfill-related policy
- Update the solid waste management section of the OCP so that any reference to the Host Community Agreement recognises it as an operational agreement rather than land use policy, and remove or revise policy wording that may be ultra vires or imply re-negotiation of contractual terms.
 - Refine OCP policies and zoning provisions to ensure they do not unintentionally constrain long-term landfill operations or required diversion activities, while still recognising local impacts and the need for ongoing mitigation and communication.
 - Amend mapping around the Comox Valley Waste Management Centre, including removal of a non-existent waterbody, refinement of buffers, and resolution of park and ecosystem designations within active industrial areas.
 - Clarify zoning for the Waste Management Centre by updating I-3 definitions, footnotes, and permitted principal and secondary uses, and consider extension of the I-3 zone across the entire site to support planned diversion activities in alignment with the Solid Waste Management Plan.
4. Transportation, transit, and road connectivity
- Prioritize compact, transit-supportive growth within existing serviced and connected neighbourhoods and along identified transit corridors, supported by both land use policy and zoning.
 - Ensure that future road networks provide continuous connections and meet BC Transit geometric and operational requirements, particularly west of Coal Hill and within Coal Valley Estates, so that future zoning-enabled densities can be served by transit.
 - Enhance active transportation links that connect new development areas to existing transit corridors within a walkable distance, including pedestrian and cycling connections and cut-throughs that support all-ages and abilities travel.

5. Parks, trails, and community amenities

- Update references to regional plans to include the Regional Parks and Trails Strategic Plan, 2024, and ensure that park, trail, and open space policies align with regional priorities.
- Refine language around regional park acquisition to focus on regionally significant sensitive ecosystems, using land use designations and zoning to distinguish between recreation-oriented park lands and conservation-oriented lands, particularly within the Comox Lake watershed, Maple Lake, and the Morrison Creek Headwaters corridor.
- Continue coordination on trail connections and recreational access where regional parks, the Comox Lake watershed, and municipal parks interface, in a manner that supports both recreation and long-term watershed protection.

6. Rural fire services and Wildland–Urban Interface implementation

- Strengthen Wildland–Urban Interface development permit requirements so that all exposed building openings, including eaves and deck undersides, are enclosed with non-combustible sheathing with limited gaps, to reduce wildfire risk across jurisdictions.
- Ensure alignment with regional fire risk reduction practices and maintain consistency between Cumberland’s development permit guidelines and CVRD expectations in adjacent areas.

7. Recreation services

- Strengthen recognition of long-term regional recreation needs.
- Identify where future regional-scale facilities could be accommodated.
- Ensure recreation services keep pace with population growth.
- Reinforce collaboration with regional partners.
- Clarify highway-interface parcels for potential recreation use.
- Exempt CVRD regional facilities from Development Permit Area 6.

Overall, the CVRD Board acknowledges the significant effort that has gone into preparing the proposed OCP and zoning bylaw. The Board is confident that, with continued collaboration and coordination between our respective staffs, these remaining matters can be addressed in a way that supports both Cumberland’s local priorities and the shared regional vision set out in the RGS and other Regional Strategies (including the Solid Waste Master Plan).

For questions or further details, please contact Alana Mullaly, General Manager of Planning and Development Services, at amullaly@comoxvalleyrd.ca or 250-334-6051.

Thank you again for the opportunity to comment. The Board looks forward to continued

work together as the Village moves through adoption and implementation.

Sincerely,



Will Cole-Hamilton
Chair

Enclosure December 3, 2025 - CVRD Staff Report

cc: Michelle Mason, CAO of Village of Cumberland, mmason@cumberland.ca
Courtney Simpson, Director of Development and Bylaw Services of Village of Cumberland, csimpson@cumberland.ca

James Warren, Chief Administrative Officer
Alana Mullaly, General Manager of Planning and Development Services
Robyn Holme, Manager of Long-Range Planning and Sustainability
Brian Chow, Planner II - Long Range
Stephanie Pawluk, Planner II

DATE: December 3, 2025**FILE:** 6470-20**TO:** Chair and Directors
Regional District BoardSupported by James Warren
Chief Administrative Officer**FROM:** James Warren
Chief Administrative Officer***J. Warren*****RE: Cumberland Official Community Plan and Zoning Bylaw Referral;
and Acceptance of Regional Context Statement**

Purpose

To provide the Board with staff's comments on [Village of Cumberland Bylaw No. 1230 \(Village of Cumberland Official Community Plan Bylaw\)](#) and [Bylaw No. 1238 \(Village of Cumberland Zoning Bylaw\)](#), and to seek Board acceptance of the Regional Context Statement (RCS) in relation to the Comox Valley Regional Growth Strategy (RGS).

Recommendations from the Chief Administrative Officer:

THAT the Board forward the letter with staff's comments attached as Appendix A of the staff report dated December 3, 2025 to the Village of Cumberland regarding Bylaw No. 1230, "Village of Cumberland Official Community Plan Bylaw No. 1230, 2025," and Bylaw No. 1238, "Village of Cumberland Zoning Bylaw No. 1238, 2025";

AND THAT the Board request that Village of Cumberland staff engage Comox Valley Regional District staff early in the subsequent Official Community Plan and zoning bylaw amendment process planned for 2026 to support regional collaboration and ensure regional comments, interests, operations, and services are addressed; and

AND FINALLY THAT the Board accept the Regional Context Statement contained in Section 1.11 of Bylaw No. 1230 as required under section 448(2) of the *Local Government Act* (RSBC 2015, c.1).

Executive Summary

- Bill 44 requires most municipalities to permit small-scale multi-unit housing, and to update their OCPs by December 31, 2025, to reflect 20-year housing needs and the implications of the zoning changes. These timing requirements do not apply to regional districts, although future OCP updates must align with Bill 44.

- On November 10, 2025, the Village of Cumberland Council gave first and second reading to its proposed [OCP](#) and [zoning bylaws](#), and referred them to the CVRD for review, including the RCS under the *Local Government Act* (RSBC 2015, c.1) (LGA) for Board acceptance. The RCS outlines how the OCP aligns with the RGS. Referral of the RCS is a statutory requirement.
- CVRD staff in planning and development services, community services, and engineering services collaborated on the review of both proposed bylaws and assessed the RCS against the RGS.
- CVRD staff have flagged several items (e.g., split zoning, mapping updates, and drinking watershed protection) for further refinement, both bylaws are generally consistent with the RGS, and the RCS is also substantially consistent. Most comments relate to drinking watershed protection and Comox Strathcona Waste Management (CSWM) land use considerations.
- Staff understand that Cumberland is advancing these bylaws to meet the provincial deadline and will undertake a follow-up amendment process to address outstanding matters. This report recommends that CVRD staff be engaged early in that process to support collaborative resolution of the comments identified in the analysis and maintain alignment with regional services (e.g. solid waste, parks, transit, regional growth, recreation).
- Staff recommend that the Board accept the RCS and forward the letter with staff's comments to Cumberland Council (Appendix A). The letter confirms regional consistency and signals key items for the next OCP update cycle. .

Prepared by:

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Prepared by:

S. Pawluk

Stephanie Pawluk
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Concurrence:

R. Holme

Robyn Holme
Manager of Long Range Planning
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Concurrence:

A. Mullaly

Alana Mullaly
General Manager of Planning and
Development Services**Government and Community Interests Distribution (Upon Agenda Publication)**

Village of Cumberland	✓
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Background/Current Situation

Provincial housing legislation context

Bill 44 forms part of the Province's *Homes for People* plan and requires municipalities to plan for increased housing capacity and align land use with identified needs. Key requirements include:

- Small-scale multi-unit housing: Zoning must permit three to four units on most residential lots in communities with more than 5000 people, and up to six units near qualifying transit stops (no CVRD member municipalities meet the transit criteria).
- Housing needs alignment: Municipalities must prepare an interim housing needs report by January 1, 2025, and update their OCPs and zoning bylaws by December 31, 2025, to accommodate twenty-year housing needs. Updates are required every five years (this was completed for the Region by the CVRD in 2024).
- These timing requirements do not apply to regional districts; however, any future regional district OCP updates must align with Bill 44 where applicable.

Cumberland is updating its OCP and zoning bylaw to:

- implement provincial housing requirements;
- integrate updated land use, climate, and infrastructure direction to a 2050 horizon; and
- confirm alignment with the RGS through an updated RCS.

On November 10, 2025, Cumberland Council granted first and second reading to both bylaws and referred them to the CVRD for comment under Division 5 of Part 13 of the LGA. Under section 448(2), the Board must respond within 120 days by either accepting the RCS or identifying objections with reasons. Staff understands that Cumberland intends to adopt the bylaws by December 31, 2025, and will bring forward additional amendments in 2026.

CVRD staff in planning and development services, community services, and the engineering services branches provided input. Key themes are summarised below and fulsome analysis is provided in Schedules A and B. A draft comment letter is appended to this report (Appendix A).

RCS Alignment and Recommendation

The RCS in Section 1.11 of the draft OCP is substantively consistent with the RGS.

The draft OCP:

- supports compact, complete community development;

- provides sufficient capacity to meet estimated twenty-year housing needs;
- aligns climate, transportation, infrastructure, and hazard policies with regional objectives; and
- recognises Cumberland's role as an employment and industrial centre.

Staff recommend that the Board accept the RCS and provide a supportive response to the Village. No inconsistencies with the RGS have been identified. Although the CVRD has identified several items that would strengthen regional alignment and coordination for a future update based on service-area comments. These range from resolving split zoning and refining land use definitions to strengthening policies that support regional objectives.

CVRD requests that the Village allocate staff resources to involve CVRD in early consultation during the next round of OCP and zoning bylaw amendments. Early engagement will support coordinated input from solid waste, Comox Lake watershed planning, transit, rural fire services, regional emergency management, regional growth, recreation, and parks, and will help ensure that updates align with regional service delivery.

Detailed analysis is provided in Schedule A (OCP) and Schedule B (Zoning Bylaw).

OCP analysis and key themes for future amendments

Regional growth management and housing

Clarify how the Historic Village Commercial Core, or a defined Town Centre, aligns with RGS density expectations; communicate Cumberland's contribution to the regional 40-30-30 housing mix; and align OCP and RGS time horizons following the next RGS review.

Comox Lake drinking watershed and environmental mapping

Strengthen watershed protection language and relevant development permit areas; include mapping of watershed boundaries and freshwater features; and continue to update hazard and ecosystem mapping to maintain consistency across jurisdictions.

Comox Strathcona Waste Management (CSWM)

Update the solid waste management section to clarify that the Host Community Agreement is an operational contract, not land-use policy. Refine any OCP or zoning language that implies enforceability over regional waste services or constrains long-term landfill operations beyond municipal authority. Correct mapping around the Waste Management Centre to reflect current CSWM Board direction.

These refinements reflect and implement the CSWM Board's November 20, 2025, direction to complete a legal review and incorporate necessary updates to protect CSWM's long-term operational interests as part of the final submission to the Village.

Transportation, Transit, and Connectivity

Prioritise growth in serviced, connected neighbourhoods (e.g., with infill and multi-unit housing) before accommodating additional westward development; ensure future road networks avoid dead-ends and meet BC Transit requirements; and strengthen active transportation links to existing transit corridors.

Parks, Trails, and Regional Amenities

Update references to include the Regional Parks and Trails Strategic Plan, 2024; focus regional acquisition language on regionally significant ecosystems; and continue coordination where regional and municipal park systems interface.

Rural Fire Services

Strengthen development permit requirements for enclosing exposed building openings with non-combustible materials to align with regional fire risk reduction practices.

Recreation Services

Community Services supports the draft OCP and recommends strengthening its recognition of long-term regional recreation needs. The plan should better signal where future regional-scale facilities could be located, ensure recreation services keep pace with growth, and reinforce collaboration with regional partners. Minor mapping and permitting adjustments would clarify expectations along the highway interface and avoid unnecessary barriers for regional facilities.

Zoning Bylaw analysis and key themes for future amendments

Drinking Water and Watershed Interests

Staff reviewed the Zoning Bylaw through the lens of protection of the Comox Lake Drinking Watershed. The intent of these comments is to ensure that the proposed Bylaw supports effective watershed protection and that the region's drinking-water interests are adequately safeguarded. Staff recommend that changes are made to four proposed zones that contain key lands within the Comox Lake Watershed boundary to ensure the proposed Bylaw aligns with the Comox Lake Watershed Protection Plan.

Comox Strathcona Waste Management Services (CSWM)

The Comox Valley Waste Management Centre is located within the Village of Cumberland jurisdiction (PID 031-451-918). The intent of these comments is to

ensure that the proposed Zoning Bylaw enables CSWM to continue to meet existing and long-term operational requirements, allow for future expansion or upgrades, and that CSWM's interests are adequately protected. Staff have proposed a series of zoning amendments for future consideration to ensure the proposed Bylaw supports the intended waste management operations, in alignment with the Solid Waste Management Plan.

These zoning considerations are consistent with the CSWM Board's approved direction for staff to undertake detailed review and integrate required amendments, ensuring the Zoning Bylaw fully supports CSWM's existing operations and the long-term needs identified through the Solid Waste Management Plan renewal.

Transit Service

Transit Service supports increased densification along transit corridors and major road networks to encourage public and active transportation and recommends that the Zoning Bylaw prioritize infill and multi-unit housing within areas already served by transit before accommodating additional westward development.

Community Parks Services

Staff's comments emphasize the need to distinguish lands intended primarily for conservation from those meant for recreation, noting that Cumberland's PU-1 zoning—applied to both the Coal Beach property (PID 030-565-481) and the parcel adjacent to the Morrison Creek Headwaters (PID 031-936-008)—generally fits their intended use but permits some inappropriate land uses. Staff recommend establishing a new and separate conservation zone for lands where the primary purpose is conservation, as opposed to lands used primarily for recreation purposes.

Timing

Cumberland has requested comments by December 10, 2025. A draft letter for the Board Chair is included as Appendix A. If the Board accepts the RCS and authorises the letter, staff will submit it immediately following the Board meeting.

Cumberland staff has indicated intent to proceed to bylaw adoption by December 31, 2025, with "housekeeping" amendments anticipated to be brought to Cumberland Council in 2026.

Given the breadth of items identified in the analysis (from resolving split zoning and correcting mapping to strengthening watershed protection and refining regional servicing policies), staff note the value of early engagement at the outset of the next amendment cycle. While every effort has been made to provide

comprehensive comments at this stage, additional considerations will likely emerge through further detailed review and early engagement with Village staff. CVRD staff respectfully encourage the Village to enable its staff to prioritise this work to support timely coordination and ensure that regional interests and services are addressed in a practical and efficient manner.

Options

1. Accept the RCS and send OCP and zoning bylaw comments (recommended)
 - Accept the RCS in Section 1.11 of Bylaw No. 1230 as consistent with the RGS.
 - Authorise the Board Chair to sign and forward the letter in Appendix A.
 - This approach supports cooperative implementation and maintains Cumberland's adoption timeline.
2. Do not accept the RCS or request bylaw changes prior to the provincial deadline
 - The Board must identify specific provisions and reasons.
 - This would trigger the legislated settlement process under section 449 of the LGA and extend timelines for both governments.
 - This would delay Cumberland's adoption of bylaws to after the fixed deadline.
 - Staff do not recommend this option.

Staff recommend Option 1. Acceptance maintains a collaborative relationship, supports timely bylaw adoption, and enables continued regional coordination in the next bylaw amendments.

Financial Factors

Preparation of this report and attachments have been completed within existing Function 512 (RGS Services) and 500 (Planning) budgets. No additional financial implications are anticipated.

Strategic Considerations - Strategic Drivers							
Fiscal Responsibility		Climate Crisis and Environmental Stewardship and Protection	✓	Community Partnerships	✓	Indigenous Relations	Accessibility, Diversity, Equity and Inclusion

Climate Crisis and Environmental Stewardship and Protection: The Cumberland OCP and zoning bylaw amendments strengthen protection of the Comox Lake drinking watershed and other sensitive areas by updating environmental mapping, clarifying land use designations, and ensuring zoning reflects conservation priorities. These changes reduce future risk, direct growth to appropriate locations, and align local decisions with regional climate adaptation goals. The result is a clearer, more resilient framework that supports long-term

watershed health and ecosystem protection.

Community Partnerships: Supporting member municipalities in updating their OCPs and zoning bylaw to ensure regional alignment strengthens coordination on growth, regional servicing, environmental stewardship, drinking watershed protection, and related land use matters.

Strategic Considerations - Regional Growth Strategy Goals							
Housing	✓	Ecosystems, Natural Areas and Parks	✓	Local economic development	✓	Transportation	✓
Infrastructure	✓	Food Systems	✓	Public Health and Safety	✓	Climate Change	✓

The proposed Cumberland OCP and zoning bylaw advance regional objectives across all eight RGS goal areas and maintain alignment with the regional growth management framework.

Intergovernmental Factors

Section 448 of the LGA requires municipal councils to include a RCS in their OCPs and submit it to the regional district for acceptance. The Board must respond within 120 days. Municipal councils must review their RCS at least once every five years and, if unchanged, resubmit it for continued acceptance. Acceptance of Cumberland's RCS fulfils this statutory requirement, reinforces coordinated regional planning, and enables the Village to proceed with its bylaw adoption timeline.

Citizen and Public Relations

The Village of Cumberland is leading its OCP and zoning bylaw update, including public engagement with residents and interested parties. Information and materials are available through [Engage Comox Valley](#). The CVRD's role is limited to ensuring regional alignment, protecting regional service interests, and confirming consistency with the RGS. Staff's recommendations support the Village's process while maintaining clarity on regional responsibilities and expectations for future collaboration.

Attachments: Appendix A – Draft Letter to Cumberland

Schedule A – OCP Analysis Relative to RGS

Schedule B – Zoning Bylaw Analysis

Schedule A
OCP Analysis

RGS and Regional Context Statement (RCS) Analysis:

Staff have reviewed the RCS in Section 1.11 of the proposed OCP, with reference to the RGS, and key supporting sections of the OCP (growth management, housing, climate, infrastructure, transportation, and employment).

The RCS is substantively consistent with the RGS. In broad terms, the OCP:

- advances compact, complete community development;
- directs growth to Cumberland’s Municipal Area within the Core Settlement Area; and
- supports regional objectives for housing, climate action, infrastructure, food systems, local economic development, and public health and safety.

This Schedule provides more detailed analysis to support the Board’s decision to accept the RCS and to identity items for collaboration with the Village of Cumberland to address in their next OCP updates.

1. RCS High-Level Alignment

The RCS:

- states that there are no inconsistencies between the OCP and the RGS and that Cumberland intends to keep the OCP consistent with the RGS over time; and
- provides a table and rationale linking OCP sections to each of the eight RGS goals (housing; ecosystems, natural areas and parks; local economic development; transportation; infrastructure; food systems; public health and safety; climate change).

At a high level, the table captures the main points of alignment:

	OCP Content	RGS Consistency
Housing	<ul style="list-style-type: none">• Draws on the 2024 Housing Needs Report to inform land use and growth assumptions• Designates sufficient land to accommodate Cumberland’s estimated twenty-year housing needs• Supports a mix of ground-	<ul style="list-style-type: none">• Aligns with the RGS housing goal to increase housing diversity and supply in Municipal Areas• Aligns with provincial direction under Bill 44 to plan for twenty years of housing need

	<p>oriented and multi-unit housing, including infill, secondary suites, multiplexes, and apartments</p> <ul style="list-style-type: none"> • Recognises the role of partnerships with non-profit and senior government providers 	
Ecosystems and natural areas	<ul style="list-style-type: none"> • Applies to aquatic, terrestrial, and connectivity areas • Includes guidelines to avoid, minimise, or mitigate development impacts • Supports restoration of environmentally sensitive areas where feasible 	<ul style="list-style-type: none"> • Consistent with RGS objectives to protect and enhance natural areas and ecological networks • Reinforces these objectives in and around Core Settlement Areas
Local economic development	<ul style="list-style-type: none"> • Supports local small business, tourism, arts, and culture • Identifies the Bevan industrial area and other employment lands as key industrial and employment nodes 	<ul style="list-style-type: none"> • Aligns with RGS recognition of Cumberland as a Municipal Area with industrial and employment capacity • Supports the intent to focus most new employment growth in Core Settlement Areas
Transportation	<ul style="list-style-type: none"> • Embeds the 2024 Transportation Master Plan • Maps the active transportation and road network • Highlights a priority corridor between Cumberland and Courtenay for walking, cycling, and potential transit 	<ul style="list-style-type: none"> • Reflects the RGS goal of building a multi-modal regional network linking Core Settlement Areas and Town Centres • Supports transit-ready, walkable community development
Infrastructure	<ul style="list-style-type: none"> • Focuses public investment within the urban area • Discourages extending major services outside Village boundaries • Allows extensions only where 	<ul style="list-style-type: none"> • Supports the RGS direction for efficient and fiscally responsible infrastructure • Reinforces compact growth within established settlement areas

	required for health and safety or to address existing commitments	<ul style="list-style-type: none"> Avoids premature or fragmented servicing in rural areas
Food systems	<ul style="list-style-type: none"> Includes policies for local food production, food-related businesses, and agricultural interface management Complements regional food system objectives 	<ul style="list-style-type: none"> Consistent with the RGS goal to strengthen local and regional food systems Supports protection of agricultural capacity
Public health and safety	<ul style="list-style-type: none"> Links land use, parks and trails, active transportation, and hazard management to health and safety outcomes Updates wildfire and other natural hazard DPAs 	<ul style="list-style-type: none"> Aligns with RGS goals for safe and healthy communities Supports managing development in hazard-prone areas
Climate change	<ul style="list-style-type: none"> Adopts the 2024 Climate Action Plan targets Commits to a 45 percent reduction in community GHG emissions from 2018 levels by 2030 and net-zero by 2050 Incorporates mitigation and adaptation actions across land use, transportation, buildings, and green infrastructure 	<ul style="list-style-type: none"> Supports the RGS goal of reducing emissions and adapting to climate change Links compact growth with low-carbon transportation and infrastructure

2. Growth Management and Core Settlement Area Consistency

RGS direction

- Cumberland is identified as a Municipal Area within the Core Settlement Area, with significant residential and employment capacity, including the region's largest supply of vacant industrial land
- At least 90 percent of new regional growth is to be located in Core Settlement Areas
- Town Centres are expected to develop as walkable, mixed-use, transit-supportive areas with minimum combined residents-and-jobs density ranges
- Settlement Expansion Areas (SEAs) are long-term reserves, with any future

incorporation and servicing to be phased and coordinated to avoid undermining compact growth in Municipal Areas

OCP response

- Establishes an urban containment framework directing most new growth, particularly higher-density forms, within walking distance of the Historic Village Commercial Core
- Demonstrates that twenty-year housing needs can be met within existing municipal boundaries through Residential Infill, Multi-Unit Residential, Mixed Use, and other urban designations
- Links infrastructure investment to compact growth and states that public funds for major servicing are to be focused in the urban area
- Identifies adjacent SEAs and states that no expansion is anticipated within the OCP horizon, while committing to coordinated planning with the CVRD if SEA incorporation is considered in future

Assessment

- Strong alignment with the RGS emphasis on compact growth in Core Settlement Areas
- Deferral of SEA use is consistent with the RGS intent for SEAs to function as long-term reserves
- The primary gap is the absence of a clear density target or mapped Town Centre policy area to reflect RGS Town Centre expectations; this is a refinement rather than a condition of acceptance

3. Housing, Diversity, and Affordability

RGS direction

- A more balanced new housing mix in Municipal Areas by 2030 (40 percent low density, 30 percent medium, 30 percent high)
- Increased affordable and special-needs housing
- Expanded use of secondary suites, multi-family housing, and infill in Core Settlement Areas

OCP response

- Uses the 2024 Housing Needs Report to identify demand, gaps, and affordability and displacement issues
- Sets objectives to improve housing attainability for low and moderate income households, meet twenty-year needs, expand rental supply, and support non-

market and supportive housing

- Supports infill, secondary suites, accessory units, multiplexes, apartments, and mixed-use housing, particularly in and around the Village core
- Includes policies on rental protection, tenant impacts during redevelopment, and special-needs and supportive housing

Assessment

- Consistent with RGS direction and Bill 44 requirements to plan for twenty years of housing need and enable small-scale multi-unit housing
- Does not restate the RGS 40–30–30 mix numerically, but policy direction supports a higher share of medium- and higher-density units
- Explicitly referencing how Cumberland contributes to the regional housing mix would improve transparency for monitoring, but the omission does not create an inconsistency

4. Environment, Climate, and Hazard Management

RGS direction

- Protection of ecosystems and natural areas, support for food systems, public health and safety, and climate mitigation and adaptation
- Links compact growth to reduced land disturbance and lower GHG emissions

OCP response

- Adopts Climate Action Plan targets and includes mitigation and adaptation actions across land use, transportation, buildings, and green infrastructure
- Applies DPA 1 and related environmental policies to protect sensitive ecosystems, riparian areas, and habitat connectivity
- Applies hazard-related DPAs for flooding, steep slopes, and wildfire interface, guiding development away from high-risk areas or requiring mitigation
- Concentrates growth in existing serviced areas, limiting conversion of greenfield land and reducing pressure on environmental assets

Assessment

- Strong alignment with RGS climate and environmental objectives
- No environmental inconsistencies identified
- Continued coordination on hazard and ecosystem mapping will support consistency across jurisdictions

5. Transportation, Infrastructure, and Regional Connections

RGS direction

- A multi-modal regional network connecting Core Settlement Areas and Town Centres
- Infrastructure that is efficient, cost-effective, and supportive of compact growth

OCP response

- Integrates the 2024 Transportation Master Plan and identifies a connected active transportation and major road network
- Highlights a priority walking, cycling, and potential transit corridor between Cumberland and Courtenay
- Aligns land use and transportation by focusing growth within walking distance of the Historic Village Commercial Core
- Links infrastructure investment and asset management to compact growth and long-term fiscal responsibility

Assessment

- Clear support for RGS transportation and infrastructure goals
- Timing, design, and funding of the Cumberland–Courtenay corridor are implementation matters requiring regional coordination

6. Industrial lands, Food systems, and Community Well-Being

Industrial lands and employment

- RGS recognises Cumberland as an employment and industrial centre
- OCP identifies the Bevan industrial area and other employment lands, supports a range of uses, and links servicing and access to environmental and fiscal considerations

Food systems

- OCP policies support food-related businesses, community and urban agriculture, and agricultural interface management, consistent with RGS objectives

Community well-being

- Links parks, public spaces, active transportation, and land use to health, safety, and quality of life, consistent with RGS goals for complete and healthy communities

Assessment

- Regionally consistent and supportive of concentrating employment in Municipal Areas
- The main regional risk is operational: uncoordinated servicing or access near the Bevan area could result in fragmented rural development in adjacent CVRD electoral areas; this requires ongoing joint planning rather than conditions on the RCS

7. RGS Related Collaboration Items Future OCP Updates

The following items are recommended for collaboration with the Village as part of its next OCP updates. These are opportunities for refinement and implementation.

1. Town Centre density clarity

- Confirm how the Historic Village Commercial Core, or a defined Town Centre area, will meet RGS Town Centre density expectations
- Reference the land use designations and zoning tools intended to support higher density over time

2. Housing mix communication

- Acknowledge how Cumberland's housing direction contributes to the regional 40-30-30 housing mix objective for Municipal Areas
- Clarify that the RGS mix is a regional measure rather than a municipal quota

3. OCP and RGS time horizons

- Note that the OCP extends to 2050 while key RGS targets extend to 2030
- Commit to reviewing and updating the RCS following future RGS amendments, including the next planned RGS review in 2027
- LGA Section 448(1)(c) requires the RCS to be reviewed every five years after the Board last accepted it. Even if no amendments are proposed, the RCS must still be resubmitted for continued acceptance. Any amendments to the RGS or the RCS will restart the five-year review cycle

4. SEA monitoring and triggers

- Confirm how growth, servicing capacity, and industrial demand will be monitored jointly
- Identify the conditions under which SEA planning or boundary expansion would be considered, consistent with RGS policy

5. Ongoing regional implementation

- Continue coordination with the CVRD and member municipalities on:
 - active transportation and potential transit corridors between Cumberland and Courtenay
 - industrial land and servicing planning for Bevan area
 - shared environmental and hazard mapping and policy alignment

8. Other CVRD Departmental Interests and Comments

A. Drinking Watershed Interests

Watershed protection and policy direction

- Support the inclusion and eastward shift of the Comox Lake watershed boundary.
- Consider creating a dedicated watershed designation that prohibits residential, commercial, and institutional uses, or establish a Drinking Watershed Zone to simplify implementation.
- Require professional studies and review by the Watershed Protection Advisory Group for any development within the watershed boundary.
- Replace “headwaters” with “watershed” in Section 6.1.4 to reflect the broader hydrological system.
- Extend the groundwater protection DPA to all watershed lands and amend DPA 5 mapping where boundaries overlap or are incomplete.
- Note that wildfire and wildland–urban interface provisions contribute positively to watershed protection.

Water conservation and servicing

- Strengthen water conservation language across climate, natural environment, and servicing policies.
- Add water efficiency to the climate-responsible community statement and address indoor water use, not only landscaping or infiltration.
- Update servicing context to reflect that Royston’s integration into the CVWS is underway.
- Revise DPA purposes to “promote water conservation and protect water quality and hydrological function.”
- Note that indoor water reductions decrease sewage flows, which supports long-term regional supply capacity and future servicing pressures.

Technical references and supporting documents

- Add the Comox Lake Watershed Protection Plan to Section 6.1.2.6.
- Reference Comox Lake as the regional drinking water source in Section 7.5.8.
- Update the land acknowledgement to name K'ómoks and overlapping Nations.

Land Use Designations and Zoning Alignment

Core alignment issues

- Support limiting development within the Recreational Residential (RT) area and remove campground use to reduce risk exposure.
- Remove residential uses from Forest Stewardship Greenway (FSG) lands within the watershed, or redesignate them for watershed protection.
- Resolve misalignment where lands near Coal Beach are designated Parks, Greenway, and Open Space but remain zoned FSG, which allows residential and other incompatible uses.
- Correct parcels mapped as WF where this does not reflect intended future use.
- Apply the "Freshwater" designation consistently to all wetlands, riparian corridors, and streams.

Specific OCP-zoning inconsistencies

- The proposed OCP splits FSG-zoned lands near Coal Beach into Parks, Greenway, and Open Space vs Working Forest, which conflicts with FSG's permissive residential uses. Address this inconsistency to avoid unintended development potential.
- Reinstate the previous greenway buffer surrounding the northwest industrial lands in the Bevan area, which has been removed in the proposed mapping.
- Correct the small industrial parcel in the northwest corner of OCP Map A that falls within the watershed and appears to be a mapping oversight.

Mapping Corrections and DPA Issues

General mapping corrections

- Correct all DPA map references and boundaries (Maps E, F, H, I) to reflect actual watershed, riparian, and hazard features.
- Apply drinking-water protection DPAs to the full watershed, not only shoreline areas.
- Align the Black Lake conservation corridor with industrial DPA mapping.
- Remove the non-existent lake previously mapped within the landfill footprint (confirmed completed).
- Correct watershed boundaries for the Trent River and Maple Lake systems to match the southeastern boundary of the landfill watershed area.

DPA implementation and accuracy

- Review new trail construction annually given broad DPA exemptions to ensure low-impact access.
- Note that the Industry DPA boundary extends into the watershed near the Fish and Game Club or Hydro dam and requires correction.
- Correct the DPA purpose numbering error where item (i) should be (c).
- Ensure DPA mapping does not inadvertently permit intensified recreation or access within sensitive zones.

Recreation, Access, and Parks

- Avoid increasing recreational pressure at Comox Lake through general pathway or greenway references; qualify all access as low-impact.
- Ensure greenway and shoreline policies do not conflict with watershed protection objectives.
- Refine Policy 9.2.5(6) or define permitted low-impact use to avoid ambiguity.
- Identify Black Lake as a high-value conservation or acquisition priority.
- Apply sanctioned low-impact access at Coal Beach only, consistent with watershed protection direction.

Parcel-Specific Corrections

- Redesignate the small area at the west edge of the industrial lands along Comox Lake as park where this supports watershed protection and corrects mapping inconsistencies.
- Reinstate the historic greenway buffer in the northwest portion of the Bevan industrial area (now removed).
- Provide justification for terrestrial ecosystem mapping within the landfill site and ensure that datasets used are accurate and current.

B. Rural Fire Services

- DPA 4 Wildland-Urban Interface should require that all exposed building openings, including eaves and deck undersides, be enclosed with non-combustible sheathing with gaps no greater than 3 mm.

C. Transit Services

- Neighbourhoods further from the core are not transit-supportive due to their distance from existing transit routes and road networks design which includes cul-de-sacs and limited street connectivity; the OCP should prioritise infill and

multi-unit housing within existing transit-served areas before supporting further growth.

- Require road networks in new development to provide continuous connections and avoid dead-end layouts to enable future bus routing.
- Revise Policy 7.6.6(15)(a) to state that new road layouts and standards must meet BC Transit geometric and operational requirements for them to be considered for future transit service.
- Emphasise pedestrian and cycling connections, including cut-throughs, to link emerging residential areas to existing transit corridors within approximately 500 metres of current routes.
- Any future expansion into Coal Valley Estates should only proceed with improved road connectivity to support transit service.

D. Community Parks Services

- Update 9.2.4 (4):

From: Support the implementation of the Rural Comox Valley Parks and Greenways Strategic Plan, 2011-2030, or successor plan, and a future regional parks plan.

To: Support the implementation of the Rural Comox Valley Parks and Greenways Strategic Plan, 2011-2030, or successor plan, and the Regional Parks and Trails Strategic Plan, 2024.

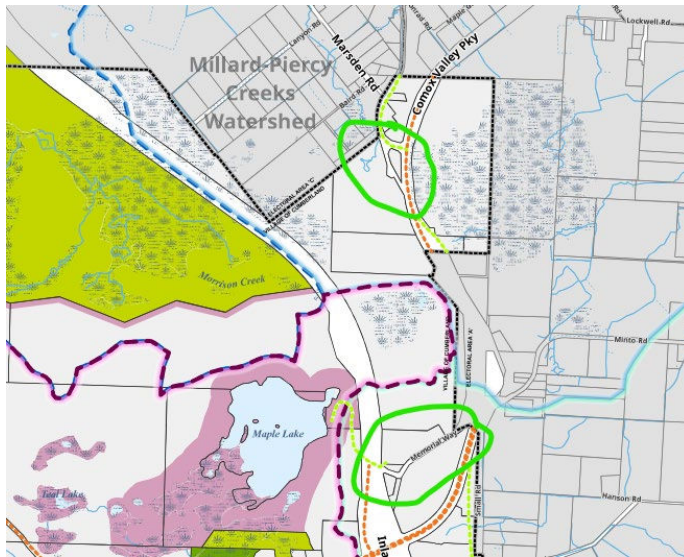
- Revise 9.2.5 (3):

From: Work with the CVRD parks department to identify sensitive ecosystems for regional park acquisition.

To: Work with the CVRD parks department to identify ****regionally significant**** sensitive ecosystems for regional park acquisition.

- Map 3:

Cumberland may wish to evaluate opportunities for additional municipal trails in the locations highlighted (green circles).



E. Community Services

- Section 7.1: Interchange Lands: recreation facilities can be considered here as the community grows. Appropriate facilities are facilities that would be large in scale and serve a region wide function.
- Section 7.1: Mixed Use – Civic Facilities: add language to highlight recreation infrastructure
- Section 7.2.4: Growth Management Objectives: consider language to provide adequate recreation facilities for population growth
- Section 9.2.2: add language to work with regional partnerships for enhanced recreational facilities that also benefit the residents of Cumberland
- Map A: Land Use Designations: all parcels within the Village of Cumberland boundary abutting the Inland Island Highway to allow for recreation facility use
- Development Permit Area 6: Residential and Commercial: would recommend providing exemption for CVRD owned regional facilities as well

F. Comox Strathcona Waste Management (CSWM)

On November 20, 2025, CSWM Board passed the following resolutions (staff report attached to this schedule), and:

“THAT the Board approve feedback to the Village’s Official Community Plan and Zoning Bylaws such that staff:

- Complete a legal review of the proposed language to ensure Comox Strathcona Waste Management’s long-term interests are protected; and

- Incorporate updates and findings from the legal review, in alignment with the staff report dated November 19, 2025, into the final submission to the Village;

AND FURTHER THAT the Co-Chairs be authorized to sign the final submission to the Village from Comox Strathcona Waste Management.”

A summary of the staff report includes the following comments:

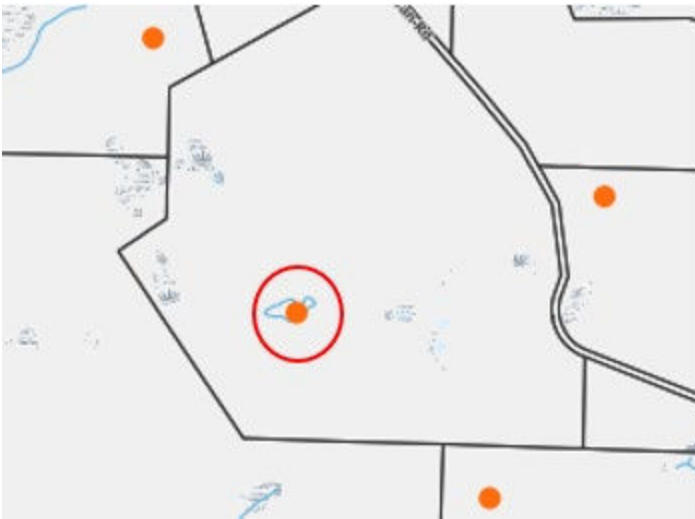
- Amend the solid waste management section to clarify that the Host Community Agreement is an operational contract, not land-use policy. Suggested edits include [emphasis added to show suggested changes]:

The host community agreement with the CVRD is an operational contract, which should balance the impacts the Village may experience in hosting the CVWMC against the advantages received by the users of the facility. Current and potential impacts to the Village of hosting the CVWMC in the community include visual quality impacts as the cells reach their maximum height, reduced development potential of adjacent properties, odours within the Village, litter along Bevan and Cumberland Roads, and impacts on Bevan and Cumberland Roads from large trucks and landfill traffic.

- Amend the solid waste management section to reference the Host Community Agreement, as well as the initial and annual contributions to the Village. accurately and confirm whether it appears in the current OCP.
- Replace Policy 7 wording that frames “benefits versus impacts” to avoid implying re-negotiation, draft alternative language jointly.
- Confirm that Policy 7 may be ultra vires and requires legal review rather than only reframing.
- Correct mapping errors, including the non-existent waterbody within the landfill footprint and inaccurate watershed boundaries.
- Update Pigeon Pond hydrology to reflect that it does not drain toward Black Lake or Comox Lake due to subsurface conditions.
- Provide justification for terrestrial ecosystem mapping within operational areas or remove it to prevent unintended restrictions.
- Ensure the 500-metre buffer reflects landfill master plan boundaries for cells 1–5 rather than lot lines and confirm associated exclusions.
- Remove or relocate the municipal park shown within industrial lands, as it is incompatible with landfill operations.
- Confirm that non-conforming use is not acceptable for long-term operations

and that zoning must explicitly list all core and accessory uses to avoid regulatory risk.

- Identify that the restrictive I-3 and I-4 footnote unintentionally limits required diversion activities and should be reworded before adoption.
- Note CSWM's preference to correct these items in the current OCP and zoning update rather than deferring to the 2026 housekeeping process to avoid future uncertainty.
- It is requested that the following 'Notice of Works, Mines Act Permits' be removed from OCP Map D 'Areas Suitable for Sand and Gravel Extraction' as it has been abandoned.



Further, in Schedule B (Zoning Bylaw Analysis), there is a comment that has an implication to the OCP.

I-3 zoning for the entire Waste Management Centre parcel (PID 031-451-918) to support future CSWM operational needs

- The 100-metre strip on the west side of the property and the triangular area in the southwest were consolidated into the parcel in 2021. These areas remain zoned Forest Stewardship Greenway (FSG). CSWM requests that these portions be rezoned to I-3 so that the entire parcel is consistently zoned and better aligned with long-term operational requirements.
- Corresponding updates to the OCP land use designation are also requested to ensure the OCP and zoning bylaw remain aligned for the full parcel.

DATE: November 19, 2025

FILE: 5360-30/Host

TO: Chair and Directors
Comox Strathcona Waste Management Board

FROM: James Warren
Chief Administrative Officer

RE: **CSWM Feedback for the Village of Cumberland OCP
and Zoning Bylaws**

Purpose

To provide the Comox Strathcona Waste Management (CSWM) Board an overview of the preliminary feedback to the Village of Cumberland's (Village) Official Community Plan (OCP) and Zoning Bylaws, authorizing staff to complete a legal review and incorporate necessary updates to support CSWM's long-term interests and operational requirements at the Comox Valley Waste Management Centre in alignment with both the Solid Waste Management Plan (SWMP) and the Village's vision.

Recommendation from the Chief Administrative Officer:

THAT the Board approve feedback to the Village's Official Community Plan and Zoning Bylaws such that staff:

- Complete a legal review of the proposed language to ensure Comox Strathcona Waste Management's long-term interests are protected; and
- Incorporate updates and findings from the legal review, in alignment with the staff report dated November 19, 2025, into the final submission to the Village;

AND FURTHER THAT the Co-Chairs be authorized to sign the final submission to the Village from Comox Strathcona Waste Management.

Executive Summary

The Village of Cumberland is currently undertaking a comprehensive review of its OCP and Zoning Bylaws. These reviews are being driven by provincial legislative deadlines related to new housing targets and density requirements (Bill 44) for municipalities with population over 5,000. The Village must ensure its land use planning bylaws align with these new mandates. The update process was referred

to CSWM on November 12 and 14 for the OCP and Zoning Bylaws respectively, and returned comments are due December 1, 2025. This review process timeline imposes time constraints on CSWM for providing thorough feedback.

Given the substantive nature of these proposed bylaws and their far-reaching implications, this compressed timeline necessitates focused internal review, prioritizing areas that ensure the long-term consistency between the Village's planning framework and CSWM's operations and SWMP work. Staff need additional time to properly review these proposed bylaws and to seek necessary legal review, ensuring that the final OCP and Zoning Bylaws fully consider CSWM's long-term interests and operational requirements and that they are adequately protected.

Zoning Bylaw

Staff have conducted an internal review of the Village's new draft Zoning Bylaw (granted second reading on November 10) and have identified specific areas in the I3 (Refuse Industrial) zone where minor language adjustments would enhance clarity and ensure the Village's intent to support both CSWM's existing operations and planned waste diversion expansion.

The review highlights two main areas where zoning clarity is imperative to ensure the bylaw supports the intended waste management function, in alignment with the SWMP renewal work that is nearing completion:

- The designation of the Northern Parcel (purchased in 2021) for future diversion activities contemplated within the SWMP (i.e. construction and demolition waste staging, sorting, high grading) that will require outdoor processing. The current I3 zone's wording is ambiguous, as it limits recycling to enclosed buildings and includes a restrictive footnote on the Northern Parcel. The language must be clarified to ensure that the zoning permits the planned waste diversion expansion, which is necessary to achieve the SWMP diversion goals. Note that this expansion is consistent with the objectives of the Regional Growth Strategy. Staff recommend that the Village reword the restrictive footnote on the Northern Parcel to achieve the necessary land use certainty. Note that Village staff have suggested that the zoning ambiguity can be addressed at a later date and/or that non-conforming use provisions of the *Local Government Act* can be applied. CVRD planning staff recommend that clarification be addressed prior to bylaw adoption.
- While CSWM's existing activities (equipment repair, fueling) are currently covered by legally non-conforming status, this protection is limited. The non-conforming provisions of the *Local Government Act* prohibits expansion and revokes protection if use is discontinued for six consecutive months. The intent of non-conforming use provisions is to phase out non-conforming

uses over time. Furthermore, the Village's interpretation guidelines leave room for subjective judgment. To mitigate long-term regulatory risk, CSWM would like to see explicit listing of all core and accessory operational uses in the I3 zone (including those currently protected by non-conforming status) to eliminate regulatory uncertainty. CVRD planning staff suggest that it is not in the public interest to leave the ambiguity in place nor to require that future planned expansions be subject to future zoning amendment applications.

OCP Bylaw

The OCP is a fundamental land use bylaw guiding future land use, development patterns and policy over the next decade or more. It is imperative that the Village's OCP is supportive of the SWMP renewal work that is ongoing (and that the OCP is working towards consistency with the Regional Growth Strategy, including Goal 5, Infrastructure, Objective 5-E "reduce solid waste and improve landfill performance").

Collaboration with Village staff on the OCP update has resulted in significant and favourable policy inclusions that secure the long-term viability and protect CSWM's operational interests. Important considerations, including the landfill height and the establishment of the 500-meter buffer per the *Landfill Criteria*, have been successfully integrated into the draft OCP (also granted second reading on November 10).

Based on initial internal staff review, there is an identified need for corrections related to mapping errors, specifically concerning a non-existent waterbody within the landfill footprint and the precise boundaries of the watershed. Staff are consulting with the CVRD watershed team to confirm the correct legal and ecological delineation before submission.

Options

The board has the following options for consideration:

1. Following consultation with Village, the Village proposed that CSWM defer the amendment until the Village's administrative housekeeping process (anticipated late 2026/early 2027).
2. CSWM to provide detailed comments for consideration by the Village for incorporation into the current process for both Zoning and OCP bylaw updates.

The OCP is a fundamental land use bylaw guiding future land use, development patterns and policy over the next decade or more. It is imperative that the Village's OCP is supportive of the SWMP renewal work that is ongoing. As such, option 2 is recommended.

Staff will prepare a detailed list of these necessary clarifications for separate review by the Co-Chairs prior to submission to Village, keeping with the intent as outlined in this staff report.

Prepared by:

V. Schau

Vivian Schau
Senior Manager
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Concurrence:

S. Willie

Sarah Willie
Manager of Solid Waste
Planning and Policy
Development

Concurrence:

M. Rutten

Marc Rutten, P.Eng.
General Manager of
Engineering Services

Schedule B

Proposed Zoning Bylaw Analysis

Staff have reviewed the proposed Village of Cumberland Zoning Bylaw No. 1238, 2025 through the lens of the CVRD's regional objectives and servicing delivery and interests including watershed protection, solid waste, transportation and transit, and parks and protected areas.

In broad terms, the Zoning Bylaw:

- Ensures the Village can demonstrate that sufficient lands have been zoned to accommodate the 20-year housing need identified by December 31, 2025, per the requirements of the Local Government Act;
- Proactively implements the small-scale multi-unit housing (SSMUH) legislative requirements to permit three or four units per lot within the Urban Containment Boundary for a community with a population over 5,000 people, even though they have not yet crossed this population threshold; and
- Aligns with the proposed Official Community Plan (OCP).

This Schedule provides more detailed analysis to support the Board's draft comment letter and identifies specific areas for collaboration with the Village of Cumberland for improved alignment with the CVRD's interests.

1. Drinking Water and Watershed Interests

The following comments are offered through the lens of protection of the Comox Lake Drinking Watershed, the region's drinking-water source, and are guided by the Comox Lake Watershed Protection Plan. Recommendations are made to four of the proposed zones regarding key lands within the Comox Lake Watershed boundary.

- Drinking Water Protection (DWP) zone:
 - The newly proposed Drinking Water Protection zone that covers Comox Lake and its intent to limit development in and on Comox Lake to protect its water quality is strongly supported.
 - S. 5.1 "Uses Permitted in All Zones" includes short-and long-term bicycle parking; renewable energy apparatuses; telecommunication towers and wires; traffic control devices; free-standing lightning poles; flag poles;

and clock towers. These uses are not suitable in the DWP zone, and as such, it is requested that these uses are prohibited in the DWP Zone.

- The DWP zone includes “Park” as a permitted use. The definition of Park is “land or water used or intended to be used for passive or active recreation by the public”. Staff wants to ensure that if, at some future point, the CVRD were to determine that recreation use associated with the Coal Beach property in the DWP zone is harmful to water quality, we would not be prevented from limiting recreation in this area by the permitted Park use, or the language around the DWP zone’s intent, which includes recreation.
- Recreation and Tourism (RT) zone:
 - This zone is intended to accommodate existing recreational accommodation and associated recreational activities adjacent to Comox Lake.
 - There is only one legal lot within the RT zone, split into two areas (PID 006-687-393). These lands are directly lakefront on Comox Lake and the land uses are therefore of significant concern from the watershed protection perspective. The removal of vacation rental as a principal use and home occupation and urban agriculture as secondary uses is strongly supported. The CVRD is not supportive of any permitted residential, commercial, or industrial uses in this zone. Specifically, it is requested that the following uses are also removed from this zone: Campground; Care Facility, Child; and Dwelling Units.
 - The CVRD is not supportive of zoning which allows for subdivision or extension of the existing residential uses on this property (PID 006-687-393) due to the direct adjacency to the region’s drinking water supply. The CVRD respectfully requests that the Village keep the CVRD informed as to the progress of any existing or future rezoning applications for this property.



- Parks and Open Space (PU-1) Zone:
 - This zone is intended to preserve and enhance the community's parks and open space assets while providing for a range of low impact recreational uses.
 - This zone is of significance for watershed protection given that the CVRD's lakefront land holding is zoned PU-1 (PID 030-565-481). This includes the Coal Beach property. The intent of this land holding for the CVRD is for the purpose of conservation and watershed protection.
 - Some uses in the PU-1 zone are not appropriate uses within the Comox Lake Drinking Watershed. This includes Farmer's Market, Food Services, Mobile Vending and Utilities. Staff suggest the creation of a separate zone for lands whose primary purpose is conservation, rather than further restricting the PU-1 zone, which affects all lands zoned PU-1, or relying on restrictive covenants for protective purposes of these lands.
- Forest Stewardship Greenway (FSG) Zone:
 - This zone is intended to accommodate forest management and any associated residential uses, as well as appropriate, low impact, recreational activities in the forested areas outside of the Urban Containment Boundary.
 - The FSG zone's minimum lot size has increased from 40ha to 60ha; this change is supported.

- Some of these proposed FSG zoned lands are currently zoned Working Forest (WF), which is preferred to the proposed FSG due to its stronger environmental focus. The current WF zone does not permit any residential, commercial or institutional uses, which aligns with the Comox Lake Watershed Protection Plan's recommendation that there be no new development in the watershed.
- A significant amount of land zoned FSG exists within the Comox Lake Watershed boundary. For this reason, there is significant concern regarding the permitted uses in this zone. Staff are not supportive of the following uses in this zone for lands within the Comox Lake Drinking Watershed boundary: residential, commercial, and institutional uses, including Urban Agriculture; Care Facility, Child; Care Facility, Community; Care Facility, Licence-Not-Required; Dwelling Units; Home Occupation; and Plant Nursery. The Comox Lake Watershed Protection Plan recommends no new development in the watershed, and this proposed zoning does not adhere to this recommendation. It is recommended that these uses be removed from the FSG zone with this update to prevent the establishment of non-conforming land uses.
- For future consideration, staff recommend that a new zone be created for the proposed FSG-zoned lands within the Comox Lake Drinking Watershed. The zone would correspond with the Comox Lake Drinking Watershed boundary. This is an alternative, more targeted approach to the above request for the removal of uses that would negatively impact the watershed. The above request would impact the whole FSG zone, which would impact lands outside of the watershed. Staff would be available to support the drafting of such a zone.
- The residential, commercial, and institutional uses within the FSG zone do not seem to align with the intention of the Working Forest OCP Land Use Designation. The Working Forest OCP Land Use Designation is intended for privately managed working forests and low impact recreational uses, and staff suggest that the above-noted permitted uses in the FSG zone do not align with this intent.

2. Comox Strathcona Waste Management Services (CSWM)

The Comox Valley Waste Management Centre (CVWMC) is located within the Village of Cumberland jurisdiction (PID 031-451-918). The proposed Bylaw split-

zones this property between Refuse Industrial (I-3) where the CVWMC is located, and Forest Stewardship Greenway (FSG) where the 100m strip of land to the west and the triangle in the southwest of the subject property were consolidated with the subject property in 2021. The I-3 zone is intended to accommodate the CVWMC; the name and intent of this zone is very similar to the current Zoning Bylaw's Refuse Industrial (I-4) zoning of the property.

The intent of the following comments is to ensure that the proposed Zoning Bylaw enables CSWM to continue to meet existing and long-term operational requirements, allow for future expansion or upgrades, and that CSWM's interests are adequately protected.

For regulatory consistency, we note that the Environmental Management Act (section 37) sets out that an approved Solid Waste Management Plan (SWMP) prevails over conflicting provisions in a zoning bylaw. Three main areas have been identified to ensure clarity and eliminate any potential legal uncertainty, and our suggestions aim to proactively ensure the proposed Bylaw supports the intended waste management operations, in alignment with the SWMP:

1. Proposed I-3 Zone's Permitted Uses & Definitions Limit CSWM Uses

- It is important that the I-3 zone expressly permits all essential CVWMC activities which are currently undertaken or are necessary to support solid waste management and diversion, such as equipment repair, fuel storage for equipment/vehicle refueling, maintenance and storage of equipment and vehicles, repair of heavy machinery, and natural resource extraction. These are not expressly permitted uses under the proposed I-3 zoning of the site.
- While CSWM's essential activities, as noted above, are currently covered by legally non-conforming status, this protection is limited. The non-conforming provisions of the Local Government Act prohibit expansion and revokes protection if use is discontinued for six consecutive months. The intent of non-conforming use provisions is to phase out non-conforming uses over time. Furthermore, the Village's interpretation leaves room for subjective judgment. To mitigate long-term regulatory risk, CSWM would like to see all essential CVWMC operations explicitly listed as permitted uses in the I-3 zone (including those currently protected by legal non-conforming status) to eliminate regulatory uncertainty and provide transparency to adjacent landowners. Staff suggest that it is not in the public interest to leave the ambiguity in place

nor to require that future planned expansions be subject to future zoning amendment applications.

- Staff propose a new principal use and associated definition in place of "Refuse Disposal Facility" and "Recycling Facility" that more accurately reflects the CSWM's current and long-term operational requirements and allow for future expansion and upgrades as prescribed in the SWMP. The proposed zoning bylaw permits the use of the CVWMC as a recycling facility; however, the definition of that use specifies that the collection, storage, and distribution of recyclable materials must be carried out wholly within an enclosed building or structure, and further prohibits recyclable material processing and outdoor storage. This prevents the management of materials at the CVWMC such as construction waste, wood waste grinding, or scrap metal. Identifying the principal use as a "Solid Waste Management Facility" would more accurately reflect the fact that the site is used for a variety of solid waste management purposes that include the disposal, recycling and diversion of solid waste. By differentiating the CVWMC's operations from a "recycling facility", the limitations on the outdoor processing and storage of recyclable materials could be removed, while leaving those restrictions in place for the purpose of a "recycling facility", as allowed in the I-2 zone. A reference to "resource recovery" (see proposed definition below) would make it clear that separating materials from solid waste for reuse, as well as recovering landfill gas for energy production, are inherent uses of the operation of the solid waste management facility. A potential definition could be:
 - "Solid Waste Management Facility" means premises where the disposal, landfilling, processing, treatment, storage, collection, recycling, management, and diversion of municipal solid waste, hazardous waste, industrial waste, demolition waste, construction waste, and organics are conducted under a permit, operational certificate or solid waste management plan under the Environmental Management Act, and includes the collection, storage and management of recyclable materials, and resource recovery operations, that are conducted in conjunction with the operation of a Solid Waste Management Facility.
- Staff propose the addition of "Solid Waste Management Support Facility" as a permitted secondary use in the I-3 zone in order to expressly permit these required accessory uses that actively occur on the property: "Solid Waste Management Facility Support Services means uses that are

accessory to the operation of a Solid Waste Management Facility, including fuel storage, and the storage, maintenance, and repair of machinery, vehicles and equipment."

- To promote house moving and the reduction of demolition waste going to landfill as contemplated in the SWMP, staff recommend that the I-3 zone increase the allowance for temporary storage of detached dwelling units that are in the process of being moved from one site to another. This could be achieved by amending the footnote to the permitted secondary "Storage, Outdoor" use (Table 12.2(1), such as:

"Outdoor storage may include the temporary storage, on no more than x percent of the lot area, of detached dwelling units being moved from one lot to another."

- Defined Terms:
 - Add "Resource Recovery" as a new defined term to support the proposed "Solid Waste Management Facility" principal use definition, as follows:
 "Resource Recovery means the process of separating, sorting and recovering useable materials or energy from waste."
 - The following definition amendment to "Recycling Facility" is suggested for the following purposes:
 - to avoid uncertainty arising from the potential overlap with the definition of "Solid Waste Management Facility" and "Recycling Facility", and
 - to address CSWM's concerns about the restrictions (within an enclosed building, no outdoor storage) that "Recycling Facility" includes:
 "Recycling Facility means premises, other than those used as a Solid Waste Management Facility, that are used to collect, temporarily store, and distribute recyclable materials pursuant to the Environmental Management Act, including facilities for the collection of products under the Recycling Regulation B.C. Reg. 449/2004 from members of the general public."
 - The following definition amendment to "Wrecking Yard" (which is not a permitted use in the I-3 zone, but is in other zones) is suggested to avoid uncertainty arising from the potential overlap with the definition of "Solid Waste Management Facility":
 "Wrecking Yard means premises, other than those used for Solid Waste Management Facility operations, that are used for the collection, demolition, dismantlement, storage, salvage, recycling,

or sale of waste materials including scrap metal, vehicles, machinery, and other discarded materials.”

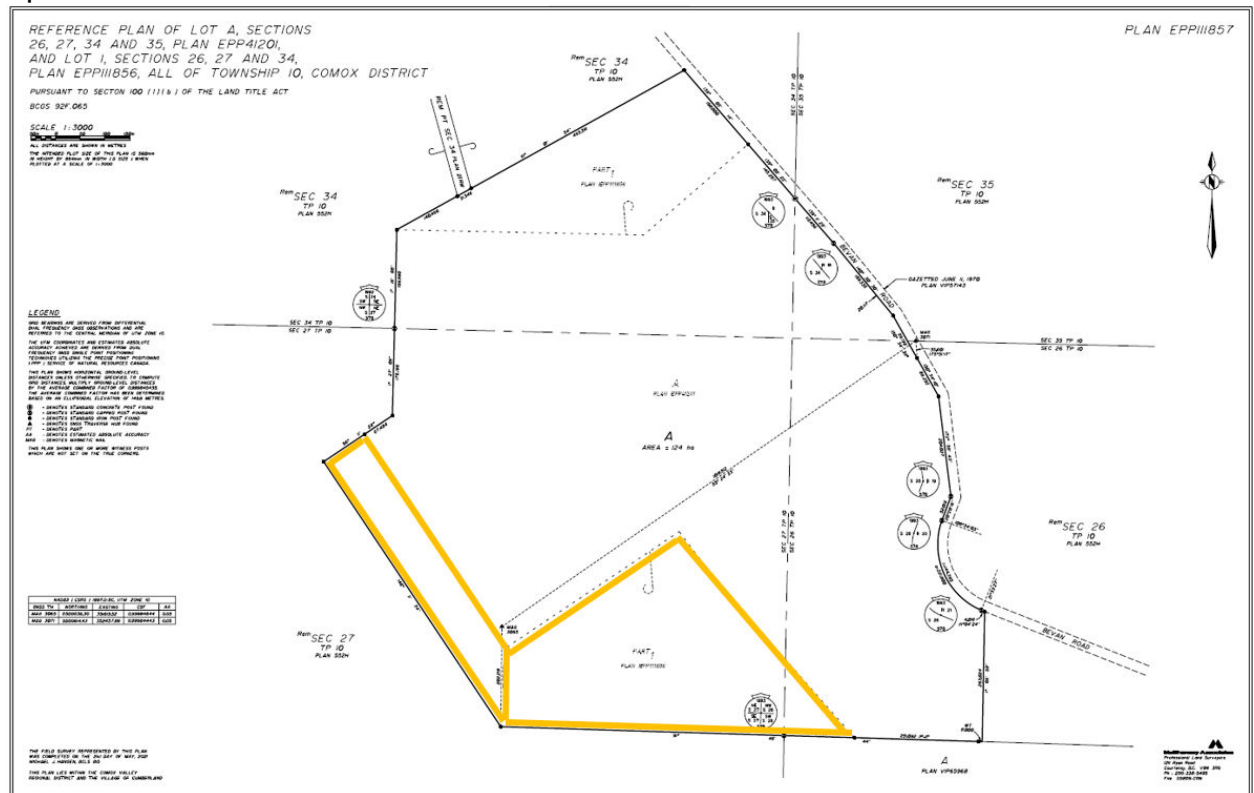
2. *Restrictive Footnote 4 Limits CSWM Uses*

- The use of the northern portion of the subject property (purchased in 2021) for future diversion activities that will require outdoor processing is contemplated within the SWMP (i.e. construction and demolition waste staging, sorting, high grading). As such, it is important that this use be permitted. There are two main areas of concern that limit this use: permitted uses and definitions in the I-3 zone as currently proposed (addressed above) and the restrictive footnote within the I-3 zone (Table 12.2(1), Footnote 4) on the northern portion of the subject property, restricting ‘Refuse Disposal Facility’. It is requested that this restrictive footnote be amended to ensure that the zoning permits the planned waste diversion expansion to the northern portion of the parcel (including outdoor staging and sorting of construction and demolition waste), which is necessary to achieve the SWMP diversion goals. The waste diversion expansion is consistent with the objectives of the Regional Growth Strategy.
- A further requested edit of this footnote is requested for clarity on which portion of land is being referred to. Plan EPP111857 consolidated three separate parcels of land with the subject property (CVWMC site): the northern parcel, which this footnote is intended to reference, the 100m strip of land to the west and the triangle in the south west. The requested amendment to the footnote to the new definition of “Solid Waste Management Facility” is as follows: "Landfilling of municipal solid waste is not permitted within the northern portion of the lot legally described as LOT A, SECTIONS 26, 27, 34 AND 35, TOWNSHIP10, COMOX DISTRICT, PLAN EPP111857 (Comox Valley Waste Management Centre) as indicated in Figure 12-1. For clarity, this is the northern portion of land that was added to the Comox Valley Waste Management Centre property in 2021 in Plan EPP111857."

3. *I-3 Zoning for Entire Comox Valley Waste Management Centre Parcel to Enable CSWM's Future Operational Needs (PID 031-451-918)*

- As aforementioned, the 100m strip of land to the west and the triangle in the southwest of the subject property were consolidated with the subject property in 2021. These portions of the property are zoned Forest Stewardship Greenway (FSG). It is requested that consideration be given

to amending the zoning of these lands to I-3, so that the entire subject property is under the I-3 zone. This would future-proof CSWM's operational needs.



Staff welcome collaboration with the Village regarding drafting and implementation and can share more detailed information including draft proposed definitions and further rationale upon request.

3. Transit Service

- Transit Service is supportive of densification along transit corridors and major road networks to promote public and active transportation.
- It is noted that the Coal Valley Estates Mixed-Use (MU-3) zone is located above an area that is not conducive to transit due to the road network design limiting bus accessibility and street connectivity. As such, there is concern about this future development area adding significant density and not having the ability to be connected to the transportation network.
- The Zoning Bylaw should prioritise infill and multi-unit housing within existing transit-serviced areas before supporting further westward growth.



4. Community Parks Services

The primary purpose of the following comments is to highlight the need for zoning differentiation between lands where the primary purpose is conservation and lands used primarily for recreation purposes.

- The CVRD's lakefront land holding is zoned PU-1 (PID 030-565-481). This includes the Coal Beach property, which is primarily intended for environmental watershed protection purposes. This proposed zoning generally aligns with the intended uses of this property; however, the following PU-1 permitted uses including Farmer's Market, Food Services, Mobile Vending and Utilities are not appropriate for conservation lands, including this property.
- It is noted that the proposed zoning of the property (PID 031-936-008) directly adjacent to the Comox Valley Land Trust's Morrison Creek Headwaters holding has changed from the current Industrial (I-2) zoning to PU-1. This proposed change to PU-1 zoning is supported; however, it is noted that the following PU-1 permitted uses including Farmer's Market, Food Services, Mobile Vending and Utilities are not appropriate for conservation lands, including this property.
- The CVRD is supportive of the corridor identified between Comox Lake and the Morrison Creek Headwaters that have been zoned PU-1; however, the following PU-1 permitted uses including Farmer's Market, Food Services, Mobile Vending and Utilities are not appropriate for conservation lands, including this property.
- Staff recommend that consideration be given to amending the zoning of the Maple Lake area from the proposed Forest Stewardship Greenway (FSG) to PU-1 for environmental protection and low impact recreation.
- In line with the above comments under 'Drinking Water and Watershed Interests', staff suggest the creation of a separate zone for lands where the primary purpose is conservation, rather than further restricting the PU-1 zone,

which affects all lands zoned PU-1, or relying on restrictive covenants for protective purposes of these lands. Map B in the draft OCP shows municipal parks and conservation lands. Staff suggest that this delineation could be used to create a separate zone for conservation lands and that the PU-1 zone be allocated to the designated park lands.