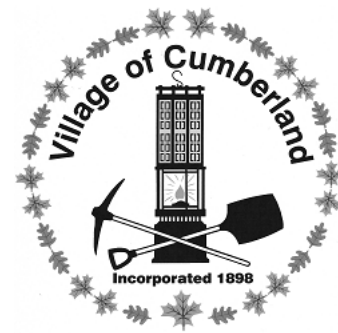


The Corporation of the Village of Cumberland
Regular Council Meeting Agenda

Monday, June 22, 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, June 22, 2026
Recommendation:
THAT Council approve the agenda for the June 22, 2026 Regular Council Meeting.
3. Minutes
 - 3.1 Adoption of Minutes 5
Recommendation:
THAT Council adopt the following minutes:
 - Village Hall Meeting, June 1, 2026
 - Regular Council Meeting, June 8, 2026
4. Delegations
5. Correspondence
6. Unfinished Business
7. Reports
 - 7.1 Cumberland Community Schools Society Food Share Service: Bridge Funding Agreement Annual Report 12
Prepared by Kevin McPhedran, Director of Community Services
Recommendation:
THAT Council receive the Cumberland Community Schools Society Food Share annual report and presentation for information.
 - 7.2 Public Meeting on the 2025 Annual Report 20
Prepared by Rachel Parker, Corporate Officer

Recommendation:

THAT Council receive the Public Meeting on the 2025 Annual Report for information.

- 7.3 2026 Roads and Utilities Project Update 22
Prepared by David Dougherty, Director of Engineering and Public Works

Recommendation:

That Council direct staff to reduce the scope of the 2026 Roads and Utilities project by separating the Penrith Avenue underground utility and surface works from the 2026 projects and proceed with the underground utility replacement work on the Lane South of Maryport and the Lane South of Windermere.

And that, staff report back to Council on design costs and considerations for parking and standardization of the Penrith Avenue surface works improvements and underground utility infrastructure replacement portion of the scope to be allocated under a separate project.

THAT Council approve the expenditure of up to \$1,106,660 for 2026 underground utility replacement work for the Lane South of Maryport and Lane South of Windermere with

- \$156,940 to be funded through Storm Drain Development Cost Charge Reserve; and
- \$656,660 to be funded through Linear Asset Renewal Reserve; and
- \$293,060 to be funded through Sewer Development Cost Charge Reserve to be paid back from the Linear Asset Renewal Reserve with interest.

THAT Council direct staff to bring forward an amendment to the adopted 2026-2030 Financial Plan Bylaw to reflect this budget increase.

- 7.4 Alternate Public Notice Policy 29
Prepared by Rachel Parker, Corporate Officer

Recommendation:

THAT Council adopt Policy 1.12, Alternate Public Notice Policy.

- 7.5 Accessibility and Inclusion Action Plan 34
Prepared by Rachel Parker, Corporate Officer

Recommendation:

THAT Council approve the Accessibility and Inclusion Action Plan.

8. Bylaws

- 8.1 Building Bylaw Amendment for Energy Step Code, Zero Carbon Step Code and Housekeeping 37
Prepared by Chris Baker, Manager of Permits Licensing and Bylaw

Recommendation:

THAT Council give first, second and third readings to Building Amendment Bylaw No. 1254, 2026.

- 8.2 Fees Amendment Bylaw - Building Permit Fee Schedule and Goods and Services Fee Schedule 89
Prepared by Chris Baker, Manager of Permits Licensing and Bylaw; and Andrea Samsom, Manager of Finance and HR

Recommendation:

THAT Council give first, second and third reading to Fees Amendment Bylaw No. 1261, 2026.

- 8.3 Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266, 2026 – First and Second Reading 100
Prepared by Karin Albert, Senior Planner

Recommendation:

THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 1265, 2026.

THAT Council give first and second reading to Zoning Amendment Bylaw No. 1266, 2026.

THAT Council direct staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266, 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**



**June 1, 2026, 7:00 p.m.
Village Square, 2743 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
Rachel Parker, Corporate Officer

The meeting was called to order at 7:02 p.m.

1. Approval of Agenda

1.1 Agenda for Village Hall Meeting, June 1, 2026

Ward/Sullivan

THAT Council approve the agenda for the June 1, 2026 Village Hall Meeting.

Carried Unanimously

2. Topics for Discussion

Council received and discussed the following items brought forward by residents with members of the community:

- No. 2 drinking water reservoir dam reconstruction project
- First Street and Penrith Avenue road and utility construction projects
- event parking
- automated solid waste cart transition

Councillor Sullivan left the meeting at 7:30 p.m.

- dirt bike solution efforts
- education for ebike use
- Union Road civic properties
- on-street parking for businesses on First Street redesign
- heritage buildings revitalization and code requirements
- 2026 local election candidates
- Íwax̄dzi'dzas Affordable Housing Development funding
- dog swimming park
- motorized boats on Comox Lake
- composting and skyrocket
- change in bylaw services

3. Adjournment

The meeting was adjourned at 8:23 p.m.

Mayor

Certified Correct by Corporate Officer

The Corporation of the Village of Cumberland

Regular Council Meeting Minutes

**June 8, 2026, 5:30 p.m.
Cultural Centre
2674 Dunsmuir Avenue**



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

Regrets: Councillor Sean Sullivan

Staff Present: Michelle Mason, Chief Administrative Officer
Courtney Simpson, Director of Development and Bylaw Services
David Dougherty, Director of Engineering & Public Works
Kevin McPhedran, Director of Community Services
Rachel Parker, Corporate Officer
Jasmeen Kaur Sidhu, Planning Technician
Mike Williamson, Fire Chief

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, June 8, 2026

Motion 26-135

Moved by: Therrien

Seconded by: Ward

THAT Council approve the agenda for the June 8, 2026 Regular Council Meeting with the addition of

- Item 5.1, Request for Letter of Support, 55+ BC Games Bid
- Item 7.1, Public Submissions for Development Variance Permit and Development Permit for 3338 Union Road.

- Item 12, Closed Portion

Carried Unanimously

3. Minutes

3.1 Adoption of Minutes

Motion 26-136

Moved by: Borecky

Seconded by: Ward

THAT Council adopt the following minutes:

- Committee of the Whole Meeting, May 25, 2026
- Regular Council Meeting, May 25, 2026; and,

receive the Committee minutes for information:

- Advisory Planning Commission, May 14, 2026.

Carried Unanimously

4. Delegations

None

5. Correspondence

5.1 Comox Valley Regional District, Request for Letter of Support - 55+ BC Games Bid

Motion 26-137

Moved by: Ward

Seconded by: Borecky

THAT the Village of Cumberland commit to providing services and facilities should the bid for the 2028, 2029 or 2030 55 Plus BC Games, being jointly submitted by the Comox Valley Regional District and City of Campbell River, be successful.

Carried Unanimously

6. Unfinished Business

None

7. Reports

7.1 Development Variance Permit and Development Permit–3338 Union Road

Motion 26-138

Moved by: Borecky

Seconded by: Ward

THAT Council approve the development variance permit (DVP2602) to allow an increase in the floor area and height for an accessory building (shop) to be constructed on the subject property described as Lot 4, District Lot 24, Nelson District, Plan 42822 (3338 Union Road); and,

THAT Council approve the development permit (DP2604) for a new accessory building (shop) on the property described as Lot 4, District Lot 24, Nelson District, Plan 42822.

Carried Unanimously

7.2 Business Retention and Expansion Program

Motion 26-139

Moved by: Ward

Seconded by: Borecky

THAT Council receive the presentation from Tracey Clarke, Executive Director Comox Valley Chamber of Commerce for the upcoming Business Retention and Expansion program for Cumberland businesses.

Carried Unanimously

7.3 Quint Apparatus Budget Update

Motion 26-140

Moved by: Therrien

Seconded by: Borecky

THAT Council direct staff to proceed with a competitive bids process for a fire quint apparatus with a range of ladder options between 75' and 100' for consideration at budget 2027.

Carried Unanimously

7.4 Transportation Master Plan and Village Speed Regulation Change Project

Motion 26-141

Moved by: Borecky

Seconded by: Therrien

THAT Council direct staff to implement a Village-wide Speed Limit Reduction Project on a three-year trial period, including transition zones from 50 km/h to 40 km/h to 30 km/h.

Carried Unanimously

Motion 26-142

Moved by: Borecky

Seconded by: Therrien

THAT Council directs staff to bring forward bylaw amendments to Bylaw No. 951, 2017 Street and Traffic Bylaw to support the implementation of a Village-wide Speed Limit Reduction.

Carried Unanimously

7.5 Council Members Monthly Reports

Motion 26-143

Moved by: Ward

Seconded by: Therrien

THAT Council accept the member monthly reports for May 2026.

Carried Unanimously

8. Bylaws

8.1 Amenity Cost Charges Bylaw No. 1257, 2026

Motion 26-144

Moved by: Therrien

Seconded by: Ward

THAT Council adopt the Amenity Cost Charges Bylaw No. 1257, 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.

None

11. Question Period

Questions were received on the fire quint apparatus, speed regulation reduction and Council member reports.

12. Closed Portion

Motion 26-145

Moved by: Ward

Seconded by: Borecky

THAT Council close the meeting to the public at 7:10 p.m. under section 90(1) of the Community Charter to consider:

- (c) labour relations or other employee relations;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];

Carried Unanimously

13. Adjournment

Motion 26-146

Moved by: Borecky

Seconded by: Ward

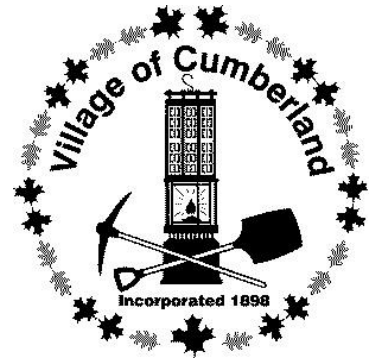
THAT Council adjourn the meeting at 8:15 pm.

Carried Unanimously

Mayor

Certified Correct by Corporate Officer

COUNCIL REPORT



REPORT DATE: June 8, 2026
MEETING DATE: June 22, 2026

File No. 2200-2240 - Agreements

TO: Mayor and Councillors
FROM: Kevin McPhedran, Director of Community Services
SUBJECT: Cumberland Community Schools Society Food Share Service: Bridge Funding Agreement Annual Report

RECOMMENDATION

THAT Council receive the Cumberland Community Schools Society Food Share annual report and presentation for information.

PURPOSE

The purpose of this report is to introduce the Cumberland Community Schools Society Food Share Program annual report presentation to Council and provide context on the Village's funding relationship with the Society.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
2025-2029 Financial Plan Bylaw (budgeting process)	Per Council direction in annual budgeting processes, the bridge funding agreement was amended to extend Village funding at \$10,000 annually for 2025 and 2026.
July 10 th , 2023	THAT Council direct staff to prepare a conditional two-year grant funding agreement with the Cumberland Community Schools Society to support its Food Share Program in the amount of \$10,000 per year for 2023 and 2024, for a total of \$20,000, funded from the Host Amenity Funds Reserve.
2020 - 2022	<p>The Village contributed \$71,000 from 2020-2022 specifically to the CCSS Food Share program:</p> <ul style="list-style-type: none"> • \$6,000 in 2020 from the CV Waste Management Centre Host Agreement Funds Reserve • \$35,000 in 2021 and \$30,000 in 2022 from the COVID-19 Restart Fund <p><i>\$10,000 of the \$30,000 granted in 2022 was to support the purchase of a refrigerator, two freezers, a shelf unit and food storage bins.</i></p>

BACKGROUND

Established in response to social service gaps identified during the 2020 COVID-19 crisis, the Cumberland Community Schools Society has delivered a community food share service for the past five years. The service has been financially supported by the Village since its inception.

The Village's current bridge funding agreement with the CCSS was originally for a two-year term, covering 2023 and 2024, and has since been extended for an additional two years, covering 2025 and 2026. The agreement requires the Society to provide Council with an annual update through its annual report. The Society will present to the Committee an overview of its activities, organizational progress, and current priorities. The presentation also supports ongoing communication between the Society and the Village regarding delivery of food share services and the broader objective of maintaining these services in the Village.

FINANCIAL IMPLICATIONS

There are no new financial implications associated with receiving the annual report and presentation. The Village's current financial commitment to the Cumberland Community Schools Society Food Share Program is established through the amended bridge funding agreement, which provides \$10,000 annually in 2025 and 2026.

Per the attached report, the Society has requested that, “at a future date... they would like to explore the possibility of an ongoing service agreement with the Village.” Staff recommend that the Village consider such an agreement as part of the next Council's strategic planning process, scheduled for after the fall 2026 local government election and in advance of the 2027-2031 financial planning process. Unless Council provides direction otherwise, staff will liaise with the CCSS regarding this request in advance of that strategic planning process.

CCSS Food Share Financials (2025 actuals and 2026 program budgets) are included in the CCSS report.

OPERATIONAL IMPLICATIONS

Receiving the presentation has no direct operational implications for the Village at this time. The annual update supports information sharing between the Society and the Village and helps Council remain informed about the Society's work, challenges, and opportunities related to delivering a community food share service in Cumberland.

CLIMATE CHANGE IMPLICATIONS

This report is administrative in nature and has no direct climate change implications.

ALTERNATIVES

Provide feedback or direction to staff arising from the presentation, including on future Village funding support for the food service program.

STRATEGIC OBJECTIVE

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

ATTACHMENTS

Cumberland Community Schools Society Food Share Program – 2025 Bridge Funding Agreement Report

CONCURRENCE

None.

Respectfully submitted,

K. McPhedran

Kevin McPhedran
Director of Community Services

M. Mason

Michelle Mason
Chief Administrative Officer



June 4, 2026

Dear Village of Cumberland Mayor & Council,

Re: Reporting on the Bridge Funding Agreement for the Food Share

Cumberland Community Schools Society (CCSS) is grateful for the Village’s support of the Cumberland Food Share. This valuable program provides dignified, equitable access to nutritious food for low-income and vulnerable residents, with the goal of strengthening local food security and community well-being.

Program Overview

CCSS is a registered charity that works to improve access to nutritious food, inclusive recreation, life-long learning and networks of support in Cumberland. One of our key priorities is to strengthen food security in our community through the provision of our Healthy Food Program and the Cumberland Food Share.

Established in April 2020 as an emergency measure, the Food Share quickly became a permanent resource due to ongoing need. It includes a food pantry and bi-weekly food box deliveries. The pantry is operated by Weird Church, while CCSS coordinates and fundraises for the delivery of food boxes to Cumberland households.

Operating out of Weird Church, CCSS staff & volunteers sort, pack and deliver food boxes directly to clients’ doors. Boxes include fresh produce, dairy, eggs, bread and meat (or plant-based alternatives). Food is sourced from wholesalers, local farmers & producers, along with in-kind donations from local organizations, businesses, and residents. Staff ensure boxes include a variety of fresh foods, and meet the dietary needs/restrictions of households.

Clients either self-identify, or are referred from other social service organizations. The registration process is simple, private and respectful. Clients include individuals living with job loss, disabilities, transportation barriers, mental health & substance use challenges, trauma recovery, and those at risk of homelessness.

Throughout 2025, demand for the Food Share program remained steady as residents continue to struggle with the current cost of living. Those most affected include single-parent families, seniors, individuals on fixed incomes, and single working adults.



2025 Food Share Highlights

Food Access & Distribution

- Delivered 1,342 food boxes to Cumberland households, supporting 221 individuals.
- Served an average of 211 individuals, including 52 children, 28 youth, 107 adults, and 24 seniors each delivery.
- Based on dollar value, 59% of food distributed was grown or produced in BC.

BC Farmers' Market Nutrition Coupon Program

- Continued partnership with the Comox Valley Farmers' Market and the BC Association of Farmers' Markets to provide clients with coupons to purchase fresh food at local markets from June to December.
- A total of 38 households participated in the program, with \$13,365 worth of coupons distributed.
- The Coupon Program was funded by the Ministry of Health, First Credit Union, and individual donors.

Volunteer & Community Engagement

- Fifty-seven different volunteers contributed a total of 506 volunteer hours.
- Tree Island Yogurt, Tannadice Farms, the Woodstove Festival, BC Bike Race, the Comox Valley Food Bank, Rockbottom Farms and local residents provided a variety of in-kind or discounted food donations. Weird Church provides in kind use of facilities.
- The Waverley Hotel provided 84 Christmas dinners to Food Share recipients at no cost.
- The local school community made it possible for 26 Christmas hampers to be delivered to Food Share recipients. Everyone Deserves a Smile (EDAS) contributed holiday gift packages for seniors.

Community Impact

- Participants consistently report high levels of gratitude, describing the program as *life-changing* and a *gamechanger*. Regular access to nutritious food reduces financial pressure, allowing households to redirect limited income toward rent and essential bills.
- Participants also report improved eating habits due to consistent access to fresh produce, with one long-term client noting stabilized health outcomes related to pre-diabetes.
- The Food Share functions as a critical support system, providing not only food but social connection and reduced isolation. Regular interaction with staff and volunteers fosters a sense of care and belonging, while also connecting participants to additional community services in the Comox Valley through staff support and referrals.



Participant Outcomes

One of the most meaningful indicators of success is when participants are able to transition off the program after a period of support. While ongoing demand remains high, these moments highlight the program’s role as a stabilizing, short-term safety net that helps people regain footing during times of crisis.

In fall of 2025, we supported our third client of the season who successfully transitioned off the program. This individual entered the Food Share during a period of significant personal and financial instability. Consistent access to nutritious food allowed them to meet basic needs while reducing daily stress and freeing up limited financial and emotional resources. With this stability in place, they were able to focus on longer-term goals, including enrolling in school, and securing stable, subsidized housing. Upon exiting the program, the client shared the following reflection:

“With so much gratitude for this program, I am writing to formally withdraw. Above all, I really just wanted to say a huge thank you. Looking back, this program was one of those transformative ‘first steps’ that helped me find my footing and a sense of safety when my life was reeling. Each food box gave me the boost and meals I needed to make it to the next. Thank you, and all of CCSS, for this life-changing program.”

This experience reflects the broader purpose of the Food Share - to address immediate food insecurity while also creating the conditions for participants to focus on education, housing stability, employment readiness, and recovery from hardship. The program offers consistent and practical support at a critical moment that helps them to move forward rather than remain stuck in crisis. These outcomes underscore the importance of continued investment in food security as a foundation for long-term stability and community well-being.

Financial Performance and 2026 Strategy

Despite ongoing efforts to secure revenue through grants, fundraising initiatives, and community donations, revenues did not fully meet operating costs in 2025 (see Appendix 1). The organization recorded a year-end deficit and utilized retained earnings from prior years to address the shortfall.

To strengthen our financial position in 2026, CCSS implemented several proactive measures. On the expense side, we streamlined Food Share costs by reducing the average cost per



delivery. On the revenue side, we focused on new grant opportunities, enhanced fundraising efforts, and expanded donor outreach. These efforts yielded strong results, including:

- **New Grant Funding:** We successfully sourced new revenue through a CVRD Rural Community Grant, alongside an increased funding amount from the CV Community Foundation compared to previous years.
- **Increased Community Donations:** Individual donations rose by \$7,000 year-over-year.
- **Fundraising Success:** Revenue from our annual Thunderballs fundraiser increased by \$6,000 compared to the prior year.

As a result of these strategic actions, we are currently on track to meet Food Share operating costs for the 2026 calendar year.

Long-Term Sustainability Challenges

Looking ahead, securing multi-year or guaranteed funding sources for this program remains our primary challenge. We previously hoped that Food Banks BC would revise their membership model, which would have potentially granted us membership and access to consistent funding. While Food Banks BC conducted a comprehensive review and proposed alternative structures, their membership ultimately voted to retain the current model. Consequently, it is unlikely we will receive additional funding through this avenue.

Despite these challenges, CCSS remains committed to operating the Food Share. Its village-based presence, direct delivery model, and focus on holistic wellbeing make it a distinctive service within the Comox Valley. Our experience illustrates the importance of this program in addressing local affordability and maintaining an inclusive community.

Future Outlook and Collaboration

We recognize that the Village's current support was intended to be a temporary bridge while we advocated for alternative funding streams. Because those external avenues have not yet yielded permanent results, CCSS is currently evaluating sustainable long-term models to ensure the continuity of the Food Share. At a future date, we would like to explore the possibility of an ongoing service agreement with the Village of Cumberland for this program.

We sincerely thank the Village for your unwavering support of the Food Share over the past six years. Your financial contributions proved essential in both establishing and maintaining this

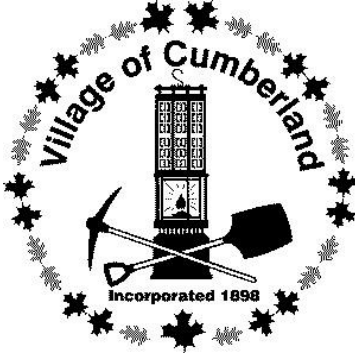


program, and in helping our Society to leverage additional funding opportunities. We value our partnership and look forward to future collaborations as we work to strengthen food security in our community.

Sincerely,
 Sue Loveless
 Executive Director, CCSS

Appendix 1: Food Share Financials Jan 2025- Dec 2026		
	Actuals	Budget
	Jan 1- Dec 31, 2025	Jan 1- Dec 31, 2026
REVENUES		
Village of Cumberland Bridge Funding	10,000	10,000
Province of BC Community Gaming Grant	19,000	19,000
CV Community Foundation Grant	10,500	15,000
Vancouver Sun Children's Fund	5,000	0
CVRD Rural Community Grant	0	5,000
CCSS Fundraisers	14,835	16,136
Donations	21,105	28,199
CCSS Contribution (bookkeeping, outreach, insurance)	3,200	3,264
Volunteer support- In kind	10,120	10,120
Rent- In kind donation	20,945	20,945
Total Revenue	114,705	127,664
EXPENSES		
Food	85,189	76,800
Non-food supplies	361	350
Staff wages	14,765	15,060
Mileage	1,125	1,125
Outreach, Bookkeeping, Insurance	3,200	3,264
Volunteer support- In kind	10,120	10,120
Rent	20,945	20,945
Total Expense	135,705	127,664
Net Income	(21,000)	(0)

COUNCIL REPORT



REPORT DATE: June 5, 2026
MEETING DATE: June 22, 2026

File No. 0640-20

TO: Mayor and Council
FROM: Rachel Parker, Corporate Officer
SUBJECT: Public Meeting on the 2025 Annual Report

RECOMMENDATION

THAT Council receive the Public Meeting on the 2025 Annual Report for information.

PURPOSE

The purpose of this report is to present the 2025 Annual Report at Council’s annual meeting and for Council to consider submissions and questions from the public.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
May 25, 2026	THAT Council give notice of the annual meeting on June 22, 2026, at which Council will consider the 2025 Annual Report and submission and questions from the public.

BACKGROUND

The *Community Charter* requires that all municipalities in BC prepare an annual report. After the report is made public and statutory notice is published, Council is required to consider submissions and questions from the public at a public meeting.

At the May 25, 2026 Council meeting, Council received the draft Annual Report and some minor changes were made to finalize the report. Notice of the annual report was published in the newspaper and the Village website, inviting questions and comments from the community. The Annual Report can be found here: <https://cumberland.ca/annual-report/>

As of the date of this report no questions or comments have been received. Any submissions received after the date of this report will be provided to Council as a late item to the agenda. Questions may also be received at the meeting during Question Period.

FINANCIAL IMPLICATIONS

None

STRATEGIC OBJECTIVE

None

CLIMATE CHANGE IMPLICATIONS

None

ATTACHMENTS

None

ALTERNATIVES

Any other action deemed appropriate by Council.

ATTACHMENTS

None

CONCURRENCE

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

Respectfully submitted,

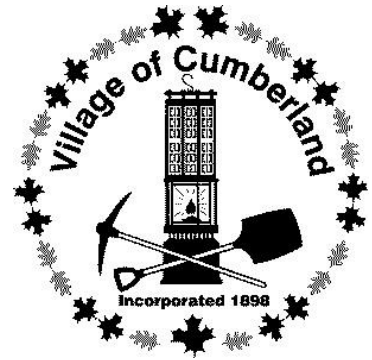
R. Parker

Rachel Parker
Corporate Officer

M. Mason

Michelle Mason
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: May 06, 2026
MEETING DATE: June 22, 2026

File No. 5200-Capital Projects

TO: Mayor and Councillors
FROM: David Dougherty, Director of Engineering and Public Works
SUBJECT: 2026 Roads and Utilities Project Update

RECOMMENDATION

That Council direct staff to reduce the scope of the 2026 Roads and Utilities project by separating the Penrith Avenue underground utility and surface works from the 2026 projects and proceed with the underground utility replacement work on the Lane South of Maryport and the Lane South of Windermere.

And that, staff report back to Council on design costs and considerations for parking and standardization of the Penrith Avenue surface works improvements and underground utility infrastructure replacement portion of the scope to be allocated under a separate project.

THAT Council approve the expenditure of up to \$1,106,660 for 2026 underground utility replacement work for the Lane South of Maryport and Lane South of Windermere with

- \$156,940 to be funded through Storm Drain Development Cost Charge Reserve; and
- \$656,660 to be funded through Linear Asset Renewal Reserve; and
- \$293,060 to be funded through Sewer Development Cost Charge Reserve to be paid back from the Linear Asset Renewal Reserve with interest.

THAT Council direct staff to bring forward an amendment to the adopted 2026-2030 Financial Plan Bylaw to reflect this budget increase.

PURPOSE

The purpose of this report is to present an update to Council on design and implementation of the linear asset renewal program for 2026. The 2026 Roads and Utilities Project (2026 R&U) is part of a strategic program as a priority for the Village to ensure linear assets like watermains, sewer mains, storm infrastructure, and roadways are renewed or replaced in an economical and sustainable way while maintaining a reliable level of service.

Staff also require direction from Council on this project’s scope to ensure project budgets, surface improvements and critical infrastructure get implemented efficiently. There is currently a budget shortfall in the current capital project plan to fund the entire area targeted for improvements in the Penrith Avenue corridor. This is due to a number of factors both internally and externally.

Staff are seeking council support to proceed with a reduced scope of work for 2026 R&U project detailed below in *Table A* that better aligns with the current financial plans for funding reserves and targets critical underground linear assets that are a high risk of failure or impose a risk to downstream operating impacts. Tendering the projects for the reduced scope for 2026 will confirm actual costs and the contract from that process will come back to Council for approval. Also requested is direction to defer the surface improvements and underground utility replacements listed in Table B for the Penrith Avenue corridor from First Street to Fourth Street until 2027 so staff may address a number of design challenges raised during the public engagement around functionality, standardization of parking and maintenance, implementation of the automated cart system and the transportation master plan (TMP).

PREVIOUS COUNCIL DIRECTION

Date	Resolution
December 8, 2025	THAT Council direct staff to continue planning the 2026 Roads and Utilities Capital Works Projects to include Penrith Avenue from First Street to Fourth Street redesign as set out in the Penrith Avenue Improvements Project Drawing, November 2025.
September 15, 2025	THAT Council direct staff to bring forward a Penrith Avenue Road Improvement concept design drawing for the proposed one-way street and further inform the Penrith Avenue block from Fourth Street to Third Street to let them know the block is included in the project.
September 15, 2025	THAT Council receive the public engagement report for the Penrith Avenue Roads and Utilities upgrades project; THAT Council approve the expenditure of up to \$472,500 for Penrith: Third to Fourth Street Infrastructure Replacement with: <ul style="list-style-type: none"> • \$307,500 to be funded through the Linear Asset Renewal Reserve and • \$165,000 to be funded through the Community Works Funds Gast Tax Reserve; and, THAT Council direct staff to bring forward an amendment to the amended 2025- 2029 Financial Plan Bylaw to reflect this expenditure.
March 24, 2025	THAT Council accept the proposed amenity contribution from the applicant of \$5,000 for frontage improvements along Second Street or Penrith Avenue.

BACKGROUND

The 2025 Roads and Utilities project is currently in implementation with underground utility replacements to separate combined sewer and storm and replace watermains that are past end of serviceable life. The project also includes some surface improvements along Ulverston by adding sidewalks for mobility improvements. This project is near completion and has seen a few

unforeseen conditions that have required the contingency monies to be utilized but ultimately should be completed within the approved budget.

In 2024, staff and its design consultant began planning the next priority sections of underground utility work and focused on the conceptual roadway design cross section for Penrith. This work was packaged into the current 2026 R&U project. It will continue to replace underground utilities in areas of the Village that are at the end of their serviceable life by separating the sewer and storm systems with new standardized piping and services where still combined for:

- Lane south of Windermere between Second Street and Fifth Street with sewer and storm separation
- Lane south of Maryport between Third Street and Seventh Street with sewer and storm separation
- Penrith Avenue watermain replacement between First Street and Fourth Street.
- Penrith Avenue sewer and storm separation between Second Street and Fourth Street.

Due to the impacts to the asphalt surface, staff and the consultant completed a public engagement in 2025 to identify restoration options to include with the design. The goal was to develop a standardized cross section and formalize parking for other Village corridors that will allow for the current conditions and for the future development of commercial frontages as intended under the Official Community Plan on this corridor. The road configuration and parking were major components to this engagement, and a number of challenges have been formally and informally identified to the design team since this engagement.

Feedback from the engagement was mixed overall depending on which block the resident resided or in general. From the July 2025 engagement, it was clear from the public that they wanted the Village to pursue a one-way street to maximize street trees and green spaces, put a lower priority on cycling infrastructure due to the presence of bike lanes on Dunsmuir, and preserve street parking on both sides of the road while providing traffic calming and improving sightlines.

Council directed staff to expand the scope of the project beyond the initial two blocks from First Street to Third Street to extend to Fourth Street. This made sense due to the one-way concept and the differing cross section between the existing road alignments.

A one-way concept was developed for the full three blocks and presented to council in November 2025. During that meeting, residents from the easternmost block between Third and Fourth Street expressed concerns about how this change would impact their parking. Council approved the progression of the design and an amended budget for the consultant to continue to a 95% 'pre-tender design' which was submitted to the Village early February 2026 with the intention of getting it out to market for construction within the same year.

In furthering the design and cost estimates to the state of completion and to consider the Penrith corridor surface improvements, it has been noted that the 2026 financial plan approved budget is much lower than the estimate provided for the scope of work. This is likely due to the expanded scope of work, external pressures such as rising material and oil costs, and staff vacancies over the last couple of years, which have delayed the development of updated asset management budget estimates reflecting this level of improvement. Most communities are also seeing much higher labour and construction rates over this same period, making the budgets further constrained.

Table A provided below demonstrates the current budget, the engineers' estimate and the reserve available to amend the budget. This reduced scope of work will allow the continuation of sanitary sewer separation in the laneway south of Windemere and the laneway south of Maryport. Table B demonstrates the current scope of Penrith Avenue and is recommended to be deferred. Consideration may be given to including the underground utility replacement along Penrith at this time, as any failures that require repairs will be temporary.

FINANCIAL IMPLICATIONS

As mentioned above, the 2026 Financial Plan approved for the project budget is segregated by street location and linear asset type. There are several locations that have conflicting approved budgets and do not align with the current engineer estimates for this project or the project locations and limits differ from the engineers' design. The following Tables A and B summarize the project as included in the current budget and compares against the engineers' estimate with added contingency and soft costs. Total funds needed for the recommended budget increase of \$1,106,662 in Table A below are \$156,942 from the Storm Drain Development Cost Charge (DCC) Reserve, \$656,667 from the Linear Asset Renewal Reserve, and \$293,054 to be borrowed from the Sewer DCC Reserve to be paid back with interest from the Linear Asset Renewal Reserve (see details below regarding internal borrowing).

ID	Location/Description of Asset Renewal	Limits (Street)	Current 2026 Budget (\$)*	Engineers Estimate *	Variance	Funding for Budget Shortfall
1	Lane S. Windemere (Sewer)	2nd to 5th	\$248,124	\$452,419	-\$204,295	Borrow Sewer DCCs
2	Lane S. Windemere (Storm)	2nd to 5th	\$280,854	\$437,796	-\$156,942	Storm DCCs (I&I)
A	<i>Lane South Windemere</i>	2nd to 5th	\$528,978	\$890,214	-\$361,236	
3	Lane S. Maryport (Sewer)	3 rd to 4th	\$97,605	\$186,364	-\$88,759	Borrow Sewer DCCs
4	Lane S. Maryport (Storm)	3 rd to 4th	\$92,620	\$191,289	-\$98,669	Linear Asset Rsv_SD
5	Lane S. Maryport (Sewer)	4 th to 5th	\$97,142	\$151,442	-\$54,300	Linear Asset Rsv_SW
6	Lane S. Maryport (Storm)	4 th to 5th	\$91,442	\$126,502	-\$35,060	Linear Asset Rsv_SD
7	Lane S. Maryport (Sewer)	5th to 6th	\$0	\$131,764	-\$131,764	Linear Asset Rsv_SW
8	Lane S. Maryport (Storm)	5th to 6th	\$0	\$135,079	-\$135,079	Linear Asset Rsv_SD
7	Lane S. Maryport (Sewer)	6th to 7th	\$92,550	\$195,486	-\$102,936	Linear Asset Rsv_SW
8	Lane S. Maryport (Storm)	6th to 7th	\$92,550	\$191,409	-\$98,859	Linear Asset Rsv_SD
B	<i>Lane South Maryport</i>	3 rd to 7th	\$563,909	\$1,309,335	-\$745,426	
	Total		\$1,092,887	\$2,199,549	-\$1,106,662	\$1,106,662

Table A: Portion of current scope that can be funded and completed in 2026.

ID	Location/Description of Asset Renewal	Limits (Street)	Current 2026 Budget (\$)*	Engineers Estimate *	Variance	Funding for Budget Shortfall
9	Penrith Ave. - (Roads)	1st to 2nd	\$130,837	\$415,764	-\$284,927	2027 Budget Process
10	Penrith Ave. - (Water)	1st to 2nd	\$116,697	\$249,714	-\$133,017	2027 Budget Process
10	Penrith Ave. - (Storm)	1st to 2nd	\$0	\$149,241	-\$149,241	2027 Budget Process
11	Penrith Ave. - (Roads)	2nd to 3rd	\$165,120	\$499,956	-\$334,836	2027 Budget Process
12	Penrith Ave. - (Sewer)	2nd to 3rd	\$75,627	\$103,193	-\$27,566	2027 Budget Process
13	Penrith Ave. - (Storm)	2nd to 3rd	\$65,707	\$136,164	-\$70,457	2027 Budget Process
14	Penrith Ave. - (Water)	2nd to 3rd	\$120,000	\$242,491	-\$122,491	2027 Budget Process
15	Penrith Ave. - (Roads)	3rd to 4th	\$167,358	\$437,394	-\$270,036	2027 Budget Process
16	Penrith Ave. - (Water)	3rd to 4th	\$124,249	\$246,937	-\$122,688	2027 Budget Process
17	Penrith Ave. - (Sewer)	3rd to 4th	\$84,249	\$0	\$84,249	2027 Budget Process
18	Penrith Ave. - (Storm)	3rd to 4th	\$69,249	\$162,641	-\$93,392	2027 Budget Process
C	<i>Penrith Ave</i>	1 st to 4th	\$1,119,093	\$2,643,495	-\$1,524,402	To Be Determined

Table B: Portion of scope that requires additional funding resources and completion of design.

*Note: Budgets reflect Design effort to date and Engineers Estimate has been adjusted to consider inflation and soft costs.

There is sufficient funding for the budget shortfall for the Table A, laneway underground capital works totaling \$1,106,662; however, at this point, there is insufficient funding regarding the budget shortfall for Table B, Penrith Avenue capital works.

Given the substantial increases in costs for recent linear asset replacement works, Staff will review the projects currently included for 2027 to 2030 during the 2027 financial planning process. Staff will also review the fee structure to ensure enough revenues are collected every year to cover for the increased costs that the Village has recently seen for linear asset renewal projects. The Storm Drain DCC Reserve will be depleted with this recommended budget increase.

Pending the outcome of the Federal Active Transportation Fund (ATF) grant that the Village applied for in 2025 and has still not been notified about, Council has committed to contribute to the projects in this grant application from the Linear Asset Reserve and Community Works Funds. Council was presented with this grant opportunity at the February 24, 2025 Council meeting ([Page 12 of February 24, 2026 agenda](#)) and the report outlined to Council that if this grant is approved, funding is still needed to fund the Village's portion of the ATF which totals \$3,747,100.

Interfund Borrowing

The Legislation allows local governments to borrow internally from reserve. Prior to proceeding with interfund borrowing, the local government must consider the timing and amount of the capital spending related to both the lending and borrowing funds. Section 189 of the Community Charter identifies the statutory requirements to be met prior to undertaking interfund borrowing:

- The money in the lending fund must not be currently required for the purpose of the fund.
- The borrowing fund must repay the lending fund, with the interest that the amount would have earned if it had not been loaned, before the lending fund requires the money.
- While elector approval is not required for interfund borrowing, the proposed interfund borrowing must be included in the financial plan, which requires public consultation.

Council could consider borrowing from the Sewer DCC Reserve Fund to cover for the remaining shortfall for 2026 R&U reduced scope of work. Staff recommend borrowing an estimated \$293,000 from the DCC – Sewer Reserve Fund which has an estimated balance of \$964,264 at the end of 2026 and \$1,032,934 at the end of 2030.

Financial implications and amounts could be confirmed once the project costs are known in the contract award report to Council to be prepared following the tender process.

OPERATIONAL IMPLICATIONS

For the Penrith Avenue capital works to not proceed this year, there is potential risks of the underground infrastructure that is past its serviceable life to fail. These failures may be impactful to residents and further erode the condition of the surface and potential other underground utilities. Other operational considerations are the additional costs to repair infrastructure failures should this risk be realized as the repairs would be temporary.

Alternatively, Council has the option of proceeding with the underground infrastructure on Penrith in 2026 to avoid these potential failures and finalizing the surface works in 2027. This would result in the road surface being temporarily finished with gravel during this period. In this case, Operations would increase monitoring and maintenance efforts of this temporary running surface until the permanent surface works can be implemented. Funding would need to be found for the underground infrastructure on Penrith for this option.

CLIMATE CHANGE IMPLICATIONS

The project will separate sewer systems that are currently combined with storm. This will result in the diversion of less storm water run-off entering the treatment plant and reducing energy to manage liquid waste. The surface works will target areas to reduce hard surfaces where practical and install boulevards with landscaped elements.

ALTERNATIVES

1. Council may consider including the replacement of the underground utility work (watermain, sewer main and storm drain) along Penrith with the scope of work in 2026 and defer only the surface works to the 2027 financial planning process. This would require additional funding and would result in a gravel road for Penrith in the interim.
2. Not proceed with any action at this time.

STRATEGIC OBJECTIVE

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

ATTACHMENTS

No Attachments.

CONCURRENCE

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

Respectfully submitted,

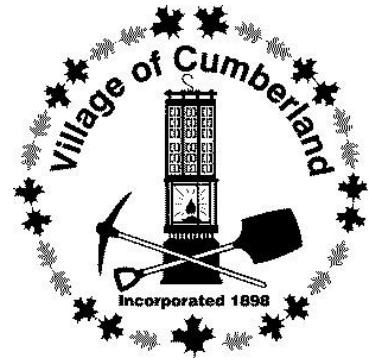
D. Dougherty

David Dougherty
Director of Engineering and Public Works

M. Mason

Michelle Mason
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: May 26, 2026
MEETING DATE: June 22, 2026

File No. 0530-09

TO: Mayor and Councillors
FROM: Rachel Parker, Corporate Officer
SUBJECT: Alternate Public Notice Policy

RECOMMENDATION

THAT Council adopt Policy 1.12, Alternate Public Notice Policy.

PURPOSE

The purpose of this report is to present an Alternate Public Notice Policy as guidance to staff for the publication of statutory notices in the event that a local newspaper that publishes weekly is not available.

PREVIOUS COUNCIL DIRECTION

None

BACKGROUND

Public notices are intended to inform the public of opportunities to participate in local government decision-making and share their views. In 2022, the Province updated the Community Charter to introduce options for alternative means to provide publication of statutory notices for local government in British Columbia. Some local governments may choose to use alternate notice if they don't have a local newspaper publishing weekly, or if newspaper publication is not practical or cost effective.

The default notification for statutory notices is:

- publication twice weekly for two weeks in a newspaper that circulates in the community
- posting in the public notice posting places, which for the Village has been the notice board outside the Village office and the Village website since 2012.

Statutory public notices are required for matters such as:

- Elections and other voting
- Alternative Approval Process
- Public hearing for some rezoning and for official community plan bylaws
- Tax sale
- Annual report
- Council meeting calendar
- Proposed disposal of municipal land
- Proposed disposal of municipal land that was reserved or dedicated by bylaw for a particular purpose

- Proposed assistance to a person or organization
- Proposed closure and removal of highway dedication
- Adoption of Council Procedure Bylaw
- Parcel Tax Review Panel
- Local Area Service Establishment
- Permissive Tax Exemptions
- Temporary Land Use Permit

Alternate Notice Bylaw

While the Province has given the option for local governments to adopt a bylaw to establish alternative methods of publication, the Village has not considered such a bylaw and continues to use the default newspaper notification for statutory notices.

Some local governments have adopted alternate notice bylaws opting for various alternatives, including the following:

Municipality/Regional District	Alternative Method
Courtenay	Social Media Once in a newspaper
Comox Note: Comox continues to publish in the newspaper despite the bylaw	Website Facebook
CVRD	-
Campbell River	Website Social Media Once in the local newspaper
North Cowichan	Social Media Once in a Local Newspaper
Lake Cowichan	Website and/or social media Once in local newspaper
City of Duncan	Website Once in the local newspaper
Pemberton	Once in the local newspaper Website
Esquimalt	Website Email subscription service
Burnaby	Webpage eNewsletter subscription
Surrey	Website Email subscription service

Alternate Means of Notification Provided in the Community Charter

While there is a local newspaper serving the Comox Valley, the Village may continue to use the default notification for public statutory notices in the newspaper twice weekly, as well as on the Village website. In 2025, the Village used \$8,572.33 in funds for advertising in the local weekly newspaper.

Where a local government does continue to use this default notification, and does not have a alternative notice bylaw, the Community Charter does have a provision that if publication in a newspaper is not practicable, say in the instance that the local newspaper was no longer publishing, and the only newspaper alternative was a larger newspaper out of Victoria or Vancouver, then the Village could use the provisions of s. 94(3), which would allow the Village to use an alternative means so long as the notice:

- (a) is given within the same period as required for newspaper publication,
- (b) is given with the same frequency as required for newspaper publication, and
- (c) provides notice that the council considers is reasonably equivalent to that which would be provided by newspaper publication.

In 2021, the Village surveyed the community about Village communications and at that time respondents indicated that residents' primary sources of information about the Village, from highest to lowest use, were

1. social media
2. news media
3. word of mouth
4. email newsletter
5. direct contact with the Village
6. Village website

Since 2021, the Village has expanded its advertising in the monthly Currently Cumberland newspaper, updated the website to include menus, and launched its own Facebook and Instagram channels – those posts can be shared to other social media channels. The current number of subscribers for social media and Village news email are:

Facebook: 436 followers

Instagram: 206 followers

Village News email: 828 subscribers

The policy attached for Council's consideration proposes an alternative means of giving notice through social media only in the event that a local newspaper is no longer publishing in the Comox Valley. This would be an interim measure until the Council could consider an alternative notice bylaw. Facebook is a better tool to include text of a statutory notice. However, some notices can be quite lengthy so where the entire notice cannot be included on the post due to technical limitations, the policy allows for a summary of the notice in general terms and a link to the Village website.

Publishing statutory notices in the Currently Cumberland paper is not an option due to its monthly, rather than weekly, distribution as well as the early publishing deadlines. However, the Village

does include information about matters that require statutory notices when possible in the Currently Cumberland.

FINANCIAL IMPLICATIONS

There are no financial implications to adopting this policy to give notice on social media. If a local newspaper were no longer available in the Village, there would be budget savings.

OPERATIONAL IMPLICATIONS

There would be some staff time required to create social media posts for statutory notices.

CLIMATE CHANGE IMPLICATIONS

None

ALTERNATIVES

1. Council may direct staff to draft an alternate notice bylaw to use different options for providing public notification than the default twice weekly newspaper ad, which could include
 - one publication in the local newspaper
 - social media
 - email subscription service of the website news
2. Not proceed with any action at this time.

STRATEGIC OBJECTIVE

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

ATTACHMENTS

1. Alternate Public Notice Draft Policy

CONCURRENCE

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

Respectfully submitted,

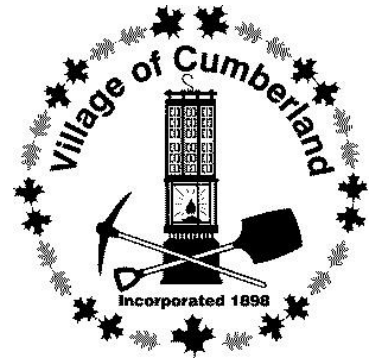
R. Parker

Rachel Parker
Corporate Officer

M. Mason

Michelle Mason
Chief Administrative Officer

COUNCIL POLICY



Title: Alternate Public Notice Policy	No. 1.12
Adopted Date: DRAFT	Section:
Amended Date:	Motion No.

Background

Section 94 of the Community Charter sets out requirements for publication of statutory notices. The Village uses the default publication requirements in s. 94.1 of the Community Charter.

Policy

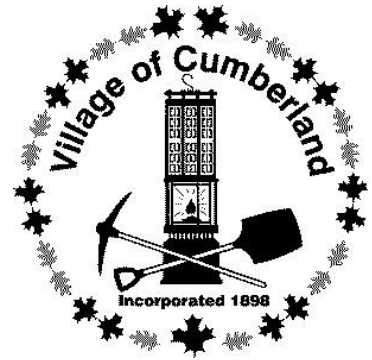
While a local Comox Valley newspaper is circulated weekly in the Village of Cumberland, the Village will continue to publish statutory notices once each week for two consecutive weeks in that newspaper.

In the event that a local Comox Valley newspaper does not circulate weekly and publication under 94.1(1) is not practicable, the Village will give notice by the alternative means of posting the notice on at least one Village social media channel once each week for two consecutive weeks within the same period required for newspaper publication. Where it is not practicable to post an entire notice on a social media channel, due to length or technical limitations, the notice will include the notice title and a summary of the notice in general terms, and a link to the complete notice on the Village website.

The Council may then consider an alternative public notice bylaw under s. 94.2 of the Community Charter.

The Council consider this alternative notice reasonably equivalent to that which would be provided by newspaper publication.

COUNCIL REPORT



REPORT DATE: June 10, 2026
MEETING DATE: June 22, 2026

File No. 3710

TO: Mayor and Councillors
FROM: Rachel Parker, Corporate Officer
SUBJECT: Accessibility and Inclusion Action Plan

RECOMMENDATION

THAT Council approve the Accessibility and Inclusion Action Plan.

PURPOSE

The purpose of this report is to seek Council’s approval of the Accessibility and Inclusion Action Plan. The Action Plan sets out a number of actions for the Village to reduce barriers to improve Village services, public information, staff training and employment practices, and public spaces for individuals with disabilities and diverse backgrounds.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
May 25 2026	Action Plan presentation to the Committee of the Whole.
Mar 10 2025	THAT Council approve policy 1.7, Accessibility and Inclusion Select Committee, Terms of Reference, with the addition of new section 1.1 To promote social and political equity.
Oct 16 2023	That Council endorse the Comox Valley Local Governments Accessibility Framework. That Council direct staff to include an equity, diversity and inclusion (EDI) lens in the scope of the Accessibility Assessment and Action Plan. That Council refer the Accessibility Assessment and Action Plan scope to the Accessibility and Inclusion Committee. That Council direct staff to prepare an updated Accessibility and Inclusion Committee terms of reference.
May 8, 2023	That Council participate in the collaborative development of a regional accessibility framework provided that socio-economic and political inclusion and diversity are not excluded by the framework and enter into an agreement with Comox Valley Social Planning Society for the services of

	a regional Accessibility Committee along with other regional local government partners.
April 23, 2023	THAT the Committee recommend that Council participate in the collaborative development of a regional accessibility framework provided that socio-economic and political inclusion and diversity are not excluded by the framework and enter into an agreement with Comox Valley Social Planning Society for the services of a regional Accessibility Committee along with other regional local government partners.

BACKGROUND

Council’s 2023-2027 Strategic priorities identified Socio-Economic Diversity and Inclusion as a goal towards a diverse and healthy community. An objective to reach that goal was the development of an accessibility plan. The plan would also meet the requirements of the BC *Accessibility Act* for public organizations to develop a plan to identify, remove and prevent barriers to individuals in or interacting with the organization.

The Village has been working to improve accessibility in the Village for many years through a number of initiatives that are reviewed in the Action Plan. With the introduction of the [Accessible BC Act in 2022](#), a number of new requirements were established for public bodies. To meet those requirements the Council established that the regional Accessibility Committee, funded by the CVRD and administered by the Comox Valley Social Planning Society, as the Village’s committee to meet the requirements under the Act, in addition to the Village’s Accessibility and Inclusion Committee. The regional approach was identified to meet the requirement for at least half the members be persons with disabilities and reflect the diversity of persons in British Columbia. The Village also participated in a regional Accessibility Framework.

The Village began the development of its Accessibility and Inclusion Action Plan in 2025 to guide the Village in taking priority steps to identify, remove and prevent barriers to equity, diversity and inclusion in Village administration, operations and public services. Previous accessibility work by the Village had focused on the built environment. The new action plan was developed in consultation with the Village’s Accessibility and Inclusion Committee as well as members of the regional Accessibility Committee, and included community engagement through an online survey.

The plan was presented at the May 25, 2026 Committee of the Whole meeting. Discussion took place that accessibility efforts make the community better for everyone, clarification on “event triggered” approach, low survey engagement, and including people with lived experience in implementation through the committee and through accessibility consultants.

The Accessibility and Inclusion Action Plan can be viewed on the Village Plans, Reports and Studies webpage at <https://cumberland.ca/wp-content/uploads/2026/05/2026-05-15-Accessibility-Plan-final.pdf>.

FINANCIAL IMPLICATIONS

There are no financial implications to receiving this report. The Accessibility and Inclusion Action Plan identifies recommended actions that will require budgeted funds to be considered in the development of the 2027-2031 and future financial plans. Staff will also explore opportunities for grant funding to implement actions in the plan.

OPERATIONAL IMPLICATIONS

Staff from all Village service areas contributed to this plan and helped to identify actions that would support staff development and ways to improve inclusion in each service area. Staff will work to bring forward actions for implementation over the ten year time frame. The Accessible BC Act requires that the Action Plan be reviewed and updated every three years.

CLIMATE CHANGE IMPLICATIONS

None

ALTERNATIVES

With the plan being completed, the Council may direct staff to revise or amend the plan along with any necessary budget allocations to do so.

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,

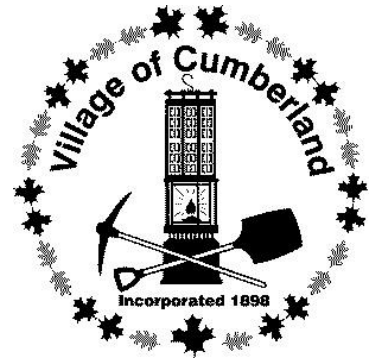
R. Parker

Rachel Parker
Corporate Officer

M. Mason

Michelle Mason
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: June 4, 2026
MEETING DATE: June 22, 2026

File No. 3760-01

TO: Mayor and Councillors
FROM: Chris Baker, Manager of Permits Licensing and Bylaw
SUBJECT: Building Bylaw Amendment for Energy Step Code, Zero Carbon Step Code and Housekeeping

RECOMMENDATION

THAT Council give first, second and third readings to Building Amendment Bylaw No. 1254, 2026.

PURPOSE

The purpose of this report is to present Council with a Building Bylaw amendment (Building Amendment Bylaw No. 1254, 2026) for first, second and third reading (Attachment 1).

A detailed report about the proposed amendments was presented to Council May 11, 2026, and can be found [here](#).

The amendments include adoption of the Energy Step Code in alignment with the BC Building Code (BCBC), and adoption of the Zero Carbon Step Code (ZCSC) with a timeline for accelerated implementation starting with Strong Carbon Performance (EL-3) on January 1, 2027, and Zero Carbon Performance (EL-4) on January 1, 2028, in alignment with the City of Courtenay. The amendment bylaw also includes several minor text amendments intended to improve the overall clarity of the Bylaw.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
2026-05-11	THAT Council endorse Building Amendment Bylaw No. 1254, 2026, for engagement with the local development community; and THAT Council direct staff to seek feedback from the local development community regarding the proposed approaches for implementing the Energy Step Code and Zero Carbon Step Code.
2024-06-24	THAT Council approve the Climate Action Plan.

BACKGROUND

At the May 11, 2026, meeting, Council endorsed public notification and consultation steps as follows:

- [Project webpage on Engage Comox Valley](#)
- Email to members of the local development community
- News post to Village webpage and subscribers
- Information in June Currently Cumberland

Community input on the proposed amendments was accepted until May 29, 2026. One public submission was received expressing concerns with accelerating requirements beyond the BCBC (Attachment 4).

Taking this input into account along with input to the City of Courtenay engagement in 2025 regarding their adoption of the Zero Carbon Step Code, the recommendation is to adopt the accelerated requirement for the Zero Carbon Step Code as drafted. Although both engagements received a small number of responses indicating a preference to not accelerate the Zero Carbon Step Code, this acceleration is aligned with the Village's Climate Action Plan. The Climate Action Plan directs both acceleration of the Zero Carbon Step Code, and regional alignment.

In the May 11th meeting, the draft bylaw presented indicated removing the peer review fee from the building bylaw. Based on staff consultation and the recommendation of the Building Official, we have proposed an update to the peer review process. The updated process included in the amendment aligns with the process in other bylaws and ensures that when peer review is required the cost is covered by the permit holder and Village Staff are not having to follow up to recover costs at the end of a project.

Building permit fees are moved to the Village's consolidated Fees Bylaw and addressed in a separate report to Council

FINANCIAL IMPLICATIONS

This cost of this project was \$13,613 for consultant support funded by the Local Government Climate Action Program (LGCAP).

Additional revenue generated as a result of the updated Fee Schedule will be put towards operational costs associated with the permitting approvals process.

OPERATIONAL IMPLICATIONS

The proposed amendments will apply to all new construction, including new civic facilities. Additional consideration of energy efficiency and GHG reductions will need to be incorporated into any future infrastructure and facilities planning.

Development Services staff are managing the project. Should the proposed amendments be adopted, staff will need to make minor revisions to the building permit application form, prepare supplementary information to be posted on the website, and update the Village's 'Building in Cumberland' brochure to ensure smooth implementation of the amended Bylaw. Of note, the first proposed step code change does not take effect until January 1, 2027, allowing for time to make these changes.

CLIMATE CHANGE IMPLICATIONS

Adoption of the Energy Step Code and Zero Carbon Step Code within the *Building Bylaw* would implement Goal B3 of the Village's Climate Action Plan (2024) by requiring that all new construction be net-zero ready/zero carbon ahead of 2030. The Climate Action Plan anticipates that Goal B3 will result in moderate emissions reductions at both the community (1,078 tCO_{2e}) and corporate (13.9 tCO_{2e}) level.

The Province's [Step Codes Best Practices Guide](#) includes modelled greenhouse gas emission reduction scenarios for both Part 9 (small/simple) and Part 3 (large/complex) buildings, which estimates that construction to the EL-4 minimum performance standard can result in a 90-94% and 88-91% decrease in GHG emissions, respectively (see pg. 16). As such, it is anticipated that the proposed amendments will support overall reductions in energy use and greenhouse gas emissions. In addition, further benefits to the community including reductions to water consumption are also anticipated.

ALTERNATIVES

1. THAT Council direct staff to revise Building Amendment Bylaw No. 1254, 2026 to change the implementation timeline of the Energy Step Code.
2. THAT Council direct staff to revise Building Amendment Bylaw No. 1254, 2026 to change the implementation timeline of the zero-carbon step code.
3. THAT Council direct staff to take no action at this time.

STRATEGIC OBJECTIVE

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

ATTACHMENTS

1. Building Amendment Bylaw No. 1254, 2026
2. Building Bylaw No. 949 – Redlined Draft
3. Annotated List of Proposed Housekeeping Amendments
4. Emailed response to engagement with building community

CONCURRENCE

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

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

Respectfully submitted,

C. Baker

Chris Baker
Manager of Permits, Licensing and Bylaw

M. Mason

Michelle Mason
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1254

A Bylaw to amend Building Bylaw No. 949, 2012.

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

Citation

1. This Bylaw shall be cited as “Building Amendment Bylaw No. 1254, 2026”.

Amendments

2. Corporation of the Village of Cumberland Building Bylaw No. 949, 2012 is amended as follows:

(a) Amending Part A: Administration

- (i) **Replacing** section 5(a) with “Every person who contravenes any provision of this Bylaw, permits, suffers, or allows a contravention of any provision of this Bylaw, or neglects to satisfy any requirement of this Bylaw commits an offence, and each day that a contravention of this Bylaw occurs shall constitute a separate offence.”

- (ii) **Replacing** section 5(b) with

“Every person who is found to have committed an offence under this Bylaw by a court of competent jurisdiction shall be liable to a minimum fine up to the maximum fine amount authorized by the *Community Charter* or a term of imprisonment not exceeding three months, or both, in addition to the costs of persecution.”

(b) Amending Part B: Definitions

- i) by repealing the following:

For the purpose of this Bylaw, the following definitions apply. The context meaning of terms contained in the Bylaw and not defined herein, are to be determined in accordance with firstly, the British Columbia Building Code 2018 (BCBC), secondly, this Bylaw and thirdly in the ‘Zoning Bylaw No. 1027, 2016,’ as amended from time to time and then in the Canadian Oxford dictionary.

and the following substituted:

1. Except as otherwise defined herein, words and phrases in this Bylaw have the same meanings as in the *Community Charter*, *Local Government Act*, *Building Code*, *Fire Safety Act*, *Interpretation Act*, and *Zoning Bylaw* as the context and circumstances may require.
2. In this bylaw,
 - ii) **Replacing** the definition of “BCBC” with “means the British Columbia Building Code as adopted by the Minister responsible under provincial legislation, as amended, revised, consolidated, or replaced from time to time.”
 - iii) **Replacing** the definition of “Building Official” with “means a person authorized by the Village to administer and enforce this Bylaw and the BCBC.”
 - iv) **Revising** the definition of “Complex Building” by removing the line break after “b) care or” and “c) detention”
 - v) **Replacing** the definition of “Energy Step Code” with “means the BCBC performance based standard for energy efficiency in new construction which involves energy modelling prior to construction and onsite testing after construction to ensure that the building envelope, equipment and systems, and airtightness are consistent with the performance based standards for the applicable step.”
 - vi) **Replacing** the definition of “Owner” with “means the registered owner in fee simple, or an Agent duly authorized by the Owner in writing in the form prescribed by the Village.”
 - vii) **Replacing** the definition of “Registered Professional” with “means a person who is registered as:
 - a) an architect with the Architectural Institute of British Columbia under the *Professional Governance Act*; or
 - b) a professional engineer or professional licensee engineering with the Association of Professional Engineers and Geoscientists of British Columbia under the *Professional Governance Act*.”

- viii) **Revising** the definition of “Standard Building” by replacing “Standard” with “Simple”, and replacing all subsequent instances of “Standard Building” with “Simple Building”.
- ix) **Replacing** the definition of “Structure” with “means anything that is constructed, placed, erected, supported by, or sunk into land or water, but specifically excludes signs, fences up to 2.0 metres in height, and areas of hard surfacing such as concrete, brick or unit pavers, turfstone, asphalt, or similar materials.”
- x) **Replacing** the definition of “Village” with “means the Corporation of the Village of Cumberland.”
- xi) **Striking out** the definition of “Village Engineer”.
- xii) **Striking out** the definition of “Wildland/Urban Interface”.
- xiii) **Adding**, in alphabetical order, the following definitions:

Agent means a firm, corporation, or other person representing the Owner, by written designation or contract, and includes a hired tradesperson or Registered Professional who may be granted a Permit for work within the limitations of their licence.

Energy Advisor means an individual qualified to carry out any activities contemplated by the Energy Step Code or Zero Carbon Step Code.

Foundation means a system or arrangement of foundation units through which the loads from a building are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building located below the finished grade immediately adjacent to the building.

Permit means permission or authorization in writing by the Building Official to perform work regulated by this Bylaw, and, in the case of a final inspection notice, to occupy a building or part of a building.

Value of Construction means the amount that is calculated as the greater of:

- a) the declared value of construction that is proposed in the application for a Permit; or
- b) the estimated value of construction that is proposed in the application for a Permit, which estimate is determined using an

independent third-party valuation service to determine the average costs of similar construction such as a method from the “Marshall Swift Valuation Service”, or an appraiser or another independent valuation method approved by the Village.

Zero Carbon Step Code means the greenhouse gas (GHG) emission requirements set out in the BCBC.

(c) Amending Part C: General Regulations:

- (i) **Revising** section 2(b)(iii) by striking out “section 23(c)” and replacing it with “Part C section 12(c)”.
- (ii) **Revising** section 2(b)(viii) by striking out “manufactured homes sited in a manufactured home park that has” and replacing it with “mobile homes sited in a manufactured home park that have”.
- (iii) **Revising** section 5 by adding the subheading “5.1 General” after “5. Applications” and before subsection (a).
- (iv) **Revising** section 5.1(a)(i)(2) by striking out “manufactured” and replacing it with “mobile”.
- (v) **Revising** section 5.1(a)(i)(4) by striking out “constructing, extending, altering, or repairing a masonry fireplace” and replacing it with “maintenance, repair, alteration, or replacement of an existing solid fuel burning appliance in accordance with Part C section 8.8 of this Bylaw”.
- (vi) **Repealing** section 5.1(a)(i)(5).
- (vii) **Repealing** section 5.1(a)(v).
- (viii) **Revising** section 5.1(b) by striking out “as determined in accordance with Table 14.2 of this Bylaw”.
- (ix) **Repealing** section 5.1(c).
- (x) **Revising** section 5 by adding the following after section 5.1(b):

5.2 Plumbing

- a) A Permit is not required for plumbing works required to replace or repair a valve, faucet, or fixture, clear a stoppage, or repair a leak, provided no change in piping is required.

(xi) **Striking out** section 6 and replacing it with the following:

6. Permit Application Requirements

- a) An Owner or Agent must apply for a Permit under this Bylaw by:
 - i) completing the relevant application form as amended or updated from time to time;
 - ii) providing all information required for the application as set out in this Bylaw, and any further information reasonably required by the Building Official to evaluate and assess the application for compliance with this Bylaw, the BCBC, and other relevant enactments; and
 - iii) paying the required permit application fee in accordance with Part C section 13.1 of this Bylaw.
- b) The Building Official is authorized to prescribe the form and content of application forms for the purposes of this Bylaw, and in so doing may prescribe different forms for different types of Permits based on the nature or complexity of the application.

(xii) **Repealing** section 7 and renumbering subsequent sections accordingly.

(xiii) **Adding** the following section in numerical order and renumbering subsequent sections accordingly:

7. Energy Efficiency and Conservation

General

- a) In relation to the conservation of energy and the reduction of greenhouse gas emissions, the Village incorporates by reference the Energy Step Code in accordance with Part C section 7(b) through 7(c) and the Zero Carbon Step Code in accordance with Part C section 7(d).

- b) A building regulated by Part 3 of the BCBC must be designed and constructed to meet the minimum performance requirements specified in:
 - i) Step 2 of the Energy Step Code; or
 - ii) for Permit applications received on or after the adoption of Step 3 within the BCBC, Step 3 of the Energy Step Code; or
 - iii) for Permit applications received on or after adoption of Step 4 within the BCBC, Step 4 of the Energy Step Code.
- c) A building regulated by Part 9 of the BCBC must be designed and constructed to meet the minimum performance requirements specified in:
 - i) Step 3 of the Energy Step Code; or
 - ii) for Permit applications received on or after adoption of Step 4 within the BCBC, Step 4 of the Energy Step Code; or
 - iii) for Permit applications received on or after adoption of Step 5 within the BCBC, Step 5 of the Energy Step Code.
- d) A building regulated by Part 3 or Part 9 of the BCBC must be designed and constructed to meet the minimum performance requirements specified in:
 - i) EL-3 of the Zero Carbon Step Code for Permit applications received on or after January 1, 2027; or
 - ii) EL-4 of the Zero Carbon Step Code for Permit applications received on or after January 1, 2028.
- e) The Village will rely solely on field reviews undertaken by the Energy Advisor and the reports submitted pursuant to this Bylaw as assurance that the construction or applicable aspect thereof substantially conforms to the design, and that the construction or applicable aspect thereof substantially complies with the BCBC, this Bylaw, and other applicable enactments respecting energy efficiency.

Solid Fuel Burning Appliances

- f) No person shall design or construct a new building nor add to, renovate, or otherwise expand an existing building where the heating system or service water heating system relies in whole or in part on the use of a solid fuel burning appliance.
 - g) Despite Part C section 7(f), a solid fuel burning appliance may be installed in a building that existed prior to December 10, 2018, to replace an existing solid fuel burning appliance, provided:
 - i) the solid fuel burning appliance meets the CSA B415.1 standard or the clean burning standards established by the US Environmental Protection Agency;
 - ii) the solid fuel burning appliance is tested, at the time of installation, for compliance with the CSA B415.1 standard or the clean burning standards established by the US Environmental Protection Agency; and
 - iii) a label indicating that the solid fuel burning appliance has been tested and achieves compliance with the CSA B415.1 standard or the clean burning standards established by the US Environmental Protection Agency is permanently affixed to the solid fuel burning appliance.
 - h) No person shall remove or alter the permanent label that is required to be displayed on a solid fuel burning appliance pursuant to Part C section 7(g)(iii) of this Bylaw.
- (xiv) **Adding** the following section in numerical order and renumbering subsequent sections accordingly:

8. Addressing of Buildings

- a) Immediately upon issuance of a Permit governing the construction, alteration, or repair of a building, or prior to and during any occupancy of a building, the Owner or occupant must display the civic address assigned to it by the Village of Cumberland:
 - i) on or over the primary entrance to the building, or where the primary entrance of the building is not visible from the adjacent highway, on the property in a location visible from the adjacent highway; and

- ii) until such time as the building is removed from the site or has been demolished.
- b) Despite Part C section 8(a), the Village may renumber or alter the assigned civic address of any building or any lot, including those already in existence or numbered.
- (xv) **Repealing** section 9 and renumbering subsequent sections accordingly.
- (xvi) **Repealing** section 10 and renumbering subsequent sections accordingly.
- (xvii) **Repealing** section 11 and renumbering subsequent sections accordingly.
- (xviii) **Repealing** section 12 and renumbering subsequent sections accordingly.
- (xix) **Repealing** section 13 and renumbering subsequent sections accordingly.
- (xx) **Revising** section 9(c) by striking out “13(a)” and replacing it with “Part C section 9(a)”.
- (xxi) **Repealing** section 10 and replacing it with the following:

10. Fees

10.1 Application Fees

- a) An application made for any Permit must:
 - i) be accompanied by the non-refundable application fee in the amount set out in the Village’s Fees Bylaw.
- b) The Building Official is authorized to cancel a Permit application, and the application fee will be forfeited if 180 days after the application date, the Building Official is unable to issue the Permit due to the incompleteness of the application submissions.
- c) The Building Office is authorized to cancel a Permit if the permit fee has not been paid within 60 days from the date of notification to the Owner of Permit issuance.

10.2 Permit Fees

- a) Before receiving an issued Permit, the Owner must first pay to the Village:
 - i) the permit fee in the amount set out in the Village's Fees Bylaw; and
 - ii) any other fees, charges, levies, or taxes imposed by the Village and payable under an enactment at the time of Permit issuance.
- b) If the owner proposes modification to the design of a completed Permit application that is ready for issue or a Permit that has been issued, the Owner must pay to the Village the permit amendment fee in the amount set out in the Village's Fees Bylaw.
- c) The Building Official is authorized to impose a double permit fee as set out in the Fees Bylaw, to a combined maximum of \$10,000.00, for any Permit application made retro-actively for construction that commenced without a valid and subsisting Permit issued by the Village.

10.3 Security Deposit

- a) Before a Permit is issued, the Owner must first pay to the Village the security deposit in the amount set out in the Village's Fees Bylaw.
- b) The security deposit may be used by the Village as follows:
 - i) to cover the cost borne by the Village to maintain, restore, or replace any public works or public lands which are destroyed, damaged, or otherwise impaired in the carrying out of the work referred to in any Permit held by the Owner;
 - ii) to cover the cost borne by the Village to make the site safe if the Permit holder abandons or fails to complete the work as designated on the Permit;
 - iii) to serve as the security deposit for provisional occupancy when such a final inspection notice makes provision for a security deposit; and

- iv) to serve as a security deposit to effect compliance with any condition under which the Permit was issued.
- c) The security deposit or applicable portion shall be returned to the Owner when:
 - i) the Building Official is satisfied that no further damage to public works or public lands will occur;
 - ii) the inspections required by this Bylaw are complete and acceptable to the Building Official; and
 - iii) the conditions or provisions of a provisional certificate of occupancy are completed to the satisfaction of the Building Official.
- d) Any credit greater than the amount of the security deposit used by the Village for the purposes described in Part C section 13.3(b) will be returned to the Owner unless otherwise so directed by the Owner.
- e) Any amount in excess of the security deposit required by the Village to complete corrective work to public lands, public works, or the site is recoverable by the Village from the Owner or Agent.
- f) Where the proposed work includes excavation or construction on lands within 3.0 metres of works or services owned by the Village, the owner must deliver to the Building Official a signed agreement in a form prescribed by the Village under which the Owner acknowledges and agrees that any damage to municipal works or services arising from the construction associated with the Permit will be repaired by the Owner at their expense and to the satisfaction of the Village.

10.4 Inspection Fees and Peer Review

- a) The Owner must pay the non-refundable inspection fees in the amount set out in the Village's Fees Bylaw for:
 - i) a second and each subsequent re-inspection where it has been determined by the Building Official that due to non-compliance with the provisions of this Bylaw or due to non-complying work, more than one site visit is required for any required inspection;

- ii) a special inspection during the Village's normal business hours to establish the condition of a building where such inspection requires special arrangements because of time, location, or construction techniques; or
 - iii) any inspection required under this Bylaw which cannot be carried out during the Village's normal business hours.
- b) The Building Official may determine that a peer review of a proposed design and/or field inspection conducted by a registered professional is warranted. The Owner must pay a Peer Review Retainer when requested by the Building Official. The amount will be determined based on 125% the estimated cost of the external review, plus a 10% administration fee. Any unused portion of the Peer Review Retainer will be refunded to the Owner. If the cost of the external review is more than the Peer Review Retainer collected, another Peer Review Retainer based on an estimate of the work remaining will be collected. The building permit will be suspended until this Peer Review Retainer, or any outstanding fees are paid.

10.5 Permit Fee Refunds

- a) No fee or part of a fee paid to the Village will be refunded if construction has started in accordance with the issued permit unless specifically provided for in this Bylaw.
 - b) A permit fee may be partially refunded in accordance with the amount(s) set out in the Village's Fees Bylaw, provided:
 - i) the Owner or Agent has submitted a written request to cancel the Permit and receive a refund;
 - ii) the Building Official has certified that works associated with the Permit have not been started; and
 - iii) the Permit has not expired.
 - c) A permit fee is not refundable after the Permit has been extended under Part C section 14(c) of this Bylaw.
- (xxii) **Revising** section 11(c) by striking out "section 15(b)" and replacing it with "Part C section 11(b)", and striking out "as required in Table 14.2".

(xxiii) **Revising** section 13 by striking out “and Geological”.

(xxiv) **Revising** section 13(a) by striking out “in Table 17.1” and replacing it with “in the Climatic Data Table below:”, and striking out Table 17.1 and replacing it with the following:

Climatic Data Table	
Ground Snow Load (kPa)	
S _s	S _R
2.4	0.4

(xxv) **Revising** section 13(b) by striking out “and geological”, striking out “in Table 17.1” and replacing it with “in the above Climatic Data Table or the BCBC,”, and striking out “and geological”.

(xxvi) **Revising** section 14(a)(ii) by striking out “, calculated in accordance with the value prescribed in Table 14.2, has” and replacing it with “have”.

(xxvii) **Revising** section 14(c)(i) by striking out “section 18(b)” and replacing it with “Part C section 14(b)”.

(xxviii) **Revising** section 14(c)(ii) by striking out “as prescribed in Table 14.2”.

(xxix) **Repealing** section 17(c) and replacing it with the following:

- c) Every Owner to whom a Permit is issued must, at all times during construction:
- i) allow a Building Official to enter any land or building or structure at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed;
 - ii) post a copy of the Permit on the property in a location visible from any adjoining highways; and
 - iii) post the civic address on the property in a location visible from any adjoining highways.

(xxx) **Revising** section 18(b) by striking out “section 22(a)” and replacing it with “Part C section 18(a)”.

- (xxxi) **Revising** section 18(d) by striking out “24” and replacing it with “48”.
- (xxxii) **Revising** section 18(e) by striking out “section (d)” and replacing it with “Part C section 18(d)”.
- (xxxiii) **Revising** section 18(f) by striking out “section (d)” and replacing it with “Part C section 18(d)”.
- (xxxiv) **Revising** section 20 by adding the following after section 20(b) and renumbering subsequent sections accordingly:
 - c) Where the demolition or deconstruction of a building or structure has resulted in an excavation and a Permit is not subsequently issued or a subsisting Permit has expired without the construction of a replacement building or structure having been substantially commenced, the Owner must fill in such excavation to restore the natural grade of the site within 60 days of being served notice by the Village to do so.
- (xxxv) **Revising** section 20(e) by adding “driveway,” after “alter a” and before “drainage swale”.
- (xxxvi) **Repealing** section 25 and renumbering subsequent sections accordingly.
- (xxxvii) **Revising** section 26(b) by adding “in accordance with a valid and subsisting Permit” after “BCBC”.
- (xxxviii) **Revising** section 28(c) by adding “Part C” after “contravention of” and before “section 3”.

3. “Solid Fuel Burning Appliance Bylaw No. 1092, 2018” is repealed.

Severability

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

READ A FIRST TIME THIS	DAY OF	2026.
READ A SECOND TIME THIS	DAY OF	2026.

READ A THIRD TIME THIS DAY OF 2026.

ADOPTED THIS DAY OF 2026.

Mayor

Corporate Officer

CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 949

**A Bylaw to provide for building inspection standards
and procedures within the Village of Cumberland.**

WHEREAS under section 8(3) of the *Community Charter* local governments may by Bylaw regulate, prohibit, and impose requirements in relation to buildings and other structures;

AND WHEREAS the Province of British Columbia has adopted a Building Code to govern standards in respect of the construction, alteration, repair and demolition of buildings and structures in municipalities and regional districts in the Province;

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

PART A ADMINISTRATION

1. Title

This Bylaw may be cited for all purposes as the ‘Corporation of the Village of Cumberland Building Bylaw No. 949, 2012.’

2. Application

This Bylaw shall be applicable to all land and water within the municipal boundaries of the Corporation of the Village of Cumberland.

3. Purpose of Bylaw

This Bylaw has been enacted for the purpose of regulating construction within the Village in the general public interest. The activities undertaken by or on behalf of the Village pursuant to this Bylaw are for the sole purpose of providing a limited and interim spot-checking function for reason of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend to:

- a) the protection of Owners or constructors from economic loss;
- b) the assumption by the Village or any Building Official of any responsibility for ensuring the compliance by any Owner, his representatives or any employees, constructors or designers retained by him, with the BCBC, the requirements of this Bylaw, or other applicable enactments respecting safety;
- c) provide any person a warranty of design or workmanship with respect to any building or structure for which a Building Permit or Occupancy Permit is issued under this Bylaw;
- d) provide a warranty or assurance that construction undertaken pursuant to Building Permits issued by the Village is free from latent, or any defects; and
- e) provide a warranty to any person that construction is in compliance with the BCBC, this Bylaw or any other enactment with respect to a building or structure for which a permit is issued under this Bylaw.

4. Severability

The provisions of this Bylaw are severable and the invalidity of any part of this Bylaw shall not affect the validity of the remainder of this Bylaw.

5. Penalties and Enforcement

- a) Every person who contravenes any provision of this Bylaw, permits, suffers, or allows a contravention of any provision of this Bylaw, or neglects to satisfy any requirement of this Bylaw commits an offence, and each day that a contravention of this Bylaw occurs shall constitute a separate offence.
- b) Every person who is found to have committed an offence under this Bylaw punishable on summary conviction by a court of competent jurisdiction and shall be liable to a minimum fine up to the maximum fine amount authorized by the *Community Charter* of \$2,000 and not more than \$10,000 or a term of to imprisonment not exceeding threefor not more than six months, or both, in addition to the costs of persecution.
- c) Every person who fails to comply with any order or notice issued by a Building Official, or who allows a violation of this Bylaw to continue, contravenes this Bylaw.

6. Repeal

- a) The 'Village of Cumberland Building Bylaw No. 800, 2006' is hereby repealed upon adoption of this Bylaw.
- b) The Village of Cumberland 'Solid Fuel Burning Appliance Bylaw No. 1091, 2018' 2018 is hereby repealed upon adoption of this Bylaw.

PART B DEFINITIONS

~~For the purpose of this Bylaw, the following definitions apply. The context meaning of terms contained in this Bylaw and not defined herein, are to be determined in accordance with firstly, the British Columbia Building Code 2018 (BCBC), secondly, this Bylaw and thirdly in the 'Zoning Bylaw No. 1027, 2016,' as amended from time to time and then in the Canadian Oxford dictionary.~~

1. Except as otherwise defined herein, words and phrases in this Bylaw have the same meanings as in the *Community Charter, Local Government Act, Building Code, Fire Safety Act, Interpretation Act, and Zoning Bylaw* as the context and circumstances may require.
2. In this bylaw,

(Bylaw 1112)

Agent

means a firm, corporation, or other person representing the Owner, by written designation or contract, and includes a hired tradesperson or Registered Professional who may be granted a Permit for work within the limitations of their licence.

Alternative Solution

means an alternative solution authorized under the BCBC.

(Bylaw 1112)

BCBC	means the British Columbia Building Code 2018 as adopted by the Minister <u>responsible under provincial legislation, as amended, revised, consolidated, or replaced from time to time pursuant to the Local Government Act, as enacted and amended.</u>
	<i>(Bylaw 1112)</i>
BUILDING OFFICIAL	means a person authorized by the Village to administer <u>and enforce</u> this Bylaw and the BCBC.
COMPLEX BUILDING	means all buildings used for major occupancies classified as: <ul style="list-style-type: none"> a) assembly; b) care or detention; c) high hazard industrial; d) exceeding 600metre² in gross floor area or three storeys in height used for major occupancies classified as: <ul style="list-style-type: none"> i) residential; ii) professional and personal services; iii) commercial; and iv) medium and low hazard industrial.
COORDINATING REGISTERED PROFESSIONAL (CRP)	means a registered professional retained by the Owner to coordinate all design work and field reviews of the registered professional(s) required for the project.
DECONSTRUCTION	in the context of physical construction, means the selective dismantlement of building or structure components, specifically for re-use, recycling, and waste management.
DEMOLITION	means the act or process of destroying or removing a building or structure by the most expedient means.
<u>ENERGY ADVISOR</u>	<u>means an individual qualified to carry out any of the activities contemplated by the Energy Step Code or Zero Carbon Step Code.</u>
ENERGY STEP CODE	means the <u>means the BCBC performance based standard for energy efficiency in new construction which involves energy modelling prior to construction and onsite testing after construction to ensure that the building envelope, equipment and systems, and airtightness are consistent with the performance based standards for the applicable step system of energy performance requirements set out in Division B, Part 10 of the Building Code.</u>
	<i>(Bylaw 1112)</i>
EXCAVATION	For the purposes of this Bylaw, means a space created by the removal of soil, rock, or fill which exceeds 15.0metres ² (161.5feet ²) in area or a depth of 0.5metres (1.6feet).
FLOOD CONSTRUCTION LEVEL	<i>See the 'Village of Cumberland Floodplain Management Bylaw No. 962, 2012'</i>
<u>FOUNDATION</u>	<u>means a system or arrangement of foundation units through which the loads from a building are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building</u>

located below the finished grade immediately adjacent to the building.

GREEN INFRASTRUCTURE

means engineering design that takes a “design with nature” approach, to both mitigate the potential impacts of existing and future development and growth and to provide valuable services. This includes such methods which:

- a) promote infiltration and groundwater recharge using disconnected roof leaders, grassy swales and rain gardens;
- b) roadside curb cuts that direct road runoff onto grassy sales and rain gardens;
- c) reduce runoff and reduce/avoid the impact of peak flows using permeable pavements, rock pits and other catch basins and detention ponds
- d) conserve water using low flow fixtures and systems for water reclamation and redistribution
- e) utilize alternative energy sources using solar, wind, geothermal, energy; and
- f) consist of green building features;

(Bylaw 1112)

OWNER

means ~~a person registered in the land registry records as the registered owner in fee simple, or an Agent duly authorized by the Owner in writing in the form prescribed by the Village of land. For the purposes of this Bylaw, Owner includes an agent authorized in writing to act on his behalf by the registered Owner.~~

PERMIT

means permission or authorization in writing by the Building Official to perform work regulated by this Bylaw, and, in the case of a final inspection notice, to occupy a building or part of a building.

POOL

means any structure constructed or prefabricated, existing or prospective, which is used primarily for swimming, bathing or wading, having an enclosed water area exceeding 15.0metres² or a depth exceeding 0.5metres.

REGISTERED PROFESSIONAL

means a person who is registered ~~or licensed to practice as:~~ an:
a) an architect with the Architectural Institute of British Columbia under the Professional Governance Act; ~~under the Architects Act;~~ or
b) a professional engineer or professional licensee engineering with the Association of Professional Engineers and Geoscientists of British Columbia under the Professional Governance Act ~~under the Engineers and Geoscientists Act.~~

RETAINING STRUCTURE

means a structure built to resist the lateral displacement of soil or other materials resulting in a separation of grade.

SIMPLETANDARD BUILDING

means a building of three storeys or less in height, having a gross floor area not exceeding 600metres² and used for major occupancies classified as:

- a) residential;

- b) professional and personal services;
- c) commercial; and
- d) medium and low hazard industrial.

STRUCTURE

means anything that is constructed, placed, erected, supported by, or sunk into land or water, but specifically excludes signs, fences up to 2.0 metres in height, and areas of hard surfacing such as concrete, brick or unit pavers, turfstone, asphalt, or similar materials~~means a construction used for supporting or sheltering any use (includes pools) whether or not fixed to, supported by or sunk into land or on the water but specifically excludes:~~

- a) ~~hard and soft landscaping;~~
- b) ~~paving;~~
- e) ~~signs; and~~
- d)a) fences equal to or less than 2.0 metres (6.6 feet) in height.

VALUE OF CONSTRUCTION

means the amount that is calculated as the greater of:

- a) the declared value of construction that is proposed in the application for a Permit; or
- a)b) the estimated value of construction that is proposed in the application for a Permit, which estimate is determined using an independent third-party valuation service to determine the average costs of similar construction such as a method from the “Marshall Swift Valuation Service”, or an appraiser or another independent valuation method approved by the Village.

VILLAGE

~~means, as the context requires, the Corporation of the Village of Cumberland, or the area within the boundaries of the Village of Cumberland.~~

VILLAGE ENGINEER

~~means the person authorized by the Village to perform this duty.~~

WILDLAND/URBAN INTERFACE

~~means any area where combustible wildland fuels are found adjacent to homes, farms, and other structures.~~

ZERO CARBON STEP CODE

means the greenhouse gas (GHG) emission requirements set out in the BCBC.

PART C GENERAL REGULATIONS
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1. Permit Conditions

- a) A Permit is required whenever activity regulated under this Bylaw is to be undertaken.
- b) It is the full and sole responsibility of the Owner to carry out the activity in respect of which the Permit was issued, in compliance with the BCBC, this Bylaw, and any other applicable enactments respecting safety.

- c) No person shall rely upon any Permit as establishing compliance with this Bylaw or assume or conclude that this Bylaw has been administered or enforced according to its terms. The person to whom the Permit is issued and his representatives are responsible for making such determination.

2. **Scope and Exemptions**

- a) This Bylaw applies to the design, construction, and occupancy of new buildings and structures, and the alteration, reconstruction, demolition, deconstruction, removal, relocation, occupancy, and change of occupancy of existing buildings and structures.
- b) This Bylaw does not apply to:
 - i) building or structures exempted by Part 1 of the BCBC;
 - ii) accessory buildings less than 10.0metres² in building area that do not create a hazard;
 - iii) retaining structures less than 1.2metres (3.9feet) in height unless otherwise determined by the Building Inspector to be in accordance with [Part C](#) section [2312\(c\)](#) of this Bylaw;
 - iv) shoreline protection measures employed to protect property from erosion from any body of water, wetland, or watercourse;
 - v) polyethylene film-covered greenhouses used for the production of agricultural and horticultural produce or feeds;
 - vi) low human occupancy farm building or structures located on land classified as 'farm' under the *Assessment Act* on the date on which the application for permit was made;
 - vii) decks without roofs, the floor of which are not more than 0.6metres (2.0feet) above natural grade; and
 - viii) ~~manufactured-mobile~~ homes sited in a manufactured home park that [has](#) a valid and subsisting Manufactured Home Park Permit issued by the Village.

3. **Prohibitions**

- a) No person shall commence or continue any construction, alteration, reconstruction, demolition, deconstruction, removal, relocation or change the occupancy of any building or structure unless a valid and subsisting Permit for the work has been issued.
- b) No person shall occupy any building unless a valid and subsisting Occupancy Permit has been issued for the building, or contrary to the terms of any Permit issued or any notice given by a Building Official.
- c) No person shall knowingly submit false or misleading information to a Building Official in relation to any Permit application or construction undertaken pursuant to this Bylaw.
- d) No person shall, unless authorized in writing by a Building Official, tamper with any notice posted on a building or structure pursuant to this Bylaw.

- e) No person shall do any work that is different from the approved design or plans of a building or structure or other works for which a Permit has been issued, unless that change has been accepted in writing by a Building Official.
- f) No person shall obstruct the entry of a Building Official or other authorized official of the Village on property during the administration of this Bylaw.

4. **Building Officials**

a) **Administration**

A Building Official is authorized to:

- i) issue Permits, with or without conditions, deny and revoke Permits as required;
- ii) administer this Bylaw;
- iii) keep records of Permit applications, Permits, notices and orders issued, inspections and tests made, and retain copies of all documents related to the administration of this Bylaw in accordance with acceptance records management practices; and
- iv) establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a building or structure for which a permit is sought under this Bylaw substantially conforms to the requirements of the BCBC.

b) **Enforcement**

A Building Official is authorized to:

- i) enter any land or building or structure at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed;
 - ii) where any residence is occupied, the Building Official will provide written notice to the Owner at least 24 hours in advance of entry; and
 - iii) carry identification confirming his status as a Building Official.
- c) A Building Official may order the suspension or correction of any work that contravenes the BCBC or this Bylaw. For the purposes of this section, the Building Official may, but is not obliged to, require any work to be uncovered or removed in order to determine if there is a contravention.
 - d) A Building Official may refuse to issue or may revoke a Permit where the results of tests or materials, devices, construction methods, structural assemblies or foundation conditions are, in his opinion, not satisfactory.
 - e) A Building Official may issue a Building Permit for a portion of a building or structure before the design, plans and specifications for the entire building or structure have been accepted, provided sufficient information has been provided to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with this and other applicable Bylaws and the Permit Fee applicable to that portion of the building or structure has been paid.

5. **Applications**

5.1 General

- a) Unless the activity is exempted under Part C section 2(b) of this Bylaw, before commencing work every person must apply for and obtain from the Village:
- i) a Building Permit for:
 - 1) constructing, extending, altering, or repairing a building or structure;
 - 2) installation of a ~~manufactured~~ mobile home, where permitted by bylaw, that is not within a Manufactured Home Park that has a subsisting Manufactured Home Park Permit;
 - 3) change of occupancy of a building;
 - ~~4) — maintenance, repair, alteration, or replacement of an existing solid fuel burning appliance in accordance with Part C section 8.8 of this Bylaw~~ constructing, extending, altering, or repairing a masonry fireplace;
 - ~~5) — the installation of a new solid fuel burning appliance;~~
 - ~~6)4) —~~ constructing, extending, altering, or repairing any chimney for a fireplace or solid fuel burning appliance;
 - ~~7)5) —~~ constructing, extending, altering, or repairing a retaining structure;
 - ii) a Plumbing Permit, for constructing, extending, altering, or repairing:
 - 1) a plumbing system,
 - 2) a fire suppression automatic sprinkler system, or
 - 3) an in-ground sprinkler system ;
 - iii) a Moving Permit for transporting any building or structure into or within ~~on streets~~ within the Village;
 - iv) a Demolition/Deconstruction Permit for demolishing or deconstructing a building or structure;
 - v) ~~an Excavation Permit, when an excavation as defined in this Bylaw, is to be carried out that is not part of any Building Permit.~~
- b) Each building or structure to be constructed on a site requires a separate permit and shall be assessed a separate permit fee based on the estimated value of construction of that building or structure ~~as determined in accordance with Table 14.2 of this Bylaw.~~
- c) ~~The Village of Cumberland is identified as a High Seismic Region with spectral acceleration at 0.2 seconds, identified above 0.7. Design Elements are to be in conformance with seismic bracing requirements based on the BCBC.~~

(Bylaw 1112)

5.2 Plumbing

- a) A Permit is not required for plumbing works required to replace or repair a valve, faucet, or fixture, clear a stoppage, or repair a leak, provided no change in piping is required.

6. **Building Permit Application Requirements for Complex Buildings or Other Structures**

- a) An Owner or Agent must apply for a Permit under this Bylaw by:
- i) completing the relevant application form as amended or updated from time to time;
 - ii) providing all information required for the application as set out in this Bylaw, and any further information reasonably required by the Building Official to evaluate and assess the application for compliance with this Bylaw, the BCBC, and other relevant enactments; and
 - iii) paying the required permit application fee in accordance with Part C section 13.1 of this Bylaw.
- b) The Building Official is authorized to prescribe the form and content of application forms for the purposes of this Bylaw, and in so doing may prescribe different forms for different types of Permits based on the nature or complexity of the application.

~~An application for a Building Permit for a complex building or structure shall be made in the form provided by the Village and signed by the Owner and the Coordinating Registered Professional and will include the following:~~

- ~~i) a copy of the title search for the subject property dated within 10 days of the date of the application. Where the property is owned by a company, a Corporate Search which shows the company's principals must be included. Where a company name is not registered the application must be made in an individual's name;~~
- ~~ii) a site drawing prepared by a BC Land Surveyor of the subject property which shows:
 - ~~1) the bearings and dimensions taken from the registered subdivision plan;~~
 - ~~2) the location and dimensions of all rights of way, (statutory and other), easements, and covenant areas;~~
 - ~~3) the location and dimensions of all existing and proposed buildings or structures;~~
 - ~~4) setbacks to the natural boundary of any body of water, wetland, or watercourse where applicable;~~
 - ~~5) the existing and finished flood construction levels where applicable;~~
 - ~~6) the location, dimension, and finished gradients of parking and driveway access; and~~
 - ~~7) location of connections for water, sanitary sewer and stormwater to the property and including inverse elevation of sanitary and storm connections.~~~~

~~The Building Official may waive the requirement for a site drawing as above, in whole or in part, where the Permit is sought for the internal repair~~

or alteration of an existing building or structure and does not affect a change in footprint or height.

- iii) ~~if the building or structure is to be serviced an onsite wastewater system approval shall be received from the agency having jurisdiction.~~
 - iv) ~~a foundation plan showing all required bearing locations of the building or structure being transferred to the foundation;~~
 - v) ~~four sets of the drawings certified by the Coordinating Registered Professional and containing the following information:~~
 - 1) ~~floor plans showing:~~
 - aa) ~~the dimensions and uses of all areas;~~
 - bb) ~~the dimensions and height of crawl and roof spaces;~~
 - cc) ~~the location, size and swing of doors;~~
 - dd) ~~the location, size and opening of windows; floor, wall, and ceiling finishes;~~
 - ee) ~~plumbing fixtures;~~
 - ff) ~~structural elements; and~~
 - gg) ~~stair dimensions;~~
 - 2) ~~cross sections through the building illustrating foundations, drainage, ceiling heights, and construction systems;~~
 - 3) ~~a plan of final lot grades and drainage management prepared by a registered professional if the grade is changed from the approved or existing grade;~~
 - 4) ~~elevations of all sides of the building or structure from natural grade showing finish details, roof slopes, windows, and doors; and~~
 - 5) ~~cross-sectional details drawn at an appropriate scale and at sufficient locations to demonstrate that the building and structure substantially conforms to the BCBC;~~
 - vi) ~~copies of approvals required under any enactment relating to health or safety;~~
 - vii) ~~copies of all rights of way (statutory or other), easements, and covenants;~~
 - viii) ~~a copy of the Safety Measures to be put in place to comply with the BCBC and local Bylaws and requirements; and~~
 - ix) ~~letters of assurance as required pursuant to the BCBC prepared by the CRP, or as directed by the Building Official, such registered professionals to prepare the design for and conduct field reviews of the construction of the building or structure.~~
- b) ~~In addition to the requirements of section 6(a), the Building Official may require the following:~~
- i) ~~site servicing drawings prepared by an RP, which include detail of off-site services at the property line, in accordance with the Village's frontage works and services requirements;~~

- ii) ~~additional architectural, structural, electrical, mechanical, plumbing, fire suppression, or geotechnical drawings prepared and sealed by a registered professional; and~~
- iii) ~~any other information required to establish substantial compliance with the BCBC, this Bylaw, and other regulations and enactments relating to the proposed construction.~~

7. ~~[Building Permit for Standard Buildings and Other Structures~~

a) ~~An application for a Building Permit for a Standard Building or structure shall be made in the form provided by the Village, signed by the Owner and will include the following:~~

i) ~~a copy of the title search for the subject property dated within 10 days of the date of the application. Where the property is owned by a company, a Corporate Search which shows the company's principals must be included. Where a company name is not registered the application must be made in an individual's name;~~

ii) ~~a site drawing showing:~~

1) ~~the dimensions of the subject property taken from the registered subdivision plan;~~

2) ~~the location and dimensions of all rights of way (statutory and other), easements, and covenant areas;~~

4) ~~the location and dimensions of all existing and proposed building or structures on the subject property;~~

5) ~~setbacks to the natural boundary of any body of water, wetland, or watercourse where applicable;~~

6) ~~the finished flood construction levels where applicable;~~

7) ~~the location, dimension and gradients of parking and driveway access;~~

8) ~~location of lines and municipal connections for water, sanitary sewer, and stormwater to the property and including inverse elevation of sanitary and storm connections.~~

~~The Building Official may waive the requirement for a site drawing under in whole or in part, where the permit is sought for the internal repair or alteration of an existing building or structure which does not affect a change in footprint or height.~~

iv) ~~a foundation plan showing all required bearing locations of the building or structure being transferred to the foundation;~~

v) ~~if the building is not to be serviced by municipal sanitary sewer, approval for an onsite system shall be received from the agency having jurisdiction.~~

vi) ~~two sets of each of the following plans:~~

1) ~~floor plans showing:~~

aa) ~~the dimensions and uses of all areas;~~

bb) ~~the dimensions and height of crawl and roof spaces;~~

cc) ~~the location, size and swing of doors;~~

dd) ~~the location, size and opening of windows; floor, wall, and ceiling finishes;~~

- ~~ee) plumbing fixtures;~~
- ~~ff) structural elements; and~~
- ~~gg) stair dimensions;~~
- ~~2) a cross section through the building or structure illustrating foundations, drainage, ceiling heights, and construction systems;~~
- ~~3) a plan of final lot grades and drainage management prepared by a registered professional if the grade is changed from that grade previously approved or existing.~~
- ~~4) elevations from natural grade to the highest point of all sides of the building or structure showing roof slopes, windows, and doors;~~
- ~~5) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the BCBC;~~
- ~~vii) a plan of final lot grades and drainage management prepared by a registered professional if the grade is changed from that grade previously approved or existing;~~
- ~~ix) a copy of the Safety Measures to be put in place to comply with the BCBC and local Bylaws and requirements;~~
- ~~x) copies of any approvals required under any enactment relating to health or safety; and~~
- ~~xi) the Owner provides evidence pursuant to section 30(1) of the *Home Owner Protection Act* that the proposed residence is to be constructed by an Owner/Builder or is to be constructed by a licensed residential builder as applicable.~~
- ~~b) In addition to the requirements of section 7(a), the Building Official may require the following:~~
 - ~~i) site servicing drawings prepared by a registered professional, which include detail of off-site services at the property line, in accordance with the Village's Development Works and Services requirements as contained in the 'Corporation of Village of Cumberland Subdivision and Development Bylaw No. 948, 2012'; and~~
 - ~~ii) any other information required to establish substantial compliance with the BCBC, this Bylaw, and other regulations and enactments relating to the proposed construction.~~

8.7. Energy Efficiency and Conservation

General

- a) In relation to the conservation of energy and the reduction of greenhouse gas emissions, the Village incorporates by reference the Energy Step Code in accordance with Part C section 7(b) through 7(c) and the Zero Carbon Step Code in accordance with Part C section 7(d).
- b) A building regulated by Part 3 of the BCBC must be designed and constructed to meet the minimum performance requirements specified in:
 - i) Step 2 of the Energy Step Code; or

- ii) for Permit applications received on or after the adoption of Step 3 within the BCBC, Step 3 of the Energy Step Code; or
 - iii) or for Permit applications received on or after adoption of Step 4 within the BCBC, Step 4 of the Energy Step Code.
 - c) A building regulated by Part 9 of the BCBC must be designed and constructed to meet the minimum performance requirements specified in:
 - i) Step 3 of the Energy Step Code; or
 - ii) for Permit applications received on or after adoption of Step 4 within the BCBC, Step 4 of the Energy Step Code; or
 - iii) for Permit applications received on or after adoption of Step 5 within the BCBC, Step 5 of the Energy Step Code.
 - d) A building regulated by Part 3 or Part 9 of the BCBC must be designed and constructed to meet the minimum performance requirements specified in:
 - i) EL-3 of the Zero Carbon Step Code for Permit applications received on or after January 1, 2027; or
 - ii) EL-4 of the Zero Carbon Step Code for Permit applications received on or after January 1, 2028.
 - e) The Village will rely solely on field reviews undertaken by the Energy Advisor and the reports submitted pursuant to this Bylaw as assurance that the construction or applicable aspect thereof substantially conforms to the design, and that the construction or applicable aspect thereof substantially complies with the BCBC, this Bylaw, and other applicable enactments respecting energy efficiency.

Solid Fuel Burning Appliances

- f) No person shall design or construct a new building nor add to, renovate, or otherwise expand an existing building where the heating system or service water heating system relies in whole or in part on the use of a solid fuel burning appliance.
- g) Despite Part C section 7(f), a solid fuel burning appliance may be installed in a building that existed prior to December 10, 2018, to replace an existing solid fuel burning appliance, provided:
 - i) the solid fuel burning appliance meets the CSA B415.1 standard or the clean burning standards established by the US Environmental Protection Agency;
 - ii) the solid fuel burning appliance is tested, at the time of installation, for compliance with the CSA B415.1 standard or the clean burning standards established by the US Environmental Protection Agency; and
 - iii) a label indicating that the solid fuel burning appliance has been tested and achieves compliance with the CSA B415.1 standard or the clean burning standards established by the US Environmental Protection Agency is permanently affixed to the solid fuel burning appliance.
- h) No person shall remove or alter the permanent label that is required to be displayed on a solid fuel burning appliance pursuant to Part C section 7(g)(iii) of this Bylaw.

9.8. Addressing of Buildings

- a) Immediately upon issuance of a Permit governing the construction, alteration, or repair of a building, or prior to and during any occupancy of a building, the Owner or occupant must display the civic address assigned to it by the Village of Cumberland:
 - i) on or over the primary entrance to the building, or where the primary entrance of the building is not visible from the adjacent highway, on the property in a location visible from the adjacent highway; and
 - ii) until such time as the building is removed from the site or has been demolished.
- b) Despite Part C section 8(a), the Village may renumber or alter the assigned civic address of any building or any lot, including those already in existence or numbered.

~~10. Plumbing Permits~~

- a) ~~An application for a Plumbing Permit shall be made in the form provided by the Village, signed by the Owner and will include the following:~~
 - i) ~~a copy of the title search for the subject property made within 10 days of the date of the application. Where the property is owned by a company, a Corporate Search which shows the company's principals must be included. Where a company name is not registered the application must be made in an individual's name;~~
 - ii) ~~two sets of schematic drawings at a suitable scale of design and including the information set out in the BCBC. This requirement for drawings is waived if the applicant for the Permit is a professional Plumber who supplies his trades qualification number on the application; and~~
 - iii) ~~any other information required by the Building Official or the BCBC to establish substantial compliance with this Bylaw, the BCBC and other Bylaws and enactments relating to the building or structure.~~
- b) ~~A Plumbing Permit is not required when a valve, faucet, or fixture is replaced or repaired, a stoppage cleared or a leak repaired if no change in the piping is required.~~

~~11. Fire Suppression Systems Permits~~

- a) ~~An application for a Plumbing Permit in regard to Fire Suppression Sprinkler System shall be made in the form provided by the Village, signed by the Owner and will include the following:~~
 - i) ~~a copy of the title search for the subject property made within 10 days of the date of the application. Where the property is owned by a company, a Corporate Search which shows the company's principals must be included. Where a company name is not registered the application must be made in an individual's name;~~

- ~~ii) — two sets of drawings at a suitable scale of design prepared by a Registered Professional and including the information as set out in the BCBC;~~
- ~~iii) — letters of assurance as required pursuant to the BCBC, prepared by the Coordinating Registered Professional, or as directed by the Building Official, such registered professionals to prepare the design for and conduct field reviews of the construction of the building or structure.~~
- b) — A Permit is not required when a sprinkler head or valve is replaced or repaired, a stoppage cleared, or a leak repaired if no change in the piping is required.

~~12. — In-Ground Sprinkler Systems Permits~~

- a) — An application for a Plumbing Permit in regard to an In-Ground Sprinkler System shall be made in the form provided by the Village, signed by the Owner and will include the following:
 - ~~i) — a copy of the title search for the subject property made within 10 days of the date of the application. Where the property is owned by a company, a Corporate Search which shows the company's principals must be included. Where a company name is not registered the application must be made in an individual's name;~~
 - ~~ii) — two sets of drawings at a suitable scale of design prepared by a professional and including the information set out in the BCBC;~~
 - ~~iii) — letters of assurance as required pursuant to the BCBC, prepared by the Coordinating Registered Professional, or as directed by the Building Official, such registered professionals to prepare the design for and conduct field reviews of the system.~~
- b) — A Permit is not required when a sprinkler head or valve is replaced or repaired, a stoppage cleared, or a leak repaired if no change in the piping is required.

~~13. — Demolition or Deconstruction Permits~~

- a) — An application for a Demolition or Deconstruction Permit for a building or structure shall be made in the form provided by the Village, signed by the Owner and will include the following:
 - ~~i) — a copy of the title search for the subject property made within 10 days of the date of the application. Where the property is owned by a company, a Corporate Search which shows the company's principals must be included. Where a company name is not registered the application must be made in an individual's name;~~
 - ~~ii) — A copy of the Safety Measures to be put in place to comply with the BCBC and local Bylaws and requirements.~~
- b) — ~~When a building or structure has been demolished or deconstructed and a Building Permit is not subsequently issued or a subsisting Building Permit has expired but without the construction of a replacement building or structure having been substantially commenced, the Owner shall fill in any excavation to restore the natural grade of the site within 60 days of being served notice by the Village to do so.~~

~~14.~~ **Excavation Permit**

- ~~a) An application for an Excavation Permit in respect to an excavation as defined in this Bylaw, is to be carried out when the excavation is not part of any Building Permit shall be made in the form provided by the Village, signed by the Owner and will include the following:
 - ~~i) a copy of the title search for the subject property made within 10 days of the date of the application. Where the property is owned by a company, a Corporate Search which shows the company's principals must be included. Where a company name is not registered the application must be made in an individual's name;~~
 - ~~ii) A copy of the Safety Measures to be put in place to comply with the BCBC and local Bylaws and requirements.~~~~
- ~~b) When an excavation has been left open for more than 30 days without any works being carried out, the Owner shall be required to fill in the excavation to restore the original gradients of the site within 60 days of being served notice by the Village to do so.~~
- ~~c) If the Owner fails to comply with 11(b) above, the Village may carry out the restoration and invoice the Owner for the cost of said works.~~

15.9. Retaining Structures

- a) A Building Permit is required for a retaining building or structure where any portion of said structure is greater than 1.2metres (3.9feet) in height measured on the most exposed side.
- b) When a Building Permit is required, the Owner must provide a design plan and field review reports prepared and certified by a Registered Professional. The cost for the engineer's services is the responsibility of the Owner.
- c) Notwithstanding Part C section 913(a) above, if the Building Official is of the opinion that any existing retaining structure, regardless of height, is structurally inadequate or unsound, the Owner will be required to consult a professional engineer to determine what action, if any, is required to restore the structural integrity of the retaining structure. The cost for the engineer's services is the responsibility of the Owner.

16.10. Fees

~~a)10.1~~ **Application Fees**

- ~~a) An application made for any Permit mustshall:~~
- ~~i) be accompanied by the non-refundable application fee in the amount set out in the Village's Fees Bylaw;~~
- ~~i) be made in the form acceptable to the Village and accompanied by the Permit Processing Fee prescribed in Table 14.2;~~
- ~~ii) No processing of the application will be done prior to the fee being paid;~~
- ~~iii)b) The Building Official is authorized to cancel a Permit application will be considered abandoned and the application fee will be forfeited if Permit Processing Fee forfeited when the earliest of these occurs: 180 days after the application date,~~

the Building ~~Inspector~~ Official is unable to issue the Permit due to the incompleteness of the application submissions;

- a) The Building Official is authorized to cancel a Permit if the permit fee has not been paid within 60 days from the date of notification to the Owner of Permit issuance~~90 days after notification to the Owner that the Permit is ready to be issued and the Permit fee paid and it is not picked up.~~
- iii) ~~An application may be cancelled by the Owner in writing to the Village. Any refunds shall be payable in accordance with Table 14.2. Plans and related documents submitted with the application shall be returned to the Owner or disposed of as per the Owner's instructions.~~

b)10.2 ——— Permit Fees

- a) Before receiving an issued Permit, the Owner must first pay to the Village:
 - i) the permit fee in the amount set out in the Village's Fees Bylaw; and
 - ii) any other fees, charges, levies, or taxes imposed by the Village and payable under an enactment at the time of issuance of the Permit.
- b) If the Owner proposes modification to the design of a completed Permit application that is ready for issue or a Permit that has been issued, the Owner must pay to the Village the permit amendment fee in the amount set out in the Village's Fees Bylaw.
- c) The Building Official is authorized to impose a double permit fee as set out in the Fees Bylaw, to a combined maximum of \$10,000.00, for any Permit application made retroactively for construction that commenced without a valid and subsisting Permit issued by the Village.
 - i) ~~A Permit Fee will be calculated as prescribed in Table 14.2 and must be paid in full prior to issuance of a Permit under this Bylaw.~~
 - ii) ~~In addition to fees applicable to a Permit under this Bylaw, there may be other fees and charges that will be required prior to issuance of a Permit.~~
 - iii) ~~If the Owner wishes to request a refund of fees after a Permit has been issued, refunds are as prescribed in Table 14.2.~~
 - iv) ~~The Permit Fee as required in Table 14.2 shall be reduced by 5%, up to a maximum reduction of \$250.00, where the owner applies to use "green infrastructure" alternatives certified by a registered professional which meet or exceed MMCD performance standards for water conservation, stormwater management, and energy conservation.~~

i) _____

e)10.3 Damage Security Deposit

a) Before a Permit is issued, the Owner must first pay to the Village the security deposit in the amount set out in the Village's Fees Bylaw.

b) The security deposit may be used by the Village as follows:

- i) to cover the cost borne by the Village to maintain, restore, or replace any public works or public lands which are destroyed, damaged, or otherwise impaired in the carrying out of the work referred to in any Permit held by the Owner;
- ii) to cover the cost borne by the Village to make the site safe if the Permit holder abandons or fails to complete the work as designated on the Permit;
- iii) to serve as the security deposit for provisional occupancy when such a final inspection notice makes provision for a security deposit; and
- iv) to serve as a security deposit to effect compliance with any condition under which the Permit was issued.

(c) The security deposit or applicable portion shall be returned to the Owner when:

- i) the Building Official is satisfied that no further damage to public works or public lands will occur;
- ii) the inspections required by this Bylaw are complete and acceptable to the Building Official; and
- iii) the conditions or provisions of a provisional certificate of occupancy are completed to the satisfaction of the Building Official.

(d) Any credit greater than the amount of the security deposit used by the Village for the purposes described in Part C section 13.3(b) will be returned to the Owner unless otherwise so directed by the Owner.

(e) Any amount in excess of the security deposit required by the Village to complete corrective work to public lands, public works, or the site is recoverable by the Village from the Owner or Agent.

(f) Where the proposed work includes excavation or construction on lands within 3.0 metres of works or services owned by the Village, the owner must deliver to the Building Official a signed agreement in a form prescribed by the Village under which the Owner acknowledges and agrees that any damage to municipal works or services arising from the construction associated with the Permit will be repaired by the Owner at their expense and to the satisfaction of the Village.

- ~~i) A damage security in a form acceptable to the Village in the amount prescribed in Table 14.2 shall be paid to the Village before the Building Permit is issued.~~
- ~~ii) The Village will return the security paid to the person who paid it at the address contained in the Building Permit file, after:
 - ~~1) final approval has been issued; or~~
 - ~~2) the Permit is abandoned or expires;~~and municipal streets, sidewalks, curbs, water, sanitary sewer, storm sewer drainage systems, and any other works on Village property have been inspected and found to be in acceptable condition by the Building Official.~~

10.4 Inspection Fees and Peer Review

a) The Owner must pay the non-refundable inspection fees in the amount set out in the Village's Fees Bylaw for:

- i) a second and each subsequent re-inspection where it has been determined by the Building Official that due to non-compliance with the provisions of this Bylaw or due to non-complying work, more than one site visit is required for any required inspection;

- ii) a special inspection during the Village's normal business hours to establish the condition of a building where such inspection requires special arrangements because of time, location, or construction techniques; or
- iii) any inspection required under this Bylaw which cannot be carried out during the Village's normal business hours.

b) The Building Official may determine that a peer review of a proposed design and/or field inspection conducted by a registered professional is warranted. The Owner is responsible for this cost. The Owner must pay a Peer Review Retainer when requested by the Building Official. The amount will be determined based on 125% the estimated cost of the external review, plus a 10% administration fee. Any unused portion of the Peer Review Retainer will be refunded to the Owner. If the cost of the external review is more than the Peer Review Retainer collected, another Peer Review Retainer based on an estimate of the work remaining will be collected. The building permit will be suspended until this Peer Review Retainer, or any outstanding fees are paid.

(Bylaw 1026)

d) ~~Re-Inspection(s) Fee~~

~~Where, due to non-compliance with the BCBC or the approved Permit, a third or subsequent inspection is necessary, a fee for the additional inspection after the second inspection, in accordance with Table 14.2 shall be paid prior to additional inspection(s) being performed.~~

e) ~~Peer Review Fee~~

~~Prior to issuing a permit, the Owner shall be required to reimburse the Village of all costs incurred in processing the application. These items may be of advice and review of: legal, engineering, environmental and architectural matters, as well as any public consultation regarding the project. The applicant will be advised in writing of the amount outstanding and will be provided with an accounting of the costs incurred.~~

f) ~~Special Inspection Fee~~

~~A Special Inspection fee, prescribed in Table 14.2, shall be payable in advance for an inspection to confirm compliance or to obtain a report on the status of an existing building or structure for which a permit is sought under this Bylaw.~~

g) ~~Revision Fee~~

~~The Revision Fee as prescribed in Table 14.2, shall be payable when an application for amendment or additions to a valid permit is made.~~

h) ~~Transfer Fee:~~

~~A transfer fee, prescribed in Table 14.1, shall be payable prior to the transfer of a valid permit from one Owner to another.~~

Table 14.1	
DESCRIPTION	TRANSE
For the transfer of a valid permit from one Owner to another:	\$100

10.5 Permit Fee Refunds

- a) No fee or part of a fee paid to the Village will be refunded if construction has started in accordance with the issued Permit unless specifically provided for in this Bylaw.

- b) A permit fee may be partially refunded in accordance with the amount(s) set out in the Village's Fees Bylaw, provided:
 - i) the Owner or Agent has submitted a written request to cancel the Permit and receive a refund;
 - ii) the Building Official has certified that works associated with the Permit have not been started; and
 - iii) the Permit has not expired.

- c) A permit fee is not refundable after the Permit has been extended under Part C section 14(c) of this Bylaw.

TABLE 14.2

Description of Works		Permit Processing Fee (non-refundable)	Permit Fee	Damage Deposit	Refund of Permit Fee	Extension of Permit	Revision/Amendment of Permit	
1.	Building Permits for construction with an estimated value of							
a)	Equal to or less than \$10,000	\$50 ^{1,2}	0.6% of the estimated value of construction ^{3,4}	Nil		\$100	\$100	
b)	Greater than \$10,000 but not exceeding \$100,000	\$150 ^{1,2}		\$250		\$100	\$100	
c)	Greater than \$100,000 but not exceeding \$250,000	\$250 ^{1,2}		\$1,500		\$100	\$100	
d)	Greater than \$250,000	\$500 ^{1,2}		\$3,000		\$150	\$250	
2.	Plumbing							
a)	Complex buildings	\$150 ^{1,2}	\$100 + \$10/fixture ^{3,4}	None	<ul style="list-style-type: none"> Permit Processing Fee is non-refundable. Permit Fees less than 10% after permit has been issued. No refund after construction has commenced Damage Deposit refundable per Part C, section 14(c). No refund of extensions request or revision / amendment fees 	\$75	\$100	
b)	Standard buildings	\$100 ^{1,2}	\$50 + \$5/fixture ^{3,4}	None		\$50	\$75	
3.	Other Permits							
a)	Excavation	\$100 ^{1,2}	\$100 ^{3,4}	\$5,000	<ul style="list-style-type: none"> Permit Processing Fee is non-refundable. Permit Fees less than 10% after permit has been issued. No refund after construction has commenced Damage Deposit refundable per Part C, section 14(c). No refund of extensions request or revision / amendment fees 	\$50	\$50	
b)	Demolition/Deconstruction	\$100 ^{1,2}	\$100 ^{3,4}	\$1,500		\$50	\$50	
c)	Change of Occupancy (Use)	\$100 ^{1,2}	\$100 ^{3,4}	None		None	None	
d)	Wood-burning appliances and chimneys	\$50 ^{1,2}	\$50 ^{3,4}	None		\$25	\$25	
e)	Fire Suppression—Automatic Sprinkler System							
i)	Complex Structures	\$150 ^{1,2}	\$100 + \$10/fixture ^{3,4}	None		\$50	\$50	
ii)	Standard Buildings	\$100 ^{1,2}	\$50 + \$5/fixture ^{3,4}	None		\$25	\$25	
f)	In-Ground Sprinkler System							
ii)	Accessory to Complex Building	\$100 ^{1,2}	\$75 + \$10/fixture ^{3,4}	None		\$50	\$50	
iii)	Accessory to Standard Building	\$50 ^{1,2}	\$25 + \$5/fixture ^{3,4}	None		\$25	\$25	
g)	Moving Buildings & Structures with a GFA of:							
i)	Equal to or less than 50.0m ²	\$100 ^{1,2}	\$100 ^{3,4}	\$2,500	\$75	\$100		
ii)	Equal to or more than 50.0m ² but less than 100m ²	\$150 ^{1,2}	\$200 ^{3,4}	\$5,000	\$100	\$125		
iii)	Equal to or more than 100.0m ²	\$250 ^{1,2}	\$300 ^{3,4}	\$10,000	\$125	\$150		
4.	Re-inspection or Special Inspections							
a)	Complex Building	Not applicable	\$250	None	None	None	None	
b)	Standard Building	Not applicable	\$100	None	None	None	None	

Notes (may not be applicable to all Permits)

- 1 The permit processing fee is doubled for carrying on work without a valid permit
- 2 If a Stop Work Order is issued and remains outstanding for 30 days, an additional charge equal to 25% of the Permit fee will be charged
- 3 Plus a fee to reimburse the Village (at cost) for retrieval of existing titles, SRW, RW, covenants and easements, etc. will be required
- 4 Plus Peer Review fee
- 5 Application fees shall include Title searches but do not include other documents such as covenants, ROW's, etc. The cost of retrieving these additional documents shall be borne by the Owner in accordance with Table 14.3 (Bylaw 1026)

~~i) — Other Fees:~~

~~The applicable fees prescribed in Table 14.3 shall be payable in advance for the requested services or products listed;~~

Table 14.3 – OTHER FEES		
i)	Rescind a Stop Work or Do Not Occupy notice	\$100
ii)	Document Retrieval	
	1) Title Search (not associated with a Permit process)	\$15 each
	2) Covenants, easements, rights-of-way, etc through LTO	\$15 each
	3) Covenants, easements, rights-of-way, etc through other source	\$10 PLUS Costs
	4) Covenants, easements, rights-of-way, etc "on hand"	\$5 each
iv)	To remove a Notice on Title	\$150
v)	Copy of Building Bylaw	\$5
vi)	Archives Research which require a written response:	
	1) For requests by Owners of single residential units	\$50
	2) All Other requests	\$150

(Bylaw 1026)

17.11. Professional Plan Certification

- a) The letters of assurance in the form of Schedules B-1, B-2, and C-B referred to in of the BCBC and required by this Bylaw are to be relied upon by the Village and the Building Official as certification that the design and plans to which the letters of assurance relate comply with the BCBC and other applicable enactments relating to safety.
- b) A Building Permit that is issued pursuant this Bylaw may include a notice to the Owner that the Building Permit is issued in reliance upon the certification of the registered professionals that the design and plans submitted in support of the application for the Building Permit comply with the BCBC and other applicable enactments relating to safety.
- c) When a Building Permit is issued in accordance Part C section ~~1511~~(b), the Permit Fee ~~as required in Table 14.2~~ shall be reduced by 10%, up to a maximum reduction of \$500.00.
- d) An Owner who wishes to provide an alternative solution to satisfy one or more of the requirements of the BCBC or this Bylaw must submit sufficient evidence to demonstrate that the proposed alternative solution will provide the level of performance required by the BCBC or this Bylaw.

(Bylaw 1112)

18.12. Survey Certificate for Buildings and Structures

- a) Every Owner to whom a Building Permit is issued must, upon completion of the foundations or erection of a building or structure, submit a certificate of location prepared by a BC Land Surveyor which will show:
 - i) the dimensions and bearings of the subject property taken from the registered subdivision plan;
 - ii) the legal description and civic address of the subject property;
 - iii) the location and dimensions of all rights-of-way (statutory and other), easements; setback requirements and covenant areas;
 - iv) the location from property lines and dimensions of all building(s) or structure(s) on the subject property;
 - v) setbacks to the natural boundary of the sea and any waterbody, wetland, or watercourse where applicable;
 - vi) the finished flood construction levels to Geodetic Datum where applicable; and
 - vii) the height of the building or structure from the natural grade to the highest part of the building or structure.
- b) The Building Official may waive the requirements for a survey certificate of location, in whole or in part, where:
 - i) the Building Permit is issued for the internal repair and/or alteration of an existing building or structure where there no change to the footprint of the building or structure;
 - ii) the location of the subject building or structure is more than 1.0metre (3.3feet) from minimum property line setbacks or setbacks to natural boundary of any lake, wetland, pond or watercourse;
 - iii) the geodetic elevation of the underside of the floor system or the top of any pad supporting a building or structure is more than 1.0metre (3.3feet) above the established geodetic elevation related to minimum flood construction levels; or
 - iv) the height of the building or structure is less than 0.3metres (1.0foot) of the maximum permitted by Bylaw.

19.13. Climatic and Geological Data

- a) Climatic ~~and geological~~ values required for the design of building or structures shall conform to the values prescribed in the Climatic Data Table below: Table 17.1.

Table 17.1 Climatic Data Table	
Ground Snow Load (kPa)	
S_s	S_R
3.52.4	0.4

(Bylaw 1026)

- b) Where no climatic ~~and geological~~ value is prescribed in the above Climatic Data Table or the BCBC, Table 17.1 the Owner shall submit evidence in writing from Environment Canada to establish the climatic ~~and geological~~ values.

20.14. Permits

a) Issuance

A Building Official shall issue the Permit for which the application is made when:

- i) the completed application including all required supporting documentation has been submitted;
- ii) the Permit Fee and other fees as applicable, ~~calculated in accordance with the value prescribed in Table 14.2, has~~ have been paid in full;
- iii) the proposed work set out in the application substantially conforms with the BCBC, this Bylaw, and all other applicable Bylaws and enactments; and
- vi) no enactment, covenant, agreement, or regulation authorizes the Permit to be withheld.

b) Expiration

Every permit is issued upon the condition that the Permit shall expire and the rights of the Owner under the permit shall terminate if:

- i) the work authorized by the Permit is not first inspected within six months from the date of issuance of the permit;
- ii) work is discontinued for a period of more than six months;
- iii) the work is not completed within 24 months from the date of issuance of the permit; or
- iv) with regards to a relocated building or structure, the required works are not completed within 12 months of issuance of the Permit.

c) Extension

- i) A Building Official may extend the period of time set out under [Part C](#) section ~~18.14~~(b) where construction has not been commenced or where construction has been discontinued due to adverse weather, labour strikes, material or labour shortages, or similar hardship beyond the Owner's control.
- ii) The applicable Permit Extension Fee ~~as prescribed in Table 14.2~~ shall be paid in full.
- iii) A Permit may only be extended:
 - 1) once;
 - 2) within 90 days of the date on which the Permit expired; and
 - 3) for a period of not more than one calendar year.

21.15. Disclaimer of Warranty or Representation

Neither the issuance of a permit under this Bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a Building Official, shall constitute a representation or warranty that the BCBC or the Bylaw have been complied with or the building or structure meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the BCBC or this Bylaw or any standard of construction.

22.16. Professional Design and Field Review

- a) When a Building Official considers that the site conditions, size or complexity of a development or an aspect of a development warrants it, they may require a registered professional provide design and plan certification and field review by means of letters of assurance.
- b) Prior to the issuance of an Occupancy Permit for a Complex Building or ~~Simple Standard~~ Building in circumstances where letters of assurance have been required in accordance with this Bylaw, the Owner shall provide the Village with letters of assurance as required by the BCBC.
- c) When a Registered Professional provides letters of assurance in accordance with of this Bylaw, he shall also provide proof of professional liability insurance to the Building Official.

23.17. Responsibilities of the Owner

- a) Every Owner shall ensure that all construction complies with the BCBC, this Bylaw and other applicable enactments respecting safety.
- b) Every Owner to whom a Permit is issued, shall be responsible for the cost of repair of any damage to Village infrastructure that occurs in the course of the work authorized by the Permit.

- c) Every Owner to whom a Permit is issued, ~~shall~~must, at all times during construction:
- i) allow a Building Official to enter any land or building or structure at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed;
 - ~~i)ii)~~ post~~keep~~ a copy of the ~~Permit~~accepted designs, plans, and specifications on the property in a location visible from any adjoining highways; and
 - ~~ii)iii)~~ post the civic address on the property in a location visible from any adjoining highways~~streets~~.

24.18. Inspections

- a) When a Registered Professional provides letters of assurance in accordance with this Bylaw and the BCBC, the Village may rely solely on field reviews undertaken by the Registered Professional that the construction substantially conforms to the design and that the construction substantially complies with the BCBC, this Bylaw and other applicable enactments respecting safety.
- b) Notwithstanding Part C section ~~22~~18(a) of this Bylaw, a Building Official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the Registered Professionals.
- c) A Building Official may attend periodically at the site of the construction of simple~~standard~~ buildings to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with the those portions of the BCBC, this Bylaw and any other applicable enactment concerning safety.
- d) The Owner shall give the Village at least ~~48~~24 hours notice when requesting an inspection for the following aspects of the work:
 - i) **Rough grading:** Changes to approved or existing grades
 - ii) **Footings:** after the forms for footings and foundations are complete, but prior to pouring of concrete;
 - iii) **Drain tile and Dampproofing:** after installation of perimeter drain tiles and dampproofing but prior to backfilling;
 - iv) **Framing:** after framing and sheathing is complete, including firestopping, chimney, duct work, plumbing, gas venting, wiring, but before any insulation, or other interior or exterior finish is applied which would conceal such work;
 - v) **Underslab and Rough-in Plumbing:** after the rough-in underslab plumbing is complete and under test but prior to covering;
 - vi) **Insulation and Vapour Barrier:** after insulation and vapour barrier but before any interior finish is applied;

- vii) **Chimney and Fireplace Heating:** after the rough-in construction of new masonry chimneys and fireplaces and/or or installation of new unused factory-built chimneys and fireplaces and solid fuel-burning appliances prior to covering;
 - viii) **Service Connections:** after the water, sanitary sewer, and storm drainage are connected and under test but prior to covering;
 - ix) **Final Grading:** prior to final inspection after the final grading has been achieved on the lot;
 - x) **Final Inspection:** when the building or structure meets all the requirements of the BCBC;
 - ix) **Occupancy Permit:** when the building meets all the safety requirements of the BCBC and this Bylaw, but before the building is occupied in the whole or part.
- e) No aspect of the work referred to in [Part C](#) section [18\(d\)](#) above shall be concealed until a Building Official has accepted it in writing.
 - f) The requirements of [Part C](#) section [18\(d\)](#) above do not apply to any aspect of the work that is the subject of a Registered Professional's letter of assurance provided in accordance with the BCBC or this Bylaw.

25.19. Occupancy Permits

- a) No person shall occupy or change the class of occupancy of a building or in part of a building until an Occupancy Permit has been issued by the Building Inspector.
- b) An Occupancy Permit shall not be issued unless all letters of assurance have been submitted when required in accordance with the BCBC and this Bylaw and all aspects of the works, not covered by the letters of assurance, have been inspected and accepted by the Village.
- c) A Building Official may issue an Occupancy Permit for part of a building or structure when the part of the building or structure is self-contained, provided with essential services and the requirements set out in this Bylaw have been met with respect to such part.

26.20. Lot and Driveway Grades

- a) An owner who wishes to alter the existing or approved grading of his lot shall apply to the Village for approval.
- b) Plans to alter grades shall not cause or have potential to cause a nuisance, hazard or damage or adversely affect the stability of a slope or top of bank.
- c) Where the demolition or deconstruction of a building or structure has resulted in an excavation and a Permit is not subsequently issued or a subsisting Permit has expired without the construction of a replacement building or structure having been substantially commenced, the Owner must fill in such excavation to restore the

natural grade of the site within 60 days of being served notice by the Village to do so.

d) Lot Grading Requirements

- i) The Building Inspector may approve surface elevations and surface grades of a lot in two stages:
 - 1) rough grading; and
 - 2) final grading.
- ii) The Owner shall apply to the Building Official to inspect the rough grading prior to further to further works such as foundations being poured or final grading;
- iii) Final grading shall be prior to Final Inspection or within 60 days of the establishment of the final grading.
- iv) In the case of lot grading for complex buildings or structures, an ‘As-Constructed’ plan certified by the Registered Professional is required.

e) Alterations within a Public Right-of-Way

No person, except with written authorization from the Village in the form of a Permit to do Works on a Public Right-of-Way, shall obstruct, remove, re-grade or alter a driveway, drainage swale, canal, ditch, reservoir or other man-made surface drainage feature or facility located within a public right-of-way.

27.21. Driveway Grades

Grade maximums for driveways are as follows:

Uses	Accessing Local Roads	Accessing Major Roads
Residential	15%	10%
Multi-family	12%	10%
Other	As determined by Registered Professional	

28.22. Roof Drainage

- i) The management of roof drainage shall be in accordance with the BCBC, the guidelines of the Official Community Plan, and Village policies.
- ii) Owners are encouraged to provide infrastructure to retain as much stormwater on the site as possible, the design of which shall be prepared and certified by a professional engineer.
- iii) At no time shall roof drainage from a building or structure be discharged:
 - 1) directly onto a pervious ground surface within 1.0m (3.3feet) of the building or structure which has a basement or crawlspace below the finished grade;
 - 2) within 30cm (6in) of an adjacent lot or a public road right-of-way;;

- 3) to a location where the flow of water or accumulation of water would adversely affect or have potential to adversely affect the stability of a slope or top of bank;
- 4) to a location where the flow of water or accumulation of water would have a detrimental effect on a ravine or an environmentally sensitive area;
- 5) to a location or in such a way as to cause or have potential to cause a nuisance, hazard or damage.

29.23. Street Cleaning

During construction, the Village may require that the streets adjacent to the site be cleaned every Friday by 3:00pm or as otherwise considered necessary, for the duration of the construction of the works. If required to do so and the Owner fails to have this done, the Village may arrange for the cleaning to be done and the cost for same will be immediately payable by the Owner to the Village upon presentation of the invoice. Occupancy may be withheld if these amounts are not paid.

30.24. Sediment Control

If, in the opinion of the Village, there is or there is the potential for, debris and soils entering the drainage system, the Village may install at the Owner's cost, a method of silt containment in catchbasins as required. It is the Owner's responsibility to maintain the silt containment as per the manufacturer's instructions. If the Owner fails to do so, the Village may undertake such maintenance and the cost for same will be immediately payable by the Owner to the Village from the damage deposit paid. Occupancy may be withheld if these amounts are not paid.

31. Fire Smart

~~Each year there are more than 2,000 wildfires in B.C. Although many occur far away from communities, as people build more homes in 'wildland-urban interface' areas, more fires are impacting residential areas. Every year, interface fires threaten or burn homes, cabins and other high value resources.~~

~~Owners are encouraged to consider constructing their buildings and structures according to the guidelines found in the Fire Smart Manual⁴~~

32.25. Pools

- a) The Owner shall:
 - i) provide a walkway with a minimum unobstructed width of 1.2metres (4.0feet) around the perimeter of a pool;

⁴ ~~Fire Smart Manual may be found at http://www.pssg.gov.bc.ca/firecom/pdf/homeowner_firesmart.pdf~~

- ii) provide a deck around the perimeter of a pool where the difference in elevation from the water surface to grade exceeds 0.9metres (3.0feet);
- iii) enclose an area not less than 7.5metres (24.6feet) on all sides from the pool edge within a fence:
 - 1) not less than 1.4metres (4.6feet) in height;
 - 2) with no opening, including any opening between the bottom of the fence and grade, greater than 100.0centimmetres (4.0inches) in its least dimension;
 - 3) so designed so that no member, attachment, or opening located between 0.3metres (1.0feet) and 1.2metres (4.0feet) above grade will facilitate climbing; and
- iv) provide access through the fence to the pool area via a gate equipped with:
 - 1) a self-closing device which will return the gate to a closed position and cause it to be held after each use;
 - 2) a positive latching device located on the pool side of the fence not less than 1.2metres (4.0feet) above grade; and
 - 3) a locking device.

33.26. **Manufactured Homes**

- a) Manufactured homes shall be certified, prior to placement on any lot (where permitted by Village bylaw) as complying with *Canadian Standards Association Standard* and shall be installed in accordance with their manufacturer's installation instructions.
- b) Manufactured homes that are not certified by CAN/CSA, prior to placement on the site, shall conform to this Bylaw and the BCBC in accordance with a valid and subsisting Permit.

34.27. **Moving or Relocating a Building or Structure**

- a) No person shall move or relocate a building or structure or part of a building or structure into or within the Village until a Moving Permit has been issued by the Village.
- b) Before a Moving Permit may be issued, a valid Building Permit to site the building or structure is required.
- c) A Moving Permit shall not be issued unless the building or structure intended to be moved has been certified by a Registered Professional as being safe to be moved into the Village.
- d) A Moving Permit issued by the Village is valid only on streets within the Village, when traveling on Provincial highways and roads, the applicant must obtain a Permit from the Ministry of Transportation and Infrastructure.

- e) A Moving Permit shall not be issued unless the move has received the approval of the following agencies:
- i) RCMP;
 - ii) ICBC;
 - iii) BC Hydro;
 - iv) Shaw;
 - v) Telus; and
 - vi) Fortis

f) Moving Permit Performance Security

- i) Moving Permit applications shall require a performance security in a form acceptable to the Village, in an amount equal to 120% the estimated cost of the architectural and structural changes required to make the building or structure conform to the standards required in the BCBC and this Bylaw.
- ii) When the works described in the Building Permit have been given Final Inspection, the security will be returned.
- iii) If the applicant fails to carry out the work required to make the building or structure to conform within 12 months from the date of issuance of the permit the security shall be used by the Village either (at the Village's discretion) complete the outstanding works or have the structure removed from the lot. The Building Official will give the Owner written notice of the Village's decision.
- iv) Should the Owner or his agent fail to comply with the order of the Building Official, the Village Council may, by resolution, order the demolition of the subject building or structure at the expense of the Owner and the cost of demolition shall be recoverable from the damage security paid.

g) Liability Insurance

Prior to issuing a Moving Permit, the Owner shall provide proof of \$3,000,000 liability insurance specifying coverage for the structural moving of the subject building or structure, and naming the Village as third party insured.

h) Moving Permit Regulations

The following conditions shall apply to all permits for moving or relocating of a building or structure:

- i) All moves are restricted to 12:00am to 6:00am Monday to Friday, excluding holidays. Council delegates the ability to vary this requirement to the Building Official in exceptional circumstances.
- ii) For each move three pilot cars are required.
- iii) Pilot property cars must comply with Division 8 of the *Commercial Transport Act* regulations except that one of the pilot cars may be an alternative tow vehicle.
- iv) Two-way radio communication is required between pilot cars and towing vehicles.
- v) Safety lighting must include:

- 1) four flashing amber lights, two at front extremities and two at rear extremities of the building or structure being moved
 - 2) clear or white lights completely around the building or structures perimeter (at least 40watts per 3.0metres of building or structure)
 - 3) floodlights front and rear.
- vi) Steerable house moving dollies are required and no major support member of the transportation platform (beams, bolsters, bunks, etc.) may be of wooden construction.
 - vii) Any building or structure in excess of 4.7metres in loaded height must use a Skid Board System to allow safe passage under utility and low voltage power lines.
 - viii) An external guide to assist the driver must be in charge of all moves to ensure safe movement of vehicle and load and that all obstacles are cleared horizontally and vertically.
 - xi) The Permit is invalid when atmospheric conditions make persons or vehicles on a street not discernible at a distance of 100.0metres.

35.28. Enforcement

- a) A Building Official may order the cessation of any work that is proceeding in contravention of the BCBC or this Bylaw by posting a Stop Work Order in the form provided by the Village.
- b) The Owner of property on which a Stop Work Order has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this Bylaw have been substantially complied with and the Stop Work Order has been rescinded in writing by a Building Official.
- c) Where a person occupies a building or structure in contravention of Part C section 3 of this Bylaw, a Building Official may post a Do Not Occupy Notice in the form provided by the Village on the affected part of the building or structure.
- d) The Owner of property on which a Do Not Occupy Notice has been posted, and every person shall cease occupancy of the building or structure immediately and shall refrain from further occupancy until all applicable provisions of the BCBC, this Bylaw or 'Village of Cumberland Controlled Substance Property Bylaw No. 764, 2002' and amendments thereto, have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a Building Official.
- e) Every person who commences work requiring a permit without first obtaining such a permit shall, if a Stop Work Order is issued and remains outstanding for 30 days, pay an additional charge equal to 25% of the permit fee prior to obtaining the required permit.

PART D ENACTMENT					
READ A FIRST TIME THIS	10th	DAY OF	September,	2012.	
READ A SECOND TIME THIS	10th	DAY OF	September,	2012.	
READ A THIRD TIME THIS	9th	DAY OF	October,	2012.	
ADOPTED THIS	22nd	DAY OF	October,	2012.	

Mayor

Corporate Officer

Input Building Bylaw Amendment for Energy Step Code & Zero Carbon Step Code(ZCSC)

From REDACTED

Date Mon 6/1/2026 9:08 PM

To Building <building@cumberland.ca>

Good evening,

My husband and I own a construction company, and to be honest with every new change implemented by local government, we as builders feel it. All changes come with some form of cost to the consumer. Either handed down from the builder, or in the form of being restricted from using something like natural gas.

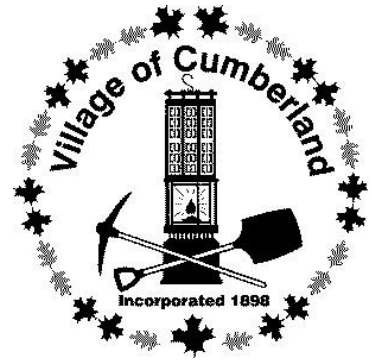
It is getting absurd the overreach of local government putting restrictions on consumers. Natural gas is very efficient, yet a change like the one proposed, will restrict its use.

Enough is enough. Vancouver has now even started backpedaling on similar restrictions.

As builders our official input is that perhaps now is not the time to implement more strict building codes, especially with the way the market currently is. Meeting current step code measures still offers a very energy efficient home. Now is not the time.

REDACTED

COUNCIL REPORT



REPORT DATE: May 15, 2026
MEETING DATE: June 22, 2026

File No. 3760-01

TO: Mayor and Councillors
FROM: Chris Baker, Manager of Permits Licensing and Bylaw
Andrea Samsom, Manager of Finance and HR
SUBJECT: Fees Amendment Bylaw - Building Permit Fee Schedule and Goods and Services Fee Schedule

RECOMMENDATION

THAT Council give first, second and third reading to Fees Amendment Bylaw No. 1261, 2026.

PURPOSE

To present Council with amendments to the Fees Bylaw No. 1110, 2019 including updates to the Goods and Services Fees (Schedule A) and a revised fee schedule for fees associated with the Building Regulation Bylaw (Schedule D).

Staff have undertaken a review of Schedule A (Goods and Services Fees) to ensure fees remain aligned with the costs of providing services. This review resulted in adjustments to select fees where necessary and the restructuring of the schedule into a table format to improve clarity and consistency within the bylaw.

Previously the fee schedule had been included within the Building Bylaw. The fee scheduled in the Building Bylaw is proposed to be rescinded with the adoption of Building Amendment Bylaw No. 1254, 2026 and the fees would then be imposed in the amended Fees Bylaw presented here. Staff took the opportunity to review the fees to confirm they are aligned with the cost to deliver the services and made some adjustments to the fees where needed. The fee schedule has also been formatted to improve clarity and ease of interpretation.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
2026-05-11	THAT Council endorse Building Amendment Bylaw No. 1254, 2026, for engagement with the local development community; and

	THAT Council direct staff to seek feedback from the local development community regarding the proposed approaches for implementing the Energy Step Code and Zero Carbon Step Code.
2024-06-24	THAT Council approve the Climate Action Plan.

BACKGROUND

Goods and Services Fees

Schedule A (Goods and Services) of the Fees Bylaw has not undergone a comprehensive review since 2019. Since that time, operational costs have increased, including staff wages, materials, equipment, and external services such as shipping and printing. Staff undertook a review of the existing fees to ensure they remain aligned with the cost of providing services and consistent with practices in comparable municipalities. This review included an analysis of current service delivery costs, such as invoices, staff compensation rates, equipment costs, and the time required to deliver each service.

As part of this process, Schedule A has also been reformatted from a list-based format into a consolidated table to improve clarity, align with other schedules in the bylaw, and support administrative efficiency. The proposed changes reflect a more accurate alignment with the actual costs incurred by the Village in providing these services and include the following:

- Courier fees within the Comox Valley increase to \$20 from \$10.
- Courier fees outside of the Comox Valley increase to \$35 from \$30.
- Banner Hanging fee increases from \$175 to \$500.
- Banner Hanging fees for non-profit (new section) increase from \$175 to \$375 (%75 of the costs).
- Refundable street closure/event equipment use deposit from \$200 to \$300. (This increase reflects the increase in costs to replace, or repair borrowed equipment if damaged).
- Sign replacement cost increase to \$150 from \$100.
- Solid waste collection fee changed to be billed by the hour rather than a flat rate. The fee is \$95 per hour (includes vehicle). Added language to ensure that overtime staff rates will be recovered for Saturdays, Sundays and Holidays.
- Public works assistance increases to \$95 from \$71 (with vehicle) and increases from \$48 to \$55 for additional staff (no vehicle). Added language to ensure that overtime staff rates will be recovered for Saturdays, Sundays and Holidays.
- NSF cheque processing fee increases to \$35 from \$25.
- Added stop payment and replacement fee for cheques. \$35 fee in alignment with the NSF fee.
- Property building file retrieval - no fee increase; however, added language about no photos and that photocopy rates apply if copies of documents are requested.

The most significant fee increase relates to banner hanging services. This activity requires multiple staff to ensure safe installation, including traffic control measures and the use of specialized equipment and vehicles. The previous fee did not fully reflect the staff time, equipment usage, and

safety requirements necessary to complete this work. The revised fee more accurately captures the true cost of delivering this service.

To support community organizations, a reduced fee equal to 75% of the full rate is proposed for non-profit organizations. Council may choose to charge the same banner fee for all organizations.

Building Permit and Related Fees

The Village of Cumberland regulates building construction through its Building Regulation Bylaw. Building permit fees support the administration of this regulatory function, including application intake, plan review, coordination with other municipal requirements, inspections, records management, and general permit administration.

Prompted by the amendment to the Building Regulation Bylaw focusing on adding the step codes and other housekeeping improvements staff also undertook an analysis of the cost to deliver the services related to the building permit fees. Moving the fees from the Building Regulation Bylaw to the Fees Bylaw is the current practice of the Village of Cumberland. This practice supports the periodic review of fees to ensure that they remain current, transparent, and aligned with the cost of providing the services. Increasing the portion of the permit fee that is based on estimated construction value from 0.6% to 1% aligns with the other jurisdictions in the Comox Valley.

The underlying principle in assigning fees is to ensure that the service is covered by the individual permit applicant and not borne by the rest of the community. Efforts were also made to align our building fees with those charged in neighbouring communities in the Comox Valley. Whenever possible and supported by the cost analysis conducted, fees were left unchanged. Proposed to be removed is the additional 25% charged on permits proceeding following a Stop Work order being issued as there is also a fee to remove a Stop Work Order which captures that administrative cost.

The proposed fee increases reflect a more accurate alignment with the actual costs incurred by the Village in providing these services and include the following:

- Increasing the portion of the permit fee that is based on estimated construction value from 0.6% to 1%.
- Adding a \$100.00 minimum permit fee.
- Building Permit Application Fees:
 - Estimated construction value \$10,000 or less from \$50 to \$100
 - Estimated construction value \$10,001 to \$100,000 from \$150 to \$200
 - Estimated construction value \$100,001 to \$250,000 from \$250 to \$300
- Building Permit Extension Fees:
 - Estimated construction value \$More than \$250,000 from \$150 to \$250
- Wood-burning appliances and chimneys, Processing fee from \$50 to \$60
- Moving building or structure 50.0m² or less, permit fee from \$100 to \$150
- Archival research requiring a written response
 - Requests by owners of single residential units from \$50 to \$250
 - All other requests from \$100 to \$500

FINANCIAL IMPLICATIONS

The proposed amendments are intended to improve cost recovery by aligning service fees more closely with the actual cost of delivering services. Updates to both Schedule A (Goods and Services

Fees) and the Schedule D (Building Permit Fees) reflect changes in staff wages, materials, equipment, and administrative costs since the last comprehensive review.

The adjustments are not expected to generate significant new revenue beyond cost recovery; rather, they are intended to ensure that the cost of providing services is borne by users of those services, rather than subsidized by the general tax base. Fees have been increased to better reflect the level of staff time, resources, and operational requirements involved in service delivery.

OPERATIONAL IMPLICATIONS

Efforts were made to improve the clarity of the presentation of the fee schedules to improve ease of use for both the community and staff. Staff will update the website with the new fee information and ensure that all public facing information is consistent with the updated fee schedules. Orientation of staff to the changes and review of the building permit process.

CLIMATE CHANGE IMPLICATIONS

As this amendment to the fees bylaw relates only to adjusting fees to align with costs and moving the fee schedule to the fees bylaw for administrative efficiency, climate change implications have not been identified.

ALTERNATIVES

1. That Council direct staff to make the following changes to the fee schedule and give first reading as amended.
2. Not proceed with any action at this time.

STRATEGIC OBJECTIVE

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

ATTACHMENTS

1. Fees Amendment Bylaw No. 1261, 2026

CONCURRENCE

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

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

Respectfully submitted,

C. Baker

Chris Baker
Manager of Permits, Licensing and Bylaw

A. Samson

Andrea Samson
Manger of Finance and Human Resources

M. Mason

Michelle Mason
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1261

A bylaw to amend the fees for goods and services and add Building Permit Fees.

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

1. This Bylaw shall be cited as “Fees Amendment Bylaw No. 1261, 2026”.
2. Fees Bylaw No. 1110, 2019 is amended by adding the following sections after section 2.1:
 - 2.2 Fees are imposed and are payable and subject to applicable taxes related to the regulation of businesses as set out in Schedule C to this bylaw.
 - 2.3 Fees are imposed and are payable and subject to applicable taxes related to the regulation of buildings and other structures as set out in Schedule D to this bylaw.
3. Fees Bylaw No. 1110, 2019 is amended by:
 - 3.2 Repealing Schedule A and substituting Schedule A to this bylaw, and
 - 3.3 Adding Schedule D, Building Permit and Related Fees attached to this bylaw as Schedule D

Severability

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

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

Mayor

Corporate Officer

Schedule A

Goods and Services Fees

Fee Type	Fee Total	Other Costs or Exemptions
Copying and printing		
1. Black & White Copy (8.5" x 11" & 8.5" x 14")	\$0.30 per page	
2. Black & White Copy (11" x 17")	\$0.40 per page	
4. Black & White Copy (greater than 11" x 17")	\$10.00 per page	
5. Colour Copy (up to 11"x17")	\$2.00 per page	
6. Colour Copy (greater than 11" x 17")	\$50.00 per page	
9. Zoning Bylaw Copy	\$40.00 each	
10. OCP Bylaw – Complete	\$40.00 each	
11. OCP Map (11" x 17" colour)	\$2.00 each	
Shipping and faxing		
12. Courier (within Comox Valley)	\$20 per delivery	
13. Courier (outside Comox Valley)	\$35 per delivery	
14. Fax (local)	\$1.00 first 6 pages; \$0.25 each additional page	
15. Fax (long distance)	\$2.00 first page; \$0.50 each additional page	
Banner Hanging		
16. Banner Hanging	\$500 per banner	
17. Banner Hanging-Non-Profit	\$375 per banner	Proof of non-profit status is required with application

Street Closures and Special Events		
18. Refundable Street Closure /Event Equipment use deposit (barricades and signs)	\$300	Refundable
19. Barricade Replacement Cost	\$150 per barricade	
20. Sign Replacement	\$150 per sign	
21. Barricade and Sign Late Return Fee	\$50 per day of part thereof	
22. Solid Waste Collection (Special Events)	\$95.00 per hour	An additional 50% for Saturday Service and an additional 100% for holiday and Sunday service If more than one person is required, then an additional \$55 per hour per person, subject to increases above for Saturday, Sunday and Holidays.
23. Public Works Assistance with vehicle (per hour)	\$95.00 per hour	An additional 50% for Saturday Service and an additional 100% for holiday and Sunday service If more than one person is required, then an additional \$55 per hour per person, subject to increases above for Saturday, Sunday and Holidays.
Finance Services		
24. NSF Cheque Processing	\$35.00	
25. Stop Payment & Replacement Cheques	\$35.00	
26. Collection Agency Fee	30% of amount sent to collections	

27. Property Tax/Utility Certificate	\$20 per folio	Except to property owner
28. Urgent tax/utility certificate (same day)	\$25 per folio	Except to property owner
29. Tax/Utility Reprint current year	No Charge	
30. Tax/Utility Reprint (prior year)	\$5 per folio	
31. Tax Levy Listing to Mortgage Company	\$10 per folio	
32. Property Building File Retrieval	\$50 per file	Photographs are not permitted. Photocopies of permitted records may be supplied subject to the applicable fees set out in this schedule.
33. Building Permit Statistics Report (monthly)	\$10 each	Except to property owner
34. Building Permit Statistics Report (Annual)	\$100 each	
Other		
35. Lapel pin	\$1.00 each	First pin free for Cumberland residents under 18
36. Electric Vehicle Charging Stations	\$2.50 per hour	Free to BC Assessment, Statistics Canada, North Island 9-1-1

Schedule D– Building Permit and Related Fees
 Cumberland Building Bylaw No. 949, 2012

1. Building Permit Fees

Estimated Construction Value	Application Fee	Permit Fee	Security Deposit	Extension	Revision/ Amendment Fee
\$10,000 or less	\$100	1% of estimated construction value, subject to a minimum fee of \$100	\$0	\$100	\$100
\$10,001 to \$100,000	\$200		\$250	\$100	\$100
\$100,001 to \$250,000	\$300		\$1,500	\$100	\$100
More than \$250,000	\$500		\$3,000	\$250	\$250

2. Plumbing Fees

Building Type	Application Fee	Permit Fee	Deposit	Extension	Revision Fee
Standard building	\$100	\$50 plus \$5 per fixture	\$0	\$50	\$75
Complex building	\$150	\$100 plus \$10 per fixture	\$0	\$75	\$100

3. Other Permit Fees

Permit Type	Application Fee	Permit Fee	Deposit	Extension	Revision Fee
Demolition / Deconstruction	\$100	\$100	\$1,500	\$50	\$50
Change of Occupancy	\$100	\$100	\$0	\$0	\$0
Wood-Burning Appliances and Chimneys	\$60	\$50	\$0	\$25	\$25

3.1 Automatic Sprinkler System Fees

Building Type	Application Fee	Permit Fee	Deposit	Extension	Revision Fee
Standard building	\$100	\$50 plus \$5 per fixture	\$0	\$25	\$25
Complex building	\$150	\$100 plus \$10 per fixture	\$0	\$50	\$50

3.2 Moving Buildings and Structures (Based on Gross Floor Area)

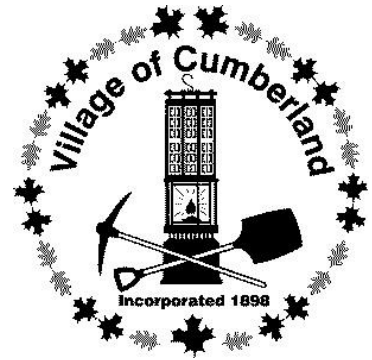
Gross Floor Area	Application Fee	Permit Fee	Deposit	Extension	Revision Fee
50.0 m ² or less	\$100	\$150	\$2,500	\$75	\$100
50.1 m ² to 99.9 m ²	\$150	\$200	\$5,000	\$100	\$125
100.0 m ² or more	\$250	\$300	\$10,000	\$125	\$150

4. Other Service Fees

Service	Fee
Reinspection and Special Inspection:	
• Standard Building	\$100
• Complex Building	\$250
Rescission of a Stop Work Notice or Do Not Occupy Notice	\$100
Removal of a Notice on Title	\$150
Document Retrieval (Covenants, Easements, and Rights-of-Way)	At cost
Archive Research Requiring a Written Response	
• For requests by owners of single residential units	\$250
• All other requests	\$500
For the transfer of a valid permit from one owner to another	\$100
Administration fee withheld when permit fee refunded	%10

Please refer to Building Regulation Bylaw No. 949, 2012, as amended from time to time, for information regarding the application of refunds.

COUNCIL REPORT



REPORT DATE: June 8, 2026
MEETING DATE: June 22, 2026

File No. 3360-01

TO: Mayor and Councillors
FROM: Karin Albert, Senior Planner
SUBJECT: Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266, 2026 – First and Second Reading

RECOMMENDATION

THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 1265, 2026.

THAT Council give first and second reading to Zoning Amendment Bylaw No. 1266, 2026.

THAT Council direct staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266, 2026.

PURPOSE

This report introduces Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266. Both bylaws present housekeeping amendments. In the case of the OCP, a few minor corrections are required, exemptions to the Heritage Conservation Area (HCA) guidelines are further detailed and expanded to accommodate existing uses in the area that has been newly added to the HCA. In the case of the Zoning Bylaw, the amendments clarify a few definitions, add definitions that are needed, simplify several requirements, reinsert regulations that were omitted from the previous Zoning Bylaw, and increase consistency with OCP policy.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
January 12, 2026	THAT Council adopt Official Community Plan Bylaw No. 1230, 2025.
February 9, 2026	THAT Council adopt the Zoning Bylaw No. 1238, 2025

BACKGROUND

Council adopted Official Community Plan Bylaw No. 1230, 2025 on January 12, 2026 and Zoning Bylaw No. 1238, 2025 on February 9, 2026. Both bylaws were a full repeal and replace of previous bylaws. The need for future housekeeping amendments was anticipated at the time given the

scale of the changes, in particular, to the Zoning Bylaw which adopted a different format, with many regulations captured in tables, introduced a few new regulations, and was done with a short timeline driven by a deadline by the Province.

Public inquiries with regards to what is permitted on a property, new development applications, and feedback from architects and builders, have helped identify areas of the bylaws that are open to different interpretations and/or are difficult to implement as written.

The proposed housekeeping amendments are to increase clarity and facilitate implementation of the regulations.

ANALYSIS

Official Community Plan (OCP) Housekeeping Amendments

DPA 6 – Multi-Unit Residential and Mixed Use

The language under section 2. Landscaping and Amenity Areas reinserts language from the previous OCP for the guideline related to play areas. During the OCP review, the intent was to establish requirements for playgrounds and their sizes in the new Zoning Bylaw. However, this was not ultimately included in the new Zoning Bylaw due to complexities that would have needed more time to resolve. The re-inserted language in the OCP identifies that either a play area or a recreation area should be provided. Including the term “recreation area” provides flexibility to request recreation amenities other than a playground, depending on the needs of the occupants of the proposed new development.

Heritage Conservation Area (HCA) Guidelines

The proposed amendments to the Heritage Conservation Area (HCA) guidelines give more consideration to the residential area that was added to the HCA with the adoption of the new OCP.

To correct an oversight:

- a. Deletion of the reference to Schedule A in Objective 3 of the Heritage Conservation Area as that Schedule was not added to the OCP.

Further, a number of amendments are proposed to encourage the adaptive reuse and retention of heritage buildings within the area newly added to the HCA, located on the north side of Derwent Avenue, the South side of Penrith Avenue and on Second and Third avenues between Penrith and Maryport and zoned MU-2 in the new Zoning Bylaw. The amendments:

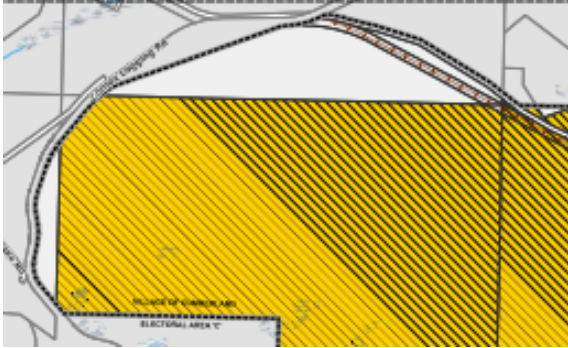
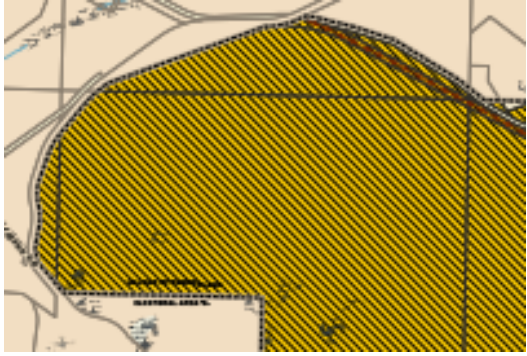
- a. Clarify that the exemption for alterations and repairs to existing single residential buildings from a heritage alteration permit (HAP) includes renovations to add secondary suites or create additional residential units within an existing building. The exemption for alterations and repairs to single residential buildings from a HAP was in the HCA guidelines in the previous OCP. The clarification is intended to assist with the interpretation of the exemption and to reduce barriers to conversion of heritage buildings to more intensive residential uses.
- b. Permit additions to existing single residential buildings that involve lifting the building and adding a floor below or adding an area no larger than 20 percent of the building’s gross floor area to the side or rear of the building. This amendment more fully implements Objective 6 of the HCA Guidelines “To promote the appropriate adaptive reuse of existing buildings”. It permits owners to add to their homes to increase their living space or to add a suite.

- c. Exempt construction of a single residential unit in the rear yard. This permits the addition of a laneway house in the rear yard without requiring a HAP. This exemption was added since the impact of laneway homes on the streetscape is minor. Similarly to the two amendments above, the exemption encourages densification while retaining existing heritage buildings.

The pages with the above amendments can be read in context in Attachment 1 – Track Changes of Amendments to Bylaw 1230. Comment boxes in the document provide background information on the reason for a proposed amendment. For further context, the entire current OCP bylaw is available at: <https://cumberland.ca/ocp/>. The proposed amendment bylaw is in Attachment 2 – Bylaw 1265.

Map Amendments

The OCP *Map H – DPA 4 Wildland Urban Interface* is proposed to be amended to include the northernmost property within the Village’s administrative boundary in the Wildland-Urban Interface Development Permit Area (DPA-4). The updated DPA 4 includes all properties within or along the border of forested areas. This parcel was missed in the mapping update.

Existing OCP Map H	Recommended Amendment
	

Zoning Bylaw Housekeeping Amendments

The proposed Zoning Bylaw amendments are intended to clarify the regulations, reduce requirements for small-scale single residential and infill development and childcare facilities, and better align the bylaw with OCP policies, particularly those related to food security. The amendments include:

- a. Additional headings for navigational purposes.
- b. Clarification of definitions.
- c. Addition of new definitions for commercial greenhouse and food production facility which are proposed to be added as permitted uses to the industry zones.
- d. Correction to errors, such as to the calculations for required setbacks for protective fencing around trees.
- e. Streamlining of a number of requirements, in particular when it comes to landscaping and landscape screens.

- f. Reinsertion of a few regulations that were omitted from the previous Zoning Bylaw, such as
 - i. prohibition of water bottling facilities in all zones,
 - ii. the requirement of a 1.5 m obstruction-free emergency access to the rear of properties.
- g. Rectifying the unintended consequences of no longer regulating by type of dwelling units. Specifically, this involves reinstating the setback regulations that previously applied uniquely to Accessory Dwelling Units (ADUs) by requiring a lesser setback for dwelling units up to two storeys in height in the rear yard.
- h. Clarification of regulations, such as the distinction between permitted virtual retail sales as part of a home occupation and prohibited in-person retail sales.
- i. Reduction of loading requirements for some uses that do not regularly require loading space.
- j. Amendments to increase consistency with OCP policy and guidelines, such as
 - i. Addition of commercial greenhouse and food production facility as permitted uses in the industry zones in support of food security policy in the OCP.
 - ii. Deletion of “conifer” as an alternative to a large tree in the landscaping requirements to avoid conflict with DPA 4 - Wildland-Urban Interface guidelines which seek to reduce flammability of vegetation and structures in the Village.
 - iii. Addition of window graphic signs and painted wall signs to align with the types of signs permitted in the HCA guidelines.

The full amendment text can be read in the context of the parent bylaw in Attachment 3 – Track Changes of Amendments to Bylaw 1238. Comment boxes in the document provide background information on the reason for a proposed amendment. For further context, a copy of the entire current Zoning Bylaw is at <https://cumberland.ca/zoning-bylaw/>. The amendment bylaw is presented in Attachment 4 – Bylaw 1266.

PUBLIC NOTIFICATION AND CONSULTATION

A notice of the public hearing will be published in two consecutive issues of the Comox Valley Record, as required in section 94.1 of the *Community Charter*.

Many of the housekeeping amendments are in direct response to issues that have arisen during the development process and in response to feedback received by applicants.

To ensure timely adoption of the housekeeping amendments to be able to correct errors and remove or lighten some requirements, additional public engagement is not recommended.

FINANCIAL IMPLICATIONS

There are no financial implications to the Village of adopting the proposed amendment bylaws.

OPERATIONAL IMPLICATIONS

The implementation of the OCP and Zoning Bylaw are part of the regular services provided by Development and Bylaw Services with the support of other departments, in particular Engineering

and Public Works. The housekeeping amendments will make it easier to communicate requirements and implement the two bylaws.

CLIMATE CHANGE IMPLICATIONS

The housekeeping amendments do not change sections in the OCP and the Zoning Bylaw that support the reduction of greenhouse gas emissions, such as policy and regulations that encourage densification of existing residential areas rather than sprawl, or regulations that require end of trip facilities for cycling and electric vehicle charging.

While additional flexibility for landscaping requirements is proposed, the regulations continue to support an increase in tree canopy cover to regulate the local micro-climate and support uptake of greenhouse gases.

ALTERNATIVES

1. No changes to the OCP and/or Zoning Bylaw
2. THAT Council direct staff to make the following further amendments to Bylaw 1265:
 - a.
 - b.

AND THAT Council give first and second reading to the Bylaw as amended.

3. THAT Council direct staff to make the following further amendments to Bylaw 1266:
 - a.
 - b.

AND THAT Council give first and second reading to Bylaw 1266 as amended.

STRATEGIC OBJECTIVE

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

ATTACHMENTS

1. Track changes of amended sections of Bylaw 1230
2. Official Community Plan Amendment Bylaw No. 1265, 2026
3. Track changes of amended sections of Bylaw 1248
4. Zoning Amendment Bylaw No. 1266, 2026

CONCURRENCE

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

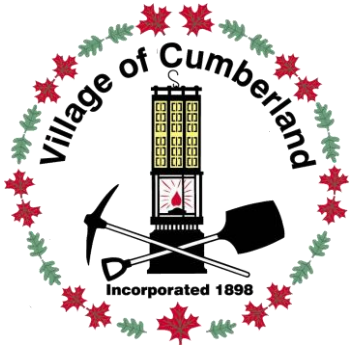
Respectfully submitted,

K. Albert

Karin Albert
Senior Planner

M. Mason

Michelle Mason
Chief Administrative Officer



Village of Cumberland Official Community Plan Bylaw No. 1230, 2025

11.10 DPA 6 – MULTI-UNIT RESIDENTIAL AND MIXED USE

A. DESIGNATED AREA

The Multi-Unit Residential and Mixed-Use Development Permit Area, DPA 6, is shown on **Map J**.

B. CATEGORY

This development permit area is designated pursuant to section 488.1 (1), (a), (b), (f), (h), (i), (j) of the *Local Government Act* for the following purposes:

- (f) Establishment of objectives for the form and character of commercial and multi-family residential development.
- (h) Establishment of objectives to promote energy conservation.
- (i) Establishment of objectives to promote water conservation.
- (j) Establishment of objectives to promote the reduction of greenhouse gas emissions.

In addition, section 485 of the *Local Government Act* permits local governments to request development approval information such as site plans, reports and studies. All of DPA 6 is included within the area designated by the Village for development approval information (see section 9.7 Development Approval Information).

C. JUSTIFICATION

This development permit area designation is established to promote a high standard of design for stand-alone multi-unit residential developments and for mixed use developments that include both residential and commercial uses.

Additional objectives of this designation include:

1. Promote a compact urban form where housing is located within a short walking distance of shops, restaurants, grocery stores, personal services, the community centre and parks.
2. Support housing diversity.
3. Ensure multi-unit residential development is well integrated and sensitive to the surrounding neighbourhood context.
4. Design buildings to a human scale and orient them to the street.
5. Ensure a pedestrian and bicycle-oriented development.
6. Provide landscaping and create greenspace for the enjoyment of residents.
7. Provide landscaping that is drought resistant and pollinator-friendly.
8. Reduce energy and water consumption and greenhouse gas emissions associated with the overall development.

D. EXEMPTIONS

A Development Permit is not required for this DPA for the following types of work:

Activities under a Senior Government’s Jurisdiction

1. Activities that are regulated by a senior level of government. Note that certain aspects of those activities may be subject to Village bylaws.

Village and Village-Approved Works

2. Works conducted by the Village or its agents where appropriate measures have been undertaken to satisfy the applicable DPA guidelines as determined by the Village.

Emergency Response and Hazard Reduction

3. Emergency responses or works undertaken by the Village or its agents to prevent or control forest fire, flooding, erosion, and other hazards or emergencies.

Limited Construction, Repair and Maintenance of Existing Property

4. The placement of impermanent structures such as benches and tables.
5. Construction or replacement of buildings where there is less than 10.0 square metres increase in the building footprint (a building permit is not required), and which does not damage existing native vegetation, provided that:
 - a. the building, and all associated land alteration, is more than 30 m away from the present natural boundary of any watercourse, wetland, or lake; and
 - b. construction of the building follows best management practices for erosion and sediment control.
6. Reconstruction, repair or maintenance of, or renovations to, existing legal buildings, structures or utilities within the existing footprint, including those buildings or structures that have been damaged or destroyed to *less than 75%* or more of their value above its foundations, as determined by the building inspector (s. 532 (1) of the *Local Government Act*). A building permit may still be required.
7. Erection of fences 2.0 metres or less in height
8. Installation of solar domestic hot water or photovoltaic systems on roofs.
9. Soft landscaping (replanting existing beds or creating new planting beds and planting vegetation).

Other

10. Subdivision where no new lots are created.
11. Text or content changes to existing signage that does not alter the overall appearance.

E. GUIDELINES

1. SITE DESIGN

- a. Site design must demonstrate how natural site features, such as the natural topography, mature trees and native understorey, are preserved and integrated into the design and layout.
- b. Wayfinding signage for larger developments should be provided. All signage should be architecturally compatible with the overall design of the buildings.
- c. Service and outside storage areas should be located at the rear of buildings. Where site constraints prevent this, they may be visually screened and located at the side of buildings.
- d. Orientation and placement of buildings, building entrances and windows should contribute to animating the streetscape. For example, building entrances and display windows should be located close to the street. On corner sites consider wrapping active uses (e.g. cafes, retail stores) around the building corner at grade and orienting plazas, interior lobbies, and prominent windows towards the corner. Sites that are mid-block could integrate small courtyards or covered setbacks to display merchandise or provide outdoor seating.

2. LANDSCAPING AND AMENITY AREAS

- a. All areas not covered by buildings or structures should be landscaped.

SOFTSCAPING

- b. Landscaping should consider the incorporation of natural daylight and seasonal shade needs. For example, evergreen and deciduous trees should be planted in appropriate locations to provide shade in the summer and solar radiation in winter.
- c. Landscaped areas should primarily feature trees, shrubs, perennials, and grasses, and may include vegetable gardens. Lawn areas should be used minimally. Select plant species that are:
 - i. Native or adapted to the region
 - ii. Supportive of habitat, nesting, foraging, or pollination
 - iii. Drought-tolerant
 - iv. Adapted to anticipated future climate conditions wherever possible.
 - v. BC FireSmart
- d. Existing healthy mature trees, shrubs and native understorey should be retained to the extent possible.
- e. The root zones of existing mature trees should be identified and building foundations and areas to be excavated during construction should be sited so as not to disturb the root zones.

- f. Impermeable surfaces over the root zones of existing mature trees should be avoided.
- g. Vegetation should be chosen and planted in accordance with BC FireSmart guidelines, including, but not limited to:
 - i. A non-combustible surface should be left free of vegetation within 1.5 metres of a building or structure.
 - ii. Coniferous trees can be present within 1.5 and 10 metres of a building or structure provided they are lone trees, are limbed up to 2.0 metres from the ground, there are no shrubs or heavy accumulation of vegetation below the drip line, and the siding of the building is non-combustible.
 - iii. Due to their high flammability, juniper, English yew and cedar hedges should not be planted.



Figure 11.10-1: Example of emphasis on public realm (guideline 2 i)

HARDSCAPING

- h. Building footprints should be located to create opportunities for plazas, courtyards, or garden patio areas with appropriate site furniture and lighting.
- i. The appearance of both the buildings and the site landscaping should have a strong emphasis on views to and from the street, incorporating a concept that emphasizes the public realm.
- j. Recreation and play areas should be provided within each project and should be sensitive to the needs of all groups likely to reside within the development. Where possible, recreation and play areas should be sited such that all units within a development may view them.
- ~~j. Where a playground is required, it must:~~
 - ~~i. be sited so that the maximum number of units possible within the development may view it, and~~
 - ~~ii. not have a grade greater than 2 percent.~~
- k. Common open spaces should:
 - i. Be located as close to dwelling units as possible, with walkways or multi-use pathways connecting to building entrances and to any parks and open spaces adjacent to the development;
 - ii. Include a portion that is usable for active recreation, such as a walkway.
- l. Green walls/green screens are encouraged.

Commented [KA1]: This proposed amendment re-Inserts the language from the previous OCP. When this DPA was reviewed, the intent was to require a playground for certain types and sizes of development in the new Zoning Bylaw as part of a new section on amenities. However, the amenity section was not included in the Zoning Bylaw as it would have had to be very specific and would not have been 'customizable' to fit a range of developments types.

- m. Fencing and/or vegetative screening on property lines should protect the privacy of occupants of adjacent properties.
- n. Fencing materials should be sensitive to the neighbourhood context. Chainlink and solid corrugated metal fences on front lot lines are discouraged.
- o. All waste disposal and recycling bins must be screened on three sides within a solid walled animal-proof enclosure, not less than 2.0metres in height.
- p. Such elements as outdoor storage areas, transformers, and meters must be additionally screened with landscaping, solid fencing, and through appropriate siting.
- q. Outdoor storage should not be viewed from the public roadway by locating it behind buildings or setting it back from the street frontage and using fencing or landscaping for screening.



Figure 11.10-2: Example of landscaped common space with walkway (guidelines 2 k.i.)



Figure 11.10-3: Example of screened outdoor storage (guidelines 2 q)



Figure 11.10-4: Example of fence and vegetative screening

WATER CONSERVATION

- r. Landscaped areas should be watered by an automatic irrigation system, complete with an automated ‘smart’ controller.
- s. Design sites to minimize water use for irrigation by using strategies such as:
 - i. Designing planting areas and tree pits to passively capture rainwater and stormwater runoff.



Figure 11.13-1: Downtown core (February 11, 1932), Cumberland Museum and Archives CMA 270-042

11.13 HCA 1 – HISTORIC VILLAGE COMMERCIAL CORE

A. DESIGNATED AREA

These heritage conservation area guidelines apply to the area designated as Heritage Conservation Area 1 (HCA-1) and shown on **Map K**.

B. CATEGORY

This HCA is designated pursuant to section 614 of the *Local Government Act* for the purpose of heritage conservation. This HCA also includes development permit designations under section 488 (1) of the *Local Government Act*:

- h) Establishment of objectives to promote energy conservation
- i) Establishment of objectives to promote water conservation
- j) Establishment of objectives to promote the reduction of greenhouse gas emissions.

In order to facilitate development respectful of the surrounding natural environment through appropriate stormwater management and sediment control, this DPA also includes designation under 488(1)(a) *protection of the natural environment, its ecosystems and biological diversity*.

C. JUSTIFICATION

This Heritage Conservation Area (HCA) is intended to provide long-term protection of the Historic Village Commercial Core (HVCC) that has been designated for future mixed use. Included in the HCA is the existing downtown commercial core on Dunsmuir Avenue as well as side streets and adjacent residential streets. Some of these had commercial uses in the past while others may be converted to a future commercial use as part of the growth of the commercial core.

Cumberland’s downtown commercial area is the social, cultural, historic, and economic heart of the Village. It is also the most visible part of the community and requires special design considerations which extend beyond the buildings themselves to the site development.

This HCA seeks to conserve the character of the HVCC by managing change that complements the established Village commercial streetscape and maintains the integrity of the historic architectural forms. It is essential to the integrity of an HCA to have the established heritage character serve as inspiration for new development. The form, character, and sense of place of the Historic Village Commercial Core is reliant on the existing stock of buildings, other structures and features and landscape elements, and it is essential that all components work together in an integrated and harmonious fashion. There is an eclectic mixture of architectural styles that lend to the unique character of the area and should inspire diversity of styles over time.

The conservation of heritage buildings is inherently sustainable, supporting the Village’s greenhouse gas emission targets and climate goals. Conserving existing buildings conserves embodied energy, reduces construction waste at the landfill, and reduces the consumption of new building materials.

CHARACTER DEFINING ELEMENTS

Character defining elements of this area include:

- a. A generally intact and unified streetscape of commercial and some residential buildings that illustrate the development period of the late 19th and first half of the 20th century, including buildings built to the street frontages. Character defining elements specific to some of the key historic buildings are further described in their Statements of Significance.

Commercial buildings:

- b. A variety of architectural styles, including:
 - i. “Storefront” design incorporating large, glazed display frontage, awnings and signage indicative of the late 19th and early 20th century “Pioneer” style. (e.g. Big Store, Frelones buildings)
 - ii. Georgian style hip-roofed rectangular building with central recessed entry (e.g. King George Hotel)
 - iii. Revival era commercial design (e.g. former Cumberland Drug Store at 2719 Dunsmuir, First Credit Union at 2717 Dunsmuir Avenue)

PART D | IMPLEMENTATION – HCA 1 HISTORIC VILLAGE COMMERCIAL CORE

- iv. Edwardian era commercial style with balanced symmetrical façade, cornice with lentils, round headed windows on main frontage on facing first floor, and brick construction (Old Post Office).
 - v. Art Deco with sleek linear appearance, curved entrance with decorative tile work, and stucco siding (e.g. Ilo Ilo Theatre).
- c. Architectural features such as cubic massing and dense site coverage, generally limited to one or two stories.
 - d. Continuing commercial viability with a variety of independent businesses, and a mix of institutional and residential uses.
 - e. Typical wood-frame construction for both early residential and commercial architecture
 - f. Street façades that are more elaborate than the more utilitarian rear façades.
 - g. Front façade that extends above the top storey and hides a gable or a flat roof.
 - h. Punched window openings, often with muntin or grille treatments.
 - i. Wood framed storefront windows, sometimes with transom windows.
 - j. Projecting cornices at the rooflines.
 - k. Recessed retail entrances.
 - l. Remaining examples of historic architectural detailing and materials.
 - m. An eclectic mix of vibrant and contrasting building styles and colours.
 - n. A mix of roof types including pitched as well as flat roofs.



Figure 11.13-2: Examples of false front (top and middle), canted storefront entrance with transom windows (all), pitched roof (middle), hip roof (right -most building in bottom photo).

Residential heritage buildings:

- o. Common architectural elements are:
 - i. Asymmetrical house shape with intersecting roof lines, turrets and bay windows, first-floor porch, patterned shingles and decorative trim and other elements of what is often referred to as Queen Anne style.
 - ii. Simple house forms decorated with elaborate spindle work, jigsaw-cut bargeboards, decorative trim, reminiscent of Folks Victorian.

- iii. Low-pitched gable roof with deep, bracketed overhangs and exposed rafters, porches supported by massive piers and unadorned square posts, windows and doors with long vertical panes, and other elements referencing Craftsman style
- p. Typical wood-frame construction for early residential architecture.
- q. The use of:
 - i. pitched, gable and hip roofs,
 - ii. large porches and verandas facing the main street:
 - iii. wood siding and wooden-sash windows; trim and soffits.
 - iv. wood from old growth trees and other raw materials that are rare and valuable today
- r. End-wall chimneys, bay and picture windows.
- s. Mature landscaping.

BRIEF HISTORY OF CUMBERLAND

Cumberland is part of the traditional territory of the K’ómoks First Nations (KFN) who used the area for hunting, gathering, and cultural practices long before the arrival of European settlers in the area. The Village recognizes the K’ómoks continued presence on the land and is committed to working with the First Nation to recognize that presence in formal and informal ways, as for example, through interpretive signage, art and place naming.

Colonial history is relatively short in Cumberland, beginning in 1852 with the discovery of rich coal deposits near Comox Lake. The earlier company town of Union was built in 1888 by coal baron, Robert Dunsmuir and Union Camp in 1889 centred around the part of Dunsmuir Avenue west of Sutton Road, locally known as “Camp Road”. The town of Cumberland was built further east in 1893. The current Cumberland Village site began development in 1893, with the layout of streets and blocks from First to Fifth Street and between Allen to Windermere Avenue, by the Union Colliery Company Surveyor Frank B. Smith²⁶. The two towns were amalgamated in 1967. Cumberland was named after a county in England, known for its coal mining and beautiful lake country.

Today, the HVCC stands as one of few surviving early mining town commercial and adjacent residential areas on Vancouver Island. The historic form and scale of commercial and residential buildings in the downtown area of Cumberland are integral to the appearance, feeling, and ambience of this area.

The heritage features and characteristics of the HVCC form a direct link with Cumberland’s historic past. As typical with prosperous resource driven towns, a mix of businesses, institutions, and residences evolved to support a rapidly growing population. Even with economic depressions throughout the mining era, the Village boasted significant cultural, institutional, and business amenities. The outcome of this growth legacy is a high level of civic pride, community voice, and sense of place that have attracted businesses, visitors, and residents alike.

²⁶ Jennifer Nell Barr, *Cumberland Heritage: A Selected History of People, Buildings, Institutions and Sites 1888-1950*, p.37-38

The past 130 years has seen changes to the downtown commercial core either through fires, demolition or remodeling. Despite this, the core heritage character of buildings and streetscape continues to define Dunsmuir Avenue and neighbouring streets. This is a significant asset and opportunity for the Village. The value and character of this area provides the potential to greatly contribute to the near and long term economic and cultural well-being of the community, justifying stewardship, conservation, and repurposing of the downtown commercial core buildings and streetscape.

SUPPORTING PLANNING DOCUMENTS

Prepared in 2008, the Cumberland Enhancement Study identified Dunsmuir Avenue between First and Fifth Street as a 'Historic Commercial Core'. The 2014 OCP created a Heritage Conservation Area for the HVCC to achieve appropriate, consistent, and sensitive revitalization of that designated area.

In 2015-2016, the Village prepared a comprehensive Heritage Management Plan that lays out a policy framework and heritage themes to guide heritage conservation actions. The plan takes a broad view of heritage in Cumberland, recognizing the importance of heritage resources throughout the village, including older residential areas.

With the 2025 OCP, the HCA-1 is extended and updated to add the areas on either side of Dunsmuir Avenue that are designated for commercial-residential mixed use to guide their redevelopment in a way that is sympathetic to the heritage character of those streets.

OBJECTIVES

This HCA is designated to achieve the following objectives:

1. To recognize and enhance the historic nature of the HVCC, designated on **Map K** for the benefit of present and future generations.
2. To ensure that building restorations, rehabilitations, or alterations, and property development or redevelopment within the HCA respect the history and enhance the heritage character and value of the HVCC.
3. To promote conservation and restoration of the heritage buildings, other structures, land or features in the HCA, ~~listed on Schedule A at the end of the HCA guidelines.~~
4. To regulate subdivision within the HCA, in a manner consistent with the guidelines and heritage scale, form and character of the area.
5. To accommodate infill development that is consistent with the existing heritage buildings and enhances the heritage character of the HCA.
6. To promote appropriate adaptive reuse of existing buildings.
7. To support commercial development and densification in the residential areas included within the HCA in a manner that is sensitive to the heritage character of those primarily residential streets.

Commented [KA2]: Schedule A was not added to the HCA guidelines as part of the OCP review.

8. To continue to promote a pedestrian-friendly, accessible, vibrant, and animated historic downtown Village core.
9. To ensure the safe, efficient, convenient, and functional movement of multiple modes of transportation with priority given to alternate modes of transportation, including public transit, bicycles, and pedestrians.
10. To accommodate, encourage and manage new development on vacant lots and redevelopment of existing properties to ensure that new buildings constructed within this HCA are designed so as not to detract from the overall effect and character of the surrounding original structures.
11. To implement the above objectives in a manner that promotes energy conservation, water conservation, and reduction of greenhouse gas emissions.
12. To prevent sediment from entering the stormwater system.

D. HERITAGE ALTERATION PERMIT

A Heritage Alteration Permit (HAP) is required pursuant to sections 617 to 619 of the *Local Government Act*, noting current statutory language indicates a person must not do any of the following unless a heritage alteration permit authorizing the action has been issued:

- a. Subdivide land within the area;
- b. Start the construction of a building or structure or an addition to an existing building or structure within the area;
- c. Alter a building or structure or land within the area
- d. Alter a feature that is protected heritage property

For greater certainty, the above includes the requirement for a Heritage Alteration Permit for:

- a. Demolition of a building
- b. Placement of a shipping container

In those cases where zoning requirements are considered for a variance, the heritage character of the area will remain the primary concern.

Given the multiple designations under the section 614 and 488 of the *Local Government Act*, a HAP issued in accordance with this HCA includes the required Development Permit noted under the heading “Category” above.

E. EXEMPTIONS

A Heritage Alteration Permit is not required for this HCA for the following types of work:

Activities under a Senior Government’s Jurisdiction

1. Activities that are regulated by a senior level of government. Note that certain aspects of those activities may be subject to Village bylaws.

Village and Village-Approved Works

- 2. Works conducted by the Village or its agents where appropriate measures have been undertaken to satisfy the applicable DPA guidelines as determined by the Village.

Emergency Response and Hazard Reduction

- 3. Emergency responses or works undertaken by the Village or its agents to prevent or control forest fire, flooding, erosion, and other hazards or emergencies.

Limited Construction, Repair and Maintenance of Existing Property

4. Alterations or repairs to existing single residential buildings. For clarity, this includes the addition of a secondary suite and the creation of up to three residential units within an existing building.

5. Additions to existing single residential buildings on properties not fronting Dunsmuir Avenue that involve lifting the building and adding a floor below or adding an area no larger than 20 percent of the building’s gross floor area to the side or rear of the building.

4-6. Construction of a single residential unit in the rear yard on properties not fronting Dunsmuir Avenue.

5-7. The placement of impermanent structures such as benches and tables.

6-8. Routine upkeep, exterior maintenance and repairs of commercial or mixed-use buildings and structures on the same property with materials, design and colours that are consistent with these guidelines so long as there are no changes to overall appearance, design, or materials used. However, any alterations to the types of windows (e.g. window pattern, substitution of aluminum or vinyl for wood frame windows), changes to cladding materials, or changes to architectural features will require a Heritage Alteration Permit.

7-9. Additions of accessibility features including automatic doors, ramps, or handrails that are compatible (e.g. similar materials, colours, design) with, but subordinate to, the heritage character of the existing building.

8-10. Installation of solar domestic hot water or photovoltaic systems on roofs.

9-11. Soft landscaping (replanting existing beds or creating new planting beds and planting vegetation).

Other

10-12. Subdivision where no new lots are created.

11-13. Text or content changes to existing signage that does not alter the overall appearance.

12-14. Installation of heat pumps, provided they are screened from public view with materials compatible with the main building. For clarity, where mechanical lines are attached to the façade, a Heritage Alteration Permit is required.

13-15. Public art as approved by Council or designate.

14-16. Interior alterations

Commented [KA3]: This exemption of alterations and repairs to existing single residential buildings was in the previous OCP. The line proposed to be added clarifies the breadth of the possible alterations or repairs.

Not requiring a HAP in the cases outlined is intended to encourage the retention of existing heritage buildings.

Commented [KA4]: This amendment is to more fully implement Objective 6 of the HCA Guidelines “To promote the appropriate adaptive reuse of existing buildings” and Objective 7 “To support commercial development and densification in the residential areas included within the HCA in a manner that is sensitive to the heritage character of those primarily residential streets.”

It permits owners to add to their homes to increase the living space.

Commented [KA5]: This permits the addition of a laneway house in the rear yard in the area that was recently added to the HCA without requiring a HAP. The impact of laneway homes on the streetscape is minor. As the two amendments above, this encourages densification while retaining existing heritage buildings.

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1265

A Bylaw to amend the Village of Cumberland Official Community Plan Bylaw No. 1230, 2025

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

1. This Bylaw shall be cited as “Official Community Plan Amendment Bylaw No. 1265, 2026”.
2. “Official Community Plan Bylaw No. 1265, 2026” is amended in *Part D Implementation – DPA 6 Multi-Unit Residential and Mixed Use*, section 2 j. by striking:
 - “Where a playground is required, it must
 - i. be sited so that the maximum number of units possible within the development may view it, and
 - ii. not have a grade greater than 2 percent.”and substituting:
 - “j. Recreation and play areas should be provided within each project and should be sensitive to the needs of all groups likely to reside within the development. Where possible, recreation and play areas should be sited such that all units within a development may view them.”
3. “Official Community Plan Bylaw No. 1265, 2026” is amended in *Part D Implementation – HCA 1 Historic Village Commercial Core*:
 - (a) under *C. Justification, Objectives 3*. by striking: “, listed on Schedule A at the end of the HCA guidelines.”
 - (b) under *E. Exemptions*, following “4. Alterations or repairs to existing residential buildings.” by inserting: “For clarity, this includes the addition of a secondary suite and the creation of up to three residential units within an existing building.”
 - (c) under *E. Exemptions*, by inserting:
 - “5. Additions to existing single residential properties not fronting Dunsmuir Avenue that involve lifting the building and adding a floor below or adding an area no larger than 20 percent of the building’s gross floor area to the side or rear of the building.
 6. Construction of a single residential unit in the rear yard of properties not fronting Dunsmuir Avenue.”

and renumbering the paragraphs that follow in sequential order.

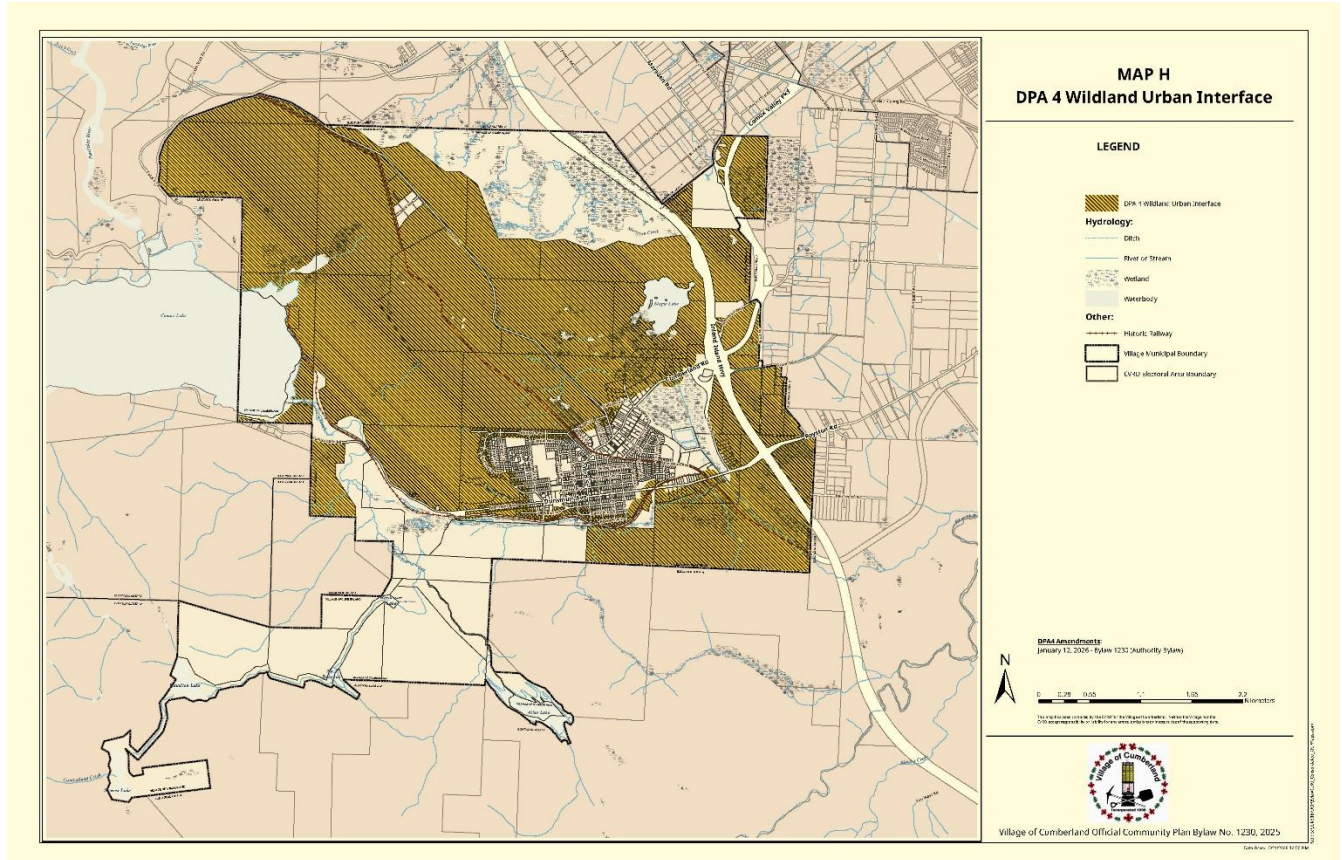
4. “Official Community Plan Bylaw No. 1265, 2026” is amended in *Part E Maps* by substituting the existing Map H – DPA 4 Wildland Urban Interface with the map in Schedule A to this amendment bylaw.

READ A FIRST TIME THIS	___	DAY OF	_____	2026.
READ A SECOND TIME THIS	___	DAY OF	_____	2026.
READ A THIRD TIME THIS	___	DAY OF	_____	2026.
ADOPTED THIS	___	DAY OF	_____	2026.

Mayor

Corporate Officer

Schedule A: Map H – DPA 4 Wildland-Urban Interface





Village of Cumberland
Zoning Bylaw No. 1238, 2025
Housekeeping Amendments

entertainment establishments, libraries, and cultural exhibits. Typical uses include but are not limited to municipal offices, community halls, Indigenous services, social clubs, private clubs, libraries, museums, galleries, auditoria, and concert venues.

DATA CENTRE means a building or group of buildings used for the storage and operation of networked computers or data and transaction processing equipment, and may include telecommunications systems and associated components.

DENSITY means a measure of the development intensity of a lot, including the number of dwelling units permitted on a lot measured in units per lot, units per hectare, or floor area ratio, as well as the maximum floor area of dwelling units.

DRIVE AISLE means a pathway designated for use by vehicular traffic, within a parking lot or similar area, for the purpose of accessing individual parking and loading spaces.

Commented [KA1]: Added to capture all that was included in the now deleted 'manoeuvring aisle' term.

DRIVEWAY means the portion of a lot between a highway or lane and a parking or loading area used for vehicular access and egress, but specifically excludes internal manoeuvring aisles within a parking lot.

DRIVE THROUGH FACILITY means premises where goods or services are provided through a window by an attendant or automated machine, to persons remaining in vehicles that are in a designated queuing space.

DWELLING UNIT means a building or self-contained portion thereof containing sleeping, sanitary, and cooking facilities, used or intended to be used as a residence for one household, but does not include hostels, hotels, motels, or recreational vehicles.

EDUCATION SERVICES means the provision of training, instruction, education, or certification in a specific trade, skill, or service, including classrooms, administrative offices, gymnasiums, or maintenance and/or storage facilities ancillary to the primary education service. Typical uses include but are not limited to public or private schools, commercial schools, community colleges, universities, vocational schools, and adult education centres.

EMERGENCY AND PROTECTIVE SERVICES means premises used as a base of operations for fire protection, police, ambulance, or other such services, including standard administrative and operational support functions, temporary staff accommodation, and other common spaces ancillary to the primary emergency and protective service.

END-OF-TRIP FACILITIES means complementary amenities necessary to support, and designated for use by, cyclists, joggers, walkers, and other active commuters at the end of their trip, including

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

but not limited to common clothing lockers, changeroom, washroom, and shower facilities, bicycle repair space, and bicycle wash stations.

ENTERTAINMENT FACILITY means premises used or intended to be used to provide entertainment and amusement to patrons for remuneration, including but not limited to arcades, billiard and pool halls, bowling alleys, cinemas, miniature golf, nightclubs, and theatres, but specifically excludes gaming facilities such as casinos, bingo halls, video lottery terminals, slot machines, or teletheatre outlets.

FARM STAND means a building or **structure** used for the sale of seasonal crops and farm products grown or produced on-site.

FARMER’S MARKET means a market for the sale of locally produced goods typically produced on farms, with multiple vendors, operated in a fixed location on a periodic basis. This use includes but is not limited to the sale of arts and crafts and **mobile vending**, but specifically excludes the sale of farm machinery, implements, and tools other than gardening supplies.

FENCE means a vertical **structure** used as a physical barrier or enclosure, or for screening purposes, including any moveable components such as a gate or door.

FLEET SERVICES FACILITY means premises used to dispatch, store, repair, clean, and otherwise maintain three or more vehicles used for the transport of people, goods, or services, but specifically excludes the production, display, sale, or rental of such vehicles. Typical uses include but are not limited to buses, couriers, limousines, taxis, or roadside assistance vehicles.

FLOOR AREA means the sum of all horizontal area with a clear ceiling height of 1.8 metres or more for each **storey** of a building, measured to the interior face of exterior walls.

FLOOR AREA RATIO (FAR) means the figure obtained when the **gross floor area** of a **lot** is divided by the total **lot area**.

FLOOR AREA, GROSS (GFA) means the sum of the total **floor area** for all buildings on a **lot**, measured from the outside face of the exterior walls, excluding enclosed areas used to accommodate **required parking areas** and any associated ramps used for vehicular access/egress.

FOOD SERVICES means premises used for the preparation, service, and sale of food and beverages to the public, where such premises may be licensed pursuant to the *Liquor Control and Licensing Act*. Typical uses include but are not limited to licensed restaurants, theatre restaurants, banquet facilities, cafes, delicatessens, lunchrooms, and take-out restaurants, but specifically excludes a **drive through facility**.

Commented [KA2]: Added 'required' to ensure that this definitions doesn't inadvertently exempt floor area for garages that house more than the required number of parking spaces.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

GAS STATION means premises used for the selling and dispensing of vehicular fuels, lubricants, electricity, and automotive parts and accessories, and may include a car wash or the ancillary sale of food, tobacco, pharmaceuticals, periodicals, or other similar convenience items.

GRADE, FINISHED means the elevation of the ground following construction or land altering activities.

GRADE, NATURAL means the elevation of the ground surface in its natural state, prior to the commencement of any alteration or development, or on sloping sites, the plane angles prior to the commencement of any alteration or development. Where land alteration has occurred, **natural grade** is determined using historical records or interpolation based on surrounding **natural grades**.

GREENHOUSE, COMMERCIAL means a climate-controlled structure enclosed by glass or multiple layers of plastic, used year-round for the cultivation of agricultural crops intended for **wholesale or retail sales**.

Commented [KA3]: Definition added as Greenhouse, Commercial was added as a permitted use in the I-1 and the I-2. This supports OCP policy 8.3.3.6: *Review permitted uses in industrial zones to include non-soil based agriculture, greenhouses, food processing and post-production facility uses.*

HEALTH SERVICES means the provision of physical or mental health services, on an out-patient basis, which may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include but are not limited to medical and dental offices, chiropractors, massage therapists, acupuncture clinics, reflexology, health clinics, and counselling services.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

HOTEL means a building or group of buildings with a common entrance lobby and shared corridors, divided into self-contained sleeping units which may include cooking facilities, used or intended to be used as temporary accommodation for transient visitors, and where hotel staff are on the premises at all times. This use may also include ancillary facilities such as food services, banquet halls, meeting and convention rooms, personal services, and recreation facilities for the convenience of guests.

HOUSING AGREEMENT means an agreement authorized by bylaw and executed by a property owner and the Village in accordance with the *Local Government Act*.

IMPERMEABLE SURFACE means a surface which either prevents or impedes the entry of water into the soil mantle or causes water to run off the surface in greater quantities or at a rate of flow greater than the rate of flow present under natural conditions prior to development. Such surfaces include but are not limited to concrete, asphalt, and brick pavers with a joint of 12.0 millimetres or less.

INDUSTRIAL, HEAVY means the assembly, fabrication, manufacturing, processing, storage, and testing of materials or products predominantly from extracted, bulk, or raw materials, ~~including the processing of animal products and byproducts~~ and processes using hazardous materials or processes which may create hazardous or commonly recognized offensive conditions, and may include ancillary sales of such materials and products but specifically excludes the storage, processing, or handling of hazardous waste.

Commented [KA4]: Now included within the definition of Production Facility, Food. This allows the Village to permit this use in the I-1 and the I-2. See Part 12 - Industry Zone.

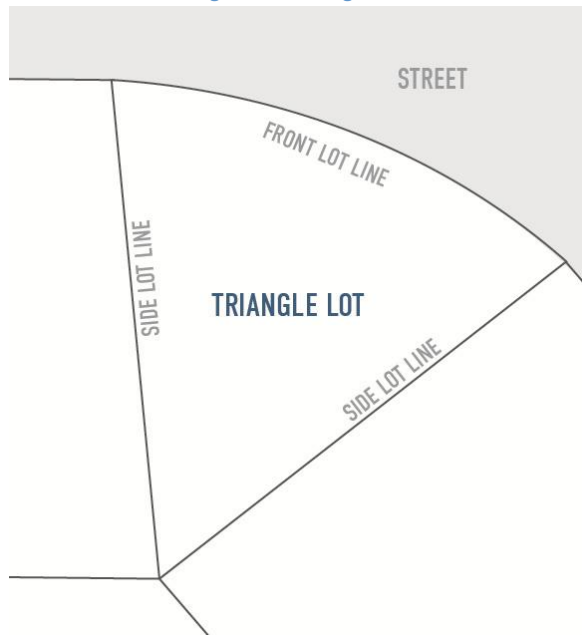
INDUSTRIAL, LIGHT means the assembly, fabrication, manufacturing, repair, servicing, maintenance, and testing of goods or materials where carried out wholly within an enclosed building or structure, including processes using hazardous materials, or processes which may create hazardous or commonly recognized offensive conditions, and may include ancillary sales of such goods or materials but specifically excludes the processing of animal products and byproducts and the storage, processing, or handling of hazardous waste.

KENNEL means premises used for the breeding, buying, selling, or overnight boarding of domesticated animals, but specifically excludes livestock.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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LOT, TRIANGLE means a lot which is generally configured such that its width at the rear lot line is lesser than at its front lot line.

Figure 4-8. Triangle Lot



~~**MANOEUVRING AISLE** means a pathway designated for use by vehicular traffic, within a parking lot or parking area, for the purpose of accessing individual parking and loading spaces.~~

MANUFACTURED HOME means a building containing one dwelling unit, built in a factory environment in one or more sections, intended to be occupied in a place other than its manufacture and is constructed to either the CAN/CSA Z-240 (Mobile Home) or CAN/CSA Z-277 (Modular Home) standard.

MOBILE VENDING means the sale or rental of goods or services from a mobile, non-permanent, and moveable apparatus such as a vehicle, trailer, or cart, but specifically excludes the sale of alcoholic beverages or cannabis products.

Commented [KA5]: Deleted to avoid duplication and possible confusion with the definition and regulations for drive aisle.

Commented [KA6]: This clarifies that a manufactured home can be either a mobile home or a modular home. This is consistent with the broad definition of manufactured home in the Manufactured Home Park Bylaw No. 1036, 2016.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

MOTEL means a building or group of buildings divided into self-contained **sleeping units** used or intended to be used as temporary accommodation for transient visitors, each with a separate exterior entrance and convenient access to on-site parking, and which may include **cooking facilities**. A **motel** may also contain ancillary facilities such as **food services**, banquet, beverage, meeting, or convention rooms, and **personal service** establishments for the convenience of guests.

NATURAL RESOURCE EXTRACTION means the mining, quarrying, digging, removal, or processing of earth, gravel, sand, peat, rock, or other natural substances found on or under the site. Typical uses include but are not limited to quarries, gravel pits, and stripping of topsoil.

PARK means land or water used or intended to be used for passive or active recreation by the public, including but not limited to walkways, trails, watercourses, environmentally sensitive areas, forest reserves, wildlife sanctuaries, green belts, conservation areas, nature interpretation areas, sources of drinking water, and **landscaping**.

PARKING AREA means the area of a **lot** used to accommodate **parking spaces** and associated ~~maneuvering drive aisles~~.

Commented [KA7]: Manoeuvring replaced with drive because the definition for manoeuvring aisle as been deleted and replaced with drive aisle. See above.

PARKING LOT means any **lot** or part of a **lot** used to temporarily park more than five vehicles.

PARKING SPACE means a designated area intended to be used to park one vehicle, exclusive of any **driveways**, **drive aisles**, or ramps.

PARKING, BARRIER-FREE means **parking spaces** designated for use by persons with disabilities.

PARKING, COURTESY means **parking spaces** designated for use by persons who are pregnant or who have young children.

PARKING, ELECTRICAL VEHICLE (EV) means **parking spaces** designated for use by electric vehicles.

PARKING, EV CHARGING STATION means a **parking space** equipped with electric vehicle supply equipment that provides Level 2 electrical vehicle charging in accordance with SAE International's J1772 Standard.

PARKING, EV PREPARED means a **parking space** equipped with the necessary conductors, connectors, devices, apparatuses, fittings, and electrical supply to support Level 2 electrical vehicle charging in accordance with SAE International's J1772 Standard.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PARKING, LONG-TERM BICYCLE means bicycle parking specifically provided and equipped for use by cyclists who typically stay at a site for extended periods of time; such facilities are easy to access for a range of users, are located in a secured or controlled area, and provide protection from inclement weather.

PARKING, SHORT-TERM BICYCLE means bicycle parking specifically provided and equipped for use by cyclists who typically stay at a site for short periods of time; such facilities are readily visible and accessible for a range of users and are located within 25.0 metres of the main entrance of the premises they serve.

PARKING, TANDEM means two [parking spaces](#), one behind the other, with a common or shared point of access to a [drive aisle](#), [driveway](#), [lane](#), or [highway](#).

PERSONAL SERVICES means the provision of services which are related to the care and appearance of the body or the cleaning and repair of personal effects, including the sale of goods which are ancillary to the primary personal service operation. Typical uses include but are not limited to barber shops, hairdressers, tattoo parlours, manicurists, estheticians, tailors, shoe repair shops, dry cleaning establishments, and laundromats, but specifically excludes [health services](#).

PLANT NURSERY means premises used for the growing, harvesting, display, and [wholesale or retail sale](#) of plants, trees, sod, and similar plant materials, including the sale of goods which are ancillary to the primary nursery operation, but specifically excludes the production or sale of cannabis products.

Commented [KA8]: Previously missed hyperlinks

PRODUCTION FACILITY, ALCOHOL means premises licensed under the *Liquor Control and Licensing Act* to produce, package, store, and distribute wine, beer, or spirits, and may include ancillary [retail sales](#), tours, tastings, or food and beverage service.

PRODUCTION FACILITY, CANNABIS means premises licensed under the *Cannabis Act* to grow, process, test, package, store, distribute, and destroy cannabis or cannabis-related products, but specifically excludes [cannabis retail](#).

PRODUCTION FACILITY, FOOD means [premises used to process, package, store, and distribute agricultural products, including animal products and byproducts, but specifically excluding cannabis or cannabis-related products, and may include ancillary sales of such products.](#)

Commented [KA9]: Added to define this permitted use that is proposed to be added to the Industry zones to implement OCP policy to permit food processing and post-production facilities in those zones.

PROFESSIONAL SERVICES, INTERNAL-FACING means the provision of technical, management, administrative, consulting, or financial services which do not include the servicing and repair of goods, the manufacturing or handling of a product, or on-site [retail sales](#), and where the provision of such services could function without directly servicing clients or customers entering the

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 5 GENERAL REGULATIONS

5.1 Uses Permitted in All Zones

- (1) The following uses, buildings, and structures are permitted in all zones
- (a) parks, open space, community gardens, multi-use trails, and ecological reserves;
 - (b) short- and long-term bicycle parking;
 - (c) renewable energy apparatuses; and
 - (d) telecommunication towers and wires, traffic control devices, free-standing lightning poles, flag poles, and clock towers.

5.2 Uses Prohibited in All Zones

- (1) The following uses, buildings, and structures are prohibited in all zones:
- (a) a track for the racing of motor vehicles;
 - (b) data centres; ~~and~~
 - (c) drive through facilities; ~~and-~~
 - (d) water and beverage bottling except where the source is the municipal water supply supplied directly to the property on which the bottling is taking place.

Commented [KA10]: This prohibition appeared in the previous Zoning Bylaw but was inadvertently omitted from the new bylaw. It is based on a 2020 Council resolution adopted in response to concerns about groundwater overuse in the Comox Valley.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

5.3 Development Standards

5.3.1 Setbacks

(1) Where a zone establishes minimum setback regulations, no building or structure within that zone shall be placed, erected, constructed, sunk into, re-constructed, altered, or enlarged nearer to the lot line than the distance specified.

(a) Despite Section 5.3.1(1), where a dwelling unit is located within the rear portion of a lot and does not have year-round rear lane access by a lane that is wider than 6.0 metres:

- i. a 1.5-metre-wide emergency access aisle, clear of any buildings, structures, retaining walls, and other such obstructions must be provided between the front lot line and the dwelling unit; and
- ii. fences erected within the emergency access aisle must be passable at all times via 1.5-metre-wide fence gate.

(2) For certainty, all portions of a building or structure, whether located above or below finished grade, are subject to all setbacks for the zone in which it is located.

Commented [KA11]: This provision was in the previous Zoning Bylaw but was inadvertently omitted. The 1.5 m clear emergency access is essential for fire fighting and easy access by paramedics.

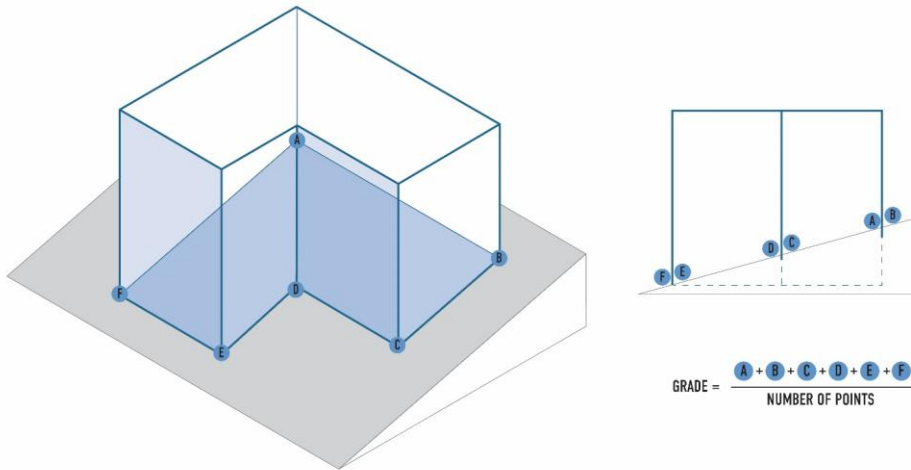
5.3.2 Height

(3) For the purposes of calculating height, grade shall be measured by averaging the elevation at any point at which the corner of a building or structure comes into contact with the surface of a lot, excluding any artificial mounds of earth or rocks placed at or near the face the building or structure, and excluding the minimum window well width and depth required by the British Columbia Building Code.

Commented [KA12]: Added for navigational purposes.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 5-1. Calculating Grade



- (4) Where a zone establishes maximum height regulations, no building or structure within that zone shall be placed, erected, constructed, sunk into, re-constructed, altered, or enlarged such that it exceeds the height specified.
- (5) ~~Despite any other provision of this Bylaw, heating, ventilation and air conditioning equipment must be located to minimize their impact on adjacent dwelling units by avoiding proximity to windows and doors.~~

Commented [KA13]: "Proximity" is open to interpretation and therefore this regulation is not enforceable as written. Table 7.3(1) includes screening requirements for HVAC equipment to reduce impact on neighbours.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

5.4 Exemptions from Development Regulations

Table 5.4(1) Exemptions from Development Regulations					
E = exempt -- = not exempt					
Exemptible Features	Setbacks	Height	GFA	FAR	Lot Coverage
Accessory buildings and structures	--	--	--	--	E ¹
Arbours, trellises, and pergolas	n/a	--	n/a	n/a	E
Areas used to house a building's mechanical and electrical systems	--	E ²	--	E	--
Areas used to provide service access to a building	--	--	--	E	--
Bay windows, chimneys, headers, pilasters, and sills	E ³	E ⁴	--	--	E ⁵
Belfries, domes, and spires	--	E ²	--	--	--
Breezeways	--	--	E	E	--
Carports	--	--	E	E	--
Common amenity areas including storage, laundry, recreational, and end-of-trip facilities	--	--	--	E	--
Courtyards, patios, sidewalks, and other hard surfacing	n/a	n/a	n/a	n/a	E
Cornices, eaves, and gutters	E ⁶	--	n/a	n/a	E ⁵
Cranes	--	E ²	n/a	n/a	n/a
Enclosed areas used to accommodate required parking areas, including ramps for vehicular access/egress ⁷	--	--	E	E	--
Exterior features used to facilitate barrier-free access to a building or structure in accordance with the BC Building Code	E ⁷⁸	E ²	E	E	E
Exterior stairs	E ⁸⁹	E ⁹¹⁰	E	E	E

Commented [KA14]: Amendment to clarify that only required parking areas are exempt and addition of condition to clarify that this includes garages.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 5.4(1) Exemptions from Development Regulations

E = exempt
 -- = not exempt

Exemptible Features	Setbacks	Height	GFA	FAR	Lot Coverage
Farm stands	E	--	E	E	--
Fences and retaining walls	E	--	n/a	n/a	n/a
Flagpoles	n/a	E ²	n/a	n/a	n/a
Guardrails	n/a	E	n/a	n/a	n/a
Landscaping	E	--	n/a	n/a	n/a
Renewable energy apparatuses	--	E ²	n/a	n/a	--
Shared corridors, stairs, and elevator shafts	--	E 1011	--	E	--
Stair and hose towers	--	E ²	--	E	--
Telecommunications towers	--	E ²	n/a	n/a	n/a
Uncovered driveways, manoeuvring drive aisles, and parking and loading spaces	E	n/a	n/a	n/a	E
Unenclosed balconies, decks, porches, and verandas	--	--	E	E	E 1112
Water towers or other such reservoirs	--	E	n/a	n/a	E

Commented [KA15]: Changed as manoeuvring aisle was deleted from the definitions.

CONDITIONS [Table 5.4(1)]:

- ¹ One accessory building having less than 10.0 square metres of floor area may be exempt from the calculation of lot coverage.
- ² Such features are permitted to exceed the height regulations of this Bylaw up to an overall maximum height of 18.0 metres.
- ³ Bay windows, chimneys, headers, pilasters, and sills are permitted to project 0.6 metres into a required yard, provided such features do not exceed 40% of the length of each building frontage, per storey.
- ⁴ Chimneys are permitted to exceed the height regulations of this Bylaw up to an overall maximum height of 18.0 metres.
- ⁵ To be exempt from the calculation of lot coverage, bay windows, chimneys, headers, pilasters, sills, cornices, eaves cannot extend to grade level.
- ⁶ Cornices, eaves, and gutters are permitted to project 0.6 metres into a required yard.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 5.4(1) Exemptions from Development Regulations

E = exempt

-- = not exempt

Exemptible Features	Setbacks	Height	GFA	FAR	Lot Coverage
Z					<u>Includes garages, underground parkades, and any other such enclosed parking structure used to accommodate required parking areas.</u>
7.8					Exterior features used to facilitate barrier-free access to a building or structure in accordance with the BC Building Code are permitted within a required yard, provided such features are sited no closer than 0.3 metres to any lot line.
8.9					Exterior stairs are permitted within a required front yard, exterior side yard, or rear yard.
9.10					Exterior stairs are permitted to exceed the height regulations of this Bylaw, provided such stairs are required to facilitate rooftop access.
11.9					Elevator shafts and their associated enclosures are permitted to exceed the height regulations of this Bylaw up to a maximum height of 18.0 metres.
4+12					To be exempt from the calculation of lot coverage, unenclosed balconies, decks, porches, and verandas must be at least 1.0 metre above finished grade and cantilevered.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.4(2) Home Occupation Regulations

Criteria	Minor	Standard	Major	Accommodation	
				Bed and Breakfast	Short-Term Rental
Licencing Requirements	All home occupations must have a valid business licence issued by the Village of Cumberland.				
Location	Must be conducted entirely within a dwelling unit. ¹	Must be conducted within a dwelling unit or accessory building.		Must be conducted entirely within a dwelling unit.	Must be conducted within a dwelling unit on the same lot as the dwelling unit in which the resident operator resides. ²
Maximum GFA	20.0 m ² or 25% of the GFA of all buildings on the lot, whichever is less.	50.0 m ² or 25% of the GFA of all buildings on the lot, whichever is less.	100.0 m ² or 25% of the GFA of all buildings on the lot, whichever is less.	n/a	
Use of Outdoor Spaces	Must be conducted entirely within an enclosed building or structure. ³			Side and rear yards may be used by guests of the accommodation home occupation. ⁴	
Operator Restrictions	The home occupation must be operated by an individual whose principal residence is the dwelling unit associated with the home occupation.				The home occupation must be operated by an individual whose principal residence is on the same lot as the dwelling unit associated with the home occupation and the principal resident is present.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.4(2) Home Occupation Regulations

Criteria	Minor	Standard	Major	Accommodation	
				Bed and Breakfast	Short-Term Rental
Employee Restrictions ⁵	No non-resident employees. ¹	A maximum of one non-resident employee.	A maximum of two non-resident employees.	No non resident employees.	
Client / Guest Restrictions ⁶	One client at any given time. ¹	Two clients at any given time. ⁷		Two guests per sleeping unit, up to a maximum of two sleeping units.	Two guests per sleeping unit, up to a maximum of three sleeping units.
Nuisance Restrictions	No nuisance from noise, vibration, smoke, dust, odours, heat, glare, or electrical or radio disturbance can be produced by any home occupation, and, at all times, the privacy and enjoyment of adjacent properties must be preserved and in no instance must the home occupation adversely affect or interfere with the amenities of the surrounding neighbourhood.				
Storage Restrictions	Outdoor storage or use of containers is not permitted.				
Commercial Vehicle Restrictions	On-site parking of commercial vehicles larger than 5,500 kilograms gross vehicle weight is not permitted. ⁸				
Retail Sale Restrictions	The display and retail sale of goods is limited to goods that were produced or manufactured on-site incidentally to the home occupation, or goods produced or manufactured off-site which are directly related to the home occupation. In no instance must the display and in-person sale of goods be the primary purpose of any home occupation. For clarity, the virtual sale and distribution of goods is permitted.				
Other Restrictions	A food catering business operating lawfully within a dwelling may establish additional cooking facilities, provided the installation of such facilities is required by the Health Authority. Should the home occupation cease, the additional cooking facilities must be removed and are in no instance to be used to establish an additional dwelling.			No accommodation home occupation can be operated on the same lot as a care facility.	

Commented [KA16]: These proposed amendments are to clarify that virtual retail sales are not restricted a part of a home occupation.

Commented [KA17]: This reference is deleted because the definition of dwelling unit in this bylaw no longer limits it to a single set of cooking facilities. Further, provided the zone allows for that, the creation of an additional dwelling unit would support infill housing.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.4(2) Home Occupation Regulations

Criteria	Minor	Standard	Major	Accommodation	
				Bed and Breakfast	Short-Term Rental
CONDITIONS [Table 6.4(2)]:					
1	Where there are two or fewer dwelling units on a lot, a home occupation may: <ul style="list-style-type: none"> be conducted within a dwelling unit or accessory building; occupy 50.0 m² or 25% of the GFA of all buildings on the lot, whichever is less; employ a maximum of one non-resident employee; and allow for a maximum of two clients at any given time. 				
2	No more than one dwelling unit per lot shall be used for a short-term rental accommodation home occupation.				
3	The use of outdoor spaces, a side or rear yard is permitted for care facility home occupations only, subject to the screening requirements prescribed in Part 7 of this Bylaw.				
4	Guest use of outdoor space is subject to the screening requirements prescribed in Part 7 of this Bylaw.				
5	Employee restrictions are applicable only to persons who are employed in a home occupation which requires that the work be carried out in the dwelling unit or accessory building associated with the home occupation. There is no limit to the number of employees associated with a home occupation where non-resident employees work off-site.				
6	There is no limit to the number of persons permitted at any given time for a child or community care facility home occupation, provided such facility holds a valid licence from the Health Authority.				
7	A maximum of four clients are permitted at any given time for home occupations which are educational or instructional in nature, including but not limited to private music, dance, art, or tutoring classes.				
8	No home occupation must cause goods or materials to be delivered to or from the dwelling associated with the home occupation in such a quantity as to require regular or frequent delivery by a commercial vehicle.				

Commented [KA18]: This reflects the practice of existing day cares which use rear and front yards and have low chain link fencing rather than a tall solid fence. It avoids imposing fencing costs on new day care home occupations and making existing day cares legally non-conforming.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

6.5 Mobile Vending

- (1) Where expressly permitted in a zone, **mobile vending**:
- (a) must be located a minimum of 30.0 metres from any **food services** establishment, except where such establishment has provided written permission stating that the **mobile vendor** may be sited closer to its premises; and
 - (b) must be **set back** a minimum of 1.0 metre from all **lot lines**.

6.6 Refuse Disposal Facilities

- (1) Despite any other provision of this Bylaw, the following uses may not be located within 500.0 metres of a **refuse disposal facility**:

- (a) ~~dwelling units; residential~~
- (b) ~~food production facilities; and~~ ~~essing~~
- (c) ~~food services.~~

- ~~(1) Despite any other provision of this Bylaw, only the following uses may be located within 500.0 metres of a refuse disposal facility:~~

- ~~a. automotive and equipment services, industrial;~~
- ~~b. bulk fuel storage;~~
- ~~c. compost facility;~~
- ~~d. containers;~~
- ~~e. fleet services facility;~~
- ~~f. industrial, heavy;~~
- ~~g. natural resource extraction;~~
- ~~h. parking lot;~~
- ~~i. recycling facility;~~
- ~~j. sawmill;~~
- ~~k. silviculture;~~

Commented [KA19]: Listing the specific uses that are permitted within the 500 m landfill buffer could inadvertently exclude uses that may be appropriate. The amendment takes the opposite approach by not permitting certain sensitive uses. This reflects the approach taken in the provincial landfill siting guidelines.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

~~l. storage, outdoor;~~

~~m. storage, warehouse; and~~

~~n. wrecking yard.~~

6.7 Secondary Suites

- (1) Where expressly permitted in a zone, a **secondary suite** must:
 - (a) be incidental to, and integrated with, a principal **dwelling unit**, and must not be connected to the principal **dwelling unit** via **breezeway**, garage, or other such unconditioned space; and
 - (b) have its own separate entrance.
- (2) A maximum of one **secondary suite** is permitted per principal **dwelling unit**.
- (3) No **secondary suite** can be subdivided from the principal **dwelling unit** under the *Strata Property Act*.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

6.8 Urban Agriculture

Table 6.8(1) Urban Agriculture Regulations

Criteria	Small-Scale Production of Food and Farm Products	Keeping of Bees	Keeping of Poultry
Siting Restrictions	n/a	n/a	The keeping of poultry is only permitted in a rear yard.
Minimum Lot Area	n/a	550.0 m ²	n/a
Accessory Buildings and Structures	All accessory buildings or structures used for urban agriculture must conform to the setbacks for accessory buildings and structures in each zone.		
	The maximum height of any accessory building or structure used for urban agriculture is 3.5 metres.		
	The maximum gross floor area of a greenhouse is 30.0 m ² .	A maximum of two hives and two nucs are permitted per lot.	Where opaque screening is provided, a coop and associated run may be located 0.0 metres from any lot line which abuts a lot in a non-Residential zone.
		Hives must be equipped with adequate ventilation and water supply, and must be securely located to prevent accidental disturbance or damage. ¹	Where opaque screening is not provided, a coop and associated run must be setback a minimum of 1.5 metres from all lot lines.
All hives must be setback a minimum of 6.0 metres from all sidewalks, highways, and any lot line which abuts a lot in a Residential or Public Use zone.		A coop and associated run must be set back a minimum of 4.5 metres from any lot line which abuts a lot in a Residential zone.	

Commented [KA20]: This change provides clarity as to the applicability of the restriction.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.8(1) Urban Agriculture Regulations

Criteria	Small-Scale Production of Food and Farm Products	Keeping of Bees	Keeping of Poultry
Composting	On-site composting must not utilize any mechanized process, and must consist only of plant matter, plant-based materials, or animal manure. ²		
	Where opaque screening is provided, on-site compost receptacles may be located 0.0 metres from any lot line.		
	Where opaque screening is not provided, on-site compost receptacles must be located at least 3.0 metres from any lot line.		
Food Processing Restrictions	Processing of agricultural food products (including animal products or byproducts) produced on-site is prohibited unless in conjunction with an authorized home occupation. ³		
Nuisance Restrictions	No nuisance from noise, vibration, smoke, dust, odours, vermin, or visual disturbance can be produced by any urban agriculture activity, and, at all times, the privacy and enjoyment of adjacent properties must be preserved and in no instance must urban agriculture adversely affect or interfere with the amenities of the surrounding neighbourhood.		
Retail Sale Restrictions	The display and retail sale of goods via farm stand is limited to crops or farm products produced on-site.	The sale of honey and other products associated with the keeping of bees must be limited to products produced on-site.	The sale of eggs, manure, and other products associated with the keeping of poultry is limited to products produced on-site.
	The maximum floor area of a farm stand is 5.0 square metres.		
Storage Restrictions	No outdoor storage or use of containers are permitted.		
Other Restrictions	n/a	n/a	A maximum of six female birds and zero male birds are permitted per lot.

Commented [KA21]: Food is replaced with "agricultural" and the clarification is added that animal products and byproducts are also included to capture a broader range of uses. Depending on the nuisance odours they may produce, processing of animal products or byproducts can be denied when a home occupation application is reviewed by the Village.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.8(1) Urban Agriculture Regulations

Criteria	Small-Scale Production of Food and Farm Products	Keeping of Bees	Keeping of Poultry
CONDITIONS [Table 6.8(1)]:			
<p>1 A “flyway barrier” comprised of a solid fence or dense hedge which is a minimum of 1.8 metres in height, must be placed, within 1.5 metres of the hive, along the side of the hive containing the hive’s entrance. The flyway barrier must extend 0.6 metres on either side of the hive. Where all hives are set back a minimum of 7.6 metres from all lot lines, or are located on a porch, balcony, or rooftop which is a minimum of 3.0 metres above finished grade and setback 1.5 metres from all lot lines, no flyway barrier is required.</p> <p>2 Manure may be kept on-site in an enclosed receptacle, up to a maximum of 3.0 square metres. All manure must be disposed of at an appropriate refuse disposal facility.</p> <p>3 On-site slaughter of poultry is prohibited. Any deceased poultry must be disposed of at an appropriate refuse disposal facility or through the services of a veterinarian.</p>			

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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PART 7 LANDSCAPING AND SCREENING

7.1 General

- (1) Landscaping and screening regulations, including provisions for fencing, retaining walls, and visual clearance at intersections, are intended to:
 - (a) ensure a reasonable standard of livability, aesthetic, and placement of landscaping;
 - (b) protect and strengthen the Village’s urban tree canopy;
 - (c) support a healthy and resilient environment through microclimate stabilization, improved on-site stormwater management, and habitat protection and enhancement in support of increased biodiversity; and
 - (d) mask or separate incompatible land uses.
- (2) All required landscaping and landscape screen installations, including associated irrigation, must meet or exceed the Canadian Landscape Standard (CLS).
- (3) All required landscaping and landscape screen installations must be regularly maintained by property owners to meet or exceed the Canadian Landscape Standard throughout the year.
 - (a) Required landscaping maintenance for plant material must include watering, mulching, pruning, fertilizing, liming, and tree support, as well as weed, pest, and disease control.
 - (b) Required landscaping maintenance for lawn and grass areas must include mowing, trimming, edging, aeration, and repairs such as regrading, reseeding, resodding, as well as weed, pest, and disease control.
 - (c) Required maintenance for non-vegetative landscape screens includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.
- (4) All required landscaping installations must consider the Village of Cumberland’s Urban Forest Management Plan for species recommendations and planting guidelines.

Commented [KA22]: Language added to require maintenance to apply to both landscaping and landscape screens.

Commented [KA23]: Added to capture landscape screens that are made from human-made materials, rather than plants, in the maintenance requirement. The maintenance requirement assists with enforcement if a property were to develop into a nuisance property.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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7.2 Landscaping Requirements

- (1) ~~The landscaping requirements prescribed in Table 7.2(4) and Table 7.2(5) are only applicable to development comprising one or more new dwelling units, including the demolition and replacement of one or more existing dwelling units.~~
- (1) Erosion control and protection measures must be used during all on-site construction to prevent the pollution, degradation, or siltation of natural areas, including vegetation and water-courses.
- (2) Where construction works are proposed within 10.0 metres of an existing tree that is to be retained to meet the requirements prescribed in Table 7.2(3), temporary protective fencing must be erected around the dripline of the tree or ~~along the perimeter of a circle having a radius which is calculated by multiplying the at a minimum radius equal to 1.0 metre for every 1.0 centimetre of trunk diameter measured from 1.37 metres above natural grade by 12, whichever is greater.~~
- (a) Temporary protective fencing must remain in place for the duration of construction and must be clearly marked and maintained to prevent damage to the trunk, roots, and canopy of the tree.

Commented [KA24]: Proposed amendments further down in this section mean that requirements in tables 7.2(4) and 7.2(5) apply to different numbers or combinations of dwelling units. These are now captured in the tables.

Commented [KA25]: The previous calculation resulted in very large setbacks, far beyond the dripline of trees. The revised wording is based on the wording in the Village's draft tree protection bylaw and results in appropriate setbacks.

Table 7.2(3) Landscaping Regulations - Trees

Criteria	Residential Zones	All Other Zones
Minimum Number of Trees 4,2	<p>≤ Three Dwelling Units: 1 tree per dwelling unit ^{1,2}</p> <p>≥ Four Dwelling Units: 1 tree per 10.0 linear metres of landscape area ^{1,2,3,4}</p>	1 tree per 10.0 linear metres of landscape area ^{3*}
	A minimum of one tree is required per lot.	
Minimum Tree Size ⁴	<p>Small Tree: expected mature canopy diameter of less than 65.0 metres</p> <p>Medium Tree: expected mature canopy diameter of 65.0 metres to 108.0 metres</p> <p>Large Tree: expected mature canopy diameter of greater than 810.0 metres</p>	
Minimum Tree Size Ratio	<p>Small Tree: maximum 25% of required trees</p> <p>Medium Tree: n/a</p> <p>Large Tree: minimum 50% of required trees</p> <p>Where only one tree is required, such tree it must be a large tree. ^{6,4} or conifer, two medium trees or, where the canopy cover cannot be accommodated within the open space on the lot, three small trees.</p>	
Minimum Deciduous Tree Caliper	<p>Small Tree: 3.0 cm</p> <p>Medium Tree: 4.0 cm</p> <p>Large Tree: 5.0 cm</p>	

Commented [KA26]: The reduction in canopy diameters by 1.0 to 2.0 metres is to make it easier to meet the requirements on lots with little open space.

Commented [KA27]: The option for a conifer is inconsistent with FireSmart practices for homes. The option to plant two medium or three small trees instead of a large tree is added to provide more flexibility and account for different lot layouts

Commented [KA28]: Row deleted. The caliper sizes are challenging to implement with the reduced minimum tree height proposed below. Further, having two separate measurements, caliper size and tree height, makes it challenging to find a tree that fits both requirements.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 7.2(31) Landscaping Regulations - Trees

Criteria	Residential Zones	All Other Zones	
	At the time of planting, the minimum vertical distance between grade and the tree's lowest limb must be 1.5 metres for all deciduous trees;		
Minimum Coniferous Tree Height	1.4-1.5 m		
Minimum Soil Volume Per Tree		Single Tree	Shared ^{4Z}
	Small Tree	15.0 m ³	10.0 m ³
	Medium Tree	18.0 m ³	12.0 m ³
	Large Tree	20.0 m ³	15.0 m ³
Minimum Setback from Buildings or Structures	<p>Small Tree: 1.0 metre radius from centre of the tree</p> <p>Medium Tree: 2.0 metre radius from centre of the tree, depending on expected mature canopy diameter at maturity.</p> <p>Large Tree: 3.0 metre radius from centre of the tree</p>		
Tree Spacing	Minimum tree spacing must be based on site requirements for sightlines, accessibility, and standard planting practices for the selected tree species.		
Overhead Interference	Required trees must be planted where overhead electrical power lines or other such objects will not interfere with their growth.		
Exemptions	For development comprised of two or more dwelling units, required trees may be accommodated within an irrigated boulevard, subject to written consent agreement from the Village.	Required trees may be accommodated within an irrigated boulevard, subject to written consent agreement from the Village.	

Commented [KA29]: Deleted since the minimum tree height is proposed to be reduced to 1.4 m and, the requirement for the lowest limb to be 1.5 m no longer makes sense.

Commented [KA30]: This requirement is to apply to all tree types. The reduction in minimum height recognizes that tall trees are difficult to find in local nurseries and the taller the tree, the greater the transplant shock. The reduced height minimum increases the chance of start-up success for the tree. 1.4 m aligns Cumberland's requirement with that of the Town of Comox.

Commented [KA31]: This clarifies that the consent cannot be just verbal.

Commented [KA32]: The condition exempts secondary suites to reduce barriers to building new or converting existing space for a suite.

Commented [KA33]: Medium crossed out to reduce confusion of what might apply. Columnar, fastigate or dwarf cultivars canopy sizes are generally comparable to those of "small trees" as defined in the table above in the row titled "Minimum Tree Size". The second part of the sentence provides for consideration of them being comparable to a different tree canopy size if demonstrated.

CONDITIONS [Table 7.2(43)]:

- 1 Landscaping requirements do not apply to the replacement or addition of a secondary suite.
- 2 The minimum number of trees is inclusive of any existing trees on the lot that are to be retained, provided such trees meet all other landscaping regulations.
- 3 The linear metre calculation is used to determine the minimum number of trees to be planted on the lot.
- 4 Tree size must be determined based on the expected mature canopy spread under local growing conditions, as classified in the Species Recommendations included in the Village's Urban Forest Management Plan, planting plan, nursery tag, or published species information from a reputable source (e.g., BC Landscape & Nursery Association or Canadian Landscape Standard plant database). All columnar, fastigate, or dwarf cultivars are considered small ~~or medium~~ trees,

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
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Table 7.2(31) Landscaping Regulations - Trees		
Criteria	Residential Zones	All Other Zones
	regardless of their height, unless otherwise demonstrated through nursery specifications or arborist verification.	
54	Soil volume may be shared amongst multiple plantings (trees, shrubs, etc.), provided continuous growing medium can be reached by the roots of such plantings.	

Table 7.2(32) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
Minimum Planting Requirements for Landscape Areas ²	75% of all landscape areas must be planted with soft-landscaping elements. ³	75% of all landscape areas must be planted with soft-landscaping elements. ^{3, 4, 5}
Minimum Planting Requirements for Tiered Retaining Walls	100% of the horizontal area between each tier of a retaining wall must be planted with soft-landscaping elements.	
Minimum Landscaping for Parking Areas	Parking Areas that Accommodate < 15 Vehicles: n/a Parking Areas that Accommodate ≥ 15 Vehicles: a contiguous, 1.5 metre wide landscape buffer planted with soft-landscaping elements shall be provided between the parking area and any abutting highways	
	A minimum of one tree must be included in a landscape island. ^{6, 5}	
	The maximum number of consecutive parking spaces is 15. A landscape buffer or drive aisle must separate the next 15 parking spaces.	
	Landscape buffers must be clearly delineated as separate and in addition to required parking and loading spaces.	
Irrigation	Landscape buffers must be located such that loading and unloading vehicles can access the site without interference.	
	All required landscaping installations must be equipped with a permanent, fully automatic, low-water requirement irrigation system. ^{7, 6}	
Outdoor Lighting	Run-off onto sidewalks, highways, or parking and loading areas is not permitted.	
	Flashing or blinking exterior lighting is not permitted.	

Commented [KA34]: Condition footnote added to identify in what instances the regulations in this column apply. Other footnotes renumbered.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
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Table 7.2(42) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
	All direct or ambient lighting must have a DarkSky seal and be directed or shielded to ensure direct light rays do not shine beyond the boundaries of the lot.	
CONDITIONS [Table 7.2(52)]:		
¹	Landscaping requirements are only applicable to development comprising four or more dwelling units on a lot, including the replacement of existing dwelling units. Landscaping requirements do not apply to the development of a new coach house, or a new secondary suite within an existing building.	
²	Electrical transformers and driveways sited within the landscape area can be excluded from the total landscape area measurement used to calculate the minimum requirements for soft-landscaping elements.	
³	There are no planting requirements for landscape areas on lots where large trees have been planted in the boulevard.	
⁴	There are no planting requirements for landscape areas on lots where required trees have been wholly accommodated within the boulevard.	
³⁴	For lots abutting the Inland Island Highway, a landscape area comprising the first 30.0 metres from the lot line abutting the Inland Island Highway must be 100% planted with soft-landscaping elements.	
⁴⁵	For lots abutting Minto Road Memorial Way, a landscape area comprising the first 10.0 metres from the lot line abutting Minto Road Memorial Way must be 100% planted with soft-landscaping elements.	
⁵⁶	The minimum number of trees required within parking islands is in addition to the minimum number of trees required for all development. Where applicable, trees in adjacent parking islands may share soil volume with an adjacent landscape area to meet the minimum trenched/shared soil volume amounts, provided no tree is counted twice when determining whether the overall tree requirements of a lot have been achieved.	
⁶⁷	Areas of existing, undisturbed, native vegetation which wholly or partially achieve the landscaping requirements, as well as areas specifically designed as xeriscape or with drought resistant native species planting are exempt from requiring a permanent, fully automatic, low-water requirement irrigation system, provided the applicant demonstrates how the vegetation will be established and maintained.	

Commented [KA34]: Condition footnote added to identify in what instances the regulations in this column apply. Other footnotes renumbered.

Commented [KA35]: This limits landscaping requirements to four-unit infill development and multi-residential development. The Village is generally not experiencing problems with a lack of landscaping on lower density residential properties. Having too many requirements can result in variance applications, especially when lots are small or lot configurations are unusual.

Commented [KA36]: Deleted as these two regulations duplicate the Exemption in Table 7.2(3) Landscaping Regulations – Trees.

Commented [KA37]: Correction of the road name.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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7.3 Landscape Screens

Table 7.3(1) Landscape Screen Standards

Type	Minimum Height	Maximum Height
Existing vegetation which provides a complete and permanent visual screen	2.0 m	n/a
Continuous row of native, drought tolerant plants	2.0 m [‡]	n/a
Solid, opaque fence or brick or stone wall	1.8 m	2.0 m

CONDITIONS [Table 7.3(1)]:

[‡] The minimum height at the time of planting is 1.0 metres.

Commented [KA38]: Table moved below the primary regulatory table and edited to show different requirements for Industry zones.

~~(2)~~ All required landscape screens must be regularly maintained by property owners to ensure a healthy, neat, and orderly appearance throughout the year.

~~(a)~~ Required maintenance for vegetative landscape screens includes watering, fertilizing, liming, pruning, and removal of dead or diseased plant material, as well as weed, pest, and disease control.

~~(b)~~ Required maintenance for non-vegetative landscape screens includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.

Commented [KA39]: Deleted. Landscape screen maintenance requirements have been added instead under 7.1 General Requirements above.

~~(31)~~ Except where otherwise specified in this Bylaw, all required landscape screens must be continuous except to accommodate access/egress to or from the screened area.

~~(42)~~ No landscape screen in any zone other than the Industrial Refuse (R-3) zone can be comprised of or contain barbed wire, razor wire, electrified wire, sheet metal, or plywood.

Table 7.3(51) Landscape Screen Regulations Requirements

Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Adjacent Zones	-	A fence must be provided along all lot lines that abut a lot in a non-Industry zone.	-
	<u>Where there is more than one detached dwelling</u>		

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 7.3(51) Landscape Screen Regulations Requirements

Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Detached Dwelling Units	<u>unit on a lot, and where a detached dwelling unit is located within 4.5 metres of any lot line abutting a lot in a Residential zone, a landscape screen must be provided along such lot line.</u>	n/a	n/a
	A landscape screen must be provided along all rear and interior side lot lines. ⁴		
	Receptacles used for waste management must be screened from adjacent properties. ⁴		
≥ Four new Dwelling Units	A landscape screen must be provided along all rear and interior side lot lines.	n/a	n/a
	Receptacles used for waste management must be screened from adjacent properties.		
Bulk Fuel Storage	n/a	A fence must be provided around all yards used for bulk fuel storage.	n/a
Care Facilities	A landscape screen must be provided around all rear and side yards used for a care facility.	n/a	A landscape screen must be provided around all rear and side yards used for a care facility that abuts a lot in a Residential zone.
Home Occupations	A landscape screen must be provided around all rear or side yards used for an accommodation home occupation.	n/a	n/a
Heating, Ventilation and	Where HVAC equipment is located within 3.0 to 10.0 metres of a lot line, a landscape screen must be provided around the equipment to attenuate the noise		

Commented [KA40]: Changed to correspond to the screening requirement for accessory dwelling units in the previous Zoning Bylaw.

Commented [KA41]: This applies the landscape screen requirements to infill consisting of four units and to multi-unit residential development. This puts the onus for screening on the developer of higher density developments.

Commented [KA42]: Deleted this requirement to reflect current practice in Cumberland of not having a solid screen around daycares. Daycares are regulated by Island Health, including fencing. Currently Island Health does not require a solid fence. See-through fencing promotes social interaction and supports mental health. Solid fencing requirements would also impose considerable costs on new daycares.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Air Conditioning (HVAC) Equipment	emanating from the equipment. A landscape screen must be provided around any heating, ventilation, and air conditioning equipment located within 3.0 metres of a window or door of a dwelling unit on an adjacent lot.		
Outdoor Storage	n/a		A landscape screen must be provided around all yards used for outdoor storage.
Wrecking Yards	n/a	A fence must be provided around all wrecking yards.	n/a

CONDITIONS [Table 7.3(51)]:

¹ Screening requirements only apply where there are two or more detached dwelling units on a lot.

^{2,1} Screening requirements only apply where there are three or more attached dwelling units on a lot.

Commented [KA43]: Changed for a more consistent approach to reduce the visual impact of heat pumps and attenuate the hum of the pump. The previous requirement did not account for some buildings going in earlier than others in a new subdivision or buildings being replaced or renovated and locations of windows and doors potentially changing.

Commented [KA44]: Industry is exempted from the solid screening requirement. Equipment storage is commonly behind tall chainlink fences that are difficult to break into. A see-through chainlink fence provides better security, as passerbys can see any intruders. Residential is also exempted since other sections in the Zoning Bylaw restrict outdoor storage. For multi-unit residential, this is regulated in the Development Permit Area guidelines.

Commented [KA45]: No longer required due to proposed amendments within the table which specifies the types of new dwellings that are required to put in landscape screens.

Commented [KA46]: This was moved below the previous table as it is sub-ordinate to the regulations. Separate requirements have been added for Industry zones to be consistent with permitted fence heights in those zones.

Type	Industry Zones		All Other Zones	
	Minimum Height	Maximum Height	Minimum Height	Maximum Height
Existing vegetation which provides a complete permanent visual screen	2.0 m	n/a	2.0 m	n/a
Continuous row of native, drought-tolerant plants	2.0 m ²	n/a	2.0 m ²	n/a
Solid, opaque fence or brick or stone wall ³	2.5 m	3.5 m	1.8 ⁴	2.0 m

CONDITIONS [Table 7.3(24)]:

¹ Except where otherwise specified in this Bylaw, all required landscape screens shall be continuous except to accommodate access/egress to or from the screened area.

² The minimum height at the time of planting is 1.0 metres.

³ No landscape screen in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.

⁴ The minimum height is 2.5 metres for landscape screens in an Industry zone.

⁵ The maximum height is 3.5 metres for landscape screens in an Industry zone.

Commented [KA47]: Moved under Conditions from the section below.

Commented [KA48]: Moved under conditions from the section below.

Commented [KA49]: Moved into the table as a separate column to make it easier to see at first glance that there are separate regulations for Industry zones.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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- (3) ~~No landscape screen in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, electrified wire, sheet metal, or plywood.~~
- (4) ~~Except where otherwise specified in this Bylaw, all required landscape screens must be continuous except to accommodate access/egress to or from the screened area.~~

7.4 Fence

- (1) ~~Despite any other regulation in this Bylaw, no fence shall exceed the maximum fence height regulation prescribed in this section.~~
- (2) The height of a fence is determined by measuring the vertical distance between the highest point of the fence and finished grade, and, where such fence is constructed on top of a retaining wall, must include the height of such retaining wall (see Figure 7-1).

Commented [KA50]: Created a separate section on fences to avoid giving the impression that fences are a required landscape screen. The minimum and maximum fence heights apply where owners want to, but do not have to install fences.

Commented [KA51]: Added for clarification.

7-1. Fence Height

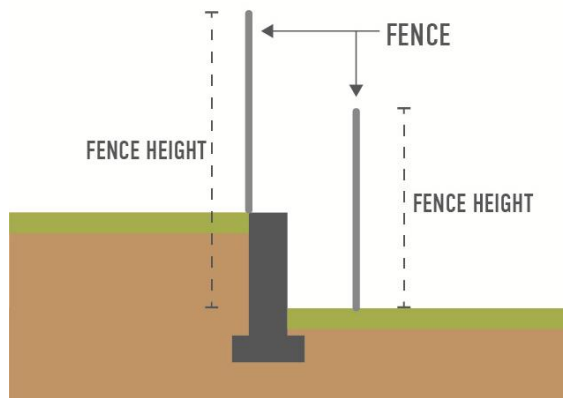


Table 7.34 (37) Fence Standards-Heights ¹

Zone(s)		Minimum Fence Height	Maximum Fence Height ²
Residential and Mixed-Use	Front Yard	-	1.2 m [±]
	All Other Yards	-	2.0 m [±]
Rural and Public Use	All Yards	-	2.0 m [±]
Industry	All Yards	2.5 m	3.5 m [±]
Interchange	All Yards	-	2.0 m [±]

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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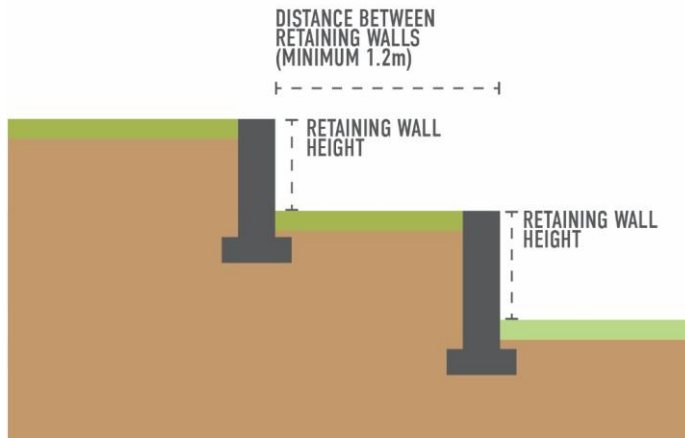
Table 7.34 (3) Fence Standards-Heights ¹		
Zone(s)	Minimum Fence Height	Maximum Fence Height ²
<p>CONDITIONS [Table 7.4(3)]:</p> <p>⁺¹ No fence in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.</p> <p>² The maximum height of a fence erected on a lot which abuts a neighbouring lot where the finished grade is higher than that of subject lot, is 3.0 metres, provided the fence does not protrude more than 2.0 metres above the finished grade of the neighbouring lot (see Figure 7-1).</p>		

Commented [KA52]: Clarification added.

7.45 Retaining Walls

- (1) The height of a retaining wall is determined by measuring the vertical distance between the highest point of the retaining wall and finished grade on the lower side (see Figure 7-2).

7-2. Retaining Walls



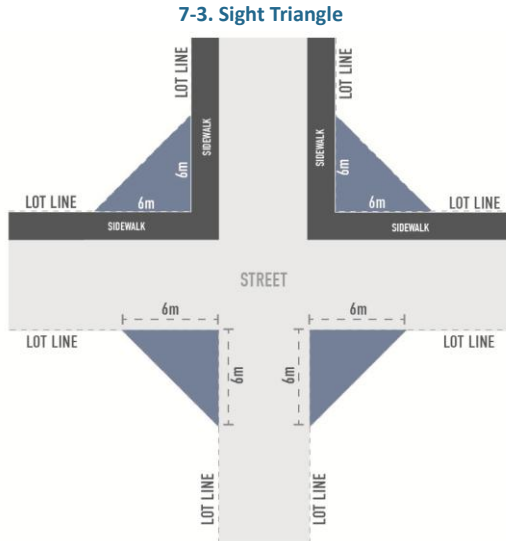
- (2) No retaining wall can exceed 1.2 metres, except as required as a condition of subdivision approval or development permit or where constructed in accordance with a professional design by a qualified professional engineer, up to a maximum height of 3.0 metres.
- (3) The maximum height of a retaining wall erected on a lot which abuts a neighbouring lot where the finished grade is higher than that of subject lot must not exceed 2.0 metres above the finished grade of the neighbouring lot.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
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- (4) No retaining wall exceeding 1.2 metres in height can be sited within 1.2 metres measured horizontally from another retaining wall.
- (5) The maximum number of retaining wall tiers that may be constructed without a professional design by a professional engineer is two, up to a maximum total height of 2.4 metres.
- (6) The maximum number of retaining wall tiers that may be constructed with a professional design by a professional engineer is two, up to a maximum total height of 3.0 metres.
- (7) Retaining walls constructed using lock blocks are permitted in all zones, provided:
 - (a) the retaining wall does not exceed 1.2 metres in height; and
 - (b) the retaining wall is not located within an exterior side yard.

7.56 Visual Clearance at Intersections

- (1) On any corner lot, no building, structure, fence, retaining wall, landscaping, screening, or other such object can be placed, planted, erected, sunk into, or constructed within the area formed by measuring 6.0 metres along the edge of the two adjoining property boundaries from the point of highway intersection and joining these points on the diagonal, as illustrated in Figure 7-3.



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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PART 8 SIGNAGE

8.1 Third Party Signs

- (1) **Third party advertising signs** of any type, with the exception of public service and community announcements where signage is otherwise permitted, are not permitted on any **lot** or **structure**.

8.2 Home Occupation Signs

- (1) The regulations in this section apply to all **signs** associated with a **home occupation**.
- (a) maximum number of **signs** per **home occupation**: 1
- (b) a minor, standard, or major **home occupation sign** is subject to the following regulations:
- i. must only be in the physical form of a **fascia sign**, a **freestanding sign**, or a **sign** attached to a **fence**;
 - ii. must only be permitted for a **home occupation** holding a valid business licence;
 - iii. maximum **sign area** must not exceed 1.5 square metres; and
 - iv. maximum **height** of a **freestanding sign** must not exceed 1.5 metres.
- (c) an accommodation **home occupation** must have one **sign** with the name of the accommodation **home occupation** and contact information for the operator posted on or adjacent to the **dwelling unit** where the accommodation **home occupation** is located, subject to the following regulations:
- i. must only be in the physical form of a hanging sign, **fascia sign**, painted wall sign, or a **freestanding sign**;
 - ii. is only permitted for a **bed and breakfast accommodation** or **short-term rental accommodation home occupation** holding a valid business licence;
 - iii. maximum **sign area** must not exceed 1.5 square metres;
 - iv. maximum **height** of a **freestanding sign** must not exceed 1.5 metres; and
 - v. any **sign** illumination must be exterior, from the front, and downcast.

8.3 All Other Signs

- (1) The regulations in this section apply to all **signs** located on **lot** not in a **Residential** zone.
- (a) **Signs** pertaining to the commercial component(s) of a mixed-use development must only be located on those portions of the **lot** and building that contain the commercial component.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

(b) The following sign types are permitted, up to a combined maximum of two signs per business:

- i. one fascia sign, subject to the following regulations:
 - a. maximum sign area must not exceed 0.5 square metres per linear metres/feet of wall length of the business frontage to which the sign is affixed;
 - b. must have a minimum clearance of 2.4 metres if projection is more than ~~80~~77.0 millimetres from the façade;
 - c. must not project more than 0.3 metres from the face of the wall; and
 - d. the sign must only be located on the wall of the building containing the business premises to which the sign refers.
- ii. one awning sign, subject to the following regulations:
 - a. maximum sign area must not exceed 2.0 square metres;
 - b. must not project more than 77.0 millimetres from the surface of the awning; and
 - c. minimum vertical clearance of an awning from the nearest finished grade must be 2.4 metres.
- iii. one canopy sign, subject to the following regulations:
 - a. maximum sign area must not exceed 2.0 square metres.
- iv. one hanging sign, subject to the following regulations:
 - a. maximum sign area must not exceed 2.0 square metres;
 - b. minimum clearance must not be less than 2.4 metres ; and
 - c. must not have a vertical dimension which exceeds 0.6 metres .
- v. one freestanding sign, subject to the following regulations:
 - a. maximum height must not exceed 4.0 metres ; and
 - b. maximum sign area must not exceed 4.0 square metres.

Commented [KA53]: Changed because there is no appreciable difference between 77.0mm and 80 mm and it is preferable to have even numbers.

- ~~vi. one free-standing sign at each formal access or egress to a property that is shared by several businesses, subject to the following regulations:~~
 - ~~a. maximum height must not exceed 4.0 m~~
 - ~~b. maximum sign area must not exceed 6.0 square metres~~

Commented [KA54]: Added to permit several businesses to share a free-standing sign, e.g. at the driveway entrance to the Beaufort Medical Centre.

~~vii. one window graphics sign~~

~~vii. one painted wall sign~~

Commented [KA55]: (ii) and (vii) are added to be consistent with the sign types identified in the Heritage Conservation Area guidelines in the Official Community Plan.

(c) Sign illumination for new signs must be exterior, from the front, and downcast.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- i. Internally illuminated signs may include halo lighting or direct back lighting for individual letters and logos only.

(d) Signs equipped with flashing, oscillating, or moving lights or beacons are not permitted discouraged.

Commented [KA56]: Edited because “discouraged” is more typical for a development permit area guideline but not specific enough for a Zoning Bylaw regulation.

PART 9 PARKING AND LOADING

9.1 General

- (1) Except as otherwise specified in this Bylaw, off-street parking and loading spaces must be provided and maintained for any development, including new development, a change of use associated with an existing development, and the expansion of an existing development.
- (2) **Parking spaces** must not be credited as loading spaces or vice versa.
- (3) No parking or loading space required by this Bylaw must be used for access or egress, a **driveway** or other such **manoeuvring aisle**, commercial repair work, displays, or the sale or storage of goods of any kind.
- (4) No parking or loading space required by this Bylaw can interfere with or obstruct any **landscaping** or screening installations prescribed in **Part 7** of this Bylaw.

9.2 Cash-in-Lieu

- (1) A property owner may pay to the **Village** a sum of money equal to the number of required spaces not provided multiplied by the applicable cash-in-lieu amount prescribed in **Table 9.2(21)** and **Table 9.2(52)**.

Table 9.2(21) Cash-in-Lieu Amounts per Parking Space, per Type of Required Parking

Area	Conventional Parking	Visitor Parking	Courtesy Parking	Electric Vehicle Parking
Village Core Parking Area	n/a			
All Other Areas	\$10,000.00 per space ¹	\$10,000.00 per space ²	\$10,000.00 per space ²	\$24,900.00 per space ²

CONDITIONS **Table 9.2(21)**:

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.2(21) Cash-in-Lieu Amounts per Parking Space, per Type of Required Parking

Area	Conventional Parking	Visitor Parking	Courtesy Parking	Electric Vehicle Parking
<p>¹ Cash-in-lieu may be provided for 100% of the required parking spaces associated with non-residential uses and a maximum of 30% of the required parking spaces associated with residential uses.</p> <p>² A minimum of one parking space must be provided wherever more than one such parking space is required.</p>				

Table 9.2(22) Cash-in-Lieu Amounts for Bicycle Parking and End-of-Trip Facilities

Zone	Short-Term Bicycle Parking	Long-Term Bicycle Parking	End-of-Trip Facilities
Village Core Parking Area	\$500.00 per space ¹	\$1,500.00 per space ¹	n/a
All Other Zones	\$250.00 per space ²	\$750.00 per space ²	
<p>CONDITIONS [Table 9.2(23)]:</p> <p>¹ Cash-in-lieu will be accepted for a maximum of 50% of all required short-term and long-term bicycle parking spaces.</p> <p>² Cash-in-lieu will be accepted for a maximum of 70% of all required short-term and long-term bicycle parking spaces.</p>			

9.3 Location, Siting, Dimension, and Design Standards

- (1) Except as otherwise specified in this Bylaw, all parking and loading spaces must be located on the same lot as the building, structure, or use which they serve.
- (2) Despite Section 9.3(1), conventional or small vehicle parking spaces may be provided on a separate lot located within 120.0 metres of the lot on which the building, structure, or use which they serve is located, provided the following conditions are met:
 - (a) the building, structure, or use requiring the spaces is not on a lot within a Residential zone;
 - (b) the use requiring the spaces is not residential or residential-related;
 - (c) parking lot is a permitted use on the lot; and

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- (d) pursuant to Section 219 of the *Land Title Act*, a restrictive covenant is registered on the title of the lot to limit the use of all or a portion of said lot to the provision of parking spaces in accordance with the parking space requirements of this Bylaw.
- (3) All parking and loading spaces must have unobstructed access/egress to a highway via driveway, manoeuvring aisle, or lane.
- (4) Except in Residential zones, no individual parking or loading space can have direct access/egress to a highway.
- (5) No parking or loading space can be located within 1.0 metre of a highway.

Table 9.3(33) Minimum Dimensions for Conventional Parking Spaces ¹

Parking Angle	Width	Length	Depth to Curb	Drive Aisle Width ²
0° (parallel parking)	2.6 m	7.0 m	2.6 m	3.7 m (one-way)
30°	2.6 m	5.5 m	5.2 m	3.7 m (one-way)
45°	2.6 m	5.5 m	5.7 m	3.7 m (one-way)
60°	2.6 m	5.5 m	6.0 m	6.1 m (one-way)
90°	2.6 m ³	5.5 m ³	5.5 m ³	7.0 m (two-way) ⁴

CONDITIONS [Table 9.3(36)]:

- ¹ The minimum dimension requirements of a conventional parking space are applicable to all required courtesy parking spaces, electric vehicle (EV) parking spaces, small-vehicle parking spaces, tandem parking spaces, and visitor parking spaces.
- ² Minimum drive aisle width dimensions are applicable to any drive aisle used to access any type of parking or loading space.
- ³ For a small vehicle parking space, the minimum width is 2.4 metres and the minimum length and depth to curb is 4.5 metres. Small vehicle parking spaces provided at any other angle must be designed by a professional engineer.
- ⁴ Where parking spaces are provided in a single row, the minimum drive aisle width is 6.75 metres.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
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11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

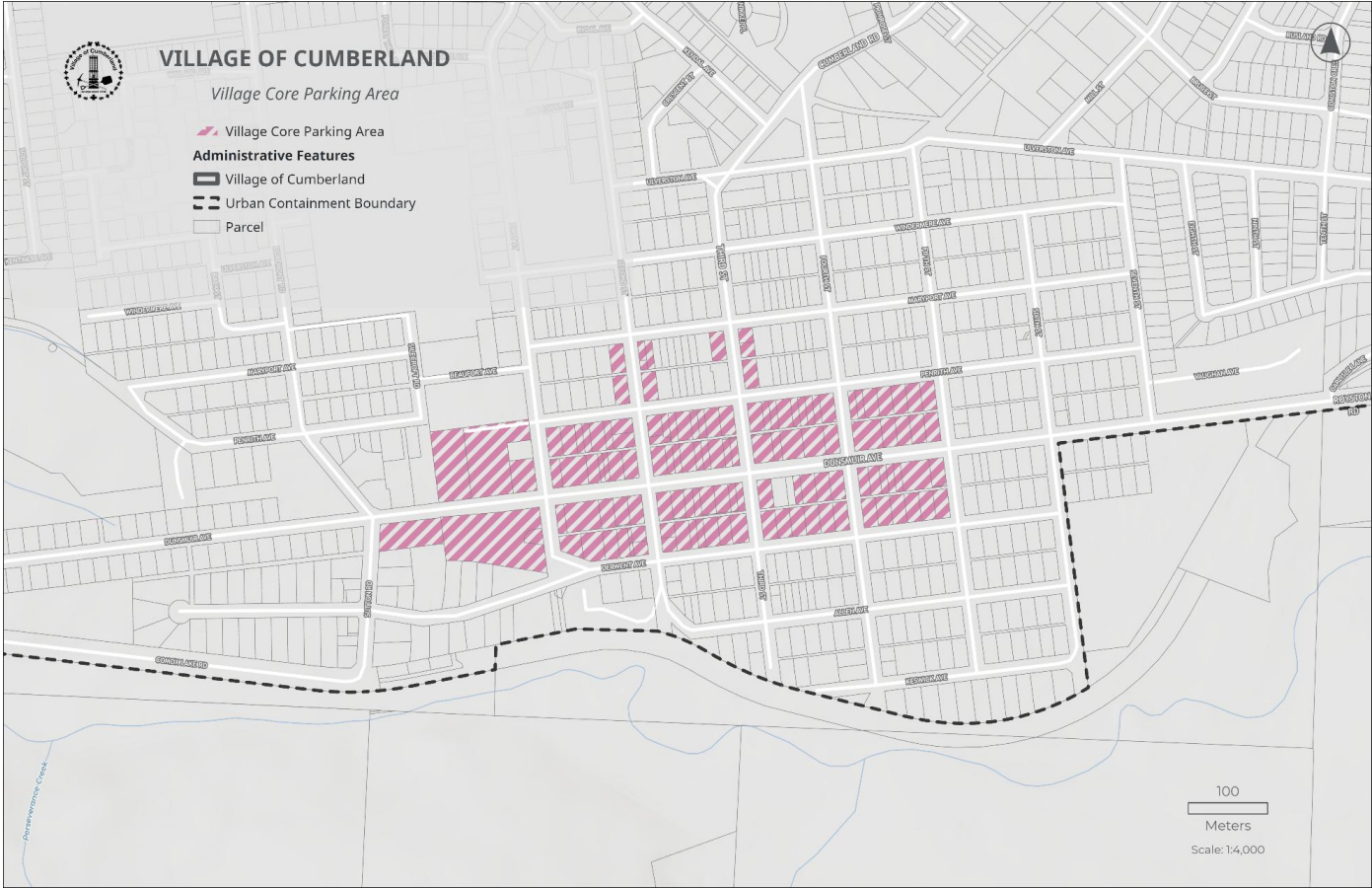
- (9) Every parking and loading area required to accommodate five or more vehicles, including areas used for access and egress, must:
- (a) clearly delineate individual parking spaces, loading spaces, barrier-free parking spaces, courtesy parking spaces, electric vehicle parking spaces, manoeuvring aisles, entrances, and exits with pavement markings, signage, or other physical means in accordance with the Manual of Uniform Traffic Control Devices for Canada (MUTCDC);
 - (b) be designed to allow forward access/egress directly to an abutting highway from the lot on which the parking or loading area is located; and
 - (c) be illuminated using DarkSky compliant lighting which is directed or shielded to ensure direct light rays do not shine beyond the boundaries of the lot.

9.4 Parking and Loading Requirements

- (1) Parking and loading spaces must be provided in accordance with the number of parking and loading spaces required for a specific use as specified in Table 9.4.1(1) for the Village Core (Figure 9-3) and Table 9.4.1(2) for all other areas.
- (2) Parking and loading spaces for secondary uses must be provided in addition to the parking and loading spaces required for principal uses.
- (3) Where multiple uses are established on a single lot or a parking area collectively serves multiple uses established on a single lot, the total number of required parking and loading spaces must be the sum of the parking and loading requirements for each use calculated separately.
- (4) Where a specific use is not listed, the parking and loading requirements applicable to the use which is most comparable in character and purpose apply.
- (5) For existing uses which have been lawfully established on a lot, the number of required parking and loading spaces is the lesser of:
 - (a) the number of parking and loading spaces existing on the lot at the time that this Bylaw was adopted, provided such spaces satisfied the applicable regulations at the time that the uses were established; or
 - (b) the number of parking and loading spaces applicable to the existing uses in accordance with the regulations of this Part.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 9-3. Village Core Parking Area



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas			
Use		Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
RESIDENTIAL AND RESIDENTIAL-RELATED USES			
Principal Dwelling Units	One detached dwelling unit	1.0 space per dwelling unit	2.0 spaces per dwelling unit
	Two attached dwelling units	0.9 spaces per dwelling unit	1.5 spaces per dwelling unit
	Three or more attached dwelling units		
	Manufactured homes ¹	1.0 space per dwelling unit	2.0 spaces per dwelling unit
Secondary Dwelling Units	Secondary suites ²	1.0 space per dwelling unit	
	Caretaker suites		
Care Facility, Licence-Not-Required		n/a	
Home Occupation	Minor	n/a	
	Standard	1.0 space per non-resident on-site employee	
	Major		
	Bed and Breakfast Accommodation	0.6 spaces per sleeping unit	
	Short-Term Rental Accommodation	0.6 spaces per sleeping unit	
ALL OTHER USES			
Automotive and Equipment Services, Light		1.0 space per 100.0 m ² of floor area	n/a
Automotive and Equipment Services, Industrial		1.0 space per 100.0 m ² of floor area	n/a
Bulk Fuel Storage		n/a	
Campground		1.0 space per campsite	n/a
Care Facility, Child		1.0 space per 8 children of capacity or 2.0 spaces	n/a

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas

Use	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
	per 100.0 m ² of floor area, whichever is lesser	
Care Facility, Community	1.0 space per 8 persons of capacity	n/a
Cemetery	n/a	0.5 spaces per 500.0 m ² of lot area
Compost Facility	0.5 spaces per 100.0 m ² of floor area, plus 2.5 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales	1.0 space per 100.0 m ² of floor area, plus 3.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales
Cultural and Community Services	2.5 spaces per 100.0 m ² of floor area	n/a
Education Services	1.5 spaces per 100.0 m ² of floor area	n/a
Emergency and Protective Services	4.0 spaces per 100.0 m ² of floor area	n/a
Entertainment Facility	2.5 spaces per 100.0 m ² of floor area	5.0 spaces per 100.0 m ² of floor area
Farmer's Market	n/a	3.5 spaces per 100.0 m ² of lot area
Fleet Services Facility	1.0 space per 100.0 m ² of floor area, plus 1.0 space per fleet vehicle ³	n/a
Food Services	2.0 spaces per 100.0 m ² of floor area	3.5 spaces per 100.0 m ² of floor area
Gas Station	2.5 spaces per 100.0 m ² of floor area	n/a
<u>Greenhouse, Commercial</u>	<u>0.5 spaces per 100.0 m² of floor area, plus</u>	<u>1.0 space per 100.0 m² of floor area, plus</u>

Commented [KA57]: Greenhouse, Commercial and has been added as a permitted use in the Industry zones. This adds the parking requirement for the use.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas

Use	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
	parking space requirements of any ancillary uses	parking space requirements of any ancillary uses
Health Services	4.0 spaces per 100.0 m ² of floor area	5.0 spaces per 100.0 m ² of floor area
Hostel Hotel Motel	1.0 space per sleeping unit, plus parking space requirements of any ancillary uses	1.5 spaces per sleeping unit, plus parking space requirements of any ancillary uses
Industrial, Heavy	0.5 spaces per 100.0 m ² of floor area, plus 2.5 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales	1.0 space per 100.0 m ² of floor area, plus 3.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales
Industrial, Light	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.0 space per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
Kennel	1.0 space per 100.0 m ² of floor area	3.0 spaces per 100.0 m ² of floor area
Licensed Premises	2.0 spaces per 100.0 m ² of floor area	3.5 spaces per 100.0 m ² of floor area
Mobile Vending	n/a	
Natural Resource Extraction	1.0 space per 100.0 m ² of floor area devoted to ancillary activities such as reception areas and offices for administrative or technical support	n/a
Park	n/a	0.5 spaces per 100.0 m ² of lot area

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas

Use	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
Personal Services	1.0 space per 100.0 m ² of floor area	3.0 spaces per 100.0 m ² of floor area
Plant Nursery	3.0 spaces per 100.0 m ² of floor area	5.0 spaces per 100.0 m ² of floor area
Production Facility, Alcohol	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
Production Facility, Cannabis	0.5 spaces per 100.0 m ² of floor area, plus 1.0 space per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales	1.0 space per 100.0 m ² of floor area, plus 2.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales
<u>Production Facility, Food</u>	<u>0.5 spaces per 100.0 m² of floor area, plus parking space requirements of any ancillary uses</u>	<u>1.5 spaces per 100.0 m² of floor area, plus parking space requirements of any ancillary uses</u>
Professional Services, Internal-Facing	2.0 spaces per 100.0 m ² of floor area	n/a
Professional Services, Public-Facing	2.5 spaces per 100.0 m ² of floor area	3.0 spaces per 100.0 m ² of floor area
Recreation Services, Indoor	7.0 spaces per 100.0 m ² of floor area	n/a
Recreation Services, Outdoor	n/a	0.5 spaces per 100.0 m ² of lot area
Recycling Facility	0.5 spaces per 100.0 m ² of floor area, plus 2.5 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices	1.0 space per 100.0 m ² of floor area, plus 3.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices

Commented [KA58]: Production Facility, Food has been added as a permitted use in the Industry zones. This adds the parking requirement for the use.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.8(2) Visitor Parking Requirements

Total Number of Required Parking Spaces	Minimum Number of Visitor Parking Spaces ¹
> 20	10% of total number of required spaces

CONDITIONS [Table 9.4.8(2)]:

¹ Visitor parking is calculated in addition to the total number of required parking spaces. For example: where a residential development must provide 15 parking spaces, the total number of required parking spaces is 17, two of which must be designated as visitor parking.

- (3) Where one or more visitor parking spaces are required, a minimum of one of such visitor parking space must achieve the standards of a barrier-free parking space.
- (4) Despite Section 9.3, visitor parking spaces must be clearly marked with pavement markings or upright/vertical signage designating the parking space(s) for exclusive use as visitor parking.

9.4.9 Loading

Table 9.4.9(1) Minimum Dimensions for Loading Spaces

Type of Loading Space	Width	Length	Height Clearance ¹	Side Access Aisle Width
Conventional	2.6 m	5.5 m	2.75 m	0.5 m
Oversize	3.5 m	16.0 m	3.0 m	1.0 m

CONDITIONS [Table 9.4.9(1)]:

¹ Refers to the minimum clearance that must be provided between the surface of the loading space and the underside of any obstruction located directly above such loading space.

² Two adjacent barrier-free parking spaces may share a single side access aisle.

- (2) Loading spaces must be provided in addition to the total number of required parking spaces prescribed in Table 9.4.1(1) and Table 9.4.1(2). Zero loading spaces are required for specific uses not listed in Table 9.4.9(32).

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.9(32) Loading Requirements			
Use	Floor Area	Minimum Number of Loading Spaces	
		Conventional	Oversize
RESIDENTIAL AND RESIDENTIAL-RELATED USES			
Dwelling Units ¹	n/a	1	0
ALL OTHER USES – Conventional Minimal Loading			
Automotive and Equipment Services, Light Care Facility, Child Care Facility, Community Cultural and Community Services	< 235.0 m ²	0	0
Education Services Entertainment Facility Farmer’s Market Food Services Health Services Licensed Premises Personal Services Plant Nursery Professional Services, Internal Facing Professional Services, Public Facing	235.0 m ² – 465.0 m ²	1	0
Recreation Services, Indoor	465.0 m ² – 2,800.0 m ²	2	0
Retail, Cannabis Retail Sales Veterinary Services	> 2,800.0 m ²	2	1
ALL OTHER USES – Oversize Loading			

Commented [KA59]: Changed to conventional as that is the term used in Table 9.4.9(1) Minimum Dimensions for Loading Spaces.

Commented [KA60]: These uses are proposed to be deleted and therefore exempted from loading requirements. Loading can be expected to be a very infrequent activity for these uses. Requiring loading spaces could result in variance applications for developments or tenant improvement applications for these uses.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
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Table 9.4.9(32) Loading Requirements

Use	Floor Area	Minimum Number of Loading Spaces	
		Conventional	Oversize
Automotive and Equipment Services, Industrial Bulk Fuel Storage Campground Compost Facility Emergency and Protective Services Fleet Services Facility <u>Greenhouse, Commercial</u>	< 2,325.0 m ²	1	1
Hostel Hotel Motel Industrial, Heavy Industrial, Light Natural Resource Extraction Production Facility, Alcohol Production Facility, Cannabis <u>Production Facility, Food</u> Recreation Services, Outdoor Recycling Facility Refuse Disposal Facility Sawmill Silviculture Storage, Indoor Storage, Warehouse Wholesale Services Wrecking Yard	≥ 2,325.0 m ²	n/a	1

CONDITIONS [Table 9.4.9(32)]:

¹ Loading requirements apply to residential developments comprising thirty or more attached dwelling units.

Commented [KA61]: Greenhouse, Commercial and Production Facility, Food were added as uses in the industry zone. They are added here to identify the loading space requirements.

Commented [KA62]: "Loading" space is required for moving in and out of units. The number has been increased since smaller apartment or mixed use buildings would have infrequent loading needs.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

9.5 Bicycle Parking

Table 9.5(1) Minimum Dimensions for Bicycle Parking

Feature	Ground Anchored Rack		Wall Mounted Rack	
	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Angle of Rack	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Minimum Space Depth	1.8 m	1.45 m	1.2 m	
Minimum Aisle Width	1.5 m			
Minimum Distance Between Bicycle Racks	0.9 m	1.3 m	0.9 m	1.3 m
Minimum Distance Between a Bicycle Rack and an Obstruction	0.6 m			

- (2) Despite **Table 9.5(1)**, a minimum of 25% of all required long-term bicycle parking spaces must be designed to accommodate oversized bicycles in accordance with the minimum dimensions prescribed in **Table 9.5(2)**.

Table 9.5(2) Minimum Dimensions for Oversize Bicycle Parking

Feature	Ground Anchored Rack		Wall Mounted Rack	
	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Angle of Rack	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Minimum Space Depth	1.8 m	2.4 m	2.4 m	
Minimum Aisle Width	1.5 m			
Minimum Distance Between Bicycle Racks	0.9 m	1.3 m	0.9 m	1.3 m
Minimum Distance Between a Bicycle Rack and an Obstruction	0.6 m			

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(34) Minimum Standards for Bicycle Parking

Feature	Short-Term Bicycle Parking	Long-Term Bicycle Parking
Materials and Design	Must be constructed of theft resistant materials and designed to support two points of the bicycle frame and enable the bicycle frame and at least one wheel to be securely locked to the rack with a single U-style lock.	
	n/a	70% of all required long-term bicycle parking spaces provided in the form of a wall mounted rack must be equipped with an assisted lift mechanism.
		50% of all required long-term bicycle parking space must include charging infrastructure for e-bikes.
Installation	Must be permanently anchored to the ground or a wall with secure, tamper-proof hardware.	
Location	Must be conveniently located within 25.0 metres of any main entrances, whether inside or outside of the building, and in a well-lit area.	Must be located inside a building or within a secure, weather-protected, dedicated facility accessible to residents, employees, or other identified users of the building.
		Where seven or more long-term bicycle parking spaces are required, must have an entry door that is a minimum width of 0.9 metres and is equipped with an automatic or button-activated opening mechanism.
		Must have a minimum unobstructed height clearance of 1.9 metres between the floor and the ceiling.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- (5) Bicycle parking spaces must be provided in accordance with the number of short-term and long-term bicycle parking spaces required for a specific use as specified in Table 9.5(64).
- (a) Bicycle parking spaces for secondary uses must be provided in addition to the bicycle parking spaces required for principal uses.
 - (b) Where multiple uses are established on a single lot, the total number of required bicycle parking spaces must be the sum of the bicycle parking requirements for each use calculated separately.
 - (c) Where a specific use is not listed, the bicycle parking requirements applicable to the use which is most comparable in character and purpose will apply.

Table 9.5(64) Bicycle Parking Requirements

Use		Short-Term Bicycle Parking	Long-Term Bicycle Parking
RESIDENTIAL AND RESIDENTIAL-RELATED USES			
Principal Dwelling Units	One detached dwelling unit	n/a	
	Two attached dwelling units	0.25 spaces per dwelling unit	1.0 space per dwelling unit ¹
	Three or more attached dwelling units	0.25 spaces per dwelling unit	1.5 spaces per dwelling unit ¹
	Manufactured homes	n/a	
Secondary Dwelling Units	Secondary suites ^{2,3}	n/a	1.0 space per dwelling unit
	Caretaker suites	n/a	1.0 space per dwelling unit
Care Facility, Licence-Not-Required		n/a	
Home Occupation	Minor	n/a	
	Standard	n/a	1.0 space per non-resident on-site employee
	Major	n/a	1.0 space per non-resident on-site employee
	Bed and Breakfast Accommodation	0.6 spaces per sleeping unit	n/a

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(4) Bicycle Parking Requirements

Use		Short-Term Bicycle Parking	Long-Term Bicycle Parking
	Short-Term Rental Accommodation	0.6 spaces per sleeping unit	n/a
ALL OTHER USES			
Automotive and Equipment Services, Light		n/a	0.1 space per 100.0 m ² of floor area
Automotive and Equipment Services, Industrial		n/a	0.1 space per 100.0 m ² of floor area
Campground		0.2 spaces per campsite	n/a
Care Facility, Child		0.4 spaces per 100.0 m ² of floor area	
Care Facility, Community		0.4 spaces per 100.0 m ² of floor area	
Compost Facility		n/a	0.1 space per 100.0 m ² of floor area
Cultural and Community Services		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Education Services		0.8 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Emergency and Protective Services		n/a	0.4 spaces per 100.0 m ² of floor area
Entertainment Facility		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a
Farmer's Market		0.6 spaces per 100.0 m ² of floor area or 6.0 spaces, whichever is greater	n/a
Fleet Services Facility		n/a	0.1 space per 100.0 m ² of floor area
Food Services		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a
Gas Station		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(64) Bicycle Parking Requirements

Use	Short-Term Bicycle Parking	Long-Term Bicycle Parking
<u>Greenhouse, Commercial</u>	<u>n/a</u>	<u>0.2 space per 100.0 m² of floor area</u>
Health Services	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Hostel Hotel Motel	0.4 spaces per sleeping unit or 6.0 spaces, whichever is greater	0.6 spaces per sleeping unit
Industrial, Heavy	n/a	0.1 space per 100.0 m ² of floor area
Industrial, Light	n/a	0.2 space per 100.0 m ² of floor area
Licensed Premises	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a
Natural Resource Extraction	n/a	0.1 space per 100.0 m ² of floor area
Personal Services	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Plant Nursery	0.6 spaces per 100.0 m ² of floor area or 6.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Production Facility, Alcohol	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area
Production Facility, Cannabis	0.4 spaces per 100.0 m ² of floor area	
<u>Production Facility, Food</u>	<u>0.6 spaces per 100.0 m² of floor area</u>	<u>0.2 spaces per 100.0 m² of floor area</u>
Professional Services, Internal-Facing	0.4 spaces per 100.0 m ² of floor area	
Professional Services, Public-Facing	0.6 spaces per 100.0 m ² of floor area	0.4 spaces per 100.0 m ² of floor area
Recreation Services, Indoor	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area

Commented [KA63]: Added as this is now a permitted use in the industry zones and employees may commute to work by bicycle.

Commented [KA64]: Added as this is now a permitted use in the industry zones and employees may commute to work by bicycle.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(5.4) Bicycle Parking Requirements

Use	Short-Term Bicycle Parking	Long-Term Bicycle Parking
Recreation Services, Outdoor	0.6 spaces per 100.0 m ² of floor area or 10.0 spaces, whichever is greater	n/a
Recycling Facility	n/a	0.1 space per 100.0 m ² of floor area
Refuse Disposal Facility	n/a	0.1 space per 100.0 m ² of floor area
Retail, Cannabis	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area
Retail Sales	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Sawmill	n/a	0.1 space per 100.0 m ² of floor area
Silviculture	n/a	0.1 space per 100.0 m ² of floor area
Veterinary Services	n/a	0.2 spaces per 100.0 m ² of floor area
Wholesale Services	n/a	0.2 spaces per 100.0 m ² of floor area
Wrecking Yard	n/a	0.1 space per 100.0 m ² of floor area

CONDITIONS [Table 9.5(6)]:

- ¹ Long-term bicycle parking is not required for principal dwelling units that have individual garages.
- ² Bicycle parking requirements for secondary suites are in addition to the bicycle parking requirements for the associated principal dwelling unit.
- ³ Bicycle parking requirements for secondary suites apply to residential developments comprising two or more attached principal dwelling units.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

9.6 End of Trip Facilities

- (1) End-of-trip facilities must be provided as a function of the total number of required long-term bicycle parking spaces prescribed in [Table 9.5\(46\)](#).

Table 9.6(21) End-of-Trip Facility Requirements

Use	Number of Long-Term Bicycle Parking Spaces	Number of Toilets	Number of Sinks	Number of Showers	Number of Storage Lockers
Dwelling Units Hostel Hotel Motel	0 – 6	0	0	0	0
	7 – 15 ¹				
	16 – 30 ^{1,2}				
	> 30 ^{1,2}				
All Other Uses	0 – 3	0	0	0	0.5 lockers per space
	4 – 15 ¹	1	1	1	
	16 – 30 ^{1,2}	2	2	2	
	> 30 ^{1,2}	4, plus 2 for each additional 30 spaces	4, plus 2 for each additional 30 spaces	4, plus 2 for each additional 30 spaces	

CONDITIONS [Table 9.6(21)]:

- ¹ End-of-trip facilities must include a bicycle repair station including tools for bikes, a commercial grade tire pump, and a dedicated area to undertake simple repairs and maintenance.
- ² End-of-trip facilities must include a bicycle wash station including access to water and a dedicated bicycle cleaning area.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 10 RESIDENTIAL ZONES

10.1 Intent of Zones

Zone	Zone Name	Intent of Zone
R-1	Infill Residential	This zone is intended to support the gentle densification of existing low-density neighbourhoods by accommodating up to four dwelling units through either the renovation of existing residences or infill redevelopment in the form of small-scale multi-unit housing which complements the character of adjacent properties.
R-2	West Dunsmuir Residential	This zone is intended to accommodate up to three dwelling units in existing residential areas where there are known infrastructure constraints limiting further densification.
R-3	Large Lot Residential	This zone is intended to accommodate low-density residential uses on lots which are larger, not connected to community water or community sewer systems, or are outside of the Urban Containment Boundary.
R-MHP	Manufactured Home Park Residential	This zone is intended to accommodate manufactured home parks in accordance with the <i>Village's Manufactured Home Park Bylaw</i> .
R-RTMU	Rental Tenure Multi-Unit Residential	This zone is intended to support the provision of dwelling units under Residential Rental Tenure and prohibit bareland or building stratification.
R-MU	Multi-Unit Residential	This zone is intended to support multi-unit residential development in the form of low-rise apartments and ground-oriented or stacked townhouses.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

10.2 Permitted Uses

Table 10.2(1) Permitted Uses P = permitted as a principal use S = permitted as a secondary use -- = use not permitted							
Use	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU	
Accessory Buildings and Structures	S	S	S	S	S	S	
Agriculture, Urban ¹	S	S	S ²	S	S	S	
Care Facility, Child ³	S	S	S	S	--	S	
Care Facility, Community	S	S	S	S	--	S	
Care Facility, Licence-Not-Required	S	S	S	S	--	S	
Dwelling Units	P	P	P	P	P	P	
Home Occupation ⁴	Minor	S	S	S	S	S	
	Standard	S	S	S	S	--	--
	Major	--	--	S	--	--	--
	Bed and Breakfast Accommodation	S	S	S	--	--	--
	Short-Term Rental Accommodation	S ⁵	S ⁵	--	--	--	--
Manufactured Homes	P	P	P	P	--	--	
Parking Lot	n/a	n/a	n/a	S	S	S	
Secondary Suite ⁶	S	S	S	--	S	S	

Commented [KA65]: Deleted as the type of dwelling is restricted to Manufactured Homes. See six rows down.

CONDITIONS [Table 10.2(1)]:

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

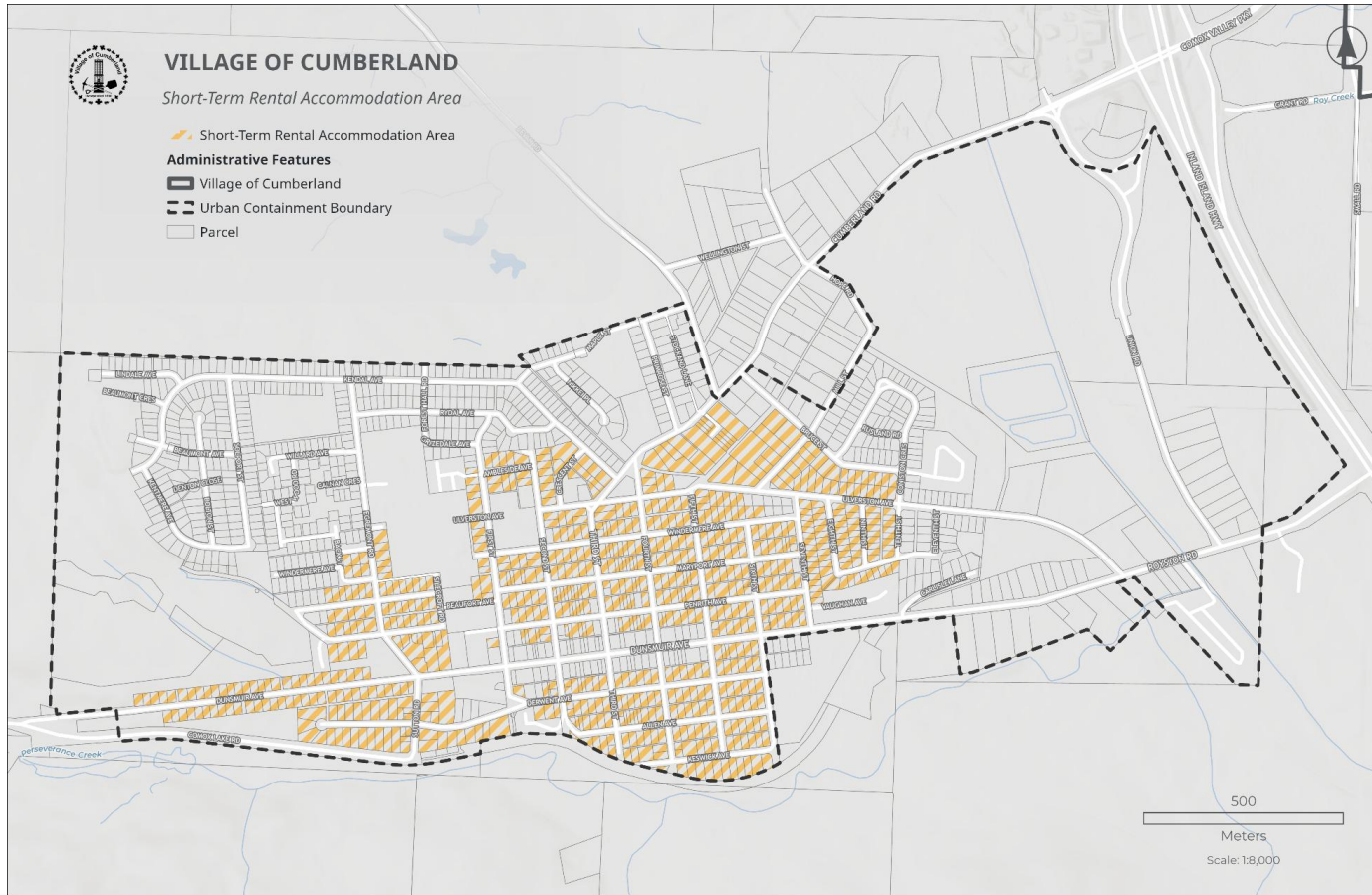
Table 10.2(1) Permitted Uses

P = permitted as a principal use
 S = permitted as a secondary use
 -- = use not permitted

Use	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
1 Subject to the urban agriculture regulations prescribed in Section 6.8 of this Bylaw.						
2 For lots larger than 0.4 hectares, urban agriculture may include the keeping of animals used in the production of food, fur, or similar products, including horses, cattle, sheep, goats, and rabbits, but specifically excluding hogs, pigs and peacocks.						
3 Subject to the screening requirements for care facilities prescribed in Section 7.3 of this Bylaw.						
4 Subject to the home occupation regulations prescribed in Section 6.4 of this Bylaw.						
5 Short-term rental accommodation home occupations are only be permitted in the areas indicated in Figure 10-1 .						
6 Subject to the secondary suite regulations prescribed in Section 6.7 of this Bylaw.						

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 10-1. Short-Term Rental Accommodation Area



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

10.3 Subdivision Standards

Table 10.3(1) Minimum Standards for Subdivision						
Criteria	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
Minimum Lot Area	650.0 m ²	650.0 m ²	2,024.0 m ²	1.0 ha	1,570.0 m ²	2,024.0 m ²
Minimum Lot Width	15.0 m	15.0 m	25.0 m	40.0 m	10% of lot perimeter	10% of lot perimeter

10.4 General Regulations

Table 10.4(1) General Regulations						
Criteria	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
Maximum Lot Coverage	50%	40%	35%	45%	65%	65%
Maximum Lot Coverage including Impermeable Surfaces	70%	70%	50%	70%	80%	80%
Maximum No. of Dwelling Units ¹	4 per lot	3 per lot	2 per lot ²	20 per ha ^{3,2}	89 per ha ^{4,3,45}	50 per ha ^{6,5,6,7}

CONDITIONS [Table 10.4(1)]:

¹ For buildings containing three or more principal dwelling units accessed through shared corridors, stairs, and elevators, 10% of all dwelling units must be constructed in accordance with the Adaptable Dwelling Unit standard specified in the BC Building Code.

² ~~A maximum of three dwelling units are permitted on lots that are connected to both community water and community sewer systems or are 1.0 hectare or larger in size.~~

^{3,2} Subject to the Village's *Manufactured Home Park Bylaw*.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Commented [KA65]: Correction to this unintended change to the density in the R-3 zone permitted in the previous Zoning Bylaw. This is consistent with the Council direction to keep the R3 zone area on Cumberland Road outside of the UCB.

Table 10.4(1) General Regulations

Criteria	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
43	All dwelling units must be under residential rental tenure.					
54	For the lot legally described as LOT 1, DISTRICT LOT 24, NELSON DISTRICT, PLAN 28034, EXCEPT PART IN PLAN VIP82131 (2782 Ulverston Avenue):					
	<ul style="list-style-type: none"> 1/3 of dwelling units must be provided at below market rent, as established through a housing agreement held between the property owner and the Village; and dwelling units provided at below market rent must be subject to a rental agreement requiring such units to be managed by a non-profit housing society and rented to low- or medium-income families. 					
65	For the lot legally described as LOT A, DISTRICT LOT 24, NELSON DISTRICT, PLAN EPP103460 (3345 Second Street), the maximum number of dwelling units is 145 units per hectare and may be increased by 25 units per hectare provided a minimum of 20% of all dwelling units are provided as affordable housing units.					
76	For the lot legally described as STRATA LOTS 1-84, DISTRICT LOT 24, NELSON DISTRICT, STRATA PLAN EPS4795 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V (2607 Kendal Avenue), the maximum number of dwelling units is 96 and may be increased by 10 units per hectare provided a minimum of 30% of all dwelling units are provided as affordable housing units.					

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

10.5 Development Standards

Table 10.5(1) Development Regulations for Principal and Secondary Buildings and Structures

Criteria	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU	
Maximum Floor Area of Each Additional Detached Dwelling Unit	n/a	90.0 m ²	90.0 m ²	n/a	n/a	n/a	
Maximum Height	11.0 m	10.0 m	10.0 m	4.5 m	10.0 m	15.0 m	
Maximum Number of Storeys	3	2	2	1	2	4	
Minimum Front Setback	1 st – 2 nd storey	3.0 m ¹	3.0 m ^{2, 3}	7.5 m	3.0 m	3.0 m	
	3 rd storey and above	4.5 m	n/a		n/a		
	garage / carport	3.0 m ¹	3.0 m ^{2, 3}		3.0 m	4.5 m	
Minimum Rear Setback	1 st – 2 nd storey	4.5 m ⁴	4.5 m ⁴		4.5 m	7.5 m	4.5 m
	3 rd storey and above	6.0 m	n/a		n/a	7.5 m	6.0 m
Minimum Side Setback ⁵	1.5 m	1.5 m	1.5 m		1.5 m	1.5 m	1.5 m
Minimum Exterior Side Setback	1 st – 2 nd storey	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	
	3 rd storey and above	4.5 m	n/a	n/a	n/a	4.5 m	

CONDITIONS [Table 10.5(1)]:

- ¹ The minimum front setback is 7.5 metres for the lot legally described as LOT 1 BLOCK 4 SECTION 25 TOWNSHIP 10 COMOX DISTRICT AND OF DISTRICT LOT 24 NELSON DISTRICT PLAN 4222 EXCEPT PLAN EPP103982 (4681 Cumberland Road).
- ² The minimum front setback is 0.0 metres for the lots indicated in Figure 10-2.
- ³ The maximum front setback for one dwelling unit is 2.0 metres for the lots indicated in Figure 10-2.
- ⁴ Where the rear lot line abuts a lane, the minimum rear setback is 1.5 metres.

Commented [KA66]: This addresses the issue of setbacks for accessory dwelling units/laneway homes otherwise being increased from 1.5m to 4.5m because the new Zoning Bylaw does not differentiate between type of dwelling. Note that if a new building in the rear yard is built with a third storey, this reduction does not apply and the setback would be 4.5 m.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 11 MIXED-USE ZONES

11.1 Intent of Zones

Zone	Zone Name	Intent of Zone
MU-1	Historic Village Commercial Core Mixed-Use	The intent of this zone is to support a vibrant, pedestrian-oriented Village Core through development comprised of commercial uses on the ground-level with residential uses above or to the rear.
MU-2	Neighbourhood Mixed-Use	The intent of this zone is to promote mixed-use development which serves as a transition between the Village Core and surrounding residential neighbourhoods.
MU-3	Coal Valley Estates Mixed-Use	The intent of this zone is to implement a Comprehensive Development Agreement which identifies a mixed-use node in the area known as Coal Valley.

11.2 Permitted Uses

Use	MU-1 ¹	MU-2	MU-3
Accessory Buildings and Structures	S	S	S
Agriculture, Urban ²	S	S	S
Care Facility, Child ³	P	P	P
Care Facility, Community ³	P	P	P
Care Facility, Licence-Not-Required	S	S	S
Caretaker Suite	--	--	S ⁴
Containers	S ⁵	S ⁵	--
Cultural and Community Services	P	P	--

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 11.2(1) Permitted Uses				
P = permitted as a principal use				
S = permitted as an secondary use				
-- = use not permitted				
Use	MU-1 ¹	MU-2	MU-3	
Dwelling Units	P ⁶	P ⁷	P ⁷	
Education Services	P	P	--	
Emergency and Protective Services	-- ⁸	--	--	
Entertainment Facility	P	--	--	
Farmer's Market	S	--	S	
Food Services	P	P ⁹	P ¹⁰	
Gas Station	-- ¹¹	--	--	
Health Services	P ¹²	P	P	
Home Occupation ¹³	Minor	S	S	S
	Standard	--	S	S
	Bed and Breakfast Accommodation	--	--	S
	Short-Term Rental Accommodation	-- ¹⁴	S	--
Hostel	P	--	--	
Hotel	P	--	--	
Licensed Premises	P	--	P	
Mobile Vending ¹⁵	P	P	--	
Motel	P	--	--	
Parking Lot	S ¹⁶	S ¹⁶	S	
Personal Services	P	P	P	
Production Facility, Alcohol	P ¹⁷	--	--	
Professional Services, Internal-Facing	P ¹²	P	P	
Professional Services, Public-Facing	P	P	P	
Recreation Services, Indoor	P	P	P	
Retail, Cannabis ¹⁸	P	--	--	
Retail Sales	P ^{19, 20}	P ^{19, 20}	P ^{20, 21}	

Commented [KA67]: Added to continue to permit standard home occupations in residential buildings in the MU-2 zone.

Commented [KA68]: This edit ensures the regulation corresponds to the map in Figure 10-1 above which shows where short-term rentals are permitted. The intent was not to change that area in this new Zoning Bylaw.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 11.2(1) Permitted Uses			
P = permitted as a principal use			
S = permitted as an secondary use			
-- = use not permitted			
Use	MU-1 ¹	MU-2	MU-3
Secondary Suite ²²	n/a	S	S
Storage, Outdoor	S ²³	--	S ²³
Veterinary Services	P	P	--

CONDITIONS [Table 11.2(1)]:

- Non-residential principal uses, where located within the first storey of a principal building, must be oriented towards the portion of a lot which abuts a highway. The primary access for any such use must be located within the front or exterior side business frontage.
- Subject to the urban agriculture regulations prescribed in Section 6.8 of this Bylaw.
- Subject to the screening requirements for care facilities prescribed in Section 7.3 of this Bylaw.
- Caretaker suites must be integrated within a principal building.
- Containers are permitted to supplement the commercial storage capacity of a principal use occurring on the same lot, provided:
 - there are no residential uses occurring within the first storey of any building on the lot;
 - the container is clad in the same materials as the building in which the associated principal use is located;
 - the container is located to the rear of any principal building on the lot; and
 - the maximum length of the container is 6.1 metres.
- Dwelling units must be integrated within a principal building where there are other non-residential uses occurring, subject to the following regulations:
 - they are located above or to the rear of a non-residential use occurring on the first storey;
 - they are accessed through a separate entrance from all non-residential uses occurring within the same building, so long as areas used for residential access must not exceed a combined 25% of the first storey business frontage; and
 - dwelling units located on the first storey must not exceed 40% of the total first storey floor area.
- Where dwelling units are integrated within a principal building where there are non-residential uses occurring, they must:
 - be located above, below, or to the rear of a non-residential use occurring on the first storey; and

Commented [KA69]: Correction. The intent was to continue to permit secondary suites in this new zone.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 11.2(1) Permitted Uses

P = permitted as a principal use
 S = permitted as an secondary use
 -- = use not permitted

Use	MU-1 ¹	MU-2	MU-3
	<ul style="list-style-type: none"> be accessed through a separate entrance from all non-residential uses occurring within the same building, so long as areas used for residential access must not exceed a combined 25% of the first storey business frontage. 		
8	Emergency and protective services is permitted as a principal use on the lot legally described as LOT 7, BLOCK 12, DISTRICT LOT 21, NELSON DISTRICT, PLAN 522A (2757 Dunsmuir Avenue).		
9	The maximum floor area for food services is 65.0 square metres.		
10	The maximum floor area for food services is 150.0 square metres.		
11	Gas station is permitted, provided all fuel service pumps or pump island are located a minimum, of 4.5 metres from all lot lines, as a principal use on the lot legally described as LOT A, DISTRICT LOT 21, NELSON DISTRICT, PLAN VIP84120 (2766 Dunsmuir Avenue).		
12	Uses must be located above the first storey of a principal building.		
13	Subject to the home occupation regulations prescribed in Section 6.4 of this Bylaw.		
14	Short-term rental accommodation is permitted for the lots legally described as: <ul style="list-style-type: none"> THAT PART OF LOT 11, BLOCK 16, DISTRICT LOT 21, NELSON DISTRICT, PLAN 522A, LYING TO THE EAST OF A STRAIGHT BOUNDARY JOINING THE POINT OF BISECTION OF THE NORTHERLY AND SOUTHERLY BOUNDARIES OF SAID LOT 11 (2771 Dunsmuir Avenue); and THE EASTERLY ½ OF LOT 10, BLOCK 16, DISTRICT LOT 21, NELSON DISTRICT, PLAN 522A (2773 Dunsmuir Avenue). 		
15	Subject to the mobile vending regulations prescribed in Section 6.5 of this Bylaw.		
16	Parking lots must be located to the rear of a principal building.		
17	The maximum floor area for an alcohol production facility is 450.0 square metres.		
18	Subject to the cannabis retail regulations prescribed in Section 6.2 of this Bylaw.		
19	The maximum floor area for retail sales is 2,800 1,270.0 square metres.		
20	Outdoor displays ancillary to retail sales must not obstruct a landscaped area or pedestrian walkway, driveway, or highway.		
21	The maximum floor area for retail sales is 300.0 square metres.		
22	Subject to the secondary suite regulations prescribed in Section 6.7 of this Bylaw.		
23	Outdoor storage is only permitted where secondary to a farmer's market.		

Commented [KA70]: Reduced to fit the commercial downtown core (MU-1 and MU-2) context. For example, 1,270 m2 represents 95% lot coverage on the mini-mart lot. 618 m2 would be 95% lot coverage of a standard lot on Dunsmuir. By comparison, the Ilo Ilo has a floor area of about 470 m2. The mini- mart has a floor area of about 400 m2. 1270 m2 is 13,000sqft which is about the size of Winners at the Walmart mall and would allow for a smaller grocery store like Freshco or No Frills.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

11.3 Subdivision Standards

Criteria		MU-1	MU-2	MU-3
Minimum Lot Area	One detached dwelling unit	n/a	325.0 m ²	550.0 m ² ¹
	Two attached dwelling units			
	Three or more attached dwelling units	325.0 m ²		800.0 m ²
	All other uses			2,000.0 m ²
Minimum Lot Width	One detached dwelling unit	9.0 m	9.0 m	15.0 m
	Two attached dwelling units			20.0 m
	Three or more attached dwelling units			
	All other uses			

CONDITIONS [Table 11.3(1)]:

¹ The minimum lot area is 450.0 square metres for up to 50% of lots created in any given plan of subdivision.

Commented [KA71]: Amended as the zone does not permit for new stand alone single detached or two attached dwelling units. As per condition 6 in Table 11.2(1), dwelling units have to be integrated within a principal building where other non-residential uses occur. Three or more attached dwelling units could be included in a development.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 12 INDUSTRY ZONES

12.1 Intent of Zones

Zone	Zone Name	Intent of Zone
I-1	Service Industry	This zone is intended to accommodate a range of service commercial and low-impact industrial uses on larger lots predominantly located outside of the Urban Containment Boundary.
I-2	Industrial	This zone is intended to designate and preserve land for intensive industrial development.
I-3	Refuse Industrial	This zone is intended to accommodate the Comox Valley Regional District's (CVRD) Waste Facility.

12.2 Permitted Uses

Use	I-1	I-2	I-3
Accessory Buildings and Structures	S	S	S
Automotive and Equipment Services, Light	P	--	--
Automotive and Equipment Services, Industrial	--	P	--
Bulk Fuel Storage	--	S	--
Care Facility, Child ¹	P	P	--
Care Facility, Community ¹	P	P	--
Caretaker Suite	S	S	S
Compost Facility	--	--	P
Containers	S	S	S
Education Services	S	S	S
Fleet Services Facility	P	P	--

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 12.2(1) Permitted Uses			
P = permitted as a principal use			
S = permitted as a secondary use			
-- = use not permitted			
Use	I-1	I-2	I-3
Food Services	S ²	--	--
Gas Station	-- ³	--	--
Greenhouse, Commercial	P	P	--
Industrial, Heavy	--	P	--
Industrial, Light	P	--	--
Kennel	P	--	--
Mobile Vending ⁴	S	S	--
Natural Resource Extraction	--	P	--
Parking Lot	S	S	S
Plant Nursery	P	--	--
Production Facility, Alcohol	P	--	--
Production Facility, Cannabis	P	--	--
Production Facility, Food	P	P	--
Professional Services, Public-Facing	S	S	S
Recreation Services, Indoor	P	--	--
Recycling Facility	--	P	P
Refuse Disposal Facility ⁵	--	--	P ⁶
Retail Sales	P ⁷	--	--
Sawmill	--	S	--
Silviculture	--	P	--
Storage, Indoor	P	--	--
Storage, Outdoor	S	S ⁸	S
Storage, Warehouse	S	P	--
Veterinary Services	P	--	--
Wholesale Services	P	S	--
Wrecking Yard	--	P	--

Commented [KA72]: This addition is in support of OCP policy 8.3.3.6: Review permitted uses in industrial zones to include non-soil based agriculture, greenhouses, food processing and post-production facility uses.

Commented [KA73]: This addition is in support of OCP policy 8.3.3.6: Review permitted uses in industrial zones to include non-soil based agriculture, greenhouses, food processing and post-production facility uses.

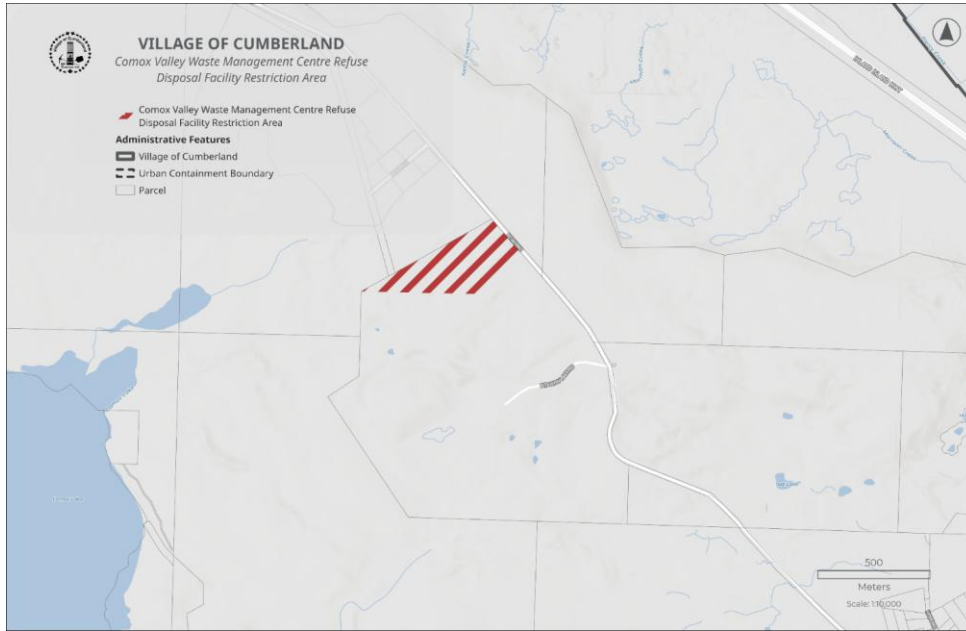
1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 12.2(1) Permitted Uses			
P = permitted as a principal use			
S = permitted as an secondary use			
-- = use not permitted			
Use	I-1	I-2	I-3
CONDITIONS [Table 12.2(1)]:			
<ol style="list-style-type: none"> ¹ Subject to the screening requirements for care facilities prescribed in Section 7.3 of this Bylaw. ² The maximum floor area for food services is 150.0 square metres. ³ Gas station is permitted as a principal use, provided all fuel service pumps or pump island are located a minimum of 4.5 metres from all lot lines, on the lot legally described as LOT A OF SECTION 25, TOWNSHIP 10, COMOX DISTRICT AND OF DISTRICT LOT 24, NELSON DISTRICT, PLAN 5444 (4690 Cumberland Road). ⁴ Subject to the mobile vending regulations prescribed in Section 6.5 of this Bylaw. ⁵ Subject to the refuse disposal facility regulations prescribed in Section 6.6 of this Bylaw. ⁶ With the exception of a leachate equalization pond, refuse disposal facility is not permitted within the northern portion of the lot legally described as LOT A, SECTIONS 26, 27, 34 AND 35, TOWNSHIP 10, COMOX DISTRICT, PLAN EPP111857 (Comox Valley Waste Management Centre) as indicated in Figure 12-1. For clarity, this is the portion of land that was added to the Comox Valley Waste Management Centre property in 2021 in Plan EPP111857. ⁷ The maximum floor area for retail sales is 930.0 square metres. Indoor storage is permitted as a principal use on the lots legally described as STRATA LOTS 1-50, SECTION 34, TOWNSHIP 10, COMOX DISTRICT, STRATA PLAN EPS10779 (2794 Beck Avenue). ⁸ Outdoor storage may include the temporary storage of detached dwelling units being moved from one lot to another, up to a maximum of three detached dwelling units per lot. 			

Commented [KA74]: Deleted because this exemption is not necessary as the property is in I-1 where indoor storage is permitted.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 12-1. Comox Valley Waste Management Centre Refuse Disposal Facility Restriction Area



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

12.3 Subdivision Standards

Criteria	I-1	I-2	I-3
Minimum Lot Area	4,000.0 m ²	7,500.0 m ²	7,500.0 m ²
Minimum Lot Width	30.0 m	30.0 m	10% of lot perimeter

12.4 General Regulations

Criteria	I-1	I-2	I-3
Maximum Lot Coverage	60%	60% ¹	50%
Maximum Lot Coverage including Impermeable Surfaces	80%	70%	n/a
Maximum No. of Dwelling Units ²	1 per lot	1 per lot	1 per lot
Maximum FAR	1.0	0.75	0.75
CONDITIONS [Table 12.4(1)]: ¹ Greenhouses are exempt from lot coverage. ² Dwelling units are permitted in the form of a caretaker suite.			

12.5 Development Standards

Criteria	I-1	I-2	I-3
Maximum Height	15.0 m	12.0 m	15.0 m
Minimum Front Setback	7.5 m	7.5 m ⁴	15.0 m
Minimum Rear Setback	7.5 m		
Minimum Side Setback	7.5 m		

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 12.5(1) Development Regulations for Principal and Secondary Buildings and Structures

Criteria	I-1	I-2	I-3
Minimum Exterior Side Setback	7.5 m		
CONDITIONS [Table 12.5(1)]:			
⁴ Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone.			

Commented [KA75]: Condition can be deleted as no conflict exists between industry zoned properties and the PU-1 zone. It is acceptable to have industrial development next to PU-2 (e.g. the wastewater treatment plant).

Table 12.5(2) Development Regulations for Accessory Buildings and Structures

Criteria	I-1	I-2	I-3
Maximum Floor Area ¹	10% of lot area	10% of lot area	10% of lot area
Maximum Height	15.0 m	15.0 m	15.0 m
Minimum Front Setback	7.5 m	7.5 m	15.0 m
Minimum Rear Setback	7.5 m		
Minimum Side Setback	7.5 m		
Minimum Exterior Side Setback	7.5 m		
CONDITIONS [Table 12.5(2)]:			
¹ Maximum floor area refers to the combined floor area of all accessory buildings and structures on a lot.			
² Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone.			

Commented [KA76]: See above

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 13 PUBLIC USE ZONES

13.1 Intent of Zones

Zone	Zone Name	Intent of Zone
PU-1	Parks and Open Space	This zone is intended to preserve and enhance the community's parks and open space assets while providing for a range of low impact recreational uses.
PU-2	Civic Uses	This zone is intended to accommodate a range of civic functions, including both publicly and privately operated institutional, cultural, educational, and recreational uses.
PU-3	Utility and Services	This zone is intended to accommodate emergency and protective services operations and public and private utilities.

13.2 Permitted Uses

Use	PU-1	PU-2	PU-3
Accessory Buildings and Structures	S	S	S
Care Facility, Child ¹	--	P	--
Care Facility, Community ¹	--	P	--
Caretaker Suite	--	--	S
Cemetery	--	P	--
Container	--	S	S
Cultural and Community Services	S	P	--
Dwelling Units	-- ²	--	--
Education Services	S	P	S
Emergency and Protective Services	--	P	P

Commented [KA77]: This was inadvertently omitted in the new Zoning Bylaw. Shipping containers are in use on properties in both the PU-2 and PU-3 zones. The use has been added to avoid creating lawful non-conforming uses in those zones.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 13.2(1) Permitted Uses

P = permitted as a principal use
 S = permitted as a secondary use
 -- = use not permitted

Use	PU-1	PU-2	PU-3
Farmer's Market	S	S	--
Food Services	S ³	S ⁴	--
Health Services	--	P	S
Mobile Vending ⁵	S	S	--
Parking Lot	S	S	S
Recreation Services, Indoor	--	P	--
Recreation Services, Outdoor	S	P	--
Utilities	S	S	P

CONDITIONS [Table 13.2(1)]:

- ¹ Subject to the screening requirements for care facilities prescribed in [Section 7.3](#) of this Bylaw.
- ² One detached [dwelling unit](#) is permitted as a principal use on the lot legally described as LOT 1, SECTION 3 AND DISTRICT LOT 24, NELSON DISTRICT, PLAN VIP74169 (Coal Creek Historic Park).
- ³ The maximum [floor area](#) for [food services](#) is 20.0 square metres.
- ⁴ The maximum [floor area](#) for [food services](#) is 150.0 square metres.
- ⁵ Subject to the [mobile vending](#) regulations prescribed in [Section 6.5](#) of this Bylaw.

13.3 Subdivision Standards**Table 13.3(1) Subdivision Standards**

Criteria	PU-1	PU-2	PU-3
Minimum Lot Area	n/a	325.0 m ²	325.0 m ²
Minimum Lot Width	n/a	9.0 m	9.0 m

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 14 RURAL ZONES

14.1 Intent of Zones

Zone	Zone Name	Intent of Zone
FSG	Forest Stewardship Greenway	This zone is intended to accommodate forest management and any associated residential uses, as well as appropriate, low impact, recreational activities in the forested areas outside of the Urban Containment Boundary.
RT	Recreation and Tourism	This zone is intended to accommodate existing recreational accommodation and associated recreational activities adjacent to Comox Lake.
DWP	Drinking Water Protection	Comox Lake is a drinking water source for the Comox Valley. This zone is intended to accommodate low impact recreational uses while limiting development in and on Comox Lake to protect its water quality.

14.2 Permitted Uses

Use	FSG	RT	DWP
Accessory Buildings and Structures	S	S	-- ¹
Agriculture, Urban ²	S	--	--
Campground	--	P--	--
Care Facility, Child ³	P	P	--
Care Facility, Community ³	P	--	--
Care Facility, Licence-Not-Required	S	--	--
Dwelling Units	P	P	--
Home Occupation ⁴	Minor	S	--
	Standard	S	--

Commented [KA78]: The Comox Lake Land Corporation property is the only property in this zone. As part of the rezoning application of that property, "campground" was taken out as a permitted use to avoid potential additional human use within the Comox Lake Drinking Watershed. That is reflected in Bylaw 1241 which received second reading in October 2025. In the event that Bylaw 1241 is not adopted, it is nonetheless desirable to prevent the possible future establishment of a private campground within the Drinking Watershed.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1266

A Bylaw to amend the Village of Cumberland Zoning Bylaw No. 1238, 2025

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

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 1266, 2026”.
2. “Zoning Bylaw No. 1238, 2026” is amended in **Part 4 Definitions**, section *4.1 Defined Terms* as follows:
 - (a) Under DRIVE AISLE, by inserting: “and loading” between “parking” and “spaces.”
 - (b) Under FLOOR AREA, GROSS (GFA) by inserting: “required” between “accommodate” and “parking areas”
 - (c) Following the definition for GRADE, NATURAL by inserting: “GREENHOUSE, COMMERCIAL means a climate-controlled structure enclosed by glass or multiple layers of plastic, used year-round for the cultivation of agricultural crops intended for wholesale or retail sales.”
 - (d) Under INDUSTRIAL, HEAVY, following “raw materials,” by striking: “including the processing of animal products and byproducts.”
 - (e) By striking: “MANOEUVRING AISLE means a pathway designated for use by vehicular traffic, within a parking lot or parking area, for the purpose of accessing individual parking and loading spaces.”
 - (f) Under MANUFACTURED HOME, following “is constructed to” by inserting: “either” and following “CAN/CSA Z-240 (Mobile Home)” by inserting: “CAN/CSA Z-277 (Modular Home)”.
 - (g) Under PARKING AREA, by striking: “maneuvering” and substituting: “drive”.
 - (h) Under PLANT NURSERY, after “display and” inserting hyperlinks for “wholesale” and for “retail sale”.
 - (i) Following the definition for PRODUCTION FACILITY, CANNABIS by inserting: “PRODUCTION FACILITY, FOOD means premises used to process, package, store, and

distribute agricultural products, including animal products and byproducts, but specifically excluding cannabis or cannabis-related products, and may include ancillary sales of such products.”

3. “Zoning Bylaw No. 1238, 2026” is amended in **Part 5 General Regulations** as follows

(a) Under *5.2 Uses Prohibited in All Zones* by inserting: “(d) water and beverage bottling where the source is the municipal water supply supplied directly to the property on which the bottling is taking place.”

(b) Under *5.3 Development Standards*

- i. under the heading “5.3 Development Standards” by inserting the subheading: “5.3.1 Setbacks”
- ii. under the new section 5.3.1 at the end of (1), by inserting after “distance specified”:

“(a) Despite Section 5.3.1(1), where a dwelling unit is located within the rear portion of a lot and does not have year-round rear lane access by a lane that is wider than 6.0 metres:

 - i. a 1.5-metre-wide emergency access aisle, clear of any buildings, structures, retaining walls, and other such obstructions must be provided between the front lot line and the dwelling unit; and
 - ii. fences erected within the emergency access aisle must be passable at all times via 1.5-metre-wide fence gate.”
- iii. at the end of the new section 5.3.1 by inserting a new section title: “5.3.2 Height” and renumbering the paragraphs that follow “(1)” and “(2)”
- iv. by striking: “(5) Despite any other provisions in this Bylaw, heating, ventilation, and air conditioning equipment must be located to minimize their impact on adjacent dwelling units by avoiding proximity to windows and doors.”

(c) in *Table 5.4(1) Exemptions from Development Regulations*,

- i. at the end of the row starting with “Enclosed areas...”, by striking: “Enclosed parking areas, including ramps for vehicular access/egress” and substituting: “Enclosed areas used to accommodate required parking areas, including ramps for vehicular access/egress”
- ii. in the row starting with “Uncovered driveways...”, by striking: “manoeuvring” and substituting: “drive”.

- iii. under CONDITIONS, inserting “7 Includes garages, underground parkades, and any other such enclosed parking structure used to accommodate required parking areas.” and
 - iv. renumbering the subsequent lines in sequential order.
4. “Zoning Bylaw No. 1238, 2026” is amended in **Part 6 Home Occupations** as follows:
- (a) In *Table 6.4(2) Home Occupation Regulations*,:
- i. in the row titled “Retail Sale Restrictions”, by striking: “The display and retail sale of goods is limited to goods that were produced or manufactured on-site incidentally to the home occupation, or goods produced or manufactured off-site which are directly related to the home occupation. In no instance must the display and sale of a good be the primary purpose of any home occupation.”

and substituting:

“The display and retail sale of goods is limited to goods that were produced or manufactured on-site incidentally to the home occupation, or goods produced or manufactured off-site which are directly related to the home occupation. In no instance must the display and in-person sale of goods be the primary purpose of any home occupation. For clarity, the virtual sale and distribution of goods is permitted.”
 - ii. in the row titled “Other Restrictions”, in the second cell of that row, by striking: “Should the home occupation cease, the additional cooking facilities must be removed and are in no instance to be used to establish an additional dwelling.”
 - iii. under CONDITIONS [Table 6.4(2)] by striking:

“The use of a side or rear yard is permitted for care facility home occupations only, subject to the screening requirements prescribed in Part 7 of this Bylaw.”

and substituting:

“The use of outdoor spaces is permitted for care facility home occupations.”
- (b) In section *6.6 Refuse Disposal Facility* by striking:
- “(1) Despite any other provision of this Bylaw, only the following uses may be located within 500.0 metres of a [refuse disposal facility](#):
- (a) [automotive and equipment services, industrial](#);

- (b) bulk fuel storage;
- (c) compost facility;
- (d) containers;
- (e) fleet services facility;
- (f) industrial, heavy;
- (g) natural resource extraction;
- (h) parking lot;
- (i) recycling facility;
- (j) sawmill;
- (k) silviculture;
- (l) storage, outdoor;
- (m) storage, warehouse; and
- (n) wrecking yard.”

and substituting:

“ (1) Despite any other provision of this Bylaw, the following uses may not be located within 500.0 metres of a refuse disposal facility:

- (a) dwelling units;
- (b) food production facilities; and
- (c) food services.”

(c) In *Table 6.8(1) Urban Agriculture Regulations*, in the row titled *Accessory Buildings and Structures*,

- i. in the column titled *Keeping of Bees*, following “A maximum of two hives and two nucs” by striking “is” and substituting: “are”
- ii. in the column titled *Keeping of Bees*, following “All hives must be set back a minimum of 6.0 metres from all sidewalks, highways,” by striking: “lots” and substituting “any lot line which abuts a lot”
- iii. in the column titled *Keeping of Poultry*, following “A coop and associated run must be set back a minimum of 4.5 metres from” by striking: “all lots” and inserting “any lot line which abuts a lot”

(d) In *Table 6.8(1) Urban Agriculture Regulations*, in the row titled *Food Processing Restrictions*, by striking: “food” and substituting: “agricultural” and, following “products” inserting: “(including animal products or byproducts)”.

5. “Zoning Bylaw No. 1238, 2026” is amended in **Part 7 Landscaping and Screening** as follows:

(a) In section *7.1 General*,

- i. subsection (2) following “All required landscaping” by inserting: “and landscape screen”
- ii. subsection (3) following “All required landscaping” by inserting: “and landscape screen”
- iii. at the end of subsection (3), by inserting: “(c) Required maintenance for non-vegetative **landscape screens** includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.”

(b) In section 7.2 *Landscaping Requirements* by striking:

“(1) The **landscaping** requirements prescribed in **Table 7.2(4)** and **Table 7.2(5)** are only applicable to development comprising one or more new **dwelling units**, including the demolition and replacement of one or more existing **dwelling units**.”
 and renumbering the subsequent paragraphs starting with (1).

(c) In section 7.2 *Landscaping Requirements*,

- i. by striking: “Where construction works are proposed within 10.0 metres of an existing tree that is to be retained to meet the requirements prescribed in **Table 7.2(4)**, temporary protective fencing must be erected around the dripline of the tree, or at a minimum radius equal to 1.0 metre for every 1.0 centimetre of trunk diameter measured from 1.37 metres above natural grade, whichever is greater.”
 and
- ii. substituting:” Where construction works are proposed within 10.0 metres of an existing tree that is to be retained to meet the requirements prescribed in **Table 7.2(1)**, temporary protective **fencing** must be erected around the dripline of the tree or along the perimeter of a circle having a radius which is calculated by multiplying the trunk diameter measured from 1.37 metres above **natural grade** by 12, whichever is greater.”.

(d) In section 7.2 *Landscaping Requirements*, by striking *Table 7.2(3) Landscaping Regulations – Trees* and substituting:

Table 7.2(1) Landscaping Regulations - Trees		
Criteria	Residential Zones	All Other Zones
	≤ Three Dwelling Units : 1 tree per dwelling unit ^{1,2}	1 tree per 10.0 linear metres of landscape area ³

Table 7.2(1) Landscaping Regulations - Trees			
Criteria	Residential Zones		All Other Zones
Minimum Number of Trees ²	≥ Four Dwelling Units: 1 tree per 10.0 linear metres of landscape area ^{1,2,3}		
	A minimum of one tree is required per lot.		
Minimum Tree Size ⁴	Small Tree: expected mature canopy diameter of less than 5.0 metres Medium Tree: expected mature canopy diameter of 5.0 to 8.0 metres Large Tree: expected mature canopy diameter of greater than 8.0 metres		
Minimum Tree Size Ratio	Small Tree: maximum 25% of required trees Medium Tree: n/a Large Tree: minimum 50% of required trees		
	Where only one tree is required, such tree must be a large tree. ⁴ .two medium trees or, where the canopy cover cannot be accommodated within the open space on the lot, three small trees.		
Minimum Tree Height	1.4 m		
Minimum Soil Volume Per Tree		Single Tree	Shared ⁷
	Small Tree	15.0 m ³	10.0 m ³
	Medium Tree	18.0 m ³	12.0 m ³
	Large Tree	20.0 m ³	15.0 m ³
Minimum Setback from Buildings or Structures	Small Tree: 1.0 metre radius from centre of the tree Medium Tree: 2.0 metre radius from centre of the tree, depending on expected mature canopy diameter at maturity. Large Tree: 3.0 metre radius from centre of the tree		
Tree Spacing	Minimum tree spacing must be based on site requirements for sightlines, accessibility, and standard planting practices for the selected tree species.		
Overhead Interference	Required trees must be planted where overhead electrical power lines or other such objects will not interfere with their growth.		
Exemptions	For development comprised of two or more dwelling units , required trees may be accommodated within an irrigated boulevard, subject to written consent from the Village.	Required trees may be accommodated within an irrigated boulevard, subject to written consent from the Village.	

Table 7.2(1) Landscaping Regulations - Trees		
Criteria	Residential Zones	All Other Zones
<p>CONDITIONS [Table 7.2(3)]:</p> <ol style="list-style-type: none"> 1 Landscaping requirements do not apply to the replacement or addition of a secondary suite. 2 The minimum number of trees is inclusive of any existing trees on the lot that are to be retained, provided such trees meet all other landscaping regulations. 3 The linear metre calculation is used to determine the minimum number of trees to be planted on the lot. 4 Tree size must be determined based on the expected mature canopy spread under local growing conditions, as classified in the Species Recommendations included in the Village’s Urban Forest Management Plan, planting plan, nursery tag, or published species information from a reputable source (e.g., BC Landscape & Nursery Association or Canadian Landscape Standard plant database). All columnar, fastigate, or dwarf cultivars are considered small trees, regardless of their height, unless otherwise demonstrated through nursery specifications or arborist verification. 5 Soil volume may be shared amongst multiple plantings (trees, shrubs, etc.), provided continuous growing medium can be reached by the roots of such plantings. 		

(i) In section 7.2 *Landscaping Requirements* by striking Table 7.2(4) *Landscaping Regulations – All Other Requirements* and substituting:

Table 7.2(2) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
Minimum Planting Requirements for Landscape Areas ²	75% of all landscape areas must be planted with soft-landscaping elements.	75% of all landscape areas must be planted with soft-landscaping elements. ^{3, 4}
Minimum Planting Requirements for Tiered Retaining Walls	100% of the horizontal area between each tier of a retaining wall must be planted with soft-landscaping elements.	

Table 7.2(2) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
Minimum Landscaping for Parking Areas	<p>Parking Areas that Accommodate < 15 Vehicles: n/a</p> <p>Parking Areas that Accommodate ≥ 15 Vehicles: a contiguous, 1.5 metre wide landscape buffer planted with soft-landscaping elements shall be provided between the parking area and any abutting highways</p>	
	A minimum of one tree must be included in a landscape island. ⁵	
	The maximum number of consecutive parking spaces is 15. A landscape buffer or drive aisle must separate the next 15 parking spaces .	
	Landscape buffers must be clearly delineated as separate and in addition to required parking and loading spaces.	
	Landscape buffers must be located such that loading and unloading vehicles can access the site without interference.	
Irrigation	All required landscaping installations must be equipped with a permanent, fully automatic, low-water requirement irrigation system. ⁶	
	Run-off onto sidewalks, highways, or parking and loading areas is not permitted.	
Outdoor Lighting	Flashing or blinking exterior lighting is not permitted.	
	All direct or ambient lighting must have a DarkSky seal and be directed or shielded to ensure direct light rays do not shine beyond the boundaries of the lot .	
<p>CONDITIONS [Table 7.2(2)]:</p> <p>¹ Landscaping requirements are only applicable to development comprising four or more dwelling units on a lot, including the replacement of existing dwelling units. Landscaping requirements do not apply to the development of a new coach house, or a new secondary suite within an existing building.</p> <p>² Electrical transformers and driveways sited within the landscape area can be excluded from the total landscape area measurement used to calculate the minimum requirements for soft-landscaping elements.</p> <p>³ For lots abutting the Inland Island Highway, a landscape area comprising the first 30.0 metres from the lot line abutting the Inland Island Highway must be 100% planted with soft-landscaping elements.</p> <p>⁴ For lots abutting Memorial Way, a landscape area comprising the first 10.0 metres from the lot line abutting Memorial Way must be 100% planted with soft-landscaping elements.</p>		

Table 7.2(2) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
5	The minimum number of trees required within parking islands is in addition to the minimum number of trees required for all development. Where applicable, trees in adjacent parking islands may share soil volume with an adjacent landscape area to meet the minimum trenched/shared soil volume amounts, provided no tree is counted twice when determining whether the overall tree requirements of a lot have been achieved.	
6	Areas of existing, undisturbed, native vegetation which wholly or partially achieve the landscaping requirements, as well as areas specifically designed as xeriscape or with drought resistant native species planting are exempt from requiring a permanent, fully automatic, low-water requirement irrigation system, provided the applicant demonstrates how the vegetation will be established and maintained.	

(j) In section 7.3 Landscape Screens by striking: *Table 7.3(1) Landscape Screen Standards.*

(k) In section 7.3 *Landscape Screens* by striking:

“(2) All required landscape screens must be regularly maintained by property owners to ensure a healthy, neat, and orderly appearance throughout the year.

(a) Required maintenance for vegetative landscape screens includes watering, fertilizing, liming, pruning, and removal of dead or diseased plant material, as well as weed, pest, and disease control.

(b) Required maintenance for non-vegetative landscape screens includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.”

and renumbering the paragraphs that follow in sequential order.

(l) In section 7.3 *Landscape Screens* by striking *Table 7.3(5) Landscape Screen Regulations* and substituting:

Table 7.3(1) Landscape Screen Requirements			
Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Adjacent Zones	-	A fence must be provided along all lot lines that abut a lot	-

Table 7.3(1) Landscape Screen Requirements			
Criteria or Use	Residential Zones	Industry Zones	All Other Zones
		in a non-Industry zone.	
Detached Dwelling Units	Where there is more than one detached dwelling unit on a lot, and where a detached dwelling unit is located within 4.5 metres of any lot line abutting a lot in a Residential zone, a landscape screen must be provided along such lot line.	n/a	
	Receptacles used for waste management must be screened from adjacent properties.		
≥ Four new Dwelling Units	A landscape screen must be provided along all rear and interior side lot lines.	n/a	
	Receptacles used for waste management must be screened from adjacent properties.		
Bulk Fuel Storage	n/a	A fence must be provided around all yards used for bulk fuel storage.	n/a
Home Occupations	A landscape screen must be provided around all rear or side yards used for an accommodation home occupation.	n/a	
Heating, Ventilation and Air Conditioning (HVAC) Equipment	Where HVAC equipment is located within 3.0 metres of a lot line, a landscape screen must be provided around the equipment to attenuate noise emanating from the equipment.		

Table 7.3(1) Landscape Screen Requirements			
Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Outdoor Storage	n/a		A landscape screen must be provided around all yards used for outdoor storage.
Wrecking Yards		A fence must be provided around all wrecking yards.	n/a

(m) In section 7.3 *Landscape Screens*, following Table 7.3(1) *Landscape Screen Requirements* by inserting Table 7.3(2) *Standards for Required Landscape Screens*:

Table 7.3(2) Standards for Required Landscape Screens ¹				
Type	Industry Zones		All Other Zones	
	Minimum Height	Maximum Height	Minimum Height	Maximum Height
Existing vegetation which provides a complete permanent visual screen	2.0 m	n/a	2.0 m	n/a
Continuous row of native, drought-tolerant plants	2.0 m ²	n/a	2.0 m ²	n/a
Solid, opaque fence or brick or stone wall ³	2.5 m	3.5 m	1.8	2.0 m

CONDITIONS [Table 7.3(2)]:

- ¹ Except where otherwise specified in this Bylaw, all required landscape screens shall be continuous except to accommodate access/egress to or from the screened area.
- ² The minimum height at the time of planting is 1.0 metres.
- ³ No landscape screen in any zone other than the **Industrial Refuse (I-3)** zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.

(n) In section 7.3 *Landscape Screens* by striking:

- “ (3) No landscape screen in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, electrified wire, sheet metal, or plywood.
- (4) Except where otherwise specified in this Bylaw, all required landscape screens must be continuous except to accommodate access/egress to or from the screened area.

(o) Following Table 7.3(1) in section 7.3 *Landscape Screens* by inserting a new heading: “7.4 Fence” and renumbering subsequent headings in Part 7.

(p) In section 7.4 Fence, by inserting:

- “(1) Despite any other height regulation in this Bylaw, no fence shall exceed the maximum fence height regulations prescribed in this section.”

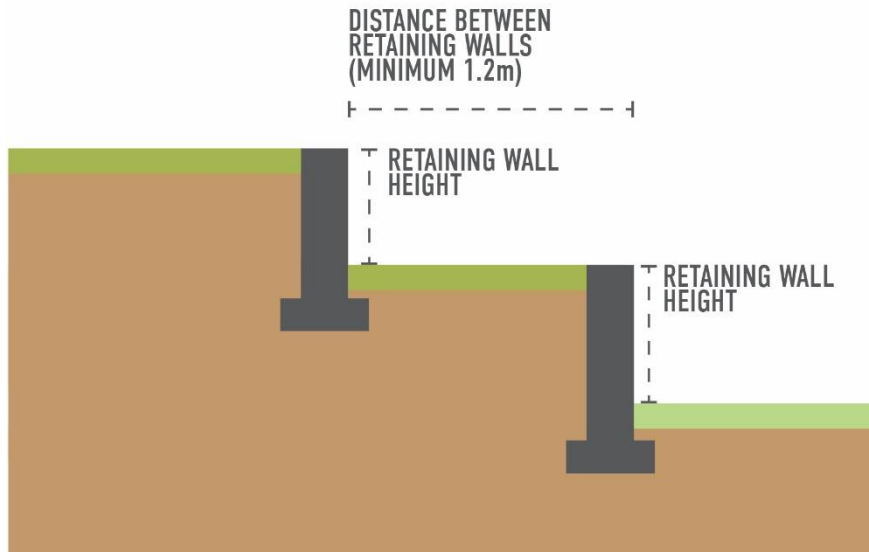
(q) In section 7.4 Fence, by striking *Table 7.3(7) Fence Standards* and substituting:

Table 7.4(3) Fence Heights ¹			
Zone(s)		Minimum Fence Height	Maximum Fence Height ²
Residential and Mixed-Use	Front Yard	-	1.2 m
	All Other Yards	-	2.0 m
Rural and Public Use	All Yards	-	2.0 m
Industry	All Yards	2.5 m	3.5 m
Interchange	All Yards	-	2.0 m

CONDITIONS [Table 7.4(3)]:

- ¹ No fence in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.
- ² The maximum height of a fence erected on a lot which abuts a neighbouring lot where the finished grade is higher than that of subject lot, is 3.0 metres, provided the fence does not protrude more than 2.0 metres above the finished grade of the neighbouring lot (see Figure 7-1).

- (r) In section 7.5 *Retaining Walls* by striking *Figure 7-2 Retaining Walls* and inserting the Figure below:



6. “Zoning Bylaw No. 1238, 2026” is amended in **Part 8 Signage** as follows:
- (a) In section 8.3 *All Other Signs*, subsection (b) i. b. by striking: “77.0” and substituting: “80.0”
- (b) In section 8.3 *All Other Signs*, subsection (b) by inserting:
- “vi. one free-standing sign at each formal access or egress to a property that is shared by several businesses, subject to the following regulations:
 - a. maximum height must not exceed 4.0 m
 - b. maximum sign area must not exceed 6.0 square metres
 - vii. one window graphics sign
 - vii. one painted wall sign.”
- (c) In section 8.3 *All Other Signs*, subsection (d) by striking: “discouraged” and substituting: “not permitted”.
7. “Zoning Bylaw No. 1238, 2026” is amended in **Part 9 Parking and Loading** as follows:

- (a) In section 9.2 *Cash-in-Lieu* paragraph (1) by striking: “Table 9.2(5) and Table 9.2(5)” and substituting: “Table 9.2(1) and Table 9.2(2).
- (b) In Table 9.2(2), in the header row, by striking “Table 9.2(2)” and substituting: “Table 9.2(1)”.
- (c) In Table 9.2(2), following CONDITIONS by striking “Table 9.2(3)” and substituting: “Table 9.2(1)”.
- (d) In section 9.3 *Location, Siting, Dimension and Design Standards*, in the header row and following CONDITIONS, by renumbering “Table 9.3(6)” to: “Table 9.3(3).”
- (e) In section 9.4.1 *Conventional Parking*, Table 9.4.1(2) *Parking Requirements – All Other Areas* by inserting the following row below the row titled “Gas Station”

Greenhouse, Commercial	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.0 space per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
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and by inserting the following row below the row titled “Production Facility, Cannabis”:

Production Facility, Food	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
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- (f) In section 9.4.9 *Loading*, renumber Table 9.4.9(3) *Loading Requirements* to: “Table 9.4.9(2) *Loading Requirements*” and, under CONDITIONS, renumber Table 9.4.9(3) to: “Table 9.4.9(2)”.
- (g) In section 9.4.9 *Loading*, Table 9.4.9 (2) *Loading Requirements*
 - i. In the row titled “All Other Uses – Minimal Loading” by striking “Minimal” and substituting: “Conventional”
 - ii. In the row below the heading row “All Other Uses – Conventional Loading, by striking:
 - “Personal Services”,
 - “Professional Services, Internal Facing” and
 - “Professional Services, Public Facing”

- iii. In the row below the heading row “All Other Uses – Oversize Loading” by inserting:
 “Greenhouse, Commercial” and
 “Production Facility, Food”
- iv. Under CONDITIONS [Table 9.4.9(2)] 1 by striking “ten” and substituting “thirty”

(h) Under section 9.5 *Bicycle Parking*

- i. by renumbering paragraph (2) to: “(1)”
- ii. under (1) renumbering Table 9.5(3) to: “Table 9.5(2)” and
- iii. renumbering the tables that follow in this section in sequential order.

- (i) Under section 9.5 *Bicycle Parking*, in Table 9.5(4) *Bicycle Parking Requirements*, below the row titled “Gas Stations” by inserting:

Greenhouse, Commercial	n/a	0.2 space per 100.0 m ² of floor area
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- (j) Under section 9.5 *Bicycle Parking*, in Table 9.5(4) *Bicycle Parking Requirements*, below the row titled “Production Facility, Cannabis” by inserting:

Production Facility, Food	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area
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- (k) Under section 9.6 *End of Trip Facilities*, paragraph (1) by striking: “Table 9.5(6)” and substituting: “Table 9.5(4).”

- (l) renumbering all occurrences of “Table 9.5(6) End of Trip Facility Requirements” to “Table 9.6(1) End of Trip Facility Requirements”

8. “Zoning Bylaw No. 1238, 2026” is amended in **Part 10 Residential Zones** as follows:

- (a) In section 10.2 *Permitted Uses*, Table 10.2(1) in the row titled “Dwelling Units”, under the column titled “R-MHP” by striking “--” and substituting: “P”
- (b) In section 10.4 *General Regulations*, Table 10.4(1) *General Regulations*, CONDITIONS [Table 10.4(1)] by striking: “² A maximum of three dwelling units are permitted on lots that are connective to both community water and community sewer systems or are 1.0 hectares of larger in size.”

and renumbering the conditions that follow in sequential order.

(c) In section 10.5 *Development Standards, Table 10.5(1)*, under “CONDITIONS [Table 10.5(1)]”, by inserting: “⁴ Where the rear lot line abuts a lane, the minimum rear setback is 1.5 m.”

9. “Zoning Bylaw No. 1238, 2026” is amended in **Part 11 Mixed-Use Zones, Table 11.2(1) Permitted Uses** as follows:

- (a) in the cell in the row titled “Home Occupation/Standard” and under the column titled “MU-2” by striking “—” and substituting: “S”
- (b) in the cell in the row titled “Home Occupation/Short-Term Rental Accommodation” and under the column titled “MU-2” by striking “—” and substituting: “S”
- (c) in the cell in the row titled “Secondary Suite” and under the column titled “MU-2” by striking “—” and substituting: “S”
- (d) under CONDITIONS [Table 11.2(1)], line 19 by striking “2,800” and substituting: “1,270”.
- (e) in section 11.3 *Subdivision Standards*, in the row titled “Minimum Lot Area, One-detached dwelling unit” and the row titled “Minimum Lot Area, Two attached dwelling units” under the column titled “MU-1” by inserting “n/a”.

10. “Zoning Bylaw No. 1238, 2026” is amended in **Part 12 Industry Zones** as follows:

(a) In *Table 12.2(1) Permitted Uses*:

i. by inserting the following row below the row titled “Gas Station”:

Greenhouse, Commercial	P	P	--
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ii. by inserting the following row below the row titled “Production Facility, Cannabis”:

Production Facility, Food	P	P	--
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iii. under CONDITIONS [Table 12.1(2)] by striking paragraph 8:

“Indoor storage is permitted as a principal use on the lots legally described as STRATA LOTS 1-50, SECTION 34, TOWNSHIP 10, COMOX DISTRICT, STRATA PLAN EPS10779 (2794 Beck Avenue).”

and renumbering the paragraph that follows: “8”

(b) In section 12.5 *Development Standards, in Table 12.5(1) Development Regulations for Principal and Secondary Buildings and Structures*, by striking:

:

CONDITIONS [Table 12.5(1)]:

¹ Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone..

(c) In section 12.5 Development Standards, in Table 12.5(2) Development Regulations for Accessory Buildings and Structures, under CONDITIONS by striking:

“² Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone.”

11. “Zoning Bylaw No. 1238, 2026” is amended in **Part 13 Public Use Zones** as follows:

(a) In section 13.2, Table 13.2(1) Permitted Uses, following the row titled “Cemetery” by inserting:

Container	--	S	S
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12. “Zoning Bylaw No. 1238, 2026” is amended in **Part 14 Rural Zones** as follows:

(a) In Table 14.2(1) Permitted Uses in the cell where the column titled “RT” intersects with the row titled “Campground” by inserting: “P”

READ A FIRST TIME THIS _____ DAY OF _____ 2026.
 READ A SECOND TIME THIS _____ DAY OF _____ 2026.
 READ A THIRD TIME THIS _____ DAY OF _____ 2026.
 ADOPTED THIS _____ DAY OF _____ 2026.

 Mayor

 Corporate Officer