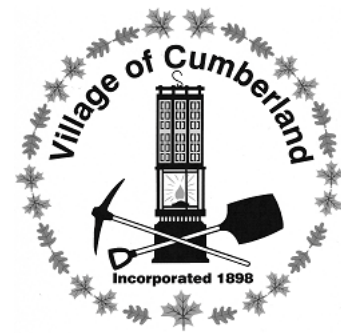


The Corporation of the Village of Cumberland
Regular Council Meeting Agenda

Monday, February 23, 2026, 5:30 p.m.
Cultural Centre
2674 Dunsmuir Avenue



We are honoured to gather on the unceded traditional territory of the K'ómoks First Nation.
The public may view the meeting live on the [Village of Cumberland YouTube channel](#)

Pages

1. Call To Order
2. Agenda
 - 2.1 Agenda for Regular Council Meeting, February 23, 2026
Recommendation:
THAT Council approve the agenda for the February 23, 2026 Regular Council Meeting.
3. Minutes
 - 3.1 Adoption of Minutes 5
Recommendation:
THAT Council adopt the following minutes:
 - Village Hall February 2, 2026
 - Committee of the Whole, February 9, 2026
 - Regular Council Meeting, February 9, 2026
4. Delegations
5. Correspondence
 - 5.1 K'ómoks First Nation Addition to Reserve Letter of Support 17
Recommendation:
THAT Council provide a letter to the K'ómoks First Nation in support of the Addition to Reserve Application to the Government of Canada for one 17.21 hectare parcel of fee-simple land held by the Nation in the Piercy Road area.
 - 5.2 University of Victoria, Accelerating Community Energy Transformation (ACET) - Engineering Scoping Study 22
Recommendation:
THAT Council grant \$10,000 to the University of Victoria – Accelerating Community Energy Transformation (ACET) research group for the purpose

of an engineering scoping study on a Bevan Industrial area / No 4 Mine site mine water geothermal district energy system;

AND THAT Council, as a condition of the grant, require that ACET submit a reporting compiling the results of the study to the Village at the completion of the project;

AND THAT Council delegate to staff the entering of a Letter of Offer and completion of an application form for the purpose of exempting University of Victoria overhead so that the full grant amount can be expended on the engineering scoping study.

6. Unfinished Business

7. Reports

- 7.1 Heritage Alteration Permit, Nikkei No Haka Japanese Cemetery
Prepared by Jasmeen Kaur Sidhu, Planning Technician

23

Recommendation:

THAT Council approve the heritage alteration permit (HAP2505) for the property described as Lot E Section 25, Township 10 Comox District Plan VIP65968, Except Part in Plan VIP67631 (Nikkei No Haka Japanese Cemetery).

THAT Council add the Nikkei No Haka Japanese Cemetery, documented with a Statement of Significance and protected by Heritage Designation Bylaw No. 883 to the Community Heritage Register.

- 7.2 Development Permit, Deferred Services Covenant, and Frontage Waiver for Approval – Bevan Road Industrial Subdivision
Prepared by Seamus McConville, Planner 1

49

Recommendation:

THAT Council approve the development permit for the purpose of a 3-lot subdivision of the lots legally described as SECTION 34 TOWNSHIP 10 COMOX DISTRICT PLAN 552H EXCEPT THOSE PARTS SHOWN OUTLINED IN RED ON PLAN 21 RW AND IN PLANS VIP55123 VIP69987 EPP93477, EPP111856, EPP127706 AND EPP130046 &

THAT PART OF SECTION 34, TOWNSHIP 10, COMOX DISTRICT, PLAN 552H INCLUDED IN PLAN 21 RW EXCEPT PART IN PLAN VIP69987, EPP111856 AND EPP130046.

THAT Council authorize staff to enter into a covenant with the owner to defer required servicing as per Subdivision and Development Bylaw No. 948, 2012 until development proceeds on the created lots.

THAT Council exempt proposed Lot 2 the 10% minimum frontage requirement pursuant to Local Government Act Section 512, to allow a

frontage of 1%.

- 7.3 BC Bike Race 2026 Noise Control Bylaw Exemption and Road Closure Requests 84
Prepared by Ryan Parton, Manager of Recreation & Culture

Recommendation:

THAT Council approve the following temporary road closures on Saturday, May 23, 2026, subject to submission of an acceptable traffic management plan and all other conditions of the event application process:

- Dunsmuir Avenue between Third Street and First Street from 6:30 a.m. to 11:30 a.m.;
- Dunsmuir Avenue between First Street and Egremont Road from 9:00 a.m. to 10:45 a.m.; and
- Sutton Road between Dunsmuir Avenue and the gated access to the trail network (Cumberland Community Forest Park) from 9:15 a.m. to 10:45 a.m.; AND,

THAT Council approve the closure of 14 diagonal parking spaces along the south side of Dunsmuir Avenue north of the Village Park sports courts and playground from May 22, 2026 at 8:00 a.m. to May 25, 2026 at 8:00 p.m.; AND,

THAT Council direct the Chief Administrative Officer to approve a Noise Control Bylaw exemption request from the organizers of the BC Bike Race to allow amplified music and sound for the following dates, times and locations:

- Saturday, May 23 from 9:30 a.m. to 10:00 a.m. on Dunsmuir Avenue and at Village Park;
- Monday, May 25 from 9:30 a.m. to 10:00 a.m. at Village Park;
- Friday, May 22 from 10:00 p.m. to 11:00 p.m. at Village Park;
- Sunday, May 24 from 8:00 p.m. to 10:00 p.m. at Village Park; and
- Monday, May 25 from 8:00 p.m. to 9:00 p.m. at Village Park.

- 7.4 Rotary Orchard Park Outdoor Furniture Proposal 95
Prepared by Kevin McPhedran, Director of Community Services

Recommendation:

THAT Council receive the Rotary Orchard Park Outdoor Furniture Proposal report for information.

- 7.5 Cumberland Lake Park Swim Raft Replacement: Safety Considerations and Funding 105
Prepared by Kevin McPhedran, Director of Community Services

Recommendation:

THAT Council approve the replacement of the Cumberland Lake Park swim raft for safety reasons, as outlined in the staff report dated February 4, 2026; and

THAT Council approve the expenditure of up to \$20,000, to be funded through the Lake Park General Asset Renewal Reserve for the Lake Park swim raft replacement; and THAT Council direct staff to bring forward an amendment to the adopted 2026–2030 Financial Plan Bylaw to reflect this expenditure.

8. Bylaws

- 8.1 Water Supply Capital Improvements Parcel Tax Amendment Bylaw 1253, 2026 108

Recommendation:

THAT Council adopt the Water Supply Capital Upgrades Parcel Tax Amendment Bylaw No. 1253, 2026

- 8.2 2026-2030 Financial Plan Amendment Bylaw 1255 109

Recommendation:

THAT Council adopt the 2026-2030 Financial Plan Amendment Bylaw No. 1255, 2026.

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. Check cumberland.ca/meetings to confirm meetings.

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 using subject line "Question Period"; Note: please limit to questions only - comments will not be read.

12. Adjournment

Recommendation:

THAT Council adjourn the meeting.

The Corporation of the Village of Cumberland

Village Hall Meeting Minutes

February 2, 2026, 7:00 p.m.

Cultural Centre, 2674 Dunsmuir Avenue



Council Present: Mayor Vickey Brown
Councillor Sean Sullivan
Councillor Troy Therrien
Councillor Neil Borecky
Councillor Nick Ward

Staff Present: Michelle Mason, Chief Administrative Officer
Rachel Parker, Corporate Officer

1. Call to Order

Mayor Brown called the meeting to order at 7:00 p.m. and recognized the unceded traditional territory of the K'ómoks First Nation and offered gratitude for the care and stewardship of this land since time immemorial.

2. Approval of Agenda

1.1 Agenda for Village Hall Meeting, February 2, 2026

Therrien/Borecky

THAT Council approve the agenda for the February 2, 2026 Village Hall Meeting.

Carried

2. Village Hall Topics for Discussion

Council members discussed the following matters with members of the public:

- that submissions on the Zoning Bylaw cannot be received after the public hearing is closed and before the bylaw is adopted
- Coal Valley subdivision, blasting, wells, and water supply for development
- No 1 dam, water demand, bulk water sales to Royston
- issues with rights of ways, changes of addresses, and geotechnical investigations
- Cumberland Hotel development
- traffic control at Union Road and Cumberland Road intersection, new interchange design and local consultation
- transitioning of policing costs for emerging communities, Village reserves from growth and industrial land taxes, costs of community policing office
- effects of recent rainfall on wastewater treatment plant and the Perseverance Creek footbridge in Cumberland Community Forest Park

3. Adjournment

The meeting was adjournment at 8:20 p.m.

Mayor

Certified Correct by Corporate Officer

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



**February 9, 2026, 4:00 p.m.
Cultural Centre
2674 Dunsmuir Avenue**

Council Present: Mayor Vickey Brown
Councillor Neil Borecky
Councillor Sean Sullivan
Councillor Troy Therrien
Councillor Nick Ward

1. Call to Order

Mayor Brown called the meeting to order at 4:00 p.m. and recognized the unceded traditional territory of the K'ómoks First Nation and offered gratitude for the care and stewardship of this land since time immemorial.

2. Agenda

2.1 Agenda for Committee of the Whole meeting, February 9, 2026

Moved by: Borecky

Seconded by: Therrien

THAT the Committee approve the agenda for the Committee of the Whole meeting of February 6, 2026.

Carried Unanimously

3. Closed Portion

Moved by: Ward

Seconded by: Sullivan

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

(c) labour relations or other employee relations;

Carried Unanimously

4. Adjournment

Moved by: Ward

Seconded by: Sullivan

THAT the Committee adjourn the meeting at 5:18 p.m.

Carried Unanimously

Mayor

Certified Correct by Corporate Officer

The Corporation of the Village of Cumberland
Regular Council Meeting Minutes



February 9, 2026, 5:30 p.m.
Cultural Centre
2674 Dunsmuir Avenue

Council Present: Mayor Vickey Brown
Councillor Neil Borecky
Councillor Sean Sullivan
Councillor Troy Therrien
Councillor Nick Ward

Staff Present: Michelle Mason, Chief Administrative Officer
Courtney Simpson, Director of Development and Bylaw Services
David Dougherty, Director of Engineering & Public Works
Annie Berard, Director of Corporate Services
Kevin McPhedran, Director of Community Services
Rachel Parker, Corporate Officer
Ryan Parton, Manager of Recreation and Culture
Karin Albert, Senior Planner
Jasmeen Kaur Sidhu, Planning Technician

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 offered gratitude for the care and stewardship of this land since time immemorial.

2. Agenda

2.1 Agenda for Regular Council Meeting, February 9, 2026

Motion 26-033

Moved by: Borecky

Seconded by: Ward

THAT Council approve the agenda for the February 9, 2026 Regular Council Meeting with the addition of an extended period of time for the Municipal and Regional District Tax (MRDT) delegation; item 4.1.2 MRDT letter with hyperlinks, Report 7.9 Resolution to AVICC Convention for Active Transportation, and to closed matter under s. 90(1) of the Community Charter to consider (g) litigation or potential litigation affecting the municipality; and (i) the receipt of advice that

is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried Unanimously

3. Minutes

3.1 Adoption of Minutes

Motion 26-034

Moved by: Ward

Seconded by: Therrien

THAT Council adopt the following minutes:

- Committee of the Whole Meeting, January 26, 2026
- Regular Council Meeting, January 26, 2026

Carried Unanimously

3.2 Receipt of Committee Minutes

Motion 26-035

Moved by: Sullivan

Seconded by: Therrien

THAT Council receive the Heritage Committee minutes:

- December 4, 2025
- January 15, 2026

Carried Unanimously

4. Delegations

4.1 Municipal and Regional District Tax (MRDT)

Motion 26-036

Moved by: Therrien

Seconded by: Ward

THAT Council receive the delegation from Experience Comox Valley regarding Municipal and Regional District Tax (MRDT).

Carried Unanimously

5. Correspondence

None

6. Unfinished Business

None

7. Reports

7.1 Heritage Alteration Permit, 2687 Penrith Avenue

Motion 26-037

Moved by: Sullivan

Seconded by: Borecky

THAT Council approve the heritage alteration permit (HAP2502) for the property described as Lot 12, Block 3, District Lot 21, Nelson District, Plan 522 (2687 Penrith Avenue).

Carried Unanimously

7.2 Cumberland Community Heritage Register Additions Project

Motion 26-038

Moved by: Ward

Seconded by: Borecky

THAT Council receive the Cumberland Community Heritage Register Additions Project report for information.

Carried Unanimously

Motion 26-039

Moved by: Therrien

Seconded by: Borecky

THAT Council direct staff to prioritize buildings for the Heritage Register Additions Project for the benefits of protection for buildings at imminent risk of deterioration, to review the inclusion of buildings with heritage plaques and the Cumberland Hotel on the preliminary list of heritage resources for the Heritage Register Additions Project.

Carried Unanimously

7.3 Regional Growth Strategy Minor Amendment - Referral

Motion 26-040

Moved by: Ward

Seconded by: Therrien

THAT Council direct staff to submit a referral response to the Comox Valley Regional District in support of Bylaw No. 810, being the Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, Amendment No. 2, and include that for Objective 3-B, Increase regional job base, Supporting Policy 3B-5 to encourage or support the supply of industrial land, and that the Transportation goal reference that active transport encourages the creation of car share network or facility.

Carried Unanimously

7.4 Positive Ticket Program

Motion 26-041

Moved by: Borecky

Seconded by: Therrien

THAT Council approve the Village of Cumberland's participation in the Positive Ticket Program with the Comox Valley RCMP and other regional governments, including the provision of free drop-in recreation admissions to youth 18 and under.

Carried Unanimously

7.5 Amendment to Remembrance Day Flyby Policy

Motion 26-042

Moved by: Ward

Seconded by: Therrien

THAT Council rescind Remembrance Day Flyby Policy 1.11 and approve the Canadian Forces Flyby Policy 1.11 and to have the policy come back to Council for review in one year.

Carried Unanimously

7.6 Equity Support Benefits for Council Members

Motion 26-043

Moved by: Ward

Seconded by: Therrien

THAT Council direct staff to bring forward amendments to the 2026-2030 Financial Plan to allocate \$5,000 from the General Financial Stabilization Reserve

for elected officials require technological supports, and direct staff to propose budget funds in the upcoming 2027-2031 Financial Plan for child and family care expenses directly related to attending meetings and draft a policy for consideration in 2027; and to refer the motion to the Accessibility and Inclusion Committee for feedback.

Opposed: Borecky

Carried

7.7 Amendment to Open Meeting Video Recording Policy

Motion 26-044

Moved by: Therrien

Seconded by: Borecky

THAT Council amend the Open Meeting Video Recording Policy in section 2 to read:

2. Open Council meetings and open Committee of the Whole meetings will be recorded and live streamed through a link on cumberland.ca, the Village of Cumberland website, excluding those meetings where the agenda is entirely in closed meeting; and,
to delete section 2.1.

Carried Unanimously

7.8 Council Member Monthly Reports

Motion 26-045

Moved by: Ward

Seconded by: Therrien

THAT Council receive the member monthly reports for January 2026.

Carried Unanimously

7.9 Late Item - Resolution to AVICC Convention

Motion 26-046

Moved by: Ward

Seconded by: Borecky

THAT Council withdraw the Village of Cumberland AVICC resolution *Provincial Funding and Development of Inter-Community Active Transportation Corridors* if

the Comox Valley Regional District submits a resolution to advocate for active transportation.

Carried Unanimously

8. Bylaws

8.1 Zoning Bylaw 1238, 2025

Motion 26-047

Moved by: Borecky

Seconded by: Therrien

THAT Council adopt the Zoning Bylaw 1238, 2025.

Carried Unanimously

8.2 Water Supply Capital Upgrades Parcel Tax Bylaw Amendment

Motion 26-048

Moved by: Therrien

Seconded by: Borecky

THAT Council give first, second and third reading to the “Water Supply Capital Upgrades Parcel Tax Amendment Bylaw No. 1253, 2026”; and,

THAT Council appoint Mayor Brown, Councillor Borecky, Councillor Sullivan, Councillor Therrien and Councillor Ward as members of the 2026 Parcel Tax Roll Review Panel; and,

THAT Council establish the sitting of the Parcel Tax Roll Review Panel at 2:30 pm on March 23, 2026 at the Cultural Centre located at 2674 Dunsmuir Avenue, and direct staff to publish notice of the sitting of the panel.

Carried Unanimously

8.3 2026-2030 Financial Plan Amendment Bylaw

Motion 26-049

Moved by: Sullivan

Seconded by: Ward

THAT Council give first, second and third reading to the “2026-2030 Financial Plan Amendment Bylaw No. 1255, 2026”.

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. Check cumberland.ca/meetings to confirm meetings.

- Heritage Committee on February 19, from 4 p.m. - 6 p.m. at the Fire Hall Meeting Room
- Homelessness and Affordable Housing Committee on February 19, from 9:30 a.m. - 11:30 a.m. at the Fire Hall Meeting Room

11. Question Period

Questions were received on the heritage register.

12. Closed Portion

Motion 26-250

Moved by: Borecky

Seconded by: Therrien

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

- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Carried Unanimously

13. Adjournment

The meeting was adjourned at 7:49 p.m.

Motion 26-051

Moved by: Borecky

Seconded by: Ward

THAT Council adjourn the meeting at 7:49 p.m.

Carried Unanimously

Mayor

Certified Correct by Corporate Officer



K'ómoks First Nation

3330 COMOX RD, COURTENAY, BC V9N 3P8

PH: 250.339.4545

F: 250.339.7053

E: RECEPTION@KOMOKS.CA

January 29, 2026

Michelle Mason, CAO
Village of Cumberland
Box 340,
Cumberland, BC V0R 1S0

Dear Michelle Mason, CAO,

Re: K'ómoks First Nation Addition to Reserve Letter of Support

K'ómoks First Nation (KFN) is proceeding with an Addition to Reserve Application to the Government of Canada for one parcel (42.54 acres/17.21 hectares) of fee-simple land held by the Nation in the Piercy Road area.

As part of this process, we are seeking a Letter of Support from the Village of Cumberland. We hope to work together with you and other First Nations, local, provincial, and federal government entities, and interested parties on our shared obligations and common interests through reconciliation and partnership building.

As you know, land is central to First Nation identity, knowledge, and economic resilience. Promoting the inherent right for First Nations to govern their lands, territories and resources is critical to creating pathways for self-determination and prosperity. KFN is seeking to act on this inherent right through the completion of an Addition to Reserve Process for the portion of LOT A SECTION 16 TOWNSHIP 9 COMOX DISTRICT PLAN VIP88394, EXCEPT PART IN PLAN EPP10606, as shown on Attachment No. 1. These lands are currently held fee-simple by KFN and were purchased by KFN in 2001 as an Accommodation Parcel following the conclusion of a complex infringement negotiation with the federal government. As time has advanced, the potential use of the lands has changed, and the Nation is at an important decision-point.

The purpose of K'ómoks First Nation's application for the Piercy Road site is to accommodate community growth, improve access to lands and resources, and support community and economic development initiatives for the Nation. K'ómoks IR No. 1 is nearing full build-out and can no longer serve as the location for future member housing or other community needs. The Puntledge and Goose Spit Indian Reserves are heavily encumbered by environmental constraints, while the Salmon River Indian Reserve is both distant and impacted by accessibility issues (see Attachment No. 2 for the location of KFN reserve lands). As such, KFN is applying to amend the

status of its Piercy Road holding from fee-simple to reserve land. It is anticipated that future uses may include administrative functions, community-support services, and economic development initiatives.

The subject parcel comprises approximately 42.54 acres (17.21 hectares). The lands are currently a mix of forested area and a former aggregate pit that was utilized during highway construction approximately 20 years ago.

Federal responsibility for the Addition to Reserve process is shared between the Minister of Crown-Indigenous Relations and the Minister of Indigenous Services Canada. The ATR process serves as a redress mechanism for past injustices by the Government of Canada. As part of this process, we are required to seek Letters of Support and respectfully request that the Village of Cumberland provide a positive response for this initiative. Attachment No. 3 includes a draft response template for your consideration.

Respectfully,

Nicole Rempel
Elected Chief, K'ómoks First Nation

cc: Chief & Council
cc: Intergovernmental Relations
cc: Jordan Templeman, Interim CAO
cc: Carol McColl, Lands Manager

Attachment No. 1: Subject Lands
Attachment No. 2: KFN Reserve Lands
Attachment No. 3: Response Letter Template

Attachment No. 1: Subject Lands, KFN Addition to Reserve Application

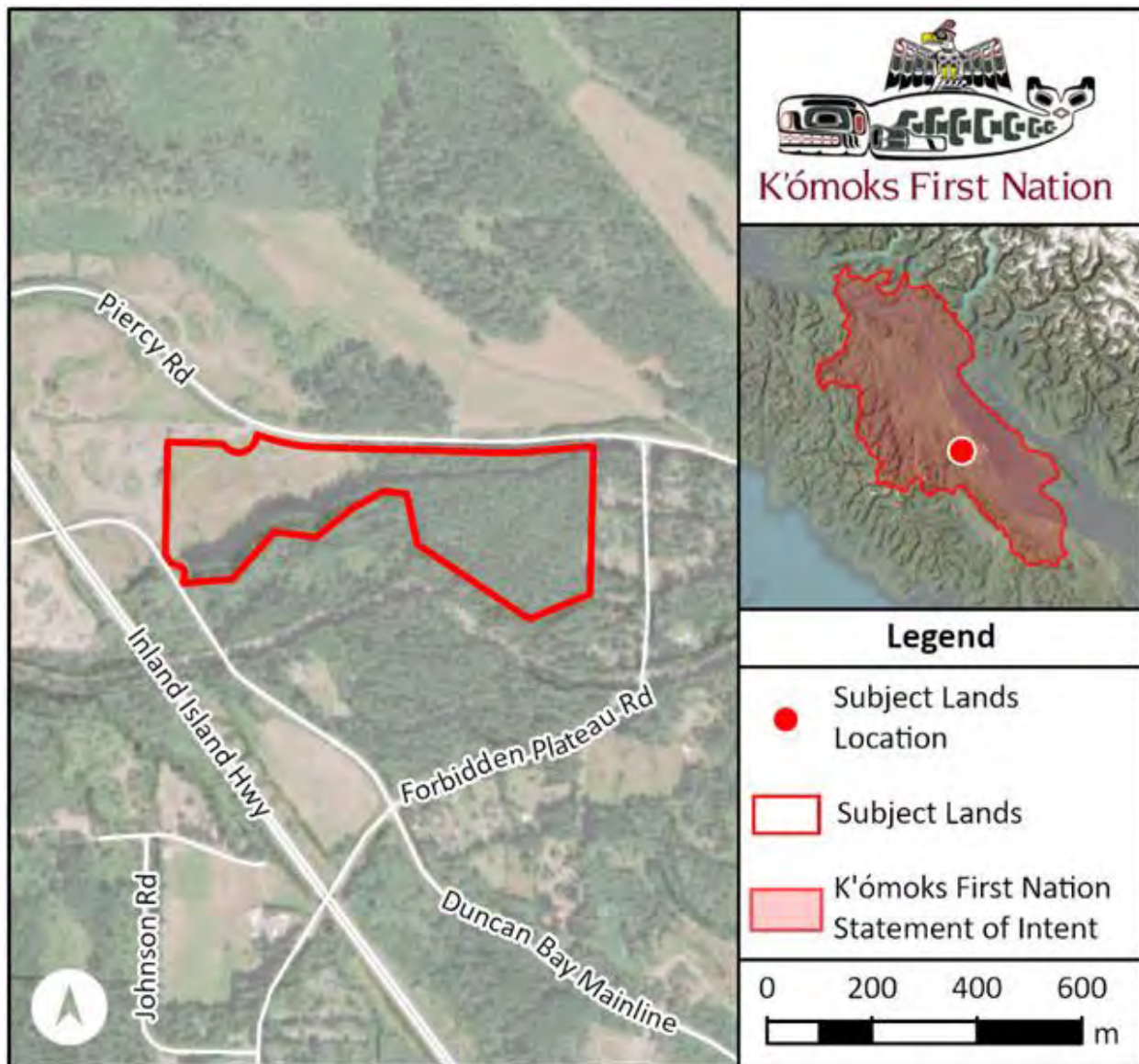
Map 1: Subject Lands

(Total Area 42.54 ac/17.21 ha)

Map 2: Parcel Identification 028-351-118

Legal Descriptions:

LOT A SECTION 16 TOWNSHIP 9 COMOX DISTRICT PLAN VIP88394, EXCEPT PART IN PLAN EPP10606



Attachment No. 2: KFN Reserve Lands

Comox IR 1



Total Area = 61.51 ha
(~ 152 acres)

Goose Spit IR 3



Total Area = 5.38 ha
(~ 13 acres)

Pentledge IR 2



Total Area = 83.31 ha
(~ 206 acres)

Salmon River IR 1



Total Area = 159.86 ha
(~ 395 acres)

Attachment No. 3: Response Letter Template

Letter Head

Insert date [please respond prior to DATE]

Chief Nicole Rempel
K'ómoks First Nation
3330 Comox Road
Courtenay BC V9N 3P8

Dear Chief Rempel,

Re: K'ómoks First Nation Addition to Reserve Application – Piercy Rd.

In response to your recent letter requesting support for K'ómoks First Nation's (KFN) Addition to Reserve Application for the Piercy Rd. parcel, we provide the following.

We understand that the purpose of this application is to address the shortage of buildable land for economic development activities and / or community use. Further, we understand that the lands are currently held as fee-simple by the Nation.

We support this application for the following reasons (if applicable).

Add in any comments and/or a reference to an Adopted Motion, Band Council Resolution, or other recommendations.

We understand that this letter will be provided to the Government of Canada as part of K'ómoks First Nation's (KFN) Addition to Reserve Application for the Piercy Rd. parcel.

If there are any questions or if representatives of K'ómoks First Nation wish to meet to discuss this letter, please contact *contact person* at *telephone/email* at your earliest convenience.

Sincerely,

Name and Title



MAC D202 - 3800 Finnerty Rd. Victoria BC. V8W 2Y2 Canada
contactacet@uvic.ca | acet.uvic.ca

February 4, 2026

The Corporation of the Village of Cumberland
2763 Dunsmuir Avenue
Cumberland, BC V0R 1S0

Dear Council,

I request that the \$10,000 CAD previously allocated from the Comox Valley Waste Management Host Amenity funds on December 9th 2024 for an engineering scoping study on the minewater geothermal district energy system by Falcon Engineering be released to the University of Victoria so that myself and my team at Accelerating Community Energy Transformation (ACET) can manage the contract and interface directly with Falcon Engineering to guide the work. This will eliminate the need for any additional Village staff capacity in managing the study. If this request is granted, there will be 1hr or less of staff time required to finalize a letter of offer and an application form for an exemption from University overhead so that all \$10,000 CAD can go directly to support Falcon Engineering's proposed scope of work. I can draft both documents upon request. Throughout the study I will continue to correspond with Kevin McPhedran as my main staff contact on a need only basis.

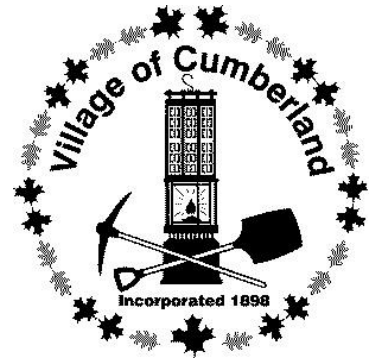
The results of this preliminary scoping study will be compiled in a report and presented to Council after completion of the study later this year (exact date TBD once funds are released and proposal is signed). The main change in the proposed work since the initial scoping proposal was issued is a shift from exploring an initial demonstration project in the downtown municipal site above No. 6 Mine to exploring an initial demonstration project at the industrial zone off of Bevan Rd. above No. 4 Mine. This will allow us to focus first on the area with the largest potential for local growth in energy demand and economic development in the coming years.

Thank you for your continued patience and support as we navigate this project together. Please do not hesitate to contact me with any questions or concerns. I look forward to sharing more on our progress alongside the presentation of preliminary scoping study results in the coming months.

Sincerely,

Dr. Zachary Gould
Community Planning Lead in Intelligent Energy Systems
Accelerating Community Energy Transformation (ACET)

COUNCIL REPORT



REPORT DATE: February 6, 2026
MEETING DATE: February 23, 2026

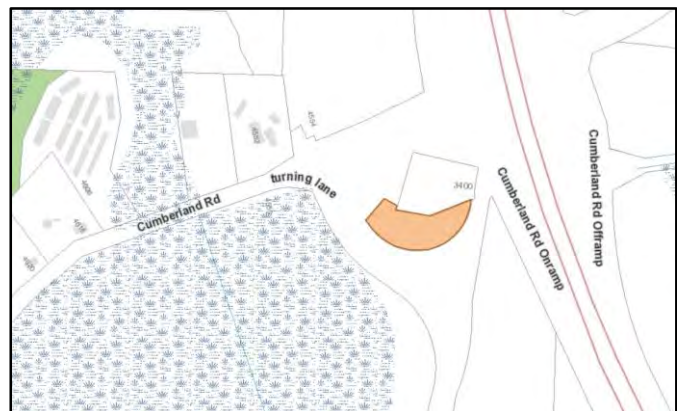
File No. HAP2505

TO: Mayor and Councillors
FROM: Jasmeen Kaur Sidhu, Planning Technician
SUBJECT: Heritage Alteration Permit, Nikkei No Haka Japanese Cemetery

RECOMMENDATION

THAT Council approve the heritage alteration permit (HAP2505) for the property described as Lot E Section 25, Township 10 Comox District Plan VIP65968, Except Part in Plan VIP67631 (Nikkei No Haka Japanese Cemetery).

THAT Council add the Nikkei No Haka Japanese Cemetery, documented with a Statement of Significance and protected by Heritage Designation Bylaw No. 883 to the Community Heritage Register.



Subject Property

PURPOSE

The purpose of this report is to request approval of a heritage alteration permit (HAP) to replace the existing fence with a wooden picket fence and install new interpretive signage.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
January 12, 2026,	THAT "Council refer the heritage alteration permit (HAP2505) application for the property described as Lot E Section 25, Township 10 Comox District Plan VIP65968, Except Part VIP67631 (Nikkei No Haka Japanese Cemetery) to the Heritage Committee.
November 26, 2007	THAT "The Corporation of the Village of Cumberland Heritage Designation (Japanese Cemetery) Bylaw No. 883, 2007" be given Fourth reading and adoption.

BACKGROUND

The Nikkei No Haka Japanese Cemetery is located on Union Road, about 1km east of the Village core and adjacent to the Chinese Cemetery about 2km west of the Cumberland Municipal Cemetery. The Japanese Cemetery is valued as the final resting place of approximately 198 Japanese-Canadian miners, mill workers, loggers, tailors, entrepreneurs and their family members who lived in Cumberland and the Comox Valley until 1942 (See attachment 2, Statement of Significance (SoS)). The Japanese Cemetery is one of the three active cemeteries in the Village.

This project is one of three projects being undertaken by the Village to commemorate Japanese heritage in Cumberland. The projects are funded by the Japanese Canadian Legacies Society (JCLS). The other projects are located in Coal Creek Historic Park and Nikkei Park and do not require heritage alteration permits and are described in a separate report to Council.

Proposed Development

A painted wooden picket fence currently encloses the cemetery. The fence was initially restored in 1967 and again in 1986 and 2003 (see attachment 2). Now, nearly twenty-two years later, the fence has deteriorated beyond repair and requires full replacement. The Village, as the property owner and applicant for the HAP, proposes to replace the existing fence with a new wooden picket of similar style. In addition, the applicant proposes to install new interpretive signage along the north boundary of the parcel along the walkway as visitors approach the cemetery.

The initial proposal included reducing the fence line to the reflect historic area of the cemetery. However, in response to the feedback received by members of the public and the Heritage Committee, the applicant has been able to secure additional funding from JCLS to extend the new fence to the existing fence line. Hence, the proposal has changed and reduction in fence line is no longer proposed. The fence will be installed to follow the same fence line as the existing fence (see attachment 3).

Official Community Plan

The Official Community Plan Bylaw No. 1230, 2025 (OCP) designates the property as Institutional which includes non-profit or semi-public uses for the community. The proposed development is consistent with the OCP designation.

Zoning Bylaw

As per the Zoning Bylaw No. 1238, 2025 (Zoning Bylaw), the property is zoned as PU-2 Civic Uses Zone. The proposed development is consistent with Zoning Bylaw regulations.

Community Heritage Register

In 2025, the Village, in collaboration with the Heritage Committee and consultant Elana Zysblat, prepared a SoS for the cemetery in preparation for this HAP application. The SoS identifies the fence as one of the site's key character-defining elements.

Heritage Designation Bylaw

The Cemetery is designated as heritage property under Bylaw No. 883. Any alterations to the Cemetery other than those exempted in the bylaw are subject to a HAP and subject to approval of the Council.

ANALYSIS

Fence Design

The SoS identifies the painted wood picket fence surrounding the cemetery as one of its character-defining elements. The applicant proposes to install a wooden picket fence designed to closely resemble the style depicted in the historic photographs included in the SoS (see attachment 2).

During discussion, the Heritage Committee suggested the bottom rail be placed to overlap the bottom edge of the fence and recommended that fence design should follow the design in historic photographs more closely. The applicant has worked with the designer to accommodate this improvement. The bottom rail has been adjusted to overlap the bottom edge of the fence. Minor amendments from the historic design like increasing the distance between the bottom of the fence and ground as well as addition of concrete posts have been made to prevent moisture damage and premature rotting. Staff are supportive of these amendments to ensure longevity of the fence.

Fence Relocation

The existing fence extends along all sides of the property. The applicant had initially proposed to reduce the fence perimeter for two main reasons:

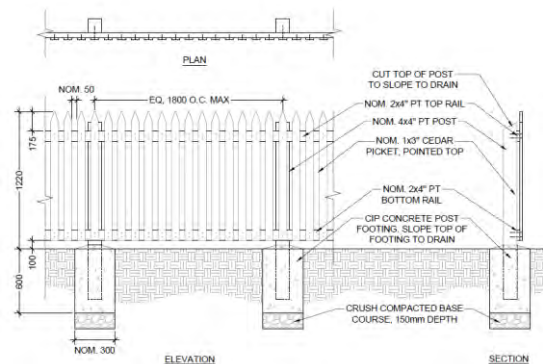
First, historic photographs referenced in the SoS indicate that only a portion of the property was historically used as the cemetery. Adjusting the fence line would help reflect the cemetery's original extend more accurately.

Second, constructing a fence along the full property boundary would exceed available project funding from the Japanese Canadian Legacies program.

However, in response to the feedback received by members of the public, and the Heritage Committee, the applicant has been able to secure additional funding to extend the fence to follow the existing fence line. Hence, the proposal has changed and reduction in fence line is no longer proposed. The fence will be installed to follow the same perimeter as the existing fence. The boulders originally proposed for installation in the area without the fence will now be placed in



Fence as seen in historic pictures (source, SoS)



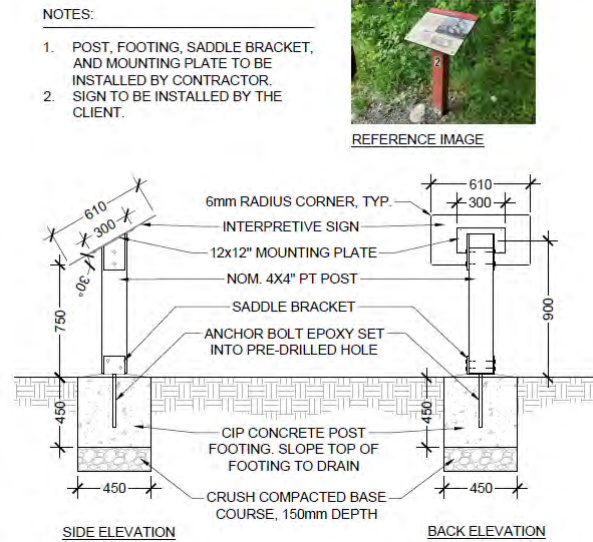
Fence as proposed (see attachment 3)

conjunction with the fence. They are not intended as a replacement for the fence, but rather as protective measures to help mitigate the risk of vehicle collisions (see attachment 3).

Interpretive Signage

The Village installs interpretive signage at historic sites, trails, and other significant locations to share the history and context of these places with visitors. The proposed signs will consist of a panel featuring a photograph and a brief description and will be designed in accordance with the Village Parks and Recreation signage guidelines to ensure consistency across the community. The signage is proposed to be located along the walkway approaching the cemetery to not detract from the serenity and sacredness of the cemetery itself.

Both members of the public as well as Heritage Committee were supportive of installation of signage in the location proposed. The specific details of the content of the signage are outside the scope of this HAP, but the applicant is encouraged to incorporate the suggestions received as part of feedback, when finalizing it.



Reference image for proposed interpretive signage

PUBLIC NOTIFICATION AND CONSULTATION

Pursuant to the Village’s Development Application Procedures Bylaw No. 1187, 2023, the following notification were undertaken:

- In November 2025, the applicant posted a development application sign on the subject property.

The application was considered by the Heritage Committee on January 15, 2026. The following recommendation was made:

That the Heritage Committee recommend that Council approve the HAP2505 subject to the following:

- a. That the fence include the whole property, the entire existing perimeter location, and
- b. Fence design to follow more closely the design of the fence in the photographs.

FINANCIAL IMPLICATIONS

The cost of the new fence and interpretive signage will be funded by the Japanese Canadian Legacies program.

OPERATIONAL IMPLICATIONS

The review of HAP applications is part of the services provided by the Development Services Department. The installation of the fencing and sign will be coordinated by the Village Community

Services staff with support from consultant team funded by the Japanese Canadian Legacies funding.

CLIMATE CHANGE IMPLICATIONS

No climate change implications are associated with the proposal.

ALTERNATIVES

1. THAT Council deny the heritage alteration permit.
2. THAT Council request further information or changes related to the heritage alteration permit.

If changes are requested, specific direction about the type of changes will assist the applicant.

STRATEGIC OBJECTIVE

- Diverse & Healthy Community
- Sustainable Service Delivery & Asset Management
- Community Planning

ATTACHMENTS

1. Heritage alteration permit
2. Schedule A - Drawings
3. Draft heritage Committee meeting minutes
4. Statement of Significance

CONCURRENCE

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

Respectfully submitted,

J. Sidhu

Jasmeen Kaur Sidhu
Planning Technician

M. Mason

Michelle Mason
Chief Administrative Officer



**Corporation of the
Village of Cumberland**

HERITAGE ALTERATION PERMIT

TO: Cumberland (Village)

AGENT: Rachel Parker

OF: PO BOX 340, Cumberland, BC, V0R 1S0

1. This Heritage Alteration Permit (HAP2505) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as supplemented by this Permit for replacing the existing fence with new fence and adjusting the fence line to reflect the historic location of the cemetery as well as for installing new interpretive signage.
2. This Heritage Alteration Permit applies to and only to those lands within the Village of Cumberland described below:

Legal Description: LOT E SECTION 25 TOWNSHIP 10 COMOX DISTRICT PLAN
VIP65968, EXCEPT PART IN VIP67631

Folio: 00526.268 **PID:** 023-888-539

Civic Address: Nikkei No Haka Japanese Cemetery

3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit:
 - a. Fence to be replaced with wood, picket fence as shown in *Schedule A*.
 - b. Interpretive sign to be installed as per *Schedule A*.

4. **Security**

None.

5. **Expiry**

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

6.. **Timing and Sequencing of Development**

None.

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

a. *SCHEDULE A*

8. **Contaminated Sites Regulation**

A site disclosure statement was not submitted as this permit does not authorize any activity likely to disturb soil on the land.

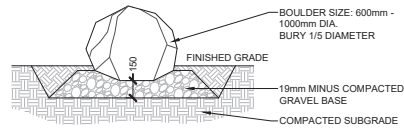
9. This Permit is **not** a Building Permit.

CERTIFIED as the HERITAGE ALTERATION PERMIT approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on 2026-01-26.

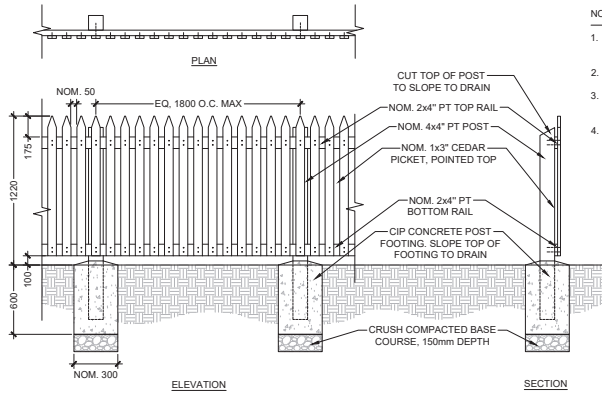
Rachel Parker
Corporate Officer

NOTES:

- BOULDERS SHOULD BE SOURCED FROM SITE WHERE POSSIBLE.
- SAMPLE PHOTOS FOR BOULDERS NOT SOURCED FROM SITE TO BE SUBMITTED TO CONTRACT ADMINISTRATOR FOR APPROVAL PRIOR TO TRANSPORT.
- FINAL SELECTION AND ARRANGEMENT OF BOULDERS TO BE APPROVED BY CONTRACT ADMINISTRATOR.
- BOULDERS TO HAVE NATURAL APPEARANCE, FREE OF DISFIGURING SPALLS.
- SEE SITE PLANS FOR LOCATION AND SPACING.



1 LANDSCAPE BOULDER
SCALE: 1:20



NOTES:

- WOOD TO BE STRIPPED, NO BARK, STRUCTURALLY SOUND, NO SIGNS OF ROT OR DECAY.
- FENCE POSTS AND RAILS TO BE PRESSURE TREATED.
- FENCE PICKETS TO BE NO. 2 AND BETTER RED CEDAR OR APPROVED SUBSTITUTES.
- CONTRACTOR TO SUBMIT SAMPLE OF PROPOSED FENCE PICKET FOR APPROVAL.



REFERENCE IMAGE

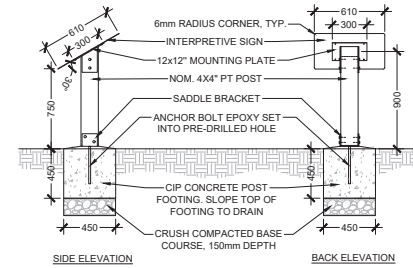
2 PICKET FENCE
SCALE: 1:20

NOTES:

- POST, FOOTING, SADDLE BRACKET, AND MOUNTING PLATE TO BE INSTALLED BY CONTRACTOR.
- SIGN TO BE INSTALLED BY THE CLIENT.



REFERENCE IMAGE



SIDE ELEVATION

BACK ELEVATION

3 INTERPRETIVE SIGNAGE
SCALE: 1:20

LANARC

405 - 256 Wallace Street, Nanaimo, BC V9R 5B3
Tel (778) 762-4800
www.lanarcconsultants.ca



2673 Dunsuir Avenue, Cumberland, BC V0R 1P0
Tel (250) 334-4441
www.cumberland.ca

PRELIMINARY
NOT FOR CONSTRUCTION

Schematic Design	OL	JS	26.11.18
75% Detailed Design	OL	JS	26.02.19

Issued By: Appr. YY MM DD

Permit Seal

**Japanese Cemetery
(Nikkei No Haka)
Upgrades**

Project

Landscape Details

Title

25622

Project No.

Scale

L1.2

Drawing No.

Permit No.

Revision

3 of 3

The Corporation of the Village of Cumberland

Heritage Committee

January 15, 2026 at 4:00 p.m.

Masonic Hall, 2687 Dunsmuir Avenue, Cumberland, BC



Members Present: Meaghan Cursons, Chair (to 5:05pm)
Eric Pattison, Chair (after 5:05pm)
Marianne Bell, Secretary
Lois Harris
Councillor Neil Borecky

Regrets: Kaili Zevenbergen
Hugh McLean

Staff: Jasmeen Kaur Sidhu, Planning Technician
Karin Albert, Senior Planner

Applicant (HAP 2025): Rachel Parker, Village of Cumberland

Consultant (JCLP): James Goodwin, Lanarc Consulting

Public: 6 members of the public

The chair called the meeting to order at 4:05 pm

1. Approval of Agenda

Moved by:

Seconded by:

THAT the agenda for January 15, 2026 meeting be approved.

Carried Unanimously

2. Minutes

Moved by:

Seconded by:

THAT the minutes of the December 4, 2025 meeting be adopted with the following corrections:

Bullet 5 is corrected to read: "The recent additions/improvements could be stained to create unity across the different installations. The black metal gate will recede and be visually neutral.

The resolution is corrected to read:

THAT the Heritage Committee recommend that Council approve HAP 2502 with the condition that all street facing wood be stained a dark historic colour.

Carried Unanimously

3. Unfinished Business

None.

4. New Business

5:05 pm: Ms. Cursons left the meeting and handed the chair over to Eric Pattison.

4.1 Council Referral: Japanese Canadian Legacy Project (JCLP) – Japanese Town Shelter Concepts

Mr. Goodwin provided an overview of the JCLP funding projects for the Japanese cemetery and the shelter at the No. 1 Japanese townsite.

Discussion:

Question regarding whether Japanese families have been consulted on the JCLP projects.

- Do not know. The JCLP and the Cumberland museum are advising on the project. JCLP set very specific parameters for the project.

Japanese Cemetery

- Questions regarding size of original cemetery and concern about changing the perimeter fencing.

Further discussion deferred to 4.2

Shelter

- Was there a baseball field at No. 1 Japan town? – Not a proper field but the game was played there as well as elsewhere in the Village.
- Dug out concept with valence preferred.
- More accurately reflects what might have been built in Cumberland in the past.
- Not appropriate to use Torii gate shape for ball field seating.
- Who are the users of the shelter? Why is the seating linear? Design doesn't further gathering, community or sense of place. Looking out at what...?
- Concern about orientation of shelter, it faces East. Does it shelter from sun and rain? Hottest sun in the day is from the South and West.
- Shelter should look into the park
- Simplify the design

- Make sure it is accessible
- O.K. to have it close to the parking lot.
- Could be used by seniors attending the Obon ceremony to honor their ancestors. Helps them stay out of the rain. For that group, having the shelter closer to the parking lot is preferable.
- What is the pathway surfacing material? - Same as existing pathways.
- Can the pathway alignment be more organic? E.g. have a slight curve? Seems more in keeping with Japanese landscape design.

Mr. Goodwin thanked the group for the comments and will seek to incorporate the suggestions into the final design.

4.2 Council Referral: HAP 2505 Japanese Cemetery

Ms. Sidhu presented on the HAP for the design and location of a replacement fence and location of interpretive signage at the Japanese Cemetery.

Discussion:

- Committee members questioned decision to reduce the perimeter fencing, would like to see the entire fence replaced where it currently is.
- Cemetery volunteers have noticed indentations in the ground in the area to be excluded. Might have had graves there in the past.
- The proposed large rocks won't keep out vehicles or people.
- Research of aerial photography suggests original cemetery was smaller. Also cost of fencing is prohibitive. Not in budget.
- The Village contacted the Japanese Canadian Legacy Project (JCLP) and may be able to get additional funding.
- If can't get additional funding, the fencing could be phased. This does not need to be in the resolution if long term goal is to fence the entire property.
- New fencing should closely follow the design of the fence in the historic photographs. Fence should be 6 instead of 8 inches above the ground.
- Concern regarding the concrete support – chosen to ensure a design that ensures a long-life span for the fence.

Moved by: Bell

Seconded by: Borecky

That the Heritage Committee recommend that Council approve the HAP2505 subject to the following:

- a. That the fence include the whole property, the entire existing perimeter location, and
- b. Fence design to follow more closely the design of the fence in the photographs.

Carried Unanimously

5. Adjournment

The meeting adjourned at 5:35 pm.

DRAFT

Statement of Significance

Nikkei No Haka Japanese Cemetery, Cumberland BC :: 1891



March 2025

Description of Historic Place

The Nikkei No Haka Japanese Cemetery is located adjacent to the Chinese Cemetery on Union Road, about 1 km east of the Village of Cumberland and about 2 km west of the Cumberland Municipal Cemetery, in the Vancouver Island community of Cumberland, British Columbia. All three of the Village's cemeteries were designated as protected Heritage Cemeteries in 2007 and retain active cemetery status.

Heritage Values

The Nikkei No Haka Japanese Cemetery is valued as the final resting place of approximately 198 Japanese-Canadian miners, mill workers, loggers, tailors, entrepreneurs and their family members who lived in Cumberland and the Comox Valley until 1942. Although the earliest recorded burials are from 1891, the earliest surviving headstones date from 1901, interring the 9 Japanese miners killed in the disastrous February 15, 1901 explosion at the No. 6 Mine, and the most recent interments date from 2005.

This segregated Asian cemetery, like many others on the West Coast of BC, represents the historic discriminatory policies and attitudes against residents of Asian heritage and the tragic interruption in the history of the Japanese-Canadian community in BC and Canada. Almost all of the Japanese Canadian graves in this cemetery pre-date 1942, when their forced relocation and incarceration in internment camps away from the coast occurred. It was not until April 1, 1949, that Japanese-Canadians were allowed to return to the BC Coast, although the vast majority did not go back to the communities where they came from - as over the seven years of displacement - their land, homes, possessions, and employment had been lost or forcibly sold.

This historic place provides a tangible link to the living Japanese-Canadians who can trace family history back to those relatives who were the fabric of a thriving Japanese-Canadian community in the Cumberland area, once the largest on Vancouver Island, and suffered the complete loss of home, community and place. The cemetery provides the most crucial physical testimony to the historic Japanese-Canadian community of Cumberland, as the historic Japanese neighbourhoods of Cumberland and the surrounding area were all but demolished. This historic place provides an opportunity for descendants of the Comox Valley's Japanese-Canadian community, who regard the cemetery as the symbolic cornerstone of the survival of their heritage, to visit, participate in annual ceremonies and practices, and to thank previous generations of ancestors.

The cemetery is further valued for representing the perseverance of the Japanese-Canadian families who did choose to return to BC, albeit not always to their community of origin, and for its evidence of reconciliatory gestures and projects, the first of which was initiated by the Kiwani Club of Courtenay, (in consultation with the Buddhist Church of Vancouver and funded by donations from Japanese across Canada), which in 1967 oversaw the reclamation of the

cemetery. The 59 surviving headstones that had not been desecrated or removed by anti-Japanese vandalism during WWII, were gathered together and set in a circular concrete memorial. This place, as well as the engagement opportunities in its subsequent commemoration projects and traditions, offers a space of continuity, acknowledgement and perpetuation for a segment of the Cumberland community that was persecuted, ousted and wronged. Its legal protection by the Village of Cumberland in 2007 was intended to “acknowledge the contribution made by the Japanese and to honour those who lived and worked in Cumberland from the late 1800s”.

This sacred site has spiritual value, not just for the Japanese-Canadian community but for all who visit this poignant and spiritual place. This is expressed in its “good feng shui, which refers to the power of the natural environment and composite influences of natural processes. It is believed that the fortunes of a man depend, among other things, on how well his ancestors are buried with respect to geomancy (the art of divining the future for good or ill fortune)”¹. The spirituality of the site is also perceived in the wooded character of the Japanese site, which has reportedly evolved since the site was active. Retention of the native trees, moss and islands of native shrubs has created a “Japanese landscape effect” evocative of the Japanese concept of wabi-sabi². Its serenity and beauty has been noted by one of the last descendants of the Japanese community still resident in the area.

Character-Defining Elements

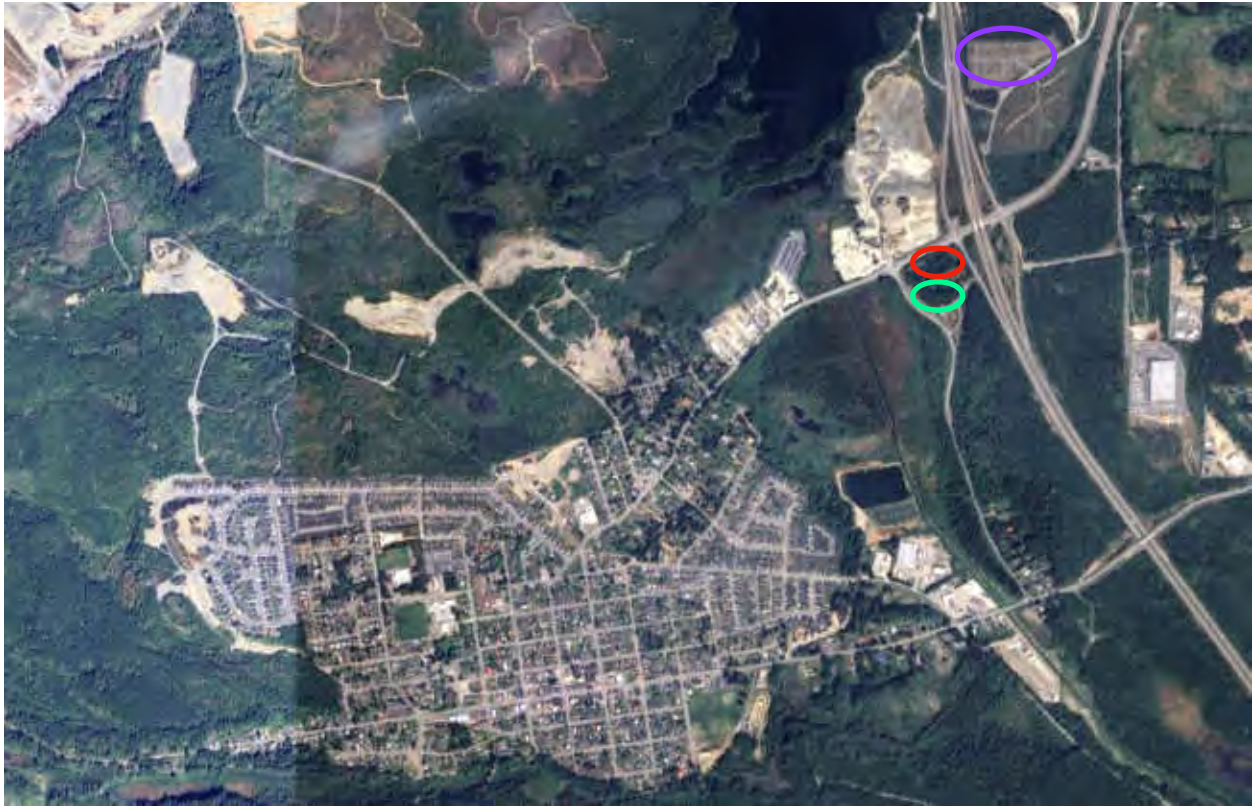
- Historic location on Union Road, segregated (along with adjacent Chinese Cemetery) from the municipal Cumberland Cemetery.
- Continuous burial grounds for Japanese-Canadian residents of the Comox Valley since 1891
- Signs on the highway that guide to the “Japanese and Chinese Cemeteries” as opposed to previous, removed signage marked ‘oriental cemetery’
- Painted wood picket fence around the cemetery (restored & expanded initially in 1967 and renewed in 1986 and 2003 - reinforcing a “sense of place” and “sacredness” as per the historic fence seen in 1940s photographs)

¹ Quote from Bylaw No. 833, the heritage designation of the Japanese cemetery in 2007

² The Japanese aesthetic centred on the acceptance of transience and imperfection, which reveres the beauty of weathering, aging and “flawed beauty.” <http://en.wikipedia.org/wiki/Wabi-sabi>

- 59 headstones recovered at the site in 1967 installed on a raised octagonal concrete memorial just inside the entry gate. Some are polished angular pillars with readable inscriptions in Japanese and English. Others are natural stones, faded and coated in moss.
- Remnants of graves throughout the historic cemetery grounds (outside the memorial installation), barely distinguishable from the forest floor, some marked with sinking stone or wood perimeters.
- Stone cairn with bronze plaque installed at the cemetery entrance on the first Miner's Memorial Day in May 1986, "in honour of the Chinese and Japanese who lived and worked in Cumberland from the late 1800's" sponsored by four Canadian industrial, mining and woodworkers' unions.
- 2008 plaque to recognize the contribution of this site to Cumberland's history and culture.
- An accessible paved walkway from the cemetery's parking lot to its 2005 main gate, and from there to the headstones memorial, funded in part by donations from Japanese-Canadian individuals and organizations in 2009 both in Canada and Japan.
- The wooded character of the site, mostly treed by towering Douglas firs and ground covered with moss.
- Nikkei No Haka wood sign with gold leaf lettering both in English and Japanese installed in 2007 (marking the 30th anniversary of the municipally organized resumption of the Obon practice in the cemetery)
- New grave markers installed in recent decades and years (the only post-WWII interments to date took place in 2005 and a new marker was installed on the communal plinth in 2013).
- Association with nearby Chinese Cemetery, another segregated community cemetery and with Coal Creek Historic Park (the former site of No. 1 Japanese Town and of Chinatown)

Location map



Aerial map showing the Village of Cumberland and its three cemeteries circled. The Japanese Cemetery in green, the Chinese Cemetery in red and the Municipal Cemetery in purple. Credit: Google Maps



1930s aerial showing the historic surrounding road network (before the highway was built). Japanese cemetery indicated with a red arrow.

Credit: Village of Cumberland

Current Photographs







Archival Photos



Japanese graveyard taken by Mr. Clinton who was the US consulate. C140-375.
Date: 1901.



Gathering at the Japanese cemetery by a monument to miners killed in number 6 explosion. C140-302.
Date: 1901.

Source: Cumberland Museum & Archives



Above: Memorial service for Japanese killed in WWI for Canada. C140-003.

Below: Cumberland Japanese cemetery. Baseball team paying last respects to fellow player Hajime Kajiyamac. C140-375. Date: 1922. Source: Cumberland Museum & Archives





Left: C140-160: Japanese funeral - Tsugio Iwasa, pre 1929.

Below: Japanese funeral for Hirose, pre 1929. C140-109. Source: Cumberland Museum & Archives

Source: Cumberland Museum & Archives



Research Resources

Heritage BC - Cumberland Japanese Cemetery nomination on the Japanese Canadian Historic Places Cultural Map. <https://heritagebc.ca/japanese-canadian-location/cumberland-japanese-cemetery/?lang=en>

Village of Cumberland - Coal Creek Historic Park. <https://cumberland.ca/coal-creek-historic-park/>

Village of Cumberland - Cemeteries Master Plan 2014. <https://cumberland.ca/wp-content/uploads/2014/02/Cumberland-Cemeteries-MP-Final.pdf>

Village of Cumberland Japanese Cemetery - clippings and resources file

Websites:

<https://en.wikipedia.org/wiki/Obon>

https://en.wikipedia.org/wiki/Internment_of_Japanese_Canadians#cite_note-5

<https://iwonderandwander.ca/2020/03/28/cumberland-japanese-cemetery/>

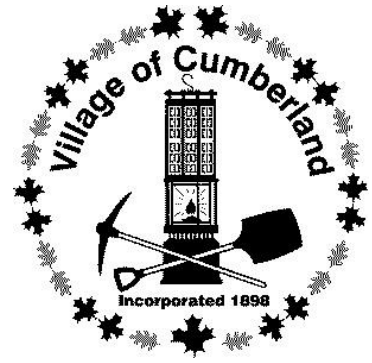
<https://najc.ca/the-story-of-cumberland-and-royston>

<https://thecollectivemags.ca/hidden-treasures/>

More facts about the cemetery

- Renovations, maintenance and added features such as the paved walkway were funded in part by donations from Japanese-Canadian individuals and organizations both in Canada and Japan
- Annual ceremonies and events that occur at the site include the Miner's Memorial Weekend in June and the practice of Japanese Obon - the ancient, Buddhist tradition of caring for ancestor's graves - a family reunion holiday during which people return to visit and clean their ancestors' graves when the spirits of ancestors are supposed to revisit the household altars. At the Cumberland Nikkei No Haka Japanese Cemetery this is practiced annually since 1977 - in mid-August. The Japanese-Canadian community in the Comox Valley area and beyond attends to the cemetery beforehand to clean up the blown down tree branches, sweep and clean the markers.

COUNCIL REPORT



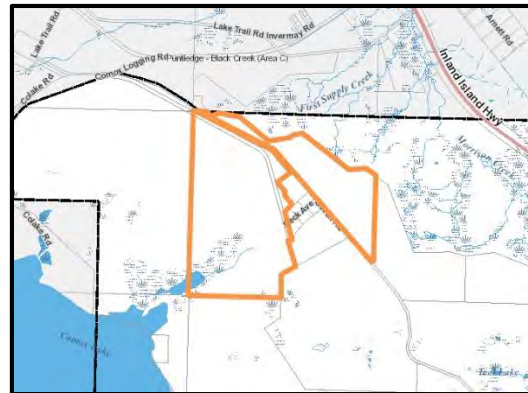
REPORT DATE: 1/22/2026
MEETING DATE: 2/23/2026

File No. 3060-DP2504

TO: Mayor and Councillors
FROM: Seamus McConville, Planner I
SUBJECT: Development Permit, Deferred Services Covenant, and Frontage Waiver for Approval – Bevan Road Industrial Subdivision

RECOMMENDATION

THAT Council approve the development permit for the purpose of a 3-lot subdivision of the lots legally described as SECTION 34 TOWNSHIP 10 COMOX DISTRICT PLAN 552H EXCEPT THOSE PARTS SHOWN OUTLINED IN RED ON PLAN 21 RW AND IN PLANS VIP55123 VIP69987 EPP93477, EPP111856, EPP127706 AND EPP130046 & THAT PART OF SECTION 34, TOWNSHIP 10, COMOX DISTRICT, PLAN 552H INCLUDED IN PLAN 21 RW EXCEPT PART IN PLAN VIP69987, EPP111856 AND EPP130046.



Subject Property

THAT Council authorize staff to enter into a covenant with the owner to defer required servicing as per Subdivision and Development Bylaw No. 948, 2012 until development proceeds on the created lots.

THAT Council exempt proposed Lot 2 the 10% minimum frontage requirement pursuant to *Local Government Act* Section 512, to allow a frontage of 1%.

PURPOSE

The purpose of this report is to request Council decisions on matters relating to a subdivision application on the subject property including:

- Development permit - Development Permit Area (DPA) 1 – Environmental Protection;
- Authorization to proceed with a deferred services covenant, to be registered on the created parcels; and,
- Approval of a *Local Government Act* frontage waiver.

BACKGROUND

Subdivision Application

Acciano Developments acting as agent on behalf of the owner, Comox Timber, proposes to create two new parcels, a 32.49ha Lot and 17ha lot from two parent parcels of approximately 229.83 ha p to facilitate a land purchase. Please note that one of the parent parcels is for the historic railway grade that runs through the parent property, a portion of which will be preserved for trail use as part of the subdivision. A subdivision application has been received, with the Approving Officer issuing a preliminary layout review (PLR) letter in May 2025; the application was subsequently amended, with a revised PLR issued in January 2026. A subsequent subdivision application of the two created parcels that would expand the Beck Avenue industrial area is anticipated.

No land alteration is proposed as this subdivision is only to sever a new lot from a larger parent parcel to facilitate transfer to a new owner. Any land clearing and subsequent subdivision will require another development permit that will include conditions for land alteration and development to protect environmental values.

As the proposed subdivision is intended to enable a land purchase and facilitate future development, the servicing of this lot is to be addressed once development proceeds. As per Subdivision and Development Bylaw No. 948, 2012, the applicant requires a deferred services covenant to be registered on the created parcels prohibiting further subdivision or development until servicing is addressed. This approach must be approved by Council, as per Sch. A Sec 2(a)(ii)(iii) of the aforementioned bylaw.

Official Community Plan

Under recently adopted Official Community Plan Bylaw 1230, 2025 (OCP), the property is subject to DPA 1 Environmental Protection, DPA 2 Groundwater Protection and DPA 4 Wildfire and Urban Interface. The property is designated industrial.

As the subdivision application was received prior to the adoption of the new OCP, the applicant qualifies for in-stream protection, meaning only DPAs in effect on the subject property within Official Community Plan Bylaw No. 990, 2014 apply to the application. As the property was mapped within DPA 1 and qualified for an exemption from DPA 4 under the previous bylaw, only a DPA 1 is required to proceed with the application.

Please note that future subdivision applications must comply with requirements in the new OCP, including DPA 1, 2 and 4.

Zoning Bylaw

The subject property is zoned I-2 Heavy Industrial Zone within Zoning Bylaw 1238, 2025. This zone permits a large variety of industrial principal uses.

Bevan Industrial Lands Concept Plan

The 2020 Bevan Industrial Lands Concept Plan identifies a 200m wildlife migration corridor between Comox Lake and Black Lake, and the associated wetlands and Morrison Creek Headwaters. The goal of this corridor is to connect these sensitive ecosystems on both sides of Bevan Road and preserve recreational networks in the area. The concept plan identifies the approximate location of this corridor to be situated on the subject property.

Local Government Act Frontage Requirements

Proposed Lot 2 does not meet the minimum frontage of 10% of the perimeter of the lot that fronts on a highway as required by section 512 of the *Local Government Act*. The Approving Officer has been delegated by Council the authority to reduce the s.512 minimum lot frontage requirements under certain conditions. These conditions do not apply to this subdivision; therefore, approval of the reduced lot frontages pursuant to s.512 requires a Council resolution.

ANALYSIS

The proposed subdivision is consistent with the relevant DPA 1 guidelines.

The bio-inventory report focuses on the two new lots to be created and does not identify any environmentally sensitive areas. There are no streams, wetlands or lakes on the proposed new lots, although aquatic habitats does exist within the parent property boundary to the south near Comox Lake and on the adjacent property to the north across Bevan Road.

Species at risk habitat has not been identified within the lots to be created; however critical habitat for the Western Painted Turtle is located 180m away from the development area, and populations of the Western Brook Lamprey are 205m away to the east of the property.

The bio-inventory report recommends the greenway corridor be located outside the subject property's boundaries, to encompass higher quality habitat area and to not impeded development. This was raised during public engagement on the new Official Community Plan and Zoning Bylaw. To this end, Official Community Plan No. 1230 and Zoning Bylaw No. 1238 designates and zones a strip of land for the wildlife corridor to the northwest of the subject property to meet the greenway objective.

The property was logged throughout the 2000s and 2010s, and terrestrial vegetation is in an early seral regrowth stage. Some mature conifers were retained on the property, of which the biologist recommends preservation to improve habitat area within the greenway corridor. As future development of the new lots requires an additional DPA 1, this grove of trees will be protected from development at that time, likely via covenant.

As this subdivision is to facilitate a land sale, recommendations to remediate scotch broom and applicable wildlife safe fencing requirements can be deferred to when development occurs on the property.

Illegal dumping was observed along Bevan Road by the applicant's biologist. As per usual procedure, this issue will be addressed with the property owner by Bylaw Services.

Deferred Services Covenant

This covenant recognizes that the subdivision is the first step in a two-part subdivision, where this first step will not see any land alteration or servicing but only enables purchase of the new lot from Comox Timber. As such, addressing servicing matters including water and road upgrades is appropriate when a layout for the development is prepared. The same approach was followed in previous subdivision applications in the Bevan Rd industrial area where a land purchase was required prior to development.

Local Government Act Frontage Requirements

The *Local Government Act* requires the following of subdivisions:

(1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of:

(a) 10% of the perimeter of the lot that fronts on the highway, and

(b) the minimum frontage that the local government may, by bylaw, provide.

Proposed Lot 2 does not meet the minimum frontage of 10% of the perimeter. The configuration of the parcel results in the lot line adjacent to Beck Avenue considered as the frontage as per the Zoning Bylaw. As Lot 2 will be further subdivided to facilitate development in the future, and access can be achieved through both Bevan Road and Beck Avenue until such time if required, reconfiguration of the lot to meet the 10% requirement is not warranted.

PUBLIC NOTIFICATION AND CONSULTATION

No public notification is required for a development permit application. Referral to the Advisory Planning Commission is not recommended for this development permit application.

FINANCIAL IMPLICATIONS

There are no financial implications for Development Services.

OPERATIONAL IMPLICATIONS

Review of development applications are a regular service provided by Development Services.

CLIMATE CHANGE IMPLICATIONS

As the proposal is to facilitate a land sale, there are no climate change implications resulting from this specific application.

ALTERNATIVES

- i. THAT Council refer the development application to the Advisory Planning Commission.
 - a. This option is not recommended, as it will delay the issuance of the development permit. Furthermore, as this application is to facilitate a land sale, there is no layout to consider.

STRATEGIC OBJECTIVE

- Diverse and Healthy Community
- Sustainable Service Delivery and Asset Management
- Community Planning

ATTACHMENTS

1. Draft Development Permit
 - a. *Schedule A Biological Site Inventory- Bevan Industrial Lands Phase 3 Initial Subdivision, Prepared by Current Environmental, December 12, 2025.*
2. Proposed Subdivision Plan
 - a. *Prepared by Underhill & Underhill Professional Land Surveyors, October 8 2025.*

CONCURRENCE

Courtney Simpson, Director of Development and Bylaw Services **CS**

Respectfully submitted,

S. McConville

Seamus McConville, RPP MCIP
Planner I

M. Mason

Michelle Mason
Chief Administrative Officer



Corporation of the
Village of Cumberland

DEVELOPMENT PERMIT

TO: Comox Timber

AGENT: Acciano Development Inc

OF: 270 - 203 SE Park Plaza Drive, Vancouver Washington, 98684-5890

This Development Permit (DP2504) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as supplemented by this Permit for the purposes of *a three-lot subdivision to facilitate a land sale.*

1. This Development Permit applies to and only to those lands within the Village of Cumberland described below:

Legal Descriptions: SECTION 34 TOWNSHIP 10 COMOX DISTRICT PLAN 552H EXCEPT THOSE PARTS SHOWN OUTLINED IN RED ON PLAN 21 RW AND IN PLANS VIP55123 VIP69987 EPP93477, EPP111856, EPP127706 AND EPP130046 &

THAT PART OF SECTION 34, TOWNSHIP 10, COMOX DISTRICT, PLAN 552H INCLUDED IN PLAN 21 RW EXCEPT PART IN PLAN VIP69987, EPP111856 AND EPP130046.

Folios: 516. 29039.534 & 516. 29039.520 **PIDs:** 006-689-361 & 006-688-527

Civic Address: No Civic Address – Bevan Road

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this Permit:
 - a. No land alteration is permitted. For clarity, no subdivision servicing or site preparation is permitted by this development permit.

3. **Security**

N/A

4. **Expiry**

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

5. **Timing and Sequencing of Development**

N/A

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

- a. *Schedule A Biological Site Inventory- Bevan Industrial Lands Phase 3 Initial Subdivision, Prepared by Current Environmental, December 12, 2025*

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

CERTIFIED as the DEVELOPMENT PERMIT approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on _____, 20__.

Rachel Parker
Corporate Officer

To:	Andrew Gower, Wedler Engineering	Date:	October 21, 2025 Updated December 12, 2025
From:	Chloe Howarth, R.P.Bio. Dusty Silvester, R.P.Bio.	Pages:	21 + appendices
Cc:	Village of Cumberland Planning Dept.	Project:	2455

RE: BIOLOGICAL SITE INVENTORY – Bevan Industrial Lands Phase 3 Initial Subdivision, Cumberland

This report prepared by Current Environmental Ltd. describes the current biophysical state of the Phase 3 parent parcel PID: 006-688-527 on Bevan Road, Cumberland, BC, in support of the proponents' application to the Village of Cumberland (VoC) for a development permit to proceed with subdivision for future lot development.

The objectives of this biophysical assessment are as follows:

1. To identify any sensitive terrestrial or aquatic habitats and species on the subject property.
2. To determine the impact of the proposed lot subdivision on any identified sensitive habitats or species.
3. To prescribe mitigation measures to be employed during development planning and implementation, as well as for future developments on the created lots.
4. To recommend enhancement opportunities for the property.

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1 INTRODUCTION

This report is intended to fulfill the requirement for a biological site inventory (bio-inventory) assessment in support of a development permit application for proposed subdivision of a property on Bevan Road with PID: 006-688-527, as required by the Village of Cumberland Bylaw No. 990¹. This report has been prepared by a Registered Professional Biologist according to procedures described in the BC Ministry of Environment's *Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia*.²

The subject property is a 161.21 ha lot within the Village of Cumberland (VoC) bearing PID: 032-030-525 and is split into several sections through earlier subdivision of the original property and earlier phases of the Bevan Industrial Lands Project (Figure 1). The property bears the legal description SECTION 34 TOWNSHIP 10 COMOX DISTRICT PLAN 552H EXCEPT THOSE PARTS SHOWN OUTLINED IN RED ON PLAN 21 RW AND IN PLANS VIP55123 VIP69987 EPP93477, EPP111856, EPP127706 AND EPP130046.

The 49.1 ha Phase 3 parent lot within the larger original parcel (hereafter the subject property) has Heavy Industrial Zone (I-2) zoning in the eastern portions of the lot and Industrial Greenways Reserve (IGR) zoning in the western portion of the lot (Figure 2). The subject property is situated within Development Permit Area 1 (Environmental Protection: Connectivity Area) designated for environmental protection; Development Permit Area 4 (Wildfire Urban Interface) which is designated for lands with the potential to be susceptible to wildfire; and Development Permit Area 5 (Industrial), designated to enhance the visual quality of industrial developments.

Land use surrounding the subject property includes development associated with Phases 1, 2a, and 2b of this project to the southeast of the Phase 3 parent parcel, a gravel pit to the north along Bevan Road, and the Comox Valley Waste Management Centre beyond the Phase 1 and Phase 2 lots to the south, and Bevan Road to the east.

1.1 PROPOSED DEVELOPMENT

The proposed development for this initial stage of Phase 3 is limited to subdividing the 49.5 ha Phase 3 parent parcel (see Figure 1) into two smaller subparcels of area 32.0 ha (Lot 1) and 17.5 ha (Lot 2). Any future development on the resulting two lots may require a separate bio-inventory to assess the impacts of the proposed development and current ecological conditions. As previously noted, this subdivision is part of the larger multi-phase Bevan Industrial Lands project, and future land development of Lot 1 and Lot 2 is anticipated.

¹ Village of Cumberland (2014). *Official Community Plan Bylaw – Section 10.1.5*. Accessed from: <<https://cumberland.ca/wp-content/uploads/2012/05/Part-D-Implementation.pdf>>

² Ministry of Environment. (2014). *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* Accessed from: <<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices/develop-with-care>>

The Village of Cumberland's (VoC) 2020 *Bevan Industrial Lands Concept Plan and Report* identifies a 200 m wide wildlife corridor in the general vicinity of the subject property. Recommendations for the alignment of this feature are provided in Section 4.2 and shown in Figure 6.

2 METHODOOGY

2.1 BACKGROUND REVIEW

Background information on Environmentally Sensitive Areas (ESAs) located within or in proximity to the subject property was obtained from the following sources:

- Village of Cumberland (VoC) iMap³
- Conservation Data Center (CDC) At-Risk "Known Occurrences" Atlas-BC Ecosystems Explorer⁴
- Sensitive Ecosystems Inventory (SEI)⁵
- Wildlife Tree Stewardship Atlas (WiTS)⁶
- Great Blue Heron (GBHE) Management Team Atlas⁷
- Habitat Wizard⁸
- Sensitive Habitat Inventory Mapping (SHIM)⁹
- Aerial imagery

2.2 FIELD ASSESSMENT

A ground-level assessments of aquatic/terrestrial habitats and species was conducted on October 2, 2025. The property was surveyed by vehicle (where accessible) and walking to ensure that all Environmentally Sensitive Areas (ESAs) on the property were inventoried. The site assessment involved noting any Environmentally Sensitive Areas (ESAs) on the subject property that may be impacted by the proposed development. The following sections provide additional detail on specific inventory methods.

³ Village of Cumberland (2025). VoC iMap. Accessed from: <https://imapcumberland.imaptoo.ca/imapviewer/>

⁴ B.C. Conservation Data Centre: CDC iMap (2025). Ministry of Environment, Victoria, B.C. Accessed from: <http://maps.gov.bc.ca/ess/hm/cdc/>

⁵ Sensitive Ecosystems Inventory (2025). Georgia Basin Habitat Atlas. Accessed from: <https://cmnmaps.ca/GBHA/>

⁶ Wildlife Tree Stewardship (WiTS) Program (2025). Nest Tree Report. The Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/wits/>

⁷ Great Blue Heron (GBHE) Management Team (2025). The Community Mapping Network. Accessed from: <http://cmnmaps.ca/GBHE/>

⁸ Ministry of Environment and Climate Change (2025). Habitat Wizard. Accessed from: <https://maps.gov.bc.ca/ess/hm/habwiz/>

⁹ Sensitive Habitat Inventory Mapping Atlas (2025). Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/SHIM/>

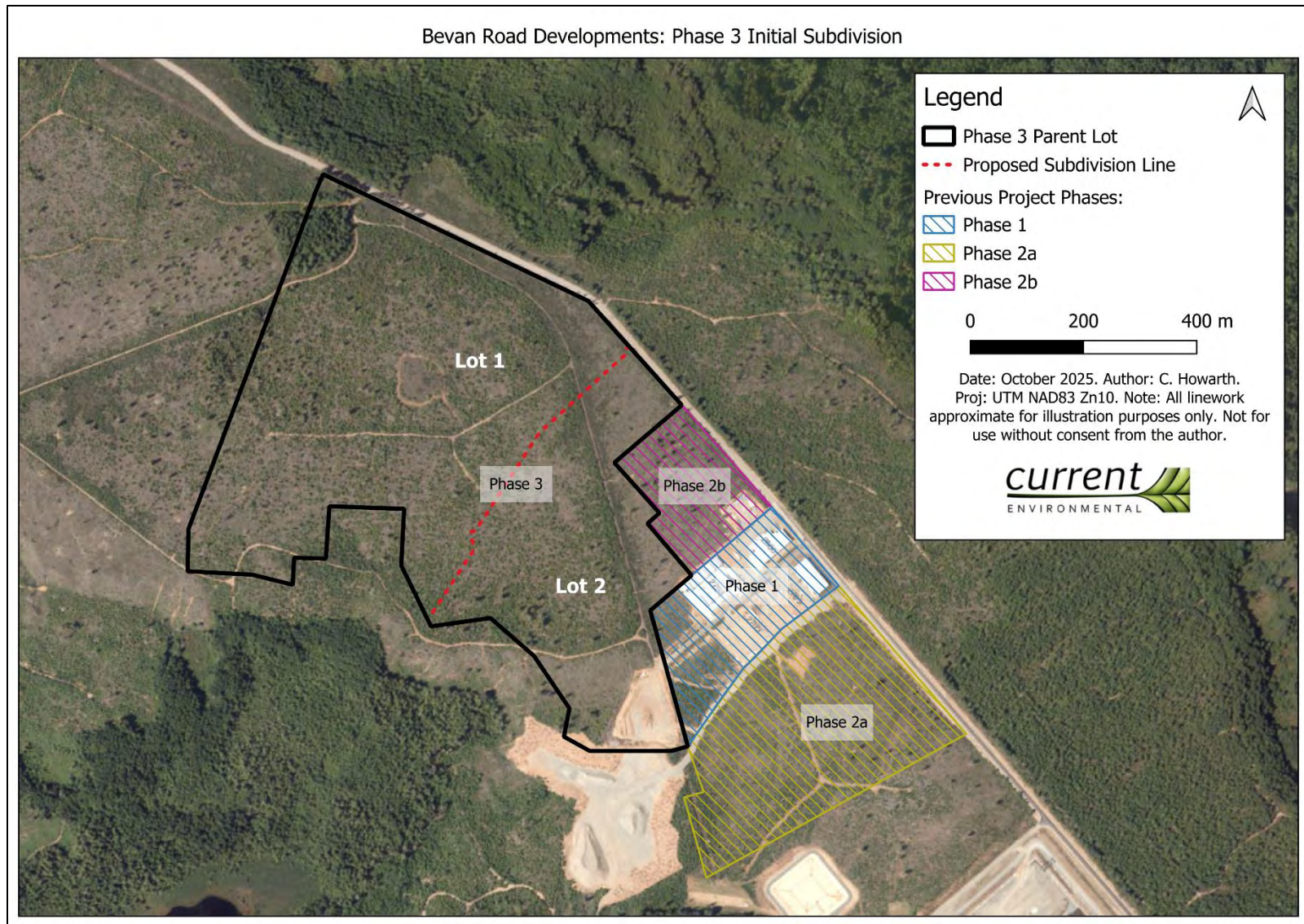


FIGURE 1. OVERVIEW OF PROJECT PHASES ASSOCIATED WITH THE BEVAN ROAD DEVELOPMENTS, INCLUDING THE PROPOSED SUBDIVISION LINE ASSOCIATED WITH PHASE 3 (BLACK OUTLINE WITH RED-DASHED SUBDIVISION).

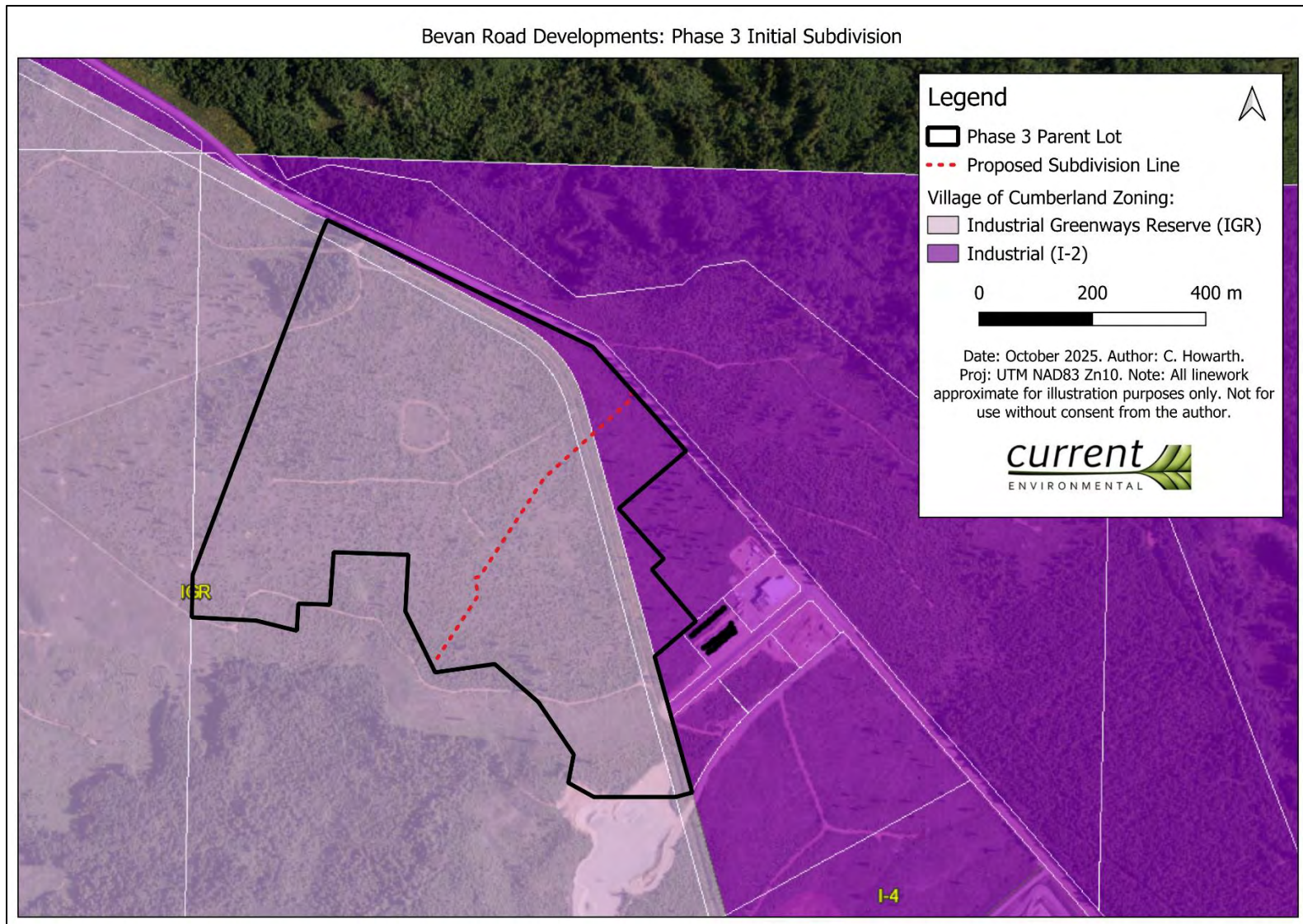


FIGURE 2. OVERVIEW OF VILLAGE OF CUMBERLAND ZONING AFFECTING THE SUBJECT PROPERTY, WHERE THE EASTERN PORTIONS OF THE PARENT LOT ARE ZONED I-2 (INDUSTRIAL: HEAVY INDUSTRIAL ZONE), AND THE WESTERN PORTION IS ZONED IGR (INDUSTRIAL GREENWAYS RESERVE). SOURCE: [VOC iMAP](#).

2.2.1 Aquatic Habitat

No aquatic habitats including streams, wetlands, lakes, ponds, or ditches are present on the subject property. No impacts on aquatic habitats are expected to occur as a result of subdivision and development on the subject property and the development does not fall within any 30 m Riparian Assessment Area (based on Riparian Areas Protection Regulation); therefore, field mapping of aquatic ecosystems was not undertaken on the subject property or adjacent properties.

2.2.2 Terrestrial Habitat and Species

Survey methods for terrestrial elements or Environmentally Sensitive Areas (ESAs) were directed in part by those outlined in *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* (with particular attention given to Appendix B – Bio-inventory Terms of Reference)¹⁰, and the *Field Manual for Describing Terrestrial Ecosystems*¹¹. Vegetation was identified with the assistance of *Plants of Coastal British Columbia*¹² and *E-Flora BC: Electronic Atlas of the Flora of BC*¹³.

2.2.3 Avian Habitat

An office-based assessment of avian habitat and nesting on the subject property was completed using the *Wildlife Tree Stewardship Atlas*⁵ and the *Great Blue Heron Atlas*⁶. The on-site assessment was completed concurrent with the other inventory efforts mentioned above and was based primarily on the methods outlined in *Environmental Best Management Practices for Urban and Rural Land Development*¹³.

2.2.4 Species and Ecosystems at Risk

An office-based assessment of Species at Risk occurrences on the subject property was completed using the *CDC BC Species and Ecosystems Explorer*³. The on-site assessment of Species at Risk was completed concurrent with the other inventory efforts mentioned above and was based primarily on the methods outlined in *Environmental Best Management Practices for Urban and Rural Land Development*¹³.

¹⁰ Ministry of Environment. (2014). *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* Accessed from: <<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices/develop-with-care>>

¹¹ Ministry of Forests, Lands and Natural Resource Operations (formerly Ministry of Forests and Range) and Ministry of Environment. (2010). *Field Manual for Describing Terrestrial Ecosystems*, 2nd Edition. Accessed from <http://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/conservation-data-centre/field_manual_describing_terrestrial_ecosystems_2nd.pdf>

¹² Pojar, J. and A. MacKinnon. (1994). *Plants of Coastal British Columbia (Revised, 2004)*. Lone Pine Publishing.

¹³ University of British Columbia. (2022). *E-Flora BC: Electronic Atlas of the Flora of BC*. Accessed from <<https://ibis.geog.ubc.ca/biodiversity/eflora/index.shtml>>.

3 RESULTS

The property is located in the Coastal Western Hemlock Eastern Very Dry Maritime (CWHxm1) biogeoclimatic zone. The Comox Valley region climate is characterized by warm, dry summers and mild, wet winters¹⁴. Mean annual precipitation in the CWHxm subzone is 1,505 mm, with the warmest month averaging 17.0 °C and the coldest month averaging 1.8 °C¹⁵.

According to aerial imagery, the western portion of the subject property was logged in 2004/2005, while the eastern and southernmost portions were logged in 2014/2015. Terrestrial vegetation is currently in an early seral regrowth stage (Photo 1). The proposed subdivision area is relatively flat with hummocky micro-terrain with abundant coarse and fine woody debris littering the ground. Some access roads exist throughout the site (Photo 2), likely from historical logging operations, although no built structures are present.

Background review and a site survey revealed no ESAs within the area being proposed for subdivision, although vegetation on site is consistent with two at-risk ecological communities (see Section 3.4.2).

3.1 AQUATIC HABITAT

No aquatic habitat such as streams, wetlands, lakes, ponds, or ditches was identified on the Phase 3 subject lot, although aquatic habitat does exist within the larger historical property boundary to the north across Bevan Road and the south near Comox Lake (PID 006-688-527) on other surrounding properties, at a distance of at least 75 m away from the Phase 3 lot (Figure 4). The property lies within the Puntledge River (WC code: 920-553200-94200) and Morrison Creek (WC code: 920-553200-94200-04800) watersheds.

Classified as an S1 stream,¹⁶ the Puntledge River is a regionally significant river that drains Comox Lake, flowing northeast before joining the Tsolum River to form the Courtenay River. Fish habitat values in the Puntledge River are high, supporting 14 species of native fish including a number of salmon and trout species. Morrison Creek is a tributary of the Puntledge River, which supports the at-risk Western Brook Lamprey – Morrison Creek Population (*Lampetra richardsoni* pop. 1). This population of lamprey is endemic only to Morrison Creek, being found nowhere else in the world, and is provincially red listed and designated as “Endangered” by COSEWIC and on Schedule 1 of the Species At Risk Act¹⁷.

¹⁴ Ministry of Forests and Range. (1994). A Field Guide for Site Identification and Interpretation for the Vancouver Forest Region. Land Management Handbook Number 28. Pp 63.

¹⁵ BC Ministry of Forests. (1991) Ecosystems of British Columbia. Accessed from <<https://www.for.gov.bc.ca/hfd/pubs/Docs/Srs/Srs06.pdf>>.

¹⁶ BC Ministry of Environment, BC Forest Service. (1998). Fish-stream identification guidebook 2nd ed. Forest Practices Code of BC. Accessed from <<https://www.for.gov.bc.ca/hfd/library/ffip/BCMoF1998.pdf>>.

¹⁷ BC Species & Ecosystem Explorer. Species Summary – Western Brook Lamprey (Morrison Creek Population). Accessed from: <<https://a100.gov.bc.ca/pub/eswp/speciesSummary.do?id=16338>>.

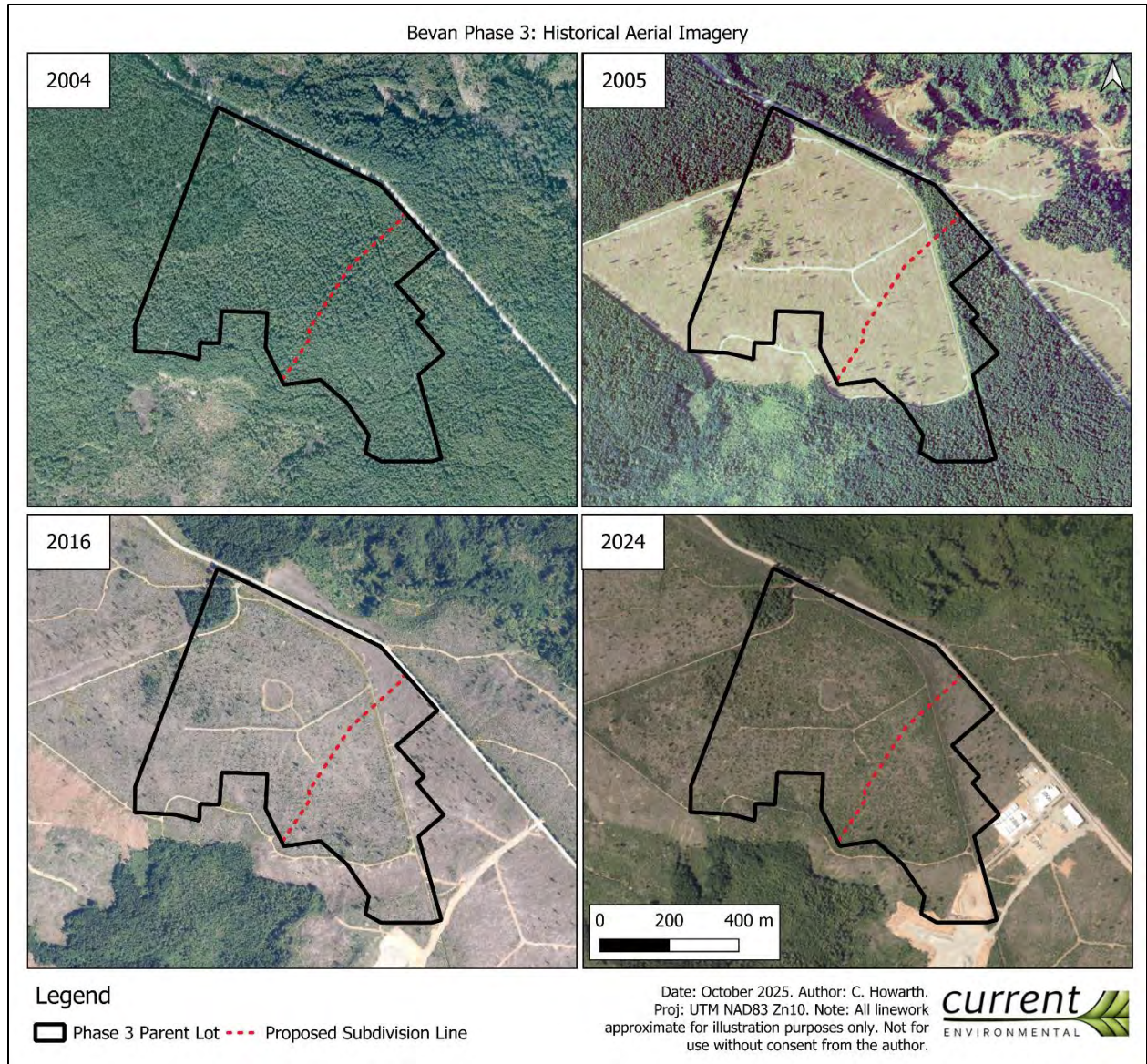


FIGURE 3. AERIAL IMAGERY OF THE SUBJECT PROPERTY SHOWING BEFORE AND FOLLOWING LOGGING EVENTS IN 2004/2005 AND 2014/2015.

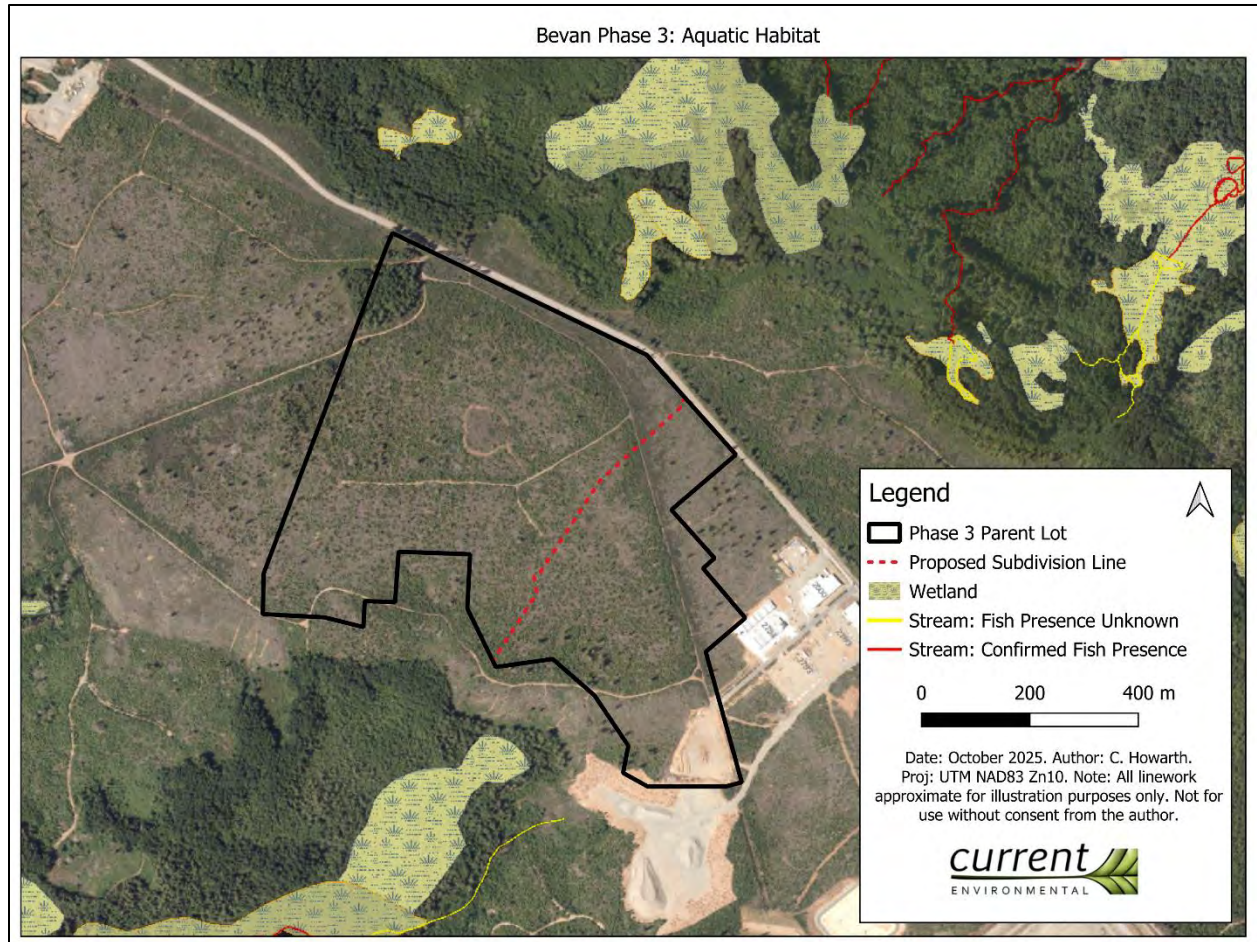


FIGURE 4. AQUATIC HABITAT SURROUNDING THE PHASE 3 SUBJECT PROPERTY. NO AQUATIC HABITAT WAS NOTED ON THE SUBJECT PROPERTY ITSELF.

3.2 TERRESTRIAL HABITAT

Terrestrial vegetation throughout the majority of the Phase 3 parent lot consists of early seral stage forest and shrub habitat. The canopy is dominated by Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*), lodgepole pine (*Pinus contorta*), and western white pine (*Pinus monticola*), with subdominant arbutus (*Arbutus menziesii*), red alder (*Alnus rubra*), Pacific dogwood (*Cornus nuttallii*), and western hemlock (*Tsuga heterophylla*). Shrubs and herbaceous species include red huckleberry (*Vaccinium parvifolium*), western sword fern (*Polystichum munitum*), bracken fern (*Pteridium aquilinum*), salal (*Gaultheria shallon*), dull Oregon grape (*Mahonia nervosa*), Scouler’s willow (*Salix scouleriana*), Oregon boxwood (*Paxistima myrsinites*), twinflower (*Linnaea borealis*), and fireweed (*Chamerion angustifolium*). Additionally, invasive Scotch broom (*Cytisus scoparius*) is abundant throughout the property.

In addition to early seral stage vegetation, there is a stand of intact older second growth forest in the northernmost corner of the subject property that, based on available aerial imagery, does not appear to have been logged in the last 40+ years (Lot 1; Photo 4). This section of intact forest is dominated by Douglas fir, western red cedar, red huckleberry, western sword fern, and salal, and is recommended for retention/protection (see Section 4.1.2). There are a few areas where select trees appear to have been retained during logging operations (largely mature Douglas fir and western white pine) in the southern portion of the parent lot (Lot 2; Photo 3), and another stand in the northwest portion of the parent lot (Lot 1).

3.3 AVIAN HABITAT

There are no Great Blue Heron (*Ardea herodias fannini*) or Bald Eagle (*Haliaeetus leucocephalus*) nests within 1 km of the development areas of the property, however, eagle activity is high in the area due to the site's proximity to the waste management centre.

Bird species observed during the October 2, 2025, site visit included red-tailed hawk (*Buteo jamaicensis*; Photo 5), dark-eyed junco (*Junco hyemalis*), Northern flicker (*Colaptes auratus*), yellow-rumped warbler (*Setophaga coronata*), golden-crowned kinglet (*Regulus satrapa*), and American crow (*Corvus brachyrhynchos*). The subject property has the potential to support a variety of migratory birds nesting in trees, shrubs, and on the ground. Recommendations for avian nesting habitat management during land clearing are provided in Section 4.4.

3.4 SPECIES AND ECOSYSTEMS AT RISK

3.4.1 Species at Risk

According to BC Conservation Data Centre, there are no known species at risk occurrences within 200 m of the subject property. No species at risk were identified during the October 2, 2025, site visit. There are mapped occurrences of the provincially red-listed and federally Endangered Western brook lamprey - Morrison Creek population (*Lampetra richardsoni* pop. 1) 205 m east of the subject property within the Morrison Creek Headwaters, and Western painted turtle (*Chrysemys picta bellii*) Pacific Coast population 2.7 km southeast of the subject property in Maple Lake. Neither of these records will pose a constraint on subject property subdivision or management.

Further, critical habitat for Western painted turtle is present surrounding the subject property, although it is located at least 180 m away from the Phase 3 area (Figure 5). Preferred habitat features for the Western Painted Turtle include¹⁸:

- 1) Slow-moving or stagnant freshwater waterbodies with any of the following attributes:
 - a) emergent vegetation, floating vegetation, vegetative mats

¹⁸ Environment and Climate Change Canada. (2021). Recovery Strategy for the Western Painted Turtle (*Chrysemys picta bellii*) Pacific Coast population in Canada. Species at Risk Act Recovery Strategy Series. Environment and Climate Change Canada, Ottawa. 2 parts, 31 pp. + 51 pp. Accessed from: <https://wildlife-species.canada.ca/species-risk-registry/virtual_sara/files/plans/rs_western_painted_turtle_pacific_coast_pop_e_final.pdf>.

- b) organic or partially organic silt, sand or mud
 - c) submerged or emergent large woody debris or rocks
 - d) warm shallow water margins
- 2) Open terrestrial habitat types, with any of the following attributes:
- a) flat or gently sloping ground
 - b) sand, gravel, or silty substrates with low organic content
- 3) Additional types of natural terrestrial habitat features, e.g. forest, shrublands, grasslands, fields.

Western Painted Turtles prefer to nest in open, south-facing sites with minimal vegetation and loose soils. Depending on the availability of suitable habitat, these sites can be up to 150 m away from water bodies. The areas proposed for development in Phase 3 lack the preferred habitat features listed above and are therefore unlikely to support Western Painted Turtle nesting. Furthermore, the off-property areas surrounding the proposed subdivision sites closer to streams, wetlands, and Comox Lake, provide higher quality habitat that is more likely to attract this species.

3.4.2 Ecosystems at Risk

There are no sensitive habitats according to the Sensitive Ecosystem Inventory mapping database on or within in proximity to the proposed subdivision lots.

Vegetation on the subject property shares similar characteristics with two ecological communities at risk identified by the BC Species and Ecosystem Explorer. The Douglas-fir – western hemlock / salal Dry Maritime ecological community is provincially red listed and can be found within a relatively wide range including extending across eastern Vancouver Island¹⁹. The Douglas-fir / dull Oregon-grape ecological community is also provincially red-listed and found across eastern Vancouver Island²⁰. Both communities are threatened by logging operations, development and climate change. Because the subject property had previously been logged, the ecological value of these communities has already significantly declined compared to an intact state and are considered absent at this time.

¹⁹ BC Species & Ecosystem Explorer. (2019). Conservation Status Report – Douglas-fir - western hemlock / salal Dry Maritime. Accessed from: <<https://a100.gov.bc.ca/pub/eswp/esr.do?id=20545>>.

²⁰ BC Species & Ecosystem Explorer. (2018). Conservation Status Report – Douglas-fir / dull Oregon-grape. Accessed from: <<https://a100.gov.bc.ca/pub/eswp/esr.do?id=20601>>.

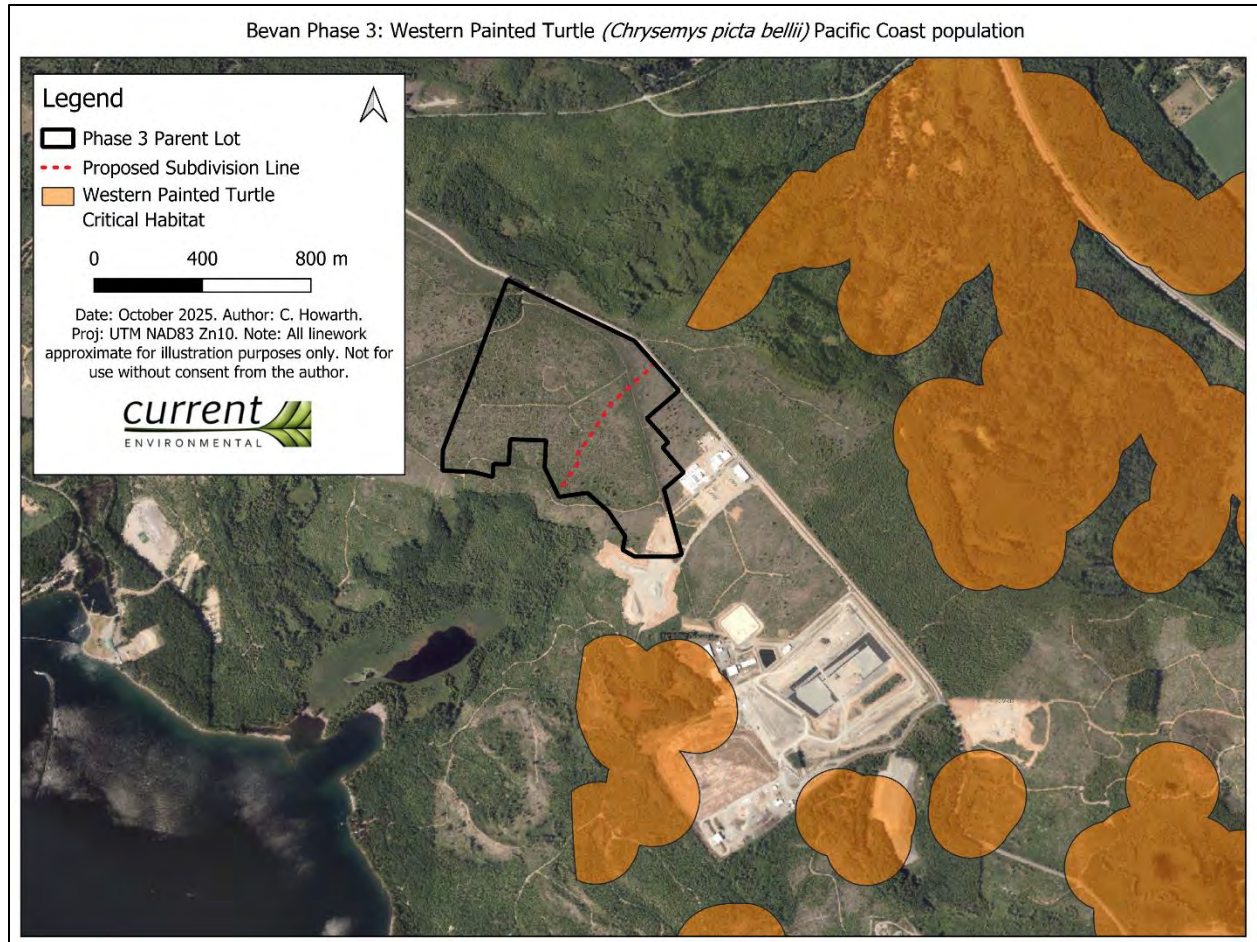


FIGURE 5. CRITICAL HABITAT FOR WESTERN PAINTED TURTLE (*CHRYSEMYS PICTA BELLII*) PACIFIC COAST POPULATION (ORANGE) IS LOCATED APPROXIMATELY 300 M SOUTH AND 180 M EAST OF THE PHASE 3 PARENT PARCEL (BLACK OUTLINE).

4 DISCUSSION AND RECOMMENDATIONS

4.1 VEGETATION MANAGEMENT

The subject property is dominated by a recovering forest stand with a high concentration of invasive species that will require planning and following best management practices during future site development, as introduced in the following sub-sections.

4.1.1 Invasive Species Management

Invasive plants are any invasive alien plant species that have the potential to pose undesirable or detrimental impacts on humans, animals, native plants, and ecosystems. Invasive plants have the capacity to establish quickly and easily on both disturbed and un-disturbed sites, causing monocultures

that exclude native plants and alter natural landscapes and habitats²¹. Once established, invasive plants can be very challenging to control and can lead to an array of negative impacts including displacing native vegetation, reducing forage opportunities for wildlife, reducing biodiversity, degrading riparian areas, destabilizing slopes, increasing fire hazards, and threatening species at risk.

As mentioned in Section 3.2, invasive Scotch broom is abundant within the subject property, across both proposed subparcels. While removal of Scotch broom across the property is a large task and not required for this subdivision, it is important that any Scotch broom and other invasive plants found on site during future clearing and vegetation removal is transported offsite and disposed of according to best management practices (BMPs) and specific guidance for species present. A guide to invasive plant identification and BMPs are provided in Appendix A.

4.1.2 Mature Tree Retention

A patch of older forest remains intact in the northern portion of the lot, providing valuable wildlife habitat and general ecosystem benefits to the site (Photo 4). This intact stand should be retained and protected during future clearing and development activities, which may necessitate factoring the stand location into final lot line establishment while considering future use of the lots. It is recommended that the retention polygon in Figure 6 be used as a reference, but an official survey of the stand could be conducted by a professional land surveyor for best accuracy if development activities are planned immediately adjacent to this areas. Retaining live mature trees will involve properly protecting trees and their roots during future lot preparation, which may require the input from a certified arborist.

Where possible (i.e., where trees do not impede development activities), other live mature trees on the properties as well as mature dead standing trees and shorter snags should be retained wherever possible. Dead standing trees can be topped to a safe height if deemed hazardous. Dead trees and snags on the property support a number of wildlife habitat values such as perching, foraging, roosting and nesting sites for birds and mammals.

4.1.3 Planting Plan

Given that no on the ground clearing is proposed as part of this initial subdivision stage of Phase 3, no planting is being prescribed. That said, due to recent logging activity on the subject property, which has led to an abundance of early seral stage vegetation on site, during any future clearing activity, the developer will have a unique opportunity to revegetate disturbed areas with native trees and shrubs already located on the property, as has been completed with earlier phases of this project. The developer could salvage saplings from newly subdivided areas, prior to lot grading, and use them for revegetating previous phases of subdivision on the property. For example, saplings removed during individual lot preparation in later stages of the Phase 3 development could be used in the planting plan for revegetating lots that were previously subdivided and developed as part of Phase 1 or Phase 2.

²¹ Coastal Invasive Species Committee of BC. (2016). BMPs for Invasive Plants in Parks and Protected Areas of BC. Accessed from <http://www.env.gov.bc.ca/bcparks/conserve/bcparks-ip-guide.pdf>.

4.2 WILDLIFE HABITAT CONNECTIVITY

Wildlife habitat corridors, defined by the IUCN as contiguous areas of natural cover that allow movement between core habitat and protected areas, are critical for maintaining wildlife access and passage through fragmented landscapes, allowing animals to reach suitable habitats for migration, feeding, and reproducing.

4.2.1 Wildlife Migration Corridor: Proposed Alignment

The Phase 3 subdivision parent parcel is located north of the parcels previously subdivided during Phases 1 and 2a/b and is directly adjacent to Bevan Road (see Figure 1). Properties to the north and northwest have been recently logged and are in a similar early seral stage of regrowth as most of the subject property. In contrast, areas across Bevan Road to the northeast contain more intact, higher-quality wildlife habitat, while wetland and aquatic habitats are present to the south and southeast. To support wildlife movement and habitat connectivity during future development of the proposed subparcels and surrounding properties, it will be important to maintain areas of contiguous vegetation that function as wildlife corridors and to ensure that site design avoids creating barriers to movement (e.g., impermeable fencing; see Section 4.2.2).

A 200 m wildlife corridor/greenway was proposed in the VoC 2020 *Bevan Industrial Lands Concept Plan and Report*. It is recommended that the corridor alignment be located immediately west of the parent property's western property boundary (i.e., just outside the subject proper; Figure 6) for the following reasons:

- The recommended alignment would be contiguous with the stand of mature forest in the northwest corner of the subject property, increasing the value of retaining this stand (see Figure 6).
- The alignment encompasses areas of high-quality habitat, including mature intact forest.
- The corridor would fulfill its primary purpose of providing a continuous linkage between intact and sensitive habitats north of Bevan Road and higher-value habitat areas to the south.
- The alignment would not affect the proposed subdivision boundary or impede development on either subplot.

This recommended alignment maintains the functional objectives of the 2020 *Bevan Industrial Lands Concept Plan* while enhancing ecological integrity through the inclusion of higher-quality habitat. It would therefore support both conservation and land-use planning objectives for the Bevan Industrial Lands. Implementation of this recommendation will require protection measures and zoning adjustments by the Village of Cumberland.

It is recommended that any future use of the greenway, such as construction of a multi-use path as outlined in the 2020 *Bevan Industrial Lands Concept Plan*, should avoid mature trees within the identified stand and elsewhere, wherever possible. Note that no on-the-ground actions or infrastructure (e.g., signage) associated with the wildlife corridor are required as part of this subdivision process.

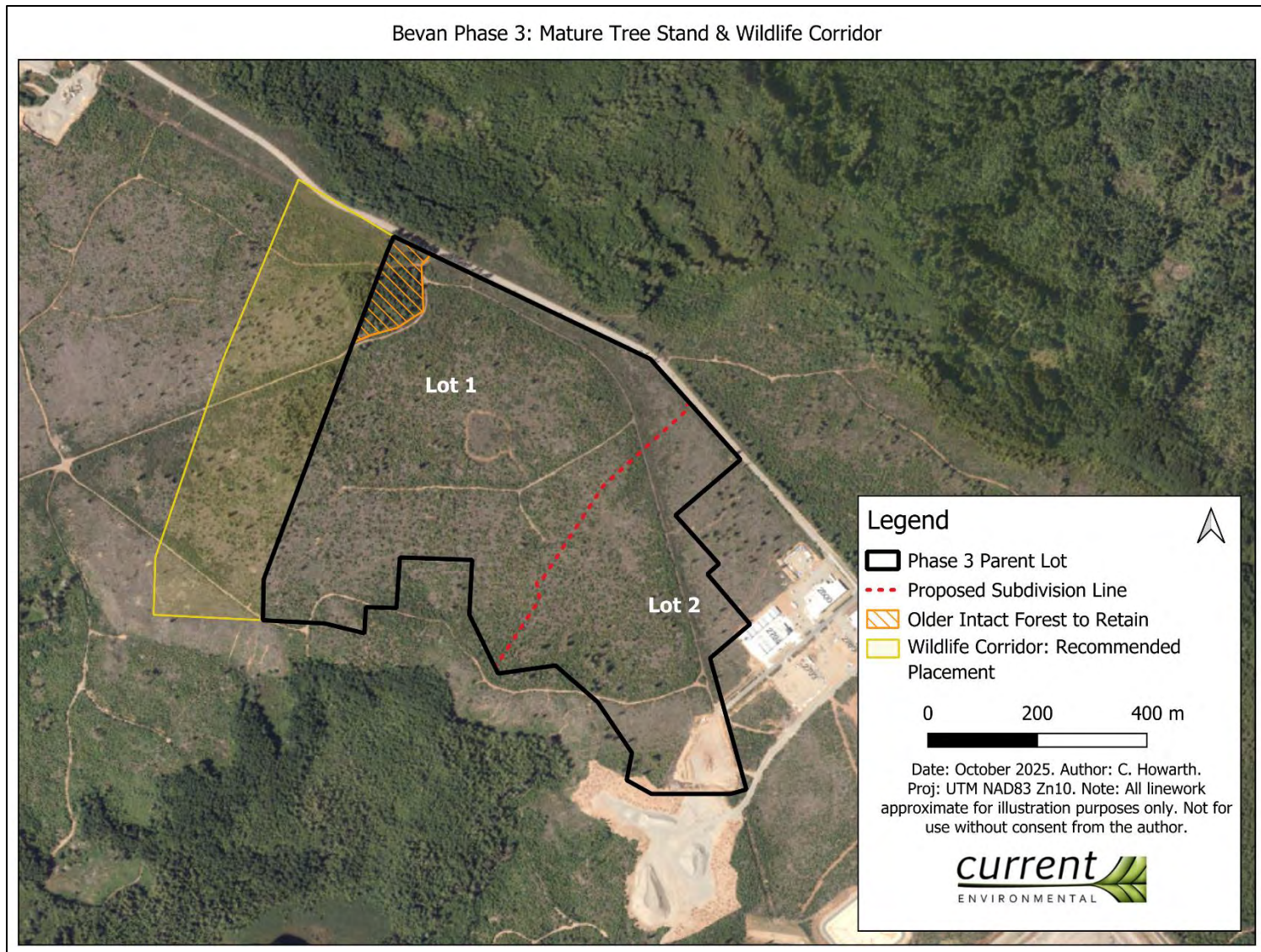


FIGURE 6. OVERVIEW MAP SHOWING THE RECOMMENDED LOCATION OF THE 200 M WILDLIFE CORRIDOR / GREENWAY BEYOND THE WESTERN PROPERTY LINE OF LOT 1 AND THE AREA OF OLDER INTACT FOREST THAT IS RECOMMENDED FOR RETENTION (CONTIGUOUS WITH WILDLIFE CORRIDOR).

4.2.2 Fencing Requirements

Future development on lots resulting from the subdivision in Phase 3 should respect fencing guidelines outlined in *A Landowner's Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind* (Montana Fish, Wildlife & Parks, 2012), as per Village of Cumberland's OCP. General (non-security type) fencing requirements include:

1. Maximum height of 100 cm.
2. Gap height (under lowest bar) minimum of 45 cm.
3. High visibility (e.g., no fencing made of thin wires only).
4. No spikes or pickets protruding above top bar or below bottom bar.
5. If wires are used, top and bottom wires must be smooth.
6. If wires are used, the wires must be marked using covers, flagging, or a top rail at minimum.
7. No open vertical pipes as fence posts.
8. Any vertical bars should be narrowly spaced such that animals do not become trapped between them.

Assuming lots will be used for industrial purposes, future owners may wish to use security fencing. When required, security fencing, such as chain link fencing, should:

1. Be limited to smaller areas within each property and avoid being used as perimeter fencing wherever possible,
2. Should be set back at least 1 m from any shared property boundary if used as perimeter fencing, such that two adjacent properties do not share the same fencing and space is left between properties/fences, and
3. Have no spikes or pickets protruding above the top bar.

Where any fenced area has a gate open to the outside, it should not be left open unattended to prevent animals from walking in and becoming trapped inside the fenced area. If other types of fences are required (e.g., wire-only, barbed wire, electric), the property owner should consult a Qualified Environmental Professional to review options to remain compliant with the Village's OCP.

4.3 DRAINAGE PLAN

As no physical changes, clearing, or development is proposed as part of this initial subdivision of Phase 3, no stormwater management or drainage plan is currently. Future development on the resulting subparcels will require stormwater management plans prepared by an appropriately qualified engineering professional.

4.4 TIMING WINDOWS

No clearing or development on the ground is proposed of part of this initial subdivision of Phase 3. For any future clearing or development on the lots, vegetation clearing should occur outside of the breeding bird nesting period (March 1 - August 31) if possible. Any clearing timed during the breeding period will

require pre-clearing nest surveys conducted by a QEP prior to vegetation removal. Nest survey results are typically valid for 5 days before a replicate survey is needed.

Earthworks should occur during periods of calm, dry weather, as much as practicable. See Appendix B for general guidance on erosion and sediment control measures that may help inform future documentation.

4.5 ADDITIONAL MITIGATION MEASURES

Although no ESAs exist in the development area that require specific protection, general fuel/hazardous material management and sediment and erosion control measures should be implemented during any future development on the subdivided lots. Mitigation measures are provided in Appendix B.

4.5.1 Garbage Clean-up

While no development currently exists on the property, there are several piles of garbage located along roadsides (Photo 6), particularly in the northern portion of the lot where there is roadside access (Bevan Road) for recreators. It is recommended that these garbage piles be removed, as they can negatively affect wildlife and ecosystems by introducing contaminants, attracting scavengers, and contributing to overall habitat degradation.

5 CLOSURE

We trust this memorandum meets the requirements for a biological site inventory of the Phase 3 parent lot, proposed for subdivision into sub-parcels Lot 1 and Lot 2, on Bevan Road. Please contact the undersigned with any questions or concerns.

Sincerely,

CHLOE HOWARTH, R.P.BIO. AND DUSTY SILVESTER, R.P.BIO.

CURRENT ENVIRONMENTAL LTD.

6 PHOTOS



PHOTO 1. VIEW OF TYPICAL EARLY SERAL FOREST IN THE SOUTHERN PORTION OF THE LOT, WITH SOME RETAINED MATURE TREES VISIBLE IN THE BACKGROUND AND INVASIVE SCOTCH BROOM IN THE FOREGROUND.



PHOTO 2. VIEW OF AN ACCESS ROAD, OF WHICH THERE ARE SEVERAL SCATTERED THROUGHOUT THE SITE, LIKELY FROM HISTORICAL LOGGING ACTIVITIES IN THE 2000S AND 2010S.



PHOTO 3. VIEW OF A STAND OF RETAINED MATURE TREES IN THE SOUTHERN PORTION OF THE LOT, COMPOSED PRIMARILY OF DOUGLAS FIR AND WESTERN WHITE PINE.



PHOTO 4. VIEW OF THE OLDER INTACT FOREST (UNLOGGED FOR THE PAST 40+ YEARS) LOCATED IN THE NORTHERNMOST CORNER OF THE SUBJECT PROPERTY, TO THE LEFT OF THE ROAD IN THE PHOTO.



PHOTO 5. RED TAILED HAWK OBSERVED PERCHED IN A DEAD STANDING TREE IN THE SOUTHERN PORTION OF THE SUBJECT PROPERTY.



PHOTO 6. ONE OF SEVERAL PILES OF GARBAGE OBSERVED ALONG ROADSIDES THROUGHOUT THE SITE, PRIMARILY IN THE NORTHERN PORTION NEAR WHERE THERE IS ACCESS TO BEVAN RD.

APPENDIX A: INVASIVE SPECIES IDENTIFICATION AND BEST MANAGEMENT PRACTICES

PRIORITY INVASIVE SPECIES (CONTINUED):

Purple Loosestrife

Perennial herb, grows up to 3 m tall. Has stiff, four-sided stems ending in dense spikes of pinkish-purple flowers. Leaves are narrow and stalkless.



Tansy Ragwort

Tall herb with densely clustered yellow flowers, when not in flower can be identified by its curly dissected leaves, which are largest at the base of the plant.



Reed Canary Grass

Perennial grass that forms a thick sod layer. Stems hollow and can grow up to 2 m tall. **Ligules** 4-10 mm, **usually tattered and turned backward** (see picture). Flowers tinged purplish in full bloom, turning straw-coloured when older. Grow in dense, branched clusters.



Scotch Broom

Tall shrub, up to 3 m. Green, branched angled stems. Has yellow pea-like flowers which occur alone or in pairs. Seeds produced in black, flattened pods



Yellow Archangel

Perennial groundcover with square stems that typically grow up to 30 cm, but can grow taller. Leaves hairy, oval to heart-shaped with round-toothed margins. Colour is variegated dark green with silver to white contour along the outer margin. Flowers small, yellow, and tubular.

Yellow Flag Iris

This perennial herb has mostly basal narrow, long (50 to 90 cm) leaves with pointed tips. Two to 12 flowers can occur on each stem; the flowers are pale to deep yellow. Yellow iris produces numerous seeds (capsules).



PRIORITY INVASIVE SPECIES (CONTINUED):

English Ivy

Evergreen climbing shrub, can grow to cover tree trunks. Leaves Glossy, 4-10cm long, egg shaped to triangular, Leaf shape can be variable, from entire to 3-5 lobed (example below shows three-lobed variety). Green to yellow terminal flower, producing round blue to black berries.



Himalayan Blackberry

Evergreen, Thicket-forming shrub, 2-5 m tall. Erect to sprawling or trailing along the ground. Stems 5-sided with stout, hooked prickles. Alternate, egg-shaped leaves have double saw-toothed edges and sharp pointed tips. Leaves (5- 20 cm) green on top, grey-wooly beneath. 3 to 5 leaflets. Berries purple to black.



Giant Hogweed

VERY large perennial (4.5-6m tall). Stem has **purple blotches** and stiff bristles. Compound, lobed, and **deeply incised** leaves up to 1.5 m wide. White, flat-topped, umbel-shaped flowers up to 75 cm wide. Looks similar to a number of other species but can be distinguished by size and purple blotches on stem. ***Note: hogweed sap is phototoxic and can cause severe burns. A safety plan should be in place when removing.**



Knotweed

2-5 m tall, bamboo-like shrub. Whitish flower clusters along stem and at leaf joints. Hollow, reddish-brown stems that look similar to bamboo. Forms dense thickets, common in wetland and riparian areas. There are a number of species with slight variations, but all possess the above characteristics (picture is of Japanese knotweed.)



Himalayan Balsam

Annual flower, 0.6 to 2 m tall. Stems are hollow with many branches, tinged purple or red with red joints. Flowers range in colour from white, pink, and purple and are hooded in shape. Leaves are long (5-23 cm), toothed, and edged in red.



Poison Hemlock

Poison-hemlock is a flowering plant that grows 1.5—3 m tall. **Stems have reddish or purple spots and streaks, are hairless** and hollow. Leaves are bright green, fern-like, finely divided, toothed on edges. Flowers are tiny, white and arranged in small, umbel-shaped clusters on ends of branched stems. Looks similar to a number of other plants, but can be distinguished by purplish blotches and lack of hairs on stem. ***Note: this plant is extremely toxic when eaten, touched, or inhaled. A safety plan should be in place when removing.**



INVASIVE SPECIES

Plants and Animals to look out for while working near stormwater ponds

Opportunistic Invaders

Invasive species have the tendency to thrive in disturbed areas. Their seeds can be carried on our boots, clothes, vehicles and equipment. Following preventative cleaning protocols is the best practice for preventing the spread of alien species which threaten natural areas.

Priority Invasive Species in Wetlands and Riparian Areas

Common Periwinkle

Perennial groundcover that forms thick mats. Stems erect or trailing. Leaves opposite, 3-9 cm long, dark green, glossy, oval to lance-shaped. Flowers range in colour and can be blue, purple, or white. Flowers 5-petaled with blunt tips.



Daphne Spurge Laurel

Perennial shrub, grows to 1.5 m in height. Leaves are dark green, glossy, and thick. Leaves grow in a spiral pattern around the top of the stem. Stems woody. As plants get taller, only the topmost section has leaves. Flowers are tiny, clustered fragrant, and light green, forming between the leaves. Berries are oval and black.

***Note: the sap of this plant is toxic and can cause rashes and allergic reactions. Must be handled with gloves. Avoid inhaling.**



English Holly

Perennial shrub, grows up to 7-10 m when mature. Leaves thick, glossy, dark green and wavy. 2.5-7.5 cm long and alternate. They have sharp, spines along the edges, although some leaves can be smooth (see bottom photo). Flowers are small, white and sweetly scented. Berries are bunched, red, yellow or orange in colour.



BEST PRACTICES: INVASIVE PLANTS

How Can YOU Prevent the Spread of Invasive Species?



The following procedures should be completed before entering and before leaving a site.

Personnel

All Staff are responsible for showing up to the work site in clean clothing, free of weeds or seeds, clean footwear, with no remaining mud or dirt in the tread of their boots.

Before entering your vehicle, exiting a site and moving to another pathway, follow the guidelines below:

Equipment

- Stiff bristled brush
- Boot washing tub
- Strong black garage bags
- Small tarp.

Procedure:

While standing on the tarp:

- Brush off clothing to remove plant material and mud. Unroll any pant or shirt cuffs and brush out any debris
- Brush off cruiser vests and back packs
- Brush boots (including the soles) with stiff bristled brush
- Wash boots to complete removal of materials
- Brush off and wash all hand held tools
- Clean brush with water to remove any debris
- Remove the tarp carefully and transfer contents to black plastic bag, tie securely and dispose at a contaminated site depot
- Finally, leave the site.

Vehicles and Equipment

Vehicles and Equipment must be rinsed thoroughly, using an on-site portable washing station, commercial on-site washing station or a commercial truck and vehicle wash.

Vehicles parts to be inspected and washed include:

- Undercarriage
- Front and rear wheel wells
- Soil accumulation behind bumpers
- Grills
- Tires (roll forward when washing tires)
- Floor mats
- Truck boxes or trailers

Large equipment should be inspected and cleaned before entering the site each day.

Hand tools should be inspected and cleaned of dirt and plant material before entering the site. The dirt and plant material can be brushed into black plastic bags and transported to a designated disposal site.

Any loads must be covered during transport to prevent spread of propagules falling out of vehicle in transit.

DID YOU KNOW?

Moving muddy equipment to new work sites can introduce invasive plants to pristine areas. Remove mud and plant parts **BEFORE** leaving an infested site.

APPENDIX B: MITIGATION MEASURES DURING CONSTRUCTION**Fuels and Hazardous Materials:**

The accidental release of petroleum, oils, hydraulic fluids, lubricants, concrete additives, anti-freeze or other hazardous materials onto land surfaces or into waterbodies is an offence under the Federal *Fisheries Act* and may result in degradation of habitat quality and could be a threat to human health. Machinery required for the proposed development will likely be limited to a generator to power hand tools, and trucks delivering materials to the site.

Environmental protection procedures for handling and storage of fuels and hazardous materials shall include the following items:

- 1) A spill kit of appropriate capacity will be on hand at all times heavy machinery or gas-powered tools are in use during construction.
- 2) All identified spills will be cleaned up immediately, and contaminated soils and vegetation will be removed for appropriate disposal.
- 3) Refueling of equipment is to occur only at designated fuelling stations and located at least 15 m from watercourses.
- 4) All fuel, chemicals, and hazardous materials will be clearly marked.
- 5) Pumps and jerry cans are to be placed on poly sheeting and sorbent pads to contain spills.
- 6) All equipment maintenance with the potential for accidental spills (e.g., oil changes, lubrications) will be done on a designated area at least 15 m from watercourses. Tarps should be laid down prior to commencement of work to facilitate clean up.
- 7) In the event of a spill, the following guidelines should be followed:
 - a. Spills to the receiving environment are to be reported to Emergency Management BC (1-800-663-3456) if they exceed the reportable limits (e.g. 100 liters of fuel or oil).
 - b. Apply sorbent pads and booms as necessary.
 - c. Dispose of all contaminated debris, cleaning materials, and absorbent material by placing in an approved disposal site.

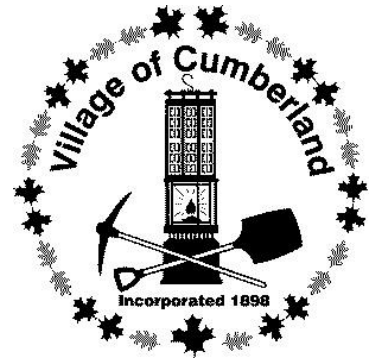
Sediment and Erosion Control:

Specific measures to control sediment during construction will include:

- 1) Maintain/do not disturb vegetation within the prescribed riparian setbacks.

- 2) Where there is a potential for silt runoff in the proximity of existing waterbodies, control devices will be installed prior to construction activities commencing.
- 3) Filter fabric dams, rock check dams, and silt fencing will be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks, and elevated using stakes or straw bales. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas and for use as baffles to slow water velocities.
- 4) Excavation will be stopped during intense rainfall events or whenever surface erosion occurs affecting nearby waterbodies.
- 5) Soil stockpiles will be placed a minimum of 15 m from any waterbody and in a location where erosion back into the aquatic environment cannot occur and will not impede any drainage.
- 6) Soil stockpiles with the potential to erode into waterbodies are to be covered with poly sheeting. Other techniques, such as terracing or surface roughening can greatly reduce surface erosion on steeper slopes.
- 7) Permanent exposed soil areas and erosion-prone slopes that may potentially erode into waterbodies are to be seeded or covered with geotextile.
- 8) Clearing will take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed. Vegetation in adjoining areas will not be disturbed.

COUNCIL REPORT



REPORT DATE: February 6, 2026
MEETING DATE: February 23, 2026

File No. 7700-Events-2026

TO: Mayor and Councillors
FROM: Ryan Parton, Manager of Recreation & Culture
SUBJECT: BC Bike Race 2026 Noise Control Bylaw Exemption and Road Closure Requests

RECOMMENDATION

THAT Council approve the following temporary road closures on Saturday, May 23, 2026, subject to submission of an acceptable traffic management plan and all other conditions of the event application process:

- Dunsmuir Avenue between Third Street and First Street from 6:30 a.m. to 11:30 a.m.;
- Dunsmuir Avenue between First Street and Egremont Road from 9:00 a.m. to 10:45 a.m.; and
- Sutton Road between Dunsmuir Avenue and the gated access to the trail network (Cumberland Community Forest Park) from 9:15 a.m. to 10:45 a.m.

AND

THAT Council approve the closure of 14 diagonal parking spaces along the south side of Dunsmuir Avenue north of the Village Park sports courts and playground from May 22, 2026 at 8:00 a.m. to May 25, 2026 at 8:00 p.m.

AND

THAT Council direct the Chief Administrative Officer to approve a Noise Control Bylaw exemption request from the organizers of the BC Bike Race to allow amplified music and sound for the following dates, times and locations:

- Saturday, May 23 from 9:30 a.m. to 10:00 a.m. on Dunsmuir Avenue and at Village Park;
- Monday, May 25 from 9:30 a.m. to 10:00 a.m. at Village Park;
- Friday, May 22 from 10:00 p.m. to 11:00 p.m. at Village Park;
- Sunday, May 24 from 8:00 p.m. to 10:00 p.m. at Village Park; and
- Monday, May 25 from 8:00 p.m. to 9:00 p.m. at Village Park.

PURPOSE

The purpose of this report is to seek Council direction to staff on a [Noise Control Bylaw](#) exemption request and a road closure request submitted by organizers of the 2026 BC Bike Race.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
May 26, 2025	THAT Council direct the Chief Administrative Officer to approve an exemption to Noise Control Bylaw No. 950 to allow the organizers of BC Bike Race to use amplified music and announcements at Village Park on Friday, July 4 from 9:00 a.m. to 10:00 a.m. and amplified music and entertainment at Village Park on Sunday, July 6 from 8:00 p.m. to 10:00 p.m.

BACKGROUND

Parks and Recreation staff are currently working with organizers of the BC Bike Race on their 2026 event application, which has moved forward in the calendar and is scheduled to be in Cumberland May 21-26, set-up and take-down included. Subject to permit issuance, the event will feature two days of riding in Cumberland on Saturday, May 23 and Monday, May 25; camping, a mainstage and related activities at Village Park; and meal service at the Cumberland Recreation Centre. This is a large and complex event, and staff are working with the applicant to create the conditions for success while minimizing impacts on Village residents and resources. From conversations with organizers, staff expect that 2026 will be the final BC Bike Race event in Cumberland.

Road Closure Request

The applicant has requested three phased-in street closures on Saturday, May 23 (the race start line is proposed to be in Village Park on Monday, May 25th). The closures, described in the attached letter to Council dated January 1, 2026 and shown on the attached map, include:

- Closure A: Dunsmuir Avenue between Third and First Streets from 6:30 a.m. to 11:30 a.m.
- Closure B: Dunsmuir Avenue between First Street and Egremont Road from 9:00 a.m. to 10:45 a.m.
- Closure C: Sutton Road between Dunsmuir Avenue and the gated access to the trail network (Cumberland Community Forest Park) from 9:15 a.m. to 10:45 a.m.

In addition to the above, the applicant has requested the closure of 14 diagonal parking spaces along the south side of Dunsmuir Avenue just north of the Village Park sports courts and playground to facilitate unloading and loading of supplies as well as bus drop-off and pick-up of event participants. This closure would be for the duration of the BC Bike Race event in Cumberland, from May 22 through May 25.

The Village’s Operations team has reviewed these proposed closures and is prepared to approve them pending Council approval and the applicant’s submission of an acceptable traffic management plan.

Based on posted schedules, five BC Transit busses would be affected by the proposed closures. Typically, when Dunsmuir Avenue is closed, traffic is re-routed along Derwent Avenue and then back to Dunsmuir on either First Street or Sutton Road. Since the proposed closures would impact all of those streets, Operations staff would work with BC Transit to develop a suitable detour route

with minimal disruptions. That said, the earliest two of those five busses arrive before proposed closures B and C, meaning they could likely detour along Derwent and back up First Street to Dunsmuir, thereby affecting zero bus stops. Therefore, it is anticipated that only three busses would face significant disruptions. It is possible that BC Transit may choose to cancel some or all of those busses if an acceptable detour can not be identified.

While the event organizer would be responsible for posting notices of road closures in advance of the event, any bus detours or cancellations would be communicated by BC Transit. This is regularly done through its own communication channels (including app push notifications) and signs on affected bus stops.

The Street Closures for Special Events Policy, states that:

For applications brought to Council, the Council will consider applications on a case by case basis and is not obliged to approve any application. The council may deny an application for any reason, including

- (a) contravention of a condition of a previous approval,*
- (b) risk to health and safety of the public,*
- (c) the application is not generally supported by residents and businesses, or the applicant has not sufficiently mitigated the negative social or economic impacts to residents and businesses.*
- (d) if the closure is not in the general public interest.*

There hasn't been a street closure associated with the BC Bike Race for several years. Although there have been other complaints associated with the event, including noise, bicycle "parking" congesting the entrances to municipal facilities and late removal of garbage receptacles, the organizers have generally been responsive to feedback and have worked to ameliorate shortcomings.

As further background that may inform Council's decision on this matter:

- a) Staff are unaware of any prior contraventions of a previous approval by the applicant.
- b) Staff don't perceive any specific risk to public safety from the requested closures, and the Deputy Fire Chief has stated that he has no concerns; details about an emergency response plan will be reviewed through the permitting process prior to the event.
- c) The applicant has committed to informing directly affected residents and businesses of the proposed street closure and event.
- d) Some commentary on general public interest follows.

The Street Closures for Special Events Policy requires that the applicant for a long-term closure demonstrate and attempt to quantify the benefits to the community, both economic and social. To that effect, the applicant has provided the following:

The BC Bike Race (BCBR) is an event that is heavily involved in the community, and we would not be able to run our event without the support of the communities we are in and in turn supporting those communities back.

We put significant media resources forward to attract a significant volume of visitors to these host communities. ... Like all good events we endeavor to work with the communities to plan growth in mutually beneficial areas. BC Bike Race offers an average stay of 11 days and visits to the host communities of 45% of its yearly participants to pre-ride the courses.

A current EI (Economic Impact) study was conducted in 2023 from the Canadian Sports Tourism Canada that states: "The combined spending of out-of-town participants, staff, spectators and other people who visited the Comox and Cowichan Valley for the BC Bike Race, in combination with the expenditures made by the event organizers, totalled over \$2.85 million, supporting just under \$3.98 million in overall economic activity in British Columbia, including almost \$3.47 million of economic activity in the Comox / Cowichan Valley."

During the event – all hotels and B&Bs are usually sold out and the residual economic impact is being felt year-round as people come to pre-ride the BCBR courses or take their families on vacations for many years to come which helps to grow the visitor economy.

Noise Control Bylaw Exemption Request

In addition to the road closures request, BC Bike Race organizers have submitted a Noise Control Bylaw exemption request to allow amplified music and announcements during the following times:

- Friday, May 22 to Sunday, May 24 until 11:00 p.m. (The bylaw allows sound until 10:00 p.m. Friday and Saturday and until 8:00 p.m. Sunday)
- Monday, May 25 until 10:00 p.m. (The bylaw allows sound until 8:00 p.m.)
- Saturday, May 23 and Monday, May 25 (Cumberland race mornings) starting at 9:00 or 9:30 a.m. (The bylaw allows noise beginning at 10:00 a.m.)

The morning exemptions are to allow for announcements and music prior to the start of the two Cumberland races, while the evening exemptions are to allow for music and announcements from the "celebratory beer garden" at Village Park.

While the majority of amplified sound from this event will originate from Village Park, on the morning of May 2, four to six speakers would also be set up on Dunsmuir near Second Street facing eastward and playing music and announcements in the lead-up to that day's race start. A generator would also be set up there, as well as blowers for an inflatable archway. (That morning would also see limited amplified sound at Village Park to notify participants to move to the start line on Dunsmuir Avenue.)

The applicant has indicated that, if they are not permitted to use amplified sound before 10 a.m., they would delay the race start until later in the morning so that they could still use amplified announcements within the times permitted under bylaw. It's important to note that such a change would impact the times of the required road closures and may affect more busses.

In order to minimize their early morning sounds, the applicant states that they will aim their speakers away from residences and conduct decibel readings throughout the event.

Last year, a noise exemption was granted for this event beginning at 9:00 a.m. on one of its two race mornings, and for the final evening of the event until 10:00 p.m. Staff documented two noise-related complaints pertaining to that event, both about morning sound.

Recognizing both the positive impacts of this event on the Village but also potential impacts on nearby residents, staff recommend that the following noise control bylaw exemptions are granted:

Morning exemptions:

- Saturday, May 23 from 9:30 a.m. to 10:00 a.m.
- Monday, May 25 from 9:30 a.m. to 10:00 a.m.

Evening Exemptions:

- Friday, May 22 from 10:00 p.m. to 11:00 p.m.
- Sunday, May 24 from 8:00 p.m. to 10:00 p.m.
- Monday, May 25 from 8:00 p.m. to 9:00 p.m.

FINANCIAL IMPLICATIONS

There is a fee of \$50 for a Noise Control Bylaw exemption request, a \$212 fee for a road closure on a bus route and an additional \$106 fee for closures requiring Council approval. In addition, the total anticipated park use permit and facility rental fees for this event, not including cost recovery for additional staff time required, is \$13,500.

In addition, BC Bike Race brings a large number of participants to the Village (900 estimated for 2026) and, as the event organizers have stated, there is certainly economic activity generated in the community because of this event.

OPERATIONAL IMPLICATIONS

Although this is one of the most complex annual event applications that Village staff adjudicate, the permitting process falls within the regular workplan of Recreation and Culture section staff. It also involves some additional coordination from Parks staff, such as turning off irrigation and coordinating field maintenance. Staff don't anticipate any additional operational implications from the approval or disapproval of the applicant's Noise Control Bylaw exemption or street closure requests, other than the coordination with BC Transit.

CLIMATE CHANGE IMPLICATIONS

Mountain biking is a sport that doesn't contribute to greenhouse gas emissions (GHGs) directly, but it is associated with emissions from transporting participants to the trails and, in the case of "van life" camping, emissions from camp stoves and heating/cooling devices. Transportation GHGs are of particular significance with events like this that attract participants from beyond the Comox Valley.

The operation of a generator will also generate GHGs associated with the event.

ALTERNATIVES

1. That Council direct the CAO to approve the full Noise Control Bylaw exemption requests as submitted by the applicant, including May 22-24 until 11:00 p.m., May 25 until 10:00 p.m. and May 23 and 25 starting at 9:00 a.m.
2. That Council direct the CAO to deny the Noise Control Bylaw exemption request and/or the road closure request.
3. That Council make any other recommendations and/or take any other actions it deems appropriate.

STRATEGIC OBJECTIVE

- Diverse & Healthy Community
- Sustainable Service Delivery & Asset Management
- Community Planning

ATTACHMENTS

1. BCBR Noise Control Bylaw Exemption Requests 2025
2. BCBR Letter to Cumberland Council, Jan. 1, 2026
3. BCBR downtown road closure map May 23rd 2026
4. BCBR Parking Closure Request 2026

CONCURRENCE

Kevin McPhedran, Director of Community Services **KM**

David Dougherty, Director of Engineering & Public Works **DD**

Stephane Dionne, Deputy Fire Chief **SD**

Respectfully submitted,

R. Parton

Ryan Parton
Manager of Recreation & Culture

M. Mason

Michelle Mason
Chief Administrative Officer



Corporation of the Village of Cumberland

2673 Dunsmuir Avenue
P.O. Box 340
Cumberland, BC V0R 1S0
Telephone: 250-336-2291
Fax: 250-336-2321
cumberland.ca

NOISE CONTROL BYLAW EXEMPTION REQUEST

Please refer to the [Village of Cumberland Noise Control Bylaw](#)

Location of event:

Exact date(s) and time(s) for which the noise bylaw exemption is requested:

Friday May 22nd - 11:00pm
Saturday May 23rd - 9 or 9:30am & 11:00pm
Sunday May 24th - 11:00pm
Monday May 25th - 9 or 9:30am & 10:00pm

Reasons for the requested exemption:

Morning Exemptions are to allow for amplified noise before the 10am race start time
Evening Music & amplified announcements in the evening.

Description of the source noise for which an exemption is being requested:

The source of the noise will be the celebratory beer garden in Cumberland village park, and the stage with amplified entertainment coming from it.
The amplification will be a stage left and stage right set of speakers, overall size and wattage to be determined at this time.

Measures planned or presently being taken to minimize the sound or noise created:

-Aiming the PA away from residences
-doing DB readings throughout the event and keeping the output of the PA below an acceptable threshold past 10pm
-beer garden last call 30 min before entertainment ending time if there is any evening entertainment.
-live entertainment to finish by 10pm the latest if not earlier.
~~encouraging event attendees to wrap their evening earlier~~

Please enter your initials to acknowledge that you've read and understand the following:

A non-refundable fee of \$50 is required for a noise bylaw exemption request, except to non-profit applicants.

I acknowledge that any exemption provided under the Noise Control Bylaw is revocable by the Village of Cumberland and that no warranty to undertake any activity or event is provided by an exemption to this bylaw.

A noise bylaw exemption, if granted, may be revoked if there is a contravention of the permit and for other reasons, and the Village is not responsible for any economic loss caused by a revocation of an exemption.

Name of Applicant: Email:

Signature: Lisa Au Page 90 of 112 Date: Page 1 of 2



Corporation of the Village of Cumberland

2673 Dunsmuir Avenue
P.O. Box 340
Cumberland, BC V0R 1S0
Telephone: 250-336-2291
Fax: 250-336-2321
cumberland.ca

NOISE CONTROL BYLAW EXEMPTION

In accordance with Section 8 of the Corporation of the Village of Cumberland Noise Control Bylaw No. 950, 2012, the applicant and activity(ies) detailed on page 1 are exempted from the prohibitions of the Noise Control Bylaw during the date(s) and time(s) indicated.

This exemption may be revoked at any time if there is a contravention of any substantial condition under which this exemption has been granted, if the exemption was issued in error or based on incorrect information, or if the exemption is not in the general interest.

Authorized by:
Chief Administrative Officer

Date:

Jan 1, 2026
Mayor and Council
Village of Cumberland
2673 Dunsmuir Ave Cumberland,
BC
V0R 1S0

Mayor and Council,

Re: BC Bike Race 2026 Cumberland Stage

This year marks the 20th year of the BC Bike Race (BCBR). This seven-day stage race has evolved into the best event of its kind in the world and Cumberland has been a part of the event's success from the beginning. This year we are starting BCBR in Cumberland as our host community.

Trail access and park use has been applied for through the Cumberland Rec Institute Park Use Permit process. Participants, volunteers and supporters will arrive in Cumberland on Thursday May 21 & Friday May 22nd with the mountain bike race stages on the Cumberland trail network scheduled for Saturday May 23rd and Monday May 25th. The purpose of this letter is to request the following street closures to facilitate the event.

Road Closure A: Dunsmuir Ave. between 3rd and 1st street on Saturday May 23rd from 6:30 am to 11:30 am. This will allow the set up and tear down of the start arch and staging of riders.

Road Closure B: Dunsmuir Ave. between 1st street and the intersection of Sutton and Egremont from 9:00am to 10:45 am on Saturday May 23rd. This will facilitate the wave start of riders beginning at 9:30 am. Licensed moto will lead waves of riders to yellow gate.

Road Closure C: Single lane closure: Sutton Road eastbound between intersection of Sutton/Egremont and Dunsmuir to the yellow gate from 9:15 to 10:45am May 23rd. This will facilitate the wave starts from 9:30 am to 10:30am. Traffic on this stretch of road to be managed by professional traffic control personnel. The single lane closure of the eastbound lane will allow the remaining lane to facilitate one-way traffic alternating. Traffic from Derwent turning onto Sutton will be managed by a single traffic control personnel and allowed to make their turn left or right into the single lane (across the closure) between waves.

May 22nd – 25th parking closures on south side of Dunsmuir from 7th street to half way to 6th street. This will facilitate bus drop off / pick up of participants and parking for a semi truck for bike loading/unloading.

The BC Bike Race would like to thank the Village of Cumberland; it's businesses and residents for the support it has received over the years.

Respectfully,

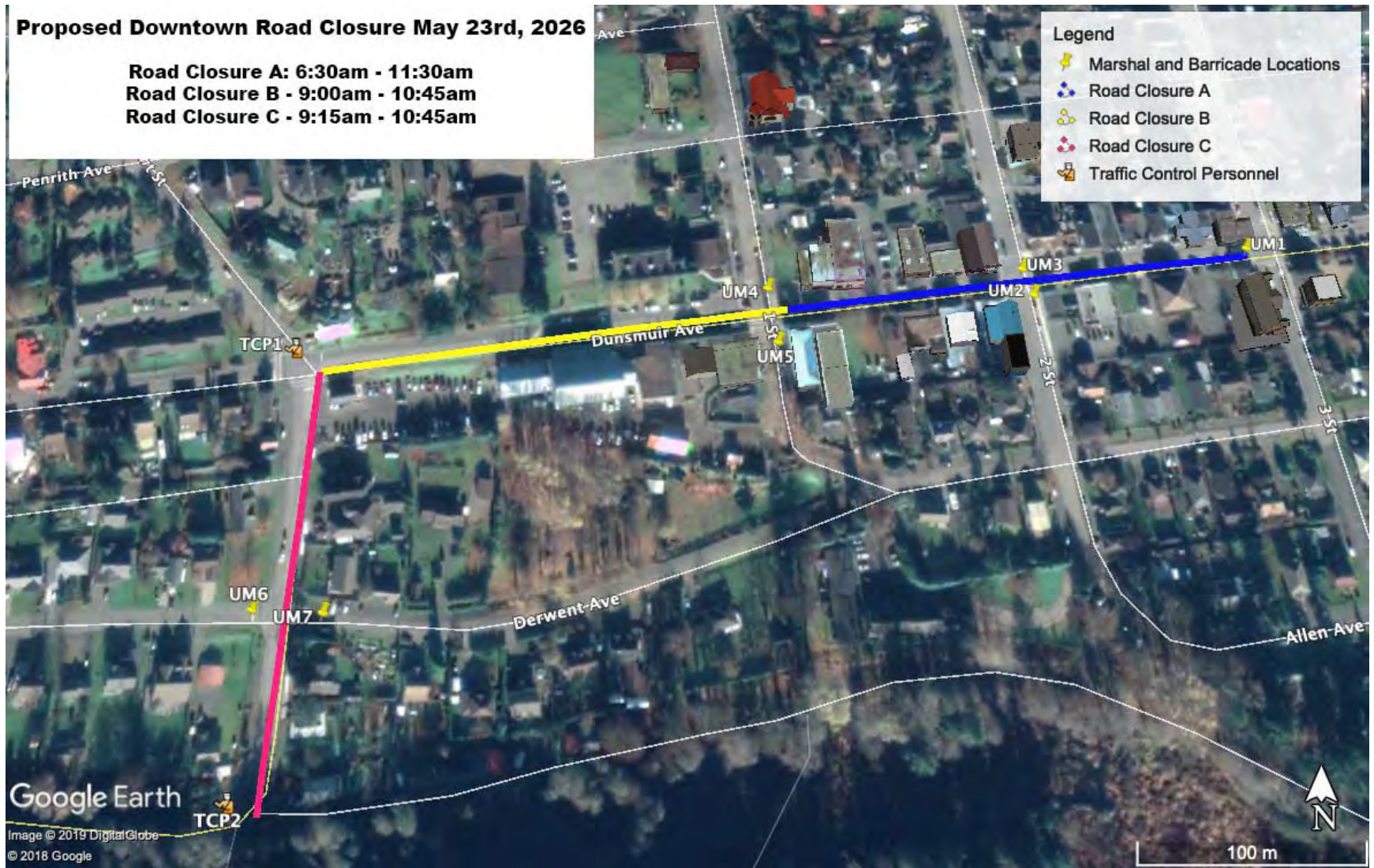
The BC Bike Race Team

Proposed Downtown Road Closure May 23rd, 2026

Road Closure A: 6:30am - 11:30am
Road Closure B: 9:00am - 10:45am
Road Closure C: 9:15am - 10:45am

Legend

- Marshal and Barricade Locations
- Road Closure A
- Road Closure B
- Road Closure C
- Traffic Control Personnel

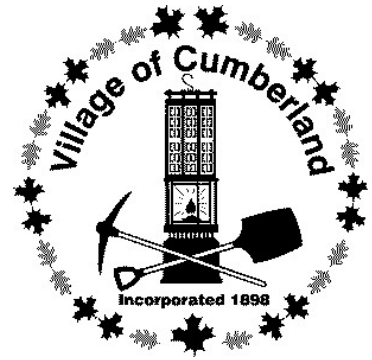


BC Bike Race 2026

Dunsmuir Southside parking closure request for May 22 - 25 2026



COUNCIL REPORT



REPORT DATE: February 4, 2026
MEETING DATE: February 23, 2026

File No. 5800 – Rotary Orchard Park

TO: Mayor and Councillors
FROM: Kevin McPhedran, Director of Community Services
SUBJECT: Rotary Orchard Park Outdoor Furniture Proposal

RECOMMENDATION

THAT Council receive the *Rotary Orchard Park Outdoor Furniture Proposal* report for information.

PURPOSE

The purpose of this report is for Council to receive additional information regarding the Rotary Club of Cumberland’s project proposal to install granite furniture in Rotary Orchard Park and for Council to provide further direction, should it choose; and to consider other Rotary requests related to Orchard Park.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
October 27, 2025	THAT in response to the September 15 2025 Cumberland Rotary Centennial delegation regarding Rotary Orchard Park improvements, Council direct staff to report back to Council with more information on the proposed scope of works, Village responsibilities, and other information to inform next steps.
May 14, 2018	THAT Council enter into the attached Stewardship Agreement dated for reference the 14th day of May 2018, with the Rotary Club of Cumberland Centennial, and authorize the Chief Administrative Officer to execute the agreement.

BACKGROUND

In September 2025, Rotary Club of Cumberland presented as a delegation to Village Council. While informal, the primary request made to Council at the time was for approval of a Rotary proposal to install two pieces of outdoor granite furniture in the park. Additional requests were also made at the time and are addressed below.

Granite Furniture Proposal

The proposal, presented for Council's consideration, outlines the Club's wish to install two pieces of granite outdoor furniture – a sofa and chair – as durable, publicly accessible improvements to community park space.

The proposed furniture pieces would be sited in the orchard at specific locations identified in coordination with Village staff to ensure compatibility with park function, accessibility, views across over the adjacent wetland and forests, and long-term maintenance needs.

Photos of the proposed furniture supplied by the club are included below:



Addition details of the proposal include:

- Furniture size:
 - Sofa: approximately 84" long by 37" deep
 - Chair: approximately 25" wide x 37" deep
- Installation plan: Rotary proposes to hire a local, professional contractor to coordinate excavation, site prep, and to form and pour two concrete pads as a base for the furniture to be installed on.; furniture would then be placed by a crane and would sit directly on the pad. Rotary estimates installation costs of about \$2000.
- Value of the furniture: Rotary has informed staff that the retail value of the furniture is approximately \$20,000; however, a Rotarian purchased both pieces at a discounted price of \$2500.
- Rotary vs Village - roles and responsibilities:
 - Rotary proposes to coordinate the project, and to fund all project material, supply, crane, and labour expenses (other than noted below). Furniture would then be donated to the Village and become a park asset, to be formalized via a written waiver (see below); Rotary has no expectation that the Village would replace the furniture should it be damaged or when it requires replacement in the future.
 - No direct financial contributions have been requested by Rotary of the Village; however, Rotary requests Village in kind contributions of equipment time to move the boulders to enable access to the site; and flaggers to manage traffic on Comox Lake Road when crane truck is working.
- Timelines: Rotary is seeking to install the furniture in spring 2026.

A formal park plan for Rotary Orchard Park does not exist. However, in the Village's [2014 Parks and Greenways Master Plan](#) the park is designated as a neighbourhood park and park furniture is a compatible use of neighbourhood parks. However, considering significant improvements to Rotary Orchard Park have not previously been identified or prioritized by Council, and the unique attributes of the proposal – large granite furniture pieces are not found elsewhere in the Village's parks system and may be considered both public art (subject to personal preferences) and park furniture – staff have not made a formal recommendation to Council for proposal approval. Should Council wish to approve the project, sample motions can be found in the *Alternatives* section of the report. Alternatively, Council may choose to receive the report for information, in which case the project would not proceed at this time.

Other Requests

Also at the time of the fall delegation, Rotary made the following informal requests of the Village: to renew the 2018 Park Stewardship Agreement (now expired); to provide operational funding in support of maintenance of the heritage orchard trees in the park; and to install a water service to the park.

- Park Stewardship Agreement: in 2018, the Village and Rotary entered into a Park Stewardship Agreement (Attachment A.) that served to formalize Rotary's longstanding stewardship role for the site, a role that pre-dates the Village's acquisition of the park in 2011 via park dedication at time of subdivision as part of the Coal Valley Estates development. Further, at Rotary's request, the agreement formalized the inclusion of Rotary's name in the park (acknowledged on a sign installed shortly thereafter) as well as defined Rotary's role in continued park maintenance. The term of the agreement was 2 years, and hence expired in 2020. Due to other priorities, the agreement has not formally been renewed, however the roles and responsibilities in the park have largely remained unchanged and staff assess the partnership continues to offer mutual benefit. Given this, staff do not recommend entering into another formal, Council-approved agreement, but instead propose that the Parks department continue to work with Rotary operationally in support of mutual objectives. Under this scenario, and consistent with the 2018 agreement, should any major park changes be proposed (e.g. installation of granite furniture), staff would seek Council direction, but minor park improvements (e.g. ground levelling, pathway enhancements) may proceed.
- Village funding for orchard maintenance: per Rotary's request, in Council's 2026-2030 Financial Plan an additional \$500 in annual operating budget was approved for Orchard Park for this purpose. Staff will work with Rotary with the goal of seeking matching funding to hire professional arborist services in support of enhanced fruit tree maintenance and health.
- Staff have not yet considered the costs and details of installing a water service into the park based on other priorities.

FINANCIAL IMPLICATIONS

The Rotary Club proposes to fund all project costs for the granite furniture. Village financial impacts would be limited and staff do not anticipate significant operational budget increases would result from this addition to the park. Rotary has suggested that they do not expect the Village to replace the furniture at end of life; however, such a decision would likely be required by

the Village at some point in the distant future (assuming the durability of the furniture is as expected). In the meantime, should Council approve the proposal, staff would draft a waiver that would serve to formalize the expectations related to the furniture donation.

OPERATIONAL IMPLICATIONS

Operational considerations include:

- Staff coordination for final siting and installation oversight; while minor, if approved incremental staff time will be required to coordinate and support the installation, which will have small but cascading effects on all other projects in the parks workplan (as has work with Rotary on the proposal to date).
- Minimal expected long-term maintenance requirements.
- Consideration of potential impacts on park usage, circulation, and accessibility (while not forecasted to draw significant visitation, Rotary has indicated that the furniture could become a destination for photographs).

Rotary currently provides general park landscaping services such as grass mowing and other minor maintenance works in the park. Should the Village's Parks Department provide the services, staff estimate the value of these services to be approximately \$3000-5000 annually, and the sustainability of this relationship is based on maintaining a healthy partnership. Not approving the furniture may have relational impacts.

CLIMATE CHANGE IMPLICATIONS

The furniture proposal has limited direct climate implications - granite materials have a long lifespan, reducing replacement cycles and associated emissions, however their manufacture and freight logistics would produce Co2 emissions.

ALTERNATIVES

In regards to the granite furniture:

1. Approve the Rotary Club of Cumberland proposal to install granite furniture in Rotary Orchard Park and direct staff to work with Rotary on installation.
2. Receive the proposal but not proceed with any action at this time.
3. Refer the proposal back to staff for further analysis or alternative siting or design considerations.

In regards to the stewardship agreement:

1. Direct staff to work with Rotary to revise and update the Stewardship Agreement and report back to Council.

STRATEGIC OBJECTIVE

- Diverse & Healthy Community
- Sustainable Service Delivery & Asset Management

Community Planning

ATTACHMENTS

2018-2020 Rotary Orchard Park Stewardship Agreement

CONCURRENCE

Annie Bérard-Ball, Director of Corporate Services **ABB**

Respectfully submitted,

K. McPhedran

Kevin McPhedran
Director of Community Services

M. Mason

Michelle Mason
Chief Administrative Officer



STEWARDSHIP AGREEMENT

THIS AGREEMENT DATED FOR REFERENCE THE 1 DAY OF JUNE, 2018

BETWEEN: The Corporation of the Village of Cumberland
(hereinafter "the Village")

AND: Rotary Club of Cumberland Centennial
(hereinafter "Rotary")

WHEREAS:

- A. The Village of Cumberland and the Rotary Club of Cumberland Centennial wish to work in partnership to maintain and improve certain parks and greenways in the Village.
- B. The Village is the owner of certain parks described on the plan attached as Schedule A ("subject parks") and shall maintain ultimate authority over the management of the parks and the improvements within them.
- C. The Cumberland Rotary Centennial Club is a non-profit organization with a mandate to provide community service, including municipal park stewardship services in Cumberland.

NOW THEREFORE the parties agree as follows:

1. **BACKGROUND**

- 1.1 This Agreement serves to provide clarity on terms, timelines, roles, responsibilities, and commitments of each party.
- 1.2 Entering into this Agreement serves to meet the mutual goal of each organization of providing ongoing stewardship of the subject parks.
- 1.3 Subject Parks include:
 - 1.3.1 Rotary Orchard Park: small (0.76 hectare) passive park encompassing a heritage apple tree orchard and surrounding forested areas. Improvements include trails (approximately 300m), benches and a picnic table.
 - 1.3.2 Derwent Avenue Park: a 1.5 hectare, forested passive greenway. Park improvements are limited to approximately 500m of trail. Sometimes referred to as "Porky's Path".
 - 1.3.3 Camp Road Greenway: the western 1.4 hectare parcel of forested greenway on north side of Dunsmuir Avenue ("Camp Road"). Park improvements are limited to minor trails.

2. TERM

- 2.1 The Agreement shall commence upon signing and shall conclude on **May 1, 2020**, unless terminated earlier in accordance with the terms of the Agreement.
- 2.2 The parties may extend this Agreement under the same terms and conditions, so long as the parties mutually agree to exercise this clause prior to the expiration of this Agreement.

3. PARK VISION

- 3.1 In the absence of a community supported Park Master Plan, the parties agree that the subject parks are to remain passive parks with limited services at this time. Development and improvements shall be limited to minor park infrastructure such as trail improvements, benches and picnic tables, and signage.

4. PARK MAINTENANCE ROLES AND RESPONSIBILITIES

- 4.1 **The Rotary** agrees to take responsibility for routine park maintenance and operations, including:
 - 4.1.1 Grass mowing and trimming on an occasional basis (i.e. approximately monthly during the growing season) using equipment owned by the Rotary;
 - 4.1.2 Invasive plant control as per available resources and expertise;
 - 4.1.3 Litter pick-up;
 - 4.1.4 Trail brushing, raking and clearing of "Porky's Path";
 - 4.1.5 Other stewardship activities such as monitoring and reporting issues to the Village.
- 4.2 In order to support park maintenance, the Village agrees to allow Rotary to install a tool storage shed at the location identified on Schedule A.
 - 4.2.1 The shed shall be no larger than approximately 8' x 8'; painted in either natural colours (browns, greens, beige) or Village colours as described in the Parks and Trails Signage Guidelines; and be temporary in nature (i.e. on concrete pier blocks or gravel pad as opposed to affixed to a permanent slab). Design and materials to be approved by Village prior to installation.
 - 4.2.2 All material, construction and labour costs for this shed shall be the responsibility of Rotary, unless a separate agreement with the Village is made.
 - 4.2.3 Security of the shed and its contents shall be the responsibility of Rotary. The Village will not be accountable for any loss, theft or vandalism.
- 4.3 **The Village** agrees to take responsible for major park maintenance tasks (e.g. windfall clearing and capital trail maintenance), and support Rotary in their routine maintenance as per available resources.

5. CAPITAL IMPROVEMENTS

- 5.1 The Parties agree to meet on an annual basis to discuss and consider major capital park improvements and major capital maintenance costs. Examples of such projects include trail re-routes, drainage improvements, surfacing upgrades and boardwalk construction, and bench, picnic table and signage installation. Funding of such improvements will be dealt with on a case-by-case basis, as per available resources from each party.

6. SPONSORSHIP TREES

- 6.1 For clarity, several fruit trees in Rotary Orchard Park have sponsored over the years by Rotarians as a fundraiser for Rotary programs. These trees are marked by small plaques.
- 6.2 Additional trees may also be adopted for the purpose of fundraising by Rotary for park improvements subject to Rotary receiving advance approval from the Village. Rotary shall remain responsible for plaque installation to the same standard as existing plaques.
- 6.3 Adopters of trees have no formal responsibility for tree maintenance or care, and are solely recognized by the Village via the plaque.

7. FRUIT TREE MANAGEMENT

- 7.1 The parties acknowledge that the Village is currently working on a community Bear Aware initiative in conjunction with WildSafe BC's Bear Smart program. This work may result in the implementation of a management plan for fruit trees in the parks, and the parties agree to reconvene on this subject upon the adoption of such a plan.

8.1 ORCHARD PARK NAMING AND SIGNAGE

- 8.1 The parties agree that the park shall be named "Rotary Orchard Park" in recognition of the Rotary Club of Cumberland Centennial's past, current and future role in park stewardship.
- 8.2 A sign may be installed to identify the park and recognize Rotary's contributions to it. This sign shall be installed on the southern park boundary adjacent to Comox Lake Road.
- 8.3 The sign design shall align with the Village's Parks and Trails Signage Guidelines, and incorporate the Rotary wheel. The parties agree to work in partnership on sign layout and design, with the final design to be approved by both parties.
- 8.4 The Village shall assist in the planning, design and coordination of the sign materials and installation. All costs relating to materials, fabrication and installation of the sign shall be the responsibility of Rotary, unless a separate agreement with the Village is made.

9. INSURANCE

- 9.1 The Rotary shall provide comprehensive liability insurance coverage for their volunteers performing works under this agreement, and shall submit to the Village a copy of this insurance policy on an annual basis.

10. OTHER ORGANIZATIONS

- 10.1 The parties agree that this agreement does not restrict third party organizations from providing park stewardship services.
- 10.2 Insurance coverage for third-party organizations shall be dealt with on a case by case basis.
- 10.3 Advanced notice shall be provided to the Village of any Rotary-coordinated work party that involves third party organizations.

11. COSTS AND EXPENSES

- 11.1 Except as otherwise expressly set out in this Agreement, each party will be solely responsible for all costs and expenses it incurs in fulfilling any of its obligations under the agreement.

12. NOTICES

- 12.1 Any notice, request, consent, approval or communication that either party desires or is required to give to the other party shall be in writing addressed to the other party at the address as follows:

TO THE VILLAGE: Kevin McPhedran
 Parks and Outdoor Recreation Coordinator
 kmcphedran@cumberland.ca

TO ROTARY: Caroline Bradfield
 Community Service Director
 cbradfield@shaw.ca

13. TERMINATION OF AGREEMENT

- 13.1 Either party may terminate this Agreement by giving thirty (30) days written notice of the intention to terminate to the other Party.

The Parties hereby agree to work together to reach mutual goals subject to the above terms.

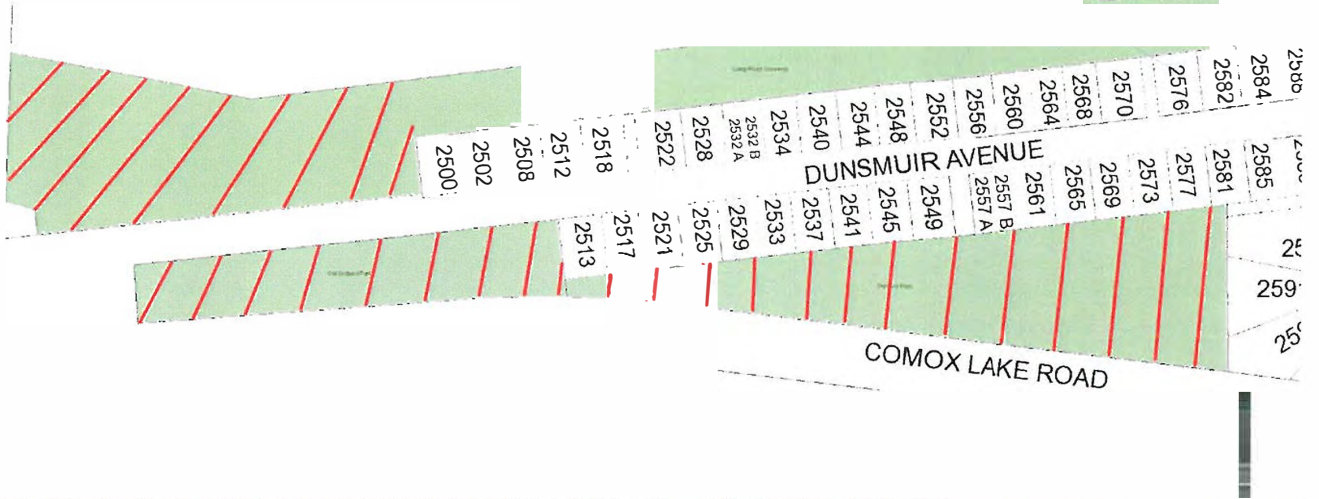
THE CORPORATION OF THE VILLAGE OF CUMBERLAND

~~Sundance Topham~~
 Chief Administrative Officer

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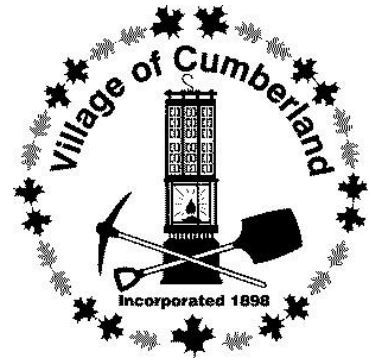
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 n
 Director

Schedule A.
Subject Parks



★ Proposed tool storage shed location

COUNCIL REPORT



REPORT DATE: February 4, 2026
MEETING DATE: February 23, 2026

File No. 5800 – Cumberland Lake Park

TO: Mayor and Councillors
FROM: Kevin McPhedran, Director of Community Services
SUBJECT: Cumberland Lake Park Swim Raft Replacement: Safety Considerations and Funding

RECOMMENDATION

THAT Council approve the replacement of the Cumberland Lake Park swim raft for safety reasons, as outlined in the staff report dated February 4, 2026; and

THAT Council approve the expenditure of up to \$20,000, to be funded through the Lake Park General Asset Renewal Reserve for the Lake Park swim raft replacement; and THAT Council direct staff to bring forward an amendment to the adopted 2026–2030 Financial Plan Bylaw to reflect this expenditure.

PURPOSE

The purpose of this report is to obtain Council approval for the replacement of the Cumberland Lake Park swim raft due to identified safety concerns, and to request the required project funding and corresponding amendments to the 2026–2030 Financial Plan Bylaw.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
2023 -2027 Financial Plan Bylaw	Council approved a budget of \$6500 for the replacement of the Cumberland Lake Park swimming raft in the 2023 parks capital budget (the project was implemented that spring at a total cost of \$6976).

BACKGROUND

Cumberland Lake Park features a seasonal swim raft used extensively by park day use visitors, campers and youth recreation programs. In 2023, to replace the previous raft that was at end of functional life, a \$6500 budget was included in the Village parks capital budget. Staff proceeded to procure and install a 10'x10' raft from a professional dock manufacturer that spring. This existing dock was designed to be low to the water to enable easier access to it by swimmers; however, the downside of this design is that smaller floats mean the raft is unstable when occupied by several

swimmers, and can be significantly “rocked and tipped” by users, with limited options for the Village to modify such behaviour. As a result, Lake Park Society has fielded several concerns from the public regarding safety issues, including the potential for swimmer injury resulting from the dock being rocked, striking a swimmer in the water below. These concerns have been forwarded to the Village and staff have been working to research and assess options moving forward.

Unfortunately, the existing dock cannot be retrofitted with larger floats without making it less accessible to swimmers as the decking would be higher off the water. Accordingly, the manufacturer has suggested that the dock is likely undersized for the number of users that frequently occupy it, and proposes a larger, 10’x20’ dock would be substantially more stable.

Given the level of public use, historic expectations, and the importance of maintaining safe swimming facilities, staff recommend replacement of the dock prior to the 2026 summer season.

FINANCIAL IMPLICATIONS

The estimated cost of raft procurement and installation is \$16,000 - 20,000; however, the existing dock can likely be disposed of (value uncertain); accordingly, staff estimate that the required funding for replacement and installation \$20,000 (inclusive of contingency), with the goal of returning any proceeds from the sale of the existing dock to the reserve.

Staff recommend that this project be funded through the Lake Park General Asset Renewal Reserve. Based on the approved 2026-2030 Financial Plan and including this proposed change, the balance of the Lake Park General Asset Renewal Reserve at the end of December 2030 is estimated at \$108,600. The primary impacts of using this reserve are on the opportunity costs of having reduced funding availability for other priority projects at Lake Park. This includes replacement of the park office (becoming a public and occupational safety concern, with planning and design scheduled to commence in 2027), amongst other changes and improvements to the park, campsites and other amenities.

The dock would eventually require replacement; depending on materials selected, the asset lifespan is expected to be 25-50 years.

An amendment to the 2026–2030 Financial Plan Bylaw is required to reflect both the expenditure and the funding reallocation.

OPERATIONAL IMPLICATIONS

Staff will procure the replacement raft according to Village purchasing procedures. Installation will be coordinated with Lake Park Society to minimize disruptions. No significant changes to ongoing operational requirements are anticipated; however, this project was not forecasted in staff’s 2026 work plans and will have incremental impacts on other workplan priorities, but is recommended to proceed given public health and safety considerations.

CLIMATE CHANGE IMPLICATIONS

The proposal has limited direct climate implications; however, park visitation data suggests increased use of lake-based activities, which may be attributed to hotter, dryer, and longer summers, in addition to other factors such as local and regional population growth.

ALTERNATIVES

1. Approve the replacement and funding as recommended.
2. Decline the replacement (recognizing that the current raft cannot be used safely in the 2026 season, this option would result in the removal of the amenity and no raft being offered as a service at Cumberland Lake Park.)

STRATEGIC OBJECTIVE

- Diverse & Healthy Community
- Sustainable Service Delivery & Asset Management
- Community Planning

ATTACHMENTS

None.

CONCURRENCE

Annie Bérard-Ball, Director of Corporate Services **ABB**

Respectfully submitted,

K. McPhedran

Kevin McPhedran
Director of Community Services

M. Mason

Michelle Mason
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1253

A bylaw to amend the Water Supply Capital Upgrades Parcel Tax Bylaw.

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

1. This Bylaw may be cited as ‘Water Supply Capital Upgrades Parcel Tax Amendment Bylaw No. 1253, 2026.’
2. “Water Supply Capital Upgrades Parcel Tax Bylaw No. 1147, 2021”, is amended by repealing Section 3 in its entirety and substituting the following:
 3. There shall be imposed and levied annually on every taxable parcel or group of parcels within the Village of Cumberland that are connected to or deemed to be capable of connecting to water services within the Village of Cumberland, a fixed amount of \$50.87 for each parcel as shown on the Water Parcel Tax Roll prepared by the Collector in accordance with Section 203 of the Community Charter.

READ A FIRST TIME THIS	09th	DAY OF	February	2026.
READ A SECOND TIME THIS	09th	DAY OF	February	2026.
READ A THIRD TIME THIS	09th	DAY OF	February	2026.
ADOPTED THIS		DAY OF		2026.

Mayor

Corporate Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1255

A Bylaw to amend the 2026 – 2030 Financial Plan.

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

1. This Bylaw may be cited as “2026 - 2030 Financial Plan Amendment Bylaw No. 1255, 2026”.
2. “2026 – 2030 Financial Plan Bylaw No. 1243, 2025” is amended by:
 - (a) repealing Schedule A and substituting Schedule A to this bylaw, and
 - (b) repealing Schedule B and substituting Schedule B to this bylaw.

READ A FIRST TIME THIS	09TH	DAY OF	FEBRUARY	2026.
READ A SECOND TIME THIS	09TH	DAY OF	FEBRUARY	2026.
READ A THIRD TIME THIS	09TH	DAY OF	FEBRUARY	2026.
ADOPTED THIS		DAY OF		2026.

Mayor

Corporate Officer

Schedule A 2026 – 2030 Financial Plan

	<u>2026</u>				
	<u>Amended</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>
	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>
REVENUES					
Property taxes & payments in lieu	\$ (5,134,250)	\$ (5,499,860)	\$ (5,888,780)	\$ (6,297,090)	\$ (6,679,330)
Parcel taxes	\$ (905,530)	(1,469,030)	(1,507,710)	(1,548,650)	(1,592,000)
Sale of services & fees	\$ (3,195,610)	(3,289,980)	(3,410,840)	(3,534,410)	(3,663,520)
Sale of services to other government	\$ (516,190)	(515,090)	(311,430)	(315,930)	(318,660)
Transfers from other government	\$ (6,492,350)	(1,163,910)	(1,176,860)	(1,190,120)	(1,203,710)
Other revenue	\$ (1,151,740)	(805,240)	(817,540)	(842,840)	(867,730)
	<u>\$ (17,395,670)</u>	<u>\$ (12,743,110)</u>	<u>\$ (13,113,160)</u>	<u>\$ (13,729,040)</u>	<u>\$ (14,324,950)</u>
EXPENSES					
Other municipal purposes	\$ 10,525,360	\$ 9,472,790	\$ 9,612,070	\$ 9,683,960	\$ 9,802,130
Debt interest	\$ 427,600	645,750	708,210	736,790	750,120
Amortization	\$ 1,939,470	1,939,470	1,939,470	1,939,470	1,939,470
	<u>\$ 12,892,430</u>	<u>\$ 12,058,010</u>	<u>\$ 12,259,750</u>	<u>\$ 12,360,220</u>	<u>\$ 12,491,720</u>
NET (REVENUES) EXPENSES	<u>\$ (4,503,240)</u>	<u>\$ (685,100)</u>	<u>\$ (853,410)</u>	<u>\$ (1,368,820)</u>	<u>\$ (1,833,230)</u>
ADJUSTMENTS					
Acquisition of capital assets	\$ 13,839,880	\$ 3,469,670	\$ 3,521,940	\$ 3,084,960	\$ 940,040
Add back amortization	\$ (1,939,470)	(1,939,470)	(1,939,470)	(1,939,470)	(1,939,470)
Proceeds from borrowing	\$ (3,342,020)	(80,000)	(1,515,000)	(970,000)	(82,000)
Principal payments on debt	\$ 544,900	781,110	1,031,190	1,040,100	1,075,360
Remove unfunded projects		(2,505,550)	(120,000)	(450,000)	(10,000)
TOTAL ADJUSTMENTS	<u>\$ 9,103,290</u>	<u>\$ (274,240)</u>	<u>\$ 978,660</u>	<u>\$ 765,590</u>	<u>\$ (16,070)</u>
CHANGE IN CONSOLIDATED FUNDS	<u>\$ 4,600,050</u>	<u>\$ (959,340)</u>	<u>\$ 125,250</u>	<u>\$ (603,230)</u>	<u>\$ (1,849,300)</u>
TRANSFER FROM RESERVES					
Reserves	\$ (6,710,330)	\$ (1,929,300)	\$ (2,982,140)	\$ (2,390,490)	\$ (1,436,240)
Development Cost charges	\$ (421,370)	(124,250)	(71,020)	(107,150)	(12,380)
Parking in Lieu	\$ (6,000)	(20,000)	-	-	-
TRANSFER TO RESERVES					
Reserves	\$ 2,537,650	3,032,890	2,927,910	3,100,870	3,297,920
TRANSFER TO / (FROM) RESERVES	<u>\$ (4,600,050)</u>	<u>\$ 959,340</u>	<u>\$ (125,250)</u>	<u>\$ 603,230</u>	<u>\$ 1,849,300</u>
TRANSFER TO/(FROM) ACCUMULATED SURPLUS	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Schedule B

Policies and Objectives

Pursuant to section 165 (3.1) of the *Community Charter*

Part A: Proportion of Total Revenue Proposed to Come from Each Funding Source

Table 1: The proportion of total revenue proposed to be raised from each funding source in 2026 (based on 2025 Revised Assessment Roll).

Revenue Source	% Total Revenue	Dollar Value
Property Value Taxes & Payments in Lieu	24.8%	5,134,250
Sale of Services and Fees	33.7%	3,195,610
Government Grants	15.4%	7,008,540
Other Revenue	4.4%	1,151,740
Parcel Taxes	5.6%	905,530
Proceeds from Borrowing	16.1%	3,342,020
Total	100%	\$20,737,690

1. Property value tax is typically the primary source for operating funds for general municipal purposes. Property taxation is simple to administer and offers a stable and reliable source of revenue for services that are difficult or undesirable to fund on a user-pay basis.
2. Sale of services and fees form another significant portion of planned revenue. Many municipal services, such as utilities and recreation, lend well to a fee for service basis. Costs can be associated to a level of service provided, particularly where services are optional. In addition, the municipality sells water, fire protection and animal control services to other municipalities.
3. The Village seeks out all grant opportunities that become available. The Comox Valley Regional District as part of a landfill host agreement provides amenity funds to the Village and this funding will continue until 2032. The municipality also receives funds under the Strategic Community Initiative (Small Community grant) which provides a significant source of funds for operations and capital maintenance programs. **Additional grant funding is expected in 2026 for the Wastewater Treatment Upgrades and Dam #2 Reconstruction Project.**
4. Other revenue includes sources of funds which do not fit in another category and include donations, developer amenity funds, grants from non-government sources, investment revenue, permits and licensing.
5. Parcel taxes fund the capital costs of providing water, sewer and storm water infrastructure. The intention is to use these taxes toward the replacement of water,

sewer and storm water infrastructure as well as reducing the Village’s wet weather flows through storm and sewer inflow and infiltration.

6. The municipality finances vehicles and equipment and secures debenture financing for portions of large, committed projects not funded by grants or development cost charges. The municipality reviews all other funding options prior to financing recognizing that borrowing constitutes a long-term commitment and because borrowing authority is limited for an organization of this size. There is a commitment to borrow \$6.9 million for the wastewater treatment upgrades expected in the fall of 2026.

Objective and Policies

Over the next five years, the municipality has the following objectives and policies:

- to actively seek grants for major infrastructure repair and replacement;
- to annually review utility rates to ensure water, sewer and storm water operating and delivery costs are fully funded; and
- to review all other services to determine optimal proportions of cost recovery from fees versus general revenues and taxation.

Part B: Distribution of Property Taxes among Property Classes

Table 2: The distribution of property tax revenue among the property classes (based on 2025 Revised Assessment Roll)

Property Class	% Total Property Tax	Dollar Value
1. Residential	74%	3,751,318
2. Utilities	1.9%	95,178
3. Supportive Housing		
4. Major Industry		
5. Light Industry	3.6%	182,077
6. Business and Other	16.8%	849,917
7. Managed forest	3.5%	177,751
8. Recreation & Non Profit	0.2%	12,397
9. Farm		6
Total	100%	\$5,068,644

Tax rates are set to maintain tax stability. Annual tax increases are apportioned over the classes to ensure stability.

There are no class 3 or 4 properties located within the Village.

The municipality recognizes the need to attract and retain businesses and industry for economic development and not to rely heavily on any one industry as a tax source. Council believes that the non-residential rates based on these ratios reflect that philosophy.