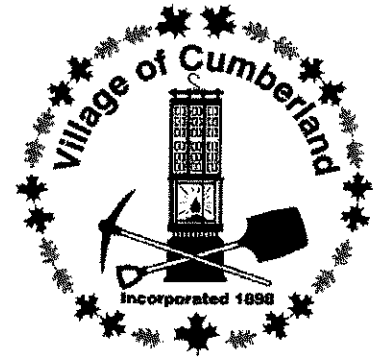


# REGULAR AGENDA



## CORPORATION OF THE VILLAGE OF CUMBERLAND

### MEETING NO. 17/12/R

Regular Meeting of Council to be held September 10, 2012 at 5:30 p.m. in the Village Council Chambers.

	<u>AGENDA</u>	Page
1.	<u>APPROVAL OF AGENDA</u>	
1.1	Agenda for Regular Council Meeting, September 10 <sup>th</sup> , 2012. <i>Recommend THAT Council approve the agenda for the regular Council Meeting, September 10<sup>th</sup>, 2012.</i>	
2.	<u>ADOPTION OF MINUTES</u>	
2.1	Minutes of the regular meeting held August 13 <sup>th</sup> , 2012. <i>Recommend THAT Council approve the minutes of the regular meeting held August 13<sup>th</sup>, 2012.</i>	1
3.	<u>DELEGATIONS</u>	
3.1	Jodi Sperber and Nicholas Pisterzi, Kendal Avenue Neighbourhood Association <ul style="list-style-type: none"><li>• Introduction to the new Kendal Avenue Neighbourhood Association</li></ul>	
4.	<u>UNFINISHED BUSINESS</u>	
4.1	Green Burials, Comox Valley Green Burials Committee <ul style="list-style-type: none"><li>• Request to Consider Green Burials at the Village of Cumberland Cemetery <i>Recommend THAT Council provide direction to staff.</i> <i>Options:</i><ul style="list-style-type: none"><li><i>i. Take no action, or</i></li><li><i>ii. Direct staff to provide a report on the concept of green burials at the Village of Cumberland Cemetery</i></li></ul></li></ul>	9

5. CORRESPONDENCE

- 5.1 B.K McDonald, Inspector, Officer in Charge, Comox Valley Detachment "E" Division 11
- Special Occasion Licences, Local Government Consultation for Public Events
- Recommend THAT Council receive the August 22<sup>nd</sup>, 2012 correspondence from B.K. McDonald, Inspector, Officer in Charge, Comox Valley Detachment "E" Division re: Special Occasion Licences, Local Government Consultation for Public Events.***
- 5.2 Meaghan Cursons, External Director for the Cumberland Museum 18
- Big Updates this Fall for Cumberland's Little Museum.
- Recommend THAT Council receive the August 28<sup>th</sup>, 2012 correspondence from Meaghan Cursons, External Director for the Cumberland Museum re: Big Updates this Fall for Cumberland's Little Museum.***
- 5.3 Sue Moen, Coordinator, Cumberland Chamber of Commerce 20
- Street Closure October 6<sup>th</sup>, 2012 for Foggy Mountain Fall Fair
- Recommend THAT Council receive the September 5<sup>th</sup>, 2012 correspondence from Sue Moen, Coordinator, Cumberland Chamber of Commerce re: Street Closure October 6<sup>th</sup>, 2012 for Foggy Mountain Fall Fair.***

6. REPORTS

- 6.1 Request for Proposals – Scope of Work Report for the Village of Cumberland Official Community Plan 21
- Prepared by Judith Walker, Senior Planner
- i) Recommend THAT Council receive the 'Request for Proposals – Scope of Work Report for the Village of Cumberland Official Community Plan (OCP)'; and***
  - ii) Recommend THAT Council direct staff to proceed to post the 'Request for Proposals – Scope of Work Report for the Village of Cumberland Official Community Plan (OCP)'.***
- 6.2 Street Painting, Telus Boxes 29
- Prepared by Rachel Parker, Deputy Corporate Officer
- i) Recommend THAT Council receive the Street Painting, Telus Boxes report; and***
  - ii) Recommend THAT Council approve the Telus box painting project and determine approval of the designs to be painted onto four Telus boxes in Cumberland at the following***

*Locations: Kendal Avenue and Third Street; Windermere Avenue and Egremont Street; and Penrith Avenue and Third Street.*

- 6.3 HRSDC Canada, Enabling Accessibility Fund, 40  
Village Hall Accessibility Retrofit  
Prepared by Rachel Parker, Deputy Corporate Officer
- i. Recommend THAT Council receive the "HRSDC Canada, Enabling Accessibility Fund, Village Hall Accessibility Retrofit" report; and*
  - ii. Recommend THAT Council approve an application to the Canada Enabling Accessibility Fund for the Village Hall Accessibility Retrofit Project; approve the Village's contribution to the project at a maximum amount of \$12,500; and to direct staff to bring forward an amendment to the 2012-2016 Financial Plan Bylaw to reflect this change.*
- 6.4 Gift Log to Putian, Peoples Republic of China 43  
Prepared by Rachel Parker, Deputy Corporate Officer
- i) Recommend THAT Council receive Gift Log to Putian, People's Republic of China report; and*
  - ii) Recommend THAT Council approve the expenditure of \$1,200 from the Council public relations account to cover costs including receiving, agent, discharge and storage fees for the gift log to Putian, People's Republic of China.*
- 6.5 Coal Creek Well - Camp Road Water Main Replacement Tender 48  
Prepared by Sundance Topham, CAO
- 1. Recommend THAT Council receive the Coal Creek Well – Camp Road Water Main Replacement Tender report; and*
  - 2. Recommend THAT, conditional on Coal Valley Estates Limited Partnership satisfying all the requirements of their Phase 4 and Phase 4A subdivision application, including entering into the Coal Creek Well Funding Agreement and providing the required funding, the Village of Cumberland award a contract for the Coal Creek Well development and West Dunsmuir Avenue Water Main Upgrades to Knappett Industries (2006) Ltd. for the tendered amount of \$869,705.20 plus HST.*

- 6.6 Electronic Fund Transfers and Cheque Register – July 1<sup>st</sup>, 2012 to July 31<sup>st</sup>, 2012 and August 1<sup>st</sup>, 2012 to August 31<sup>st</sup>, 2012 53  
**Recommend THAT the Electronic Fund Transfers and Cheque Register reports for the period of July 1<sup>st</sup>, 2012 to July 31<sup>st</sup>, 2012 and August 1<sup>st</sup>, 2012 to August 31<sup>st</sup>, 2012 be received for information.**
- 6.7 Outstanding Action Items Report 62  
**Recommend THAT the Outstanding Action Items report be received for information.**
7. BYLAWS
- 7.1 The Corporation of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012 73  
 Prepared by Joanne Rees, Planner  
 i) **Recommend THAT Council receive “Village of Cumberland Subdivision and Development Bylaw No. 948, 2012.”; and**  
 ii) **Recommend THAT Council give first and second readings to the “Village of Cumberland Subdivision and Development Bylaw No. 948, 2012.”**
- 7.2 The Corporation of the Village of Cumberland Building Bylaw No. 949, 2012 126  
 Prepared by Joanne Rees, Planner  
 i) **Recommend THAT Council receive “Village of Cumberland Building Bylaw No. 949, 2012.”; and**  
 ii) **Recommend THAT Council give first and second readings to the “Village of Cumberland Building Bylaw No. 949, 2012.”**
- 7.3 The Corporation of the Village of Cumberland Development Procedures and Fees Amendment Bylaw No. 968, 2012 156  
 Prepared by Joanne Rees, Planner  
 i) **Recommend THAT Council receive “Development Procedures and Fees Bylaw No. 968, 2012.”; and**  
 ii) **Recommend THAT Council give first, second, and third readings to the “Village of Cumberland Development Procedures and Fees Amendment Bylaw No. 968, 2012.”**
- 7.4 The Corporation of the Village of Cumberland 2013 Permissive Tax Exemptions Bylaw 969, 2012 167  
 Prepared by Michelle Mason, Financial Officer

- i) **Recommend THAT Council receive the 2013 Permissive Tax Exemptions report for information; and**
- ii) **Recommend THAT Council consider first reading of the “The Corporation of the Village of Cumberland Permissive Tax Exemption 2013 Bylaw No. 969, 2012”.**

#### 8. CONSENT CALENDAR

All matters listed here are considered to be routine and non-controversial and will be received by one motion. There will be no separate discussion of these items unless a member so requests, in which case the item will be removed from the Consent Calendar and considered immediately after the adoption of the Consent Calendar.

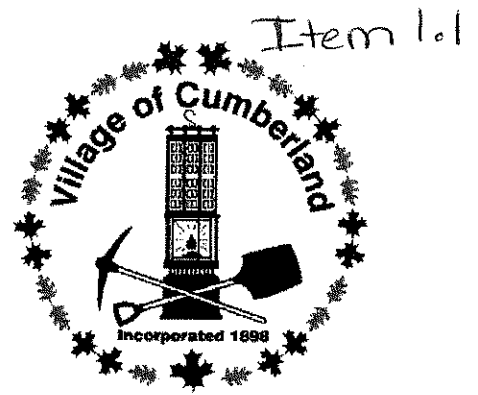
**Recommend THAT Council receive the Consent Calendar.**

8.1	City of New Westminster re: Proposed Amendment to Local Government Act – Public Release of Elected Official Address, July 25 <sup>th</sup> , 2012;	171
8.2	Roberta Stevenson, Executive Director, BC Shellfish Growers Association re: Proposed Raven Coal Mine Project, August 2012;	174
8.3	Jerry Muir for Ted Olynyk, Manager, Community Relations, BC Hydro re: Smart Meters and Electrical Safety, August 8 <sup>th</sup> , 2012;	176
8.4	Vancouver Island Economic Alliance re: The Future of Island Forestry @ Economic Summit, August 9 <sup>th</sup> , 2012;	178
8.5	Union of BC Municipalities re: Long-term Infrastructure Plan (LTIP) and Gas Tax Permanency Discussions, August 10 <sup>th</sup> , 2012;	180
8.6	John Craveiro re: UBCM Packaging and Printed Paper Policy Paper, August 17 <sup>th</sup> , 2012;	183
8.7	Linda McGuire, Mayor, Village of Granisle re: Persons with Disabilities Benefit, August 20 <sup>th</sup> , 2012;	194
8.8	Linda McGuire, Mayor, Village of Granisle re: Proposed Changes to Fisheries Act Sections 35(1), August 20 <sup>th</sup> , 2012;	195
8.9	Union of BC Municipalities re: Agricultural Land Commission – New Directions, August 24 <sup>th</sup> , 2012;	196
8.10	Frances Forgues, Resident re: Maple Lake Park proposal, August 24 <sup>th</sup> , 2012;	208
8.11	Comox Valley Economic Development re: 2012 Summer Update – Vancouver Island Visitor Centre, August 28 <sup>th</sup> , 2012;	209
8.12	David Stapley, Project Manager, Comox Valley Conservation Strategy Community Partnership re: Release of AIR/EIS Guidelines for the Raven Underground Coal Mine project, August 29 <sup>th</sup> , 2012;	212
8.13	Adda Vallevand, Director of Member Services, Operation Red Nose 2012 re: Request for support for Comox Valley Operation Red Nose (ORN) 2012, August 29 <sup>th</sup> , 2012;	214

- 8.14 Mary Giuliano, Mayor, City of Fernie re: Privatization of B.C. Liquor Distribution, August 30<sup>th</sup>, 2012; and 216
- 8.15 Diego Marchese, CEO, BC & Yukon Heart and Stroke Foundation re: 2012 UBCM Resolution on Outdoor Smoke-Free Public Places, August 31<sup>st</sup>, 2012. 217
9. NEW BUSINESS
- 9.1 Councillor Copeman, Notice of Motion  
***THAT Council direct staff to look into an additional advisory committee for municipal safety and wellbeing.  
This advisory committee would be on public perceived safety issues and infrastructure issues. The committee would be a way in which citizens would have better input on speeding issues. Other issues could be bus, accessibility concerns, fire recruitment of volunteers and practical mid to long-term fixings of inexpensive infrastructure regarding safety.***
- 9.2 Comox Strathcona Waste Management 219
- 2012 Solid Waste Management Plan
10. NOTICES, MOTIONS AND AMENDMENTS  
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 notices of motion introduced by a council member.
- September 24<sup>th</sup>, 2012 Council Meeting cancellation
11. QUESTION PERIOD
12. CLOSED PORTION  
***Recommend THAT pursuant to Section 90 (1) of the Community Charter Council close the meeting to the public to consider:***
- ***personal information about an individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;***
  - ***information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; and***
  - ***negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.***

13. ADJOURNMENT

# REGULAR MINUTES



## CORPORATION OF THE VILLAGE OF CUMBERLAND

### MEETING NO. 16/12/R

Regular Meeting of Council held August 13, 2012 at 5:30 p.m. in the Village Council Chambers.

#### COUNCIL

Mayor Leslie Baird  
Councillor Conner Copeman  
Councillor Roger Kishi  
Councillor Gwyn Sproule

#### STAFF

Sundance Topham, Chief Administrative Officer  
Michelle Mason, Financial Officer  
Rachel Parker, Deputy Corporate Officer  
Judith Walker, Senior Planner

#### REGRETS

Councillor Kate Greening

#### 1. APPROVAL OF AGENDA

1.1 Agenda for Regular Council Meeting, August 13, 2012.

Motion: 12-549

SPROULE/COPEMAN

THAT Council approve the agenda for the regular Council Meeting, August 13, 2012.

UNANIMOUS

#### 2. ADOPTION OF MINUTES

2.1 Minutes of the regular meeting held July 23, 2012.

Motion: 12-550

KISHI/SPROULE

THAT Council approve the minutes of the regular meeting held July 23, 2012.

UNANIMOUS

#### 3. DELEGATIONS

3.1 Dr. Betty Donaldson, Pamela Munroe, Stephen Hill, Tara Field & Joyce Relyea, Comox Valley Green Burial Committee, Concept of Green Burials

**DRAFT**

Motion: 12-551  
 SPROULE/COPEMAN  
 THAT Council accept the delegation of Dr. Betty Donaldson, Pamela Munroe, Stephen Hill, Tara Field & Joyce Relyea, CV Green Burial Committee re: Concept of Green Burials.

UNANIMOUS

4. UNFINISHED BUSINESS

4.1 Colleen Dane, Chair, Cumberland and District Historical Society, Cumberland Museum Operating Hours  
 Motion: 12-552  
 SPROULE/COPEMAN  
 THAT Council receive the correspondence from Colleen Dane, Chair, Cumberland and District Historical Society, Cumberland Museum Operating Hours.

UNANIMOUS

5. CORRESPONDENCE

5.1 Ron Hansen, Resident, Speed of Traffic on First Street from Dunsmuir to Windermere  
 Motion: 12-553  
 COPEMAN/KISHI  
 THAT Council receive the July 30, 2012 correspondence from Ron Hansen, Resident re: Speed of Traffic on First Street from Dunsmuir to Windermere.

UNANIMOUS

Motion: 12-554  
 KISHI/SPROULE  
 THAT Council refer the July 30, 2012 correspondence from Ron Hansen, Resident re: Speed of Traffic on First Street from Dunsmuir to Windermere to staff.

UNANIMOUS

5.2 Amy Yakimyshyn, Chair, Comox Valley Retired Teachers' Association, Elimination of MSP Premiums for Seniors

Motion: 12-555  
 COPEMAN/SPROULE  
 THAT Council receive the July 26, 2012 correspondence from Amy Yakimyshyn, Chair, CV Retired Teachers' Association re: Elimination of MSP Premiums for Seniors.

UNANIMOUS

**DRAFT**

- 5.3 Asian Canadian Special Events Association, Tzu Chi Foundation of Canada, Taipei Economic and Cultural Office, Invitation to the 2012 TaiwanFest Opening Ceremony and Opening Reception (Vancouver) September 1, 2012 from 11 am to 2 pm

Motion: 12-556

SPROULE/KISHI

THAT Council receive the correspondence from the Asian Canadian Special Events Association, Tzu Chi Foundation of Canada, Taipei Economic and Cultural Office, Invitation to the 2012 TaiwanFest Opening Ceremony and Opening Reception (Vancouver) September 1, 2012 from 11 am to 2 pm.

UNANIMOUS

6. REPORTS

- 6.1 Development Permit – 2748 Dunsmuir Avenue

Motion: 12-557

SPROULE/KISHI

THAT Council receive “Development Permit – 2748 Dunsmuir Avenue” dated July 30, 2012.

UNANIMOUS

Motion: 12-558

SPROULE/KISHI

THAT Council grant the Development Permit (File 2012-01-DP) for property legally described as Lot 1, District Lot 21, Nelson District, Plan EPP19749 (2748 Dunsmuir Avenue) for the purposes of construction of a two storey commercial building with a library on the main and three apartments on the second floor. The development will be substantially in the form of the draft Development Permit.

UNANIMOUS

- 6.2 Development Variance Permit – 2748 Dunsmuir Avenue

Motion: 12-559

KISHI/SPROULE

THAT Council receive “Development Variance Permit – 2748 Dunsmuir Avenue” report dated July 30, 2012.

UNANIMOUS

**DRAFT**

Motion: 12-560

SPROULE/ KISHI

THAT Council grant the Development Variance Permit (File 2012-04-DV) for property legally described as Lot 1, District Lot 21, Nelson District, Plan EPP19749 (2748 Dunsmuir Avenue) to vary:

- a) the number of parking spaces for the floor area designated for the library from the required 14 spaces to 9 spaces;
- b) setbacks from left and right side property lines for parking areas from the required 1.5metres to 1.0metres; and

THAT Council direct staff to conduct further research to more fully address how the Village could provide funding to acquire, maintain and upgrade municipal parking areas.

UNANIMOUS

6.3 Organics Composting Pilot Project – Collection & Costs

Motion: 12-561

SPROULE/ KISHI

THAT Council receive the Organics Composting Pilot Project report.

UNANIMOUS

Motion: 12-562

SPROULE/ KISHI

THAT Council participate in the Comox Valley Regional District organics composting pilot project.

UNANIMOUS

6.4 Comox Valley Regional District: Settlement Expansion Areas: Bylaw Referral

Motion: 12-563

SPROULE/ KISHI

THAT Council receive the Comox Valley Regional District: Settlement Expansion Areas – Bylaw Referral.

UNANIMOUS

Motion: 12-564

SPROULE/ COPEMAN

THAT Council direct staff to respond to the Comox Valley Regional District Settlement Expansion Areas bylaw referral with: "Approval recommended for reasons outline below: a)The proposed bylaw amendments meet the Regional Growth Strategy; and, b) The proposed bylaw amendments do not affect lands within the jurisdiction of the Village of Cumberland.

UNANIMOUS

**DRAFT**

## 6.5 Council Meeting Cancellation – September 24, 2012

Motion: 12-565

COPEMAN/KISHI

THAT Council receive Council Meeting Cancellation - September 24, 2012 report.

UNANIMOUS

Motion: 12-566

SPROULE/ COPEMAN

THAT Council cancel the Council meeting scheduled for September 24, 2012.

UNANIMOUS

## 6.6 Preschool Request by Comox Valley Children's Day Care Society

Motion: 12-567

SPROULE/ COPEMAN

THAT Council receive the Preschool Request by Comox Valley Children's Day Care Society report.

UNANIMOUS

Motion: 12-568

SPROULE/ KISHI

THAT Council donate the furniture and supplies used by the Comox Valley Children's Day Care Society, with the exception of the two children's tables and chairs, the CD/tape player, the industrial rugs, the locking TV cabinet and the blue benches to the Comox Valley Children's Day Care Society on the condition that the Village of Cumberland would be given first refusal opportunity prior to removal from the Cumberland Preschool; and THAT Council approve the continued weekly use of the CRI gymnasium and equipment in kind until such time that the public demand for use requires a payment to reserve.

UNANIMOUS

## 6.7 Engineering Report to July 18, 2012

Motion: 12-569

SPROULE/ KISHI

THAT Council receive the Engineering Report to July 18, 2012 for information.

UNANIMOUS

## 6.8 July 2012 Recreation Department Report

Motion: 12-570

KISHI/ SPROULE

THAT Council receive the July 2012 Recreation Department Report for information.

UNANIMOUS

**DRAFT**

- 6.9 July 2012 Public Works Report  
Motion: 12-571  
SPROULE/COPEMAN  
THAT Council receive the July 2012 Public Works Report for information.  
UNANIMOUS
- 6.10 Planning Report for July 2012  
Motion: 12-572  
COPEMAN/KISHI  
THAT Council receive the July 2012 Planning report for information.  
UNANIMOUS
- 6.11 July 2012 Protective Services Report  
Motion: 12-573  
SPROULE/KISHI  
THAT Council receive the July 2012 Protective Services Report for information.  
UNANIMOUS
- 6.12 July 2012 Administration Department Report  
Motion: 12-574  
KISHI/SPROULE  
THAT Council receive the July 2012 Administration Department Report for information.  
UNANIMOUS
- 6.13 Council Reports  
6.11.1 Mayor Leslie Baird  
6.11.2 Councillor Roger Kishi  
6.11.3 Councillor Kate Greening  
6.11.4 Councillor Conner Copeman  
6.11.5 Councillor Gwyn Sproule  
Motion: 12-575  
KISHI/SPROULE  
THAT the Council reports be received.  
UNANIMOUS
7. BYLAWS  
Nil
8. CONSENT CALENDAR  
All matters listed here are considered to be routine and non-controversial and will be received by one motion. There will be no separate discussion of these items unless a member so requests, in which case the item will be removed from the Consent Calendar and considered immediately after the adoption of the Consent Calendar.

DRAFT

- 8.1 Julian Paine, Assistant Deputy Minister, Local Government Division, Green Communities Committee & Gary Maclsaac, Executive Director, Union of BC Municipalities re: BC Climate Action Charter;
- 8.2 Diana J. Scott, Acting Mayor, The City of Cranbrook re: Protection of Fish Habitat in Waterways;
- 8.3 Karen Ayers, Assistant Deputy Minister and General Manager, Liquor Control and Licensing Branch re: Amendment to the Liquor Control and Licensing Regulation respecting the ability for food primary licensees to allow customers to bring their own wine to consume at the restaurant;
- 8.4 M. Bredeson, Executive Correspondence Officer, Office of the Prime Minister re: Receipt of Resolutions;
- 8.5 Jennifer Manuel, BSc, EPT, Aquatic Invasive Species Liaison Worker, Invasive Species Council of BC re: Cumberland Lake Boat Launch Update;
- 8.6 Sunshine Coast Regional District re: Provincial white paper on Modernization of the Building Regulatory System and Certification of Building Officials;
- 8.7 Christy Clark, Premier re: Resolutions received
- 8.8 B. McDonald, Inspector, Officer in Charge, Comox Valley RCMP Detachment re: Comox Valley RCMP Monthly Policing Report – July, 2012

Motion: 12-576

KISHI/SPOULE

THAT Council receive the Consent Calendar.

UNANIMOUS

9. NEW BUSINESS

10. NOTICES, MOTIONS AND AMENDMENTS

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 notices of motion introduced by a council member.

10.1 Comox Lake Road Single Lane Closure

10.2 Councillor Copeman, Notice of Motion

THAT Council direct staff to look into an additional advisory committee for municipal safety and wellbeing.

This advisory committee would be on public perceived safety issues and infrastructure Issues. The committee would be a way in which citizens would have better input on speeding issues. Other issues could be bus, accessibility concerns, fire recruitment of volunteers and practical mid to long-term fixings of inexpensive infrastructure regarding safety.

**DRAFT**



## **SUBMISSION TO VILLAGE OF CUMBERLAND COUNCIL FROM THE COMOX VALLEY GREEN BURIAL COMMITTEE**

Thank you for agreeing to listen to our presentation, scheduled August 13. This resource list was prepared to support both our presentation and your deliberations. It is quite an edited version of the available information.

### Definition of the "Green Burial" Movement

The following comprehensive list was provided by S. Olson, Executive Director, Royal Oak Burial Park (Victoria) for a Nov, 2010 presentation.

#### Definition

- Human remains are buried without embalming and decompose naturally.
- Only biodegradable shrouds and caskets are used.
- No form of grave liner or vault is used; remains have direct contact with soil.
- No individual markers are used and the site and graves are planted with only natural, indigenous plants.

#### Philosophy:

- Body is returned to the earth to decompose naturally and contribute to new life.
- No embalming fluid is used and the body is buried in a biodegradable container or shroud made from wood, wicker or natural fiber.

#### Supporting statements

- When fully utilized and plantings have matured the site integrates with the surrounding natural eco-system.
- Statement of personal values for those who seek to minimize their impact on the environment.
- Spiritually fulfilling.
- Acknowledges the cyclical nature of life

#### Commemoration:

- There are no conventional individual monuments or markers.
  - The family can choose to have the name inscribed on a communal memorial boulder.
  - The family chooses the plant materials that will be planted on the grave.
  - Only native, indigenous ground cover, shrubs and trees can be planted on the graves.
  - It is the site itself - in its natural state – that becomes a living memorial for the persons buried there.
- 

See also: **The Green Burial Council** (<http://www.greenburialcouncil.org>)

Definition: Green burial is a way of caring for the dead with minimal environmental impact that furthers legitimate ecological aims such as the conservation of natural resources, reduction of carbon emissions, protection of worker health, and the restoration and/or preservation of habitat.

A modern natural burial is an environmentally sustainable alternative to existing funeral practices where the body is returned to the earth to decompose naturally and be recycled into new life. <http://www.naturalburial.coop>

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Green burials are growing in popularity — the U.S. now operates almost 20 green cemeteries, while the U.K. has close to 200.. But green burials are slowly gaining ground in Canada, as it now officially counts three cemeteries with green burial sites — the Royal Oak Burial Park in Victoria B.C., the Cobourg Union Cemetery in Cobourg, Ont. and the Pleasant Hill Cemetery in Halifax N.S.” November 20, 2009 article in CAPITAL On Line Ottawa excerpt (Note: Denman island will open one, Fall 2012.

See [http://www.canadiangeographic.ca/magazine/ja11/denman\\_island\\_green\\_cemetery.asp](http://www.canadiangeographic.ca/magazine/ja11/denman_island_green_cemetery.asp) “

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O.U.R. Ecovillage: 1565 Baldy Mountain Road Shawnigan Lake, B.C. V0R 2W2  
<http://ourecovillage.org/>

Research results “found that 160 kilograms of carbon dioxide is produced on the day of a cremation, almost four times more than a burial. But over the long-term the maintenance of a grave site, such as watering and mowing, generates more carbon dioxide.of carbon emissions, protection of worker health, and the restoration and/or preservation of habitat.”

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Funeral Professional Coalition Council of Canada (FPCCC) continues to be the only national forum which represents funeral directors, cemeterians, crematory operators, manufacturers and suppliers on industry-specific issues. Funeralcoaliton.org “A sustainable or green business is one that does not create a negative impact on the environment while striving to meet the “triple bottom line” of acting in the best interests of people, planet and profit. In other words, they strike a balance between social, environmental, and financial return.” Address: Funeralcoalition.org

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- Members of the Ad Hoc Comox Valley Community Green Burial Committee:
  - Dr. Betty Donaldson, Professor Emerita, University of Calgary
  - Pam Munroe, Certified Management Accountant
  - Steve Hill, Chaplain, St Joseph’s Hospital
  - Tara Field, C V Hospice Society representative
  - Joyce Relyea, retired nursing professor, University of Alberta
  - Kent Roduck. C V Funeral Home

Further information: Contact [edonalds@ucalgary.ca](mailto:edonalds@ucalgary.ca)



Royal Canadian  
Mounted Police

Gendarmerie royale  
du Canada

Security Classification/Designation  
Classification/désignation sécuritaire

Item 5.1

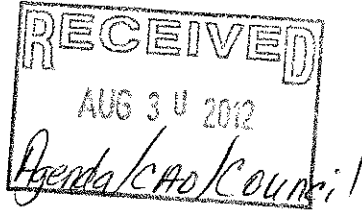
Unclassified

Officer in Charge  
Comox Valley R.C.M.P. Detachment  
800 Ryan Road  
Courtenay, BC V9N 7T1

Your File - Votre référence

Our File - Notre référence

Mayor and Council  
Village of Cumberland  
2673 Dunsmuir Street  
Cumberland, BC V0R 1S0



Date

August 22, 2012

Dear Mayor and Council:

**RE: SPECIAL OCCASION LICENCES**

This letter is in regards to changes to the issuance of Special Occasion Licences (S.O.L.).

The Liquor Control Licencing Board (L.C.L.B.) has recently advised that local governments are to be consulted in regard to all public events being held in their jurisdiction where special occasion licences are required. This means that, currently, the S.O.L. applicant must first receive the approval of the local government before bringing the S.O.L. to the detachment for final approval.

In order to streamline this process, local governments can grant the R.C.M.P. detachment blanket signing authority. This signing authority is usually granted through a bylaw or with written approval of the Mayor and Council.

In order for you to make a decision regarding the granting of blanket signing authority for Special Occasion Licences to this detachment, I have enclosed some pertinent documents. If you choose to delegate the approval of the S.O.L. to this detachment please reply, in writing, to the undersigned.

If you have further questions regarding the above, please contact Staff Sergeant Andrew Isles at 250-338-1321.

Yours sincerely,

(B.K. McDonald), Inspector  
Officer in Charge  
Comox Valley Detachment  
"E" Division

/s

Encl: 3

Canada

## SECTION 3: Special Occasion Types

### 3.0 Private Special Occasions

A private special occasion may be:

- a social, cultural, recreational, religious, sporting or community event,
- a celebration of a family occasion, such as a wedding, christening, bar mitzvah or other religious occasion, birthday or wedding anniversary, or
- a tasting to acquaint people with the product of a winery, brewery or distillery.

An individual can only apply for a private SOL for the celebration of a family occasion.

Attendance at a private special occasion must be limited to family, friends, an organization's members or staff, invited guests or ticket holders. All the tickets must have been given away or sold **before the start time of the event**. If anyone is allowed to attend the event **without having reserved or purchased their tickets before the start time of the event** (see s. 1, Definitions), the event is a public special event.

Pre-wedding parties, such as a bachelor party (stag party or stag night) or bachelorette (hen) party, cannot be licensed. This type of event must be held in a private place or a permanently licensed establishment.

[Liquor Control and Licensing Regulation, s. 1.]

#### 3.0.1 Family Events

A licensee may apply for a family event special occasion licence if they are hosting, on behalf of their family or as a friend of the family, a private event that is attended by family and friends only (not open to the public) and which celebrates an aspect of family life. The family event is a sub-category of the private special occasion licence, and applicants must fill out the *Family Event- Special Occasion Licence* application form. Pre-wedding parties commonly known as bachelor or bachelorette parties are not eligible for an SOL.

Examples of a family event include, but are not limited to, events which celebrate or mark:

- christenings, bar mitzvahs or similar religious occasions;
- birthdays;
- weddings;
- anniversaries;
- retirements;
- memorials.

### 3.1 Public Special Occasion

A public special occasion is:

- a community or public celebration, or
- a tasting, open to the public, intended to acquaint the public with the products of one or more licensed liquor manufacturer.

[Liquor Control and Licensing Regulation, s. 1.]

Anyone may attend a public special occasion – entry is open to anyone who wishes to participate or buy a ticket (either at the door or in advance of the event). (Just because tickets are sold for the event does not make it a public event. The key is that the tickets must be available to the public at the door. See 3.0 and 9.8.1.)



Public special occasions must have the support of the local government or First Nation *and* local police authority. Specifically:

- if the event is held on a reserve as defined in the Indian Act, the applicant must obtain support for the event from the band council for the reserve **and** the police authority having jurisdiction on the reserve;
- if the event is held in an area under the jurisdiction of an aboriginal governing body other than a band council, the applicant must obtain support for the event from the aboriginal governing body **and** the police authority having jurisdiction in that area;
- if the event is held in any other part of the province, the applicant must obtain support for the event from the applicable local government **and** the police authority having jurisdiction in the area (see 5.0).

[Liquor Control and Licensing Regulation, s. 1.]

In some cases the local government or First Nation has delegated this function to the local police.

The local police will take into consideration the location, nature and duration of the proposed special occasion, and the proposed quantity of liquor in relation to the number of adults attending the event, and may:

- support the event,
- refuse permission for an event to be held, or
- require restrictions, or terms or conditions, such as the exclusion of minors or limited hours of liquor service, be placed on the SOL.

## 3.2 Special Events in a Licensed Establishment

### 3.2.1 Staff party in a licensed establishment

A licensee may hold a staff party in the licensed establishment during licensed hours, provided the licensee is able to comply with the conditions of the licence for the duration of the party.

Liquor licence conditions state that staff may not drink alcoholic beverages while on duty, whether during the regular operation of an establishment or in the course of a staff party, and liquor may not be served outside of the licensed hours .

A licensee who cannot comply with the conditions of the licence but still wishes to hold a staff party at the licensed establishment must apply for an SOL for the event. (See the following sections.)

[Liquor Licensing Policy Manual, s. 5.2.2 and 5.2.3.]

### 3.2.2 SOL in food primary establishments

Food-primary (FP) licensees may permit an individual or organization to use their licensed establishment for an event licensed by an SOL **only if**

- the permanent licence (or the portion of the licensed area where the event is to take place) is temporarily suspended for the duration of the special occasion, **and**
- if the FP licensee is the host, the SOL is not used to increase the scope of the existing licence (for example, to extend existing hours or licence a location in the establishment that is not already licensed).

The SOL applicant may be:

- the FP licensee as an individual host for a family special occasion,
  - the FP licensee as a business host for a staff party or other private business-host special occasion,
- or

Revised  
November  
2011

Cumberland Recreation Cen  
2665 Dunsmuir Avenue, P.O. Box 340  
Cumberland, B.C. V0R 1S0  
Phone: 336-2231 Fax: 336-2321

### BEER GARDEN APPLICATION

SERVING IT RIGHT NUMBER: \_\_\_\_\_

LOCATION: \_\_\_\_\_ DATE: \_\_\_\_\_  
(park)

HOURS OF OPERATION: \_\_\_\_\_ DATE OF BEER GARDEN: \_\_\_\_\_

PERSON IN CHARGE OF BEER GARDEN: \_\_\_\_\_  
(full name)

\_\_\_\_\_  
(phone number - Home) (phone number - Work)

\_\_\_\_\_  
(mailing address) (postal code)

I have read and fully understand all the attached rules and regulations and agree to abide by same.  
Any violations will result in the immediate cancellation of the Beer Garden Public Function Licence  
and may result in prosecution and the refusal of all future licences to this organization.

\_\_\_\_\_  
(full name of applicant)

\_\_\_\_\_  
(signature of applicant)

\_\_\_\_\_  
(name of TEAM or GROUP)

\_\_\_\_\_  
(LEAGUE or ORGANIZATION)

**WITNESSED:**

\_\_\_\_\_  
(date of application)

\_\_\_\_\_  
( RECREATION COORDINATOR)

\_\_\_\_\_  
(RCMP SGT. COURTENAY DETACH.)

**NOTE:** A financial statement, if requested, together with all Beer Garden profits must be presented no later than ten (10) days after the Beer Garden to Area Recreation Director for disbursement.

Application form to be completed and distributed as follows:

- Copy 1: Area Recreation Coordinator
- Copy 2: RCMP Detachment Courtenay
- Copy 3: Applicant retains this copy after obtaining signature by RCMP Sgt.
- Copy 4: Village of Cumberland Municipal Office

## CUMBERLAND BEER GARDEN REGULATIONS

1. Beer Gardens must abide by the Liquor Control and Licensing Act.
2. Beer Gardens must be located inside a designated **double** fenced (minimum 3 feet separation) in areas with only one supervised entrance/exit gate as per attached document.
3. The person designated on the Special Occasion License that is in charge of the Beer Garden is required to have a Serving it Right certificate. This person or a designate, with a Serving it Right certificate, must be in the beer garden at all times.
4. Liquor must be dispensed into and consumed from paper or plastic containers only.
5. Two responsible, sober adult persons must be on duty at the beer garden entrance/exit(s) at all times. Security personnel should be readily identifiable (clothing, arm bands or name tags)
6. Liquor must be dispensed and consumed inside the designated Beer Garden area only.
7. Minors (persons under the age of 19 years) are **not** permitted to be served or allowed to consume liquor in the Beer Garden. Suitable ID must be produced and examined by security staff if they feel the person being served or observed consuming liquor is a minor. Only the following ID is to be accepted as proof of age:
  - a) B.C. Photo ID
  - b) B.C. Photo Drivers License
  - c) Valid Passport
8. Beer Garden Staff are responsible to **not** serve intoxicated persons and **not** allow intoxicated persons to remain in or enter the Beer Garden. The RCMP are to be called if required to assist.
9. Beer Garden Staff are responsible for the safety of any intoxicated person far as long as the person remains intoxicated. A safe ride home must be provided.
10. An adequate food service must be available either inside or reasonably adjacent to the Beer Garden.
11. No gambling of any kind is to be permitted inside the Beer Garden.
12. Signage must be displayed advising patrons of the proper and improper use of alcohol and where liquor advertising is displayed this signage must be equivalent.
13. Beer Garden hours of operation shall be from no earlier than 11:00 a.m. and no later than 6:00 p.m. Liquor sales shall cease at 6:00 p.m. and all guests shall be cleared by 6:30 p.m.
14. Beer Garden personnel are responsible to ensure that all refuse and garbage is picked up and the Beer Garden area is left clean and tidy.
15. RCMP and Cumberland Recreation Staff are permitted to inspect the Beer Garden operations at any time and to close the operation of the Beer Garden if regulations are not being followed.
16. In order to comply with the Liquor Control and Licensing act all (100%) profits from the Beer Garden **must** be turned over to Cumberland Recreation for disbursement. Ten (10%) of all profits will be retained by the C.R.I. to offset beer garden administration costs and the remaining 90% will be returned to the beer garden licensee. A detailed financial statement may be requested at any time for audit purposes.

**A FININCIAL STATEMENT TOGETHER WITH ALL BEER GARDEN PROFITS, MUST BE PRESENTED NO LATER THAN TEN (10) DAYS AFTER THE BEER GARDEN TO THE CUMBERLAND RECREATION CENTER.**

## Appendix 7: Security Plan Guideline

### *Security Plan Guideline for Large Events Liquor Control and Licensing Branch*

A Security Plan is required for anyone organizing a large special event, with more than 500 people expected to attend.

The following is a model that you – the special occasion organizer(s) for a large event– may choose to follow, or you may develop you own Security Plan.

LCLB will review your Security Plan to determine that you will be able to:

- ensure that no intoxicated person is served
- prevent disturbances and accidents
- mitigate risk by knowing when to call the police
- prevent unauthorized liquor on the premises during the event, and
- not serve minors.

### *Space and Capacity*

1. If the location where you are holding this event is licensed:

- a) what is the person capacity of the licensed area – including any patios or secondary rooms – as listed on the liquor licence? \_\_\_\_\_
- b) what is the occupant load issued by the fire authority? \_\_\_\_\_

2. If the location where you are holding this event is not licensed, what is the occupant load issued by the fire authority? \_\_\_\_\_

3. How many people (approximately) do you expect to attend the event? \_\_\_\_\_

4. How will people gain admission to the event? (check all that apply)

- Pre-sold Tickets
- Invitation
- Purchase tickets at the door
- Guest book sign in
- Free admission
- Other (specify) \_\_\_\_\_

5. What physical control barriers (i.e., fencing, barricading, walls, locked or limited access doors) will be in place to control and limit access to and from areas where alcohol is being sold or served?

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6. Please provide a detailed diagram of the event site, showing control measures limiting access to and from areas where liquor will be sold.

**Security**

7. How many door staff are scheduled for the event? (Note: depending on the specifics of room layout and the nature of the event, the usual minimum ratio of door staff to patrons is 1:50).

8. Identify the number of persons from each category below responsible for door entry and security:

- Police
- Volunteers
- Licensed Security Company (specify name)
- Individuals hired by yourself or by the event sponsor

**Minors**

9. Is the event "all ages" or 19 and over only?

- All Ages
- 19 and Over Only

10. If the event is all ages, please explain in detail what measures are in place to prevent under-aged individuals from obtaining alcohol at the event.

Wrist-banding procedure:

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ID-checking procedure:

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Signage:

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Other:

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**From:** Meaghan Cursons [mailto:meaghan@cumberlandmuseum.ca]  
**Sent:** Tuesday, August 28, 2012 5:53 PM  
**To:** chamber@cumberlandbc.org  
**Subject:** NOTICE: Exciting Project Underway for Cumberland Museum

Hello Community Partners,

Please find below a press release regarding a temporary closure for cleaning, painting, paving and construction at the Cumberland Museum following Labour Day. We are very excited about the upgrades we will be doing during that week and hope you join us on Saturday October 6 (as part of the 2012 Foggy Mountain Fall Fair) to celebrate Phase 1 of the Miners History Project. We will be sending this release to all local media, Currently Cumberland, Visitor Centres and members to ensure people are aware of the closure. If you have any questions please do not hesitate to contact me at 250-218-0520 or [meaghan@cumberlandmuseum.ca](mailto:meaghan@cumberlandmuseum.ca)

Meaghan Cursons  
External Director  
For the Cumberland Museum

**August 28, 2012**

### **Big Updates this Fall for Cumberland's Little Museum**

Over the past year the Cumberland Museum has completed some very exciting exhibit and signage projects and they show no sign of slowing down! This September, staff, board and volunteers at the Museum are rolling up their sleeves to get to work on a Miners History Project and other significant updates to the both floors of the Museum.

The Miners History Project includes painting of the entire basement, lighting and sound updates, paving of the pathways in the replica coal mine and exhibit and signage updates focused on mining tools and techniques, health and safety issues, mining geology, labour history, logging and rail.

This project follows a series of exhibit and signage updates on the top floor of the Museum including Women's History, Japanese Communities and Cumberland's Chinatown.

"The basement level updates will also have a major ripple effect for the top floor of the Museum." says Museum Internal Director Toni Gore. "We're so excited to be able to 'unearth' new artifacts for our community to see and shed new light on our current exhibits through refreshing and re-organizing the facility."

The Labour History Exhibit and models will be moved to the basement level and the War Years Exhibit moved to the top floor. This is creating new space to develop some of our

existing exhibits over the winter including Merchants and Stores, The Cumberland Fire Department and a new display of newspaper articles and a turn of the century printing press.

Fundraising is still underway for this major Museum update with support coming so far from the BC Arts Council, Village of Cumberland, Cloverdale Paint, Home Depot, Cumberland Ready Mix and other key community partners.

"We are in the midst of the single biggest update to the Cumberland Museum since it opened in its current location in 1981" says Museum External Director Meaghan Cursons. "The energy and excitement that this project has generated has given our organization the fuel we need to get the job done. Cumberland has an incredible story to tell, and it's a story that extends beyond Village boundaries."

In order to tackle Phase 1 of the Miners History Project (painting, lighting, moving of large cases and artifacts and construction), the Museum will be closing temporarily to allow crews to work safely and quickly. The Museum will be closed for the week following Labour Day Weekend (Tuesday September 4th to Sunday September 9th)

"It is highly unusual for us to close the doors for any period of time" says Museum Board Chair Colleen Dane." The fact that we are doing so is evidence of the significance of the work being done. We thank our community partners for their understanding and their support for this undertaking."

The Museum will re-open Monday September 10th and the work will continue throughout the month to complete Phase 1. This first part of this project will be officially launched on Saturday October 6th as part of Cumberland's Foggy Mountain Fall Fair.

To find out more about the Cumberland Museum you can check out their website <http://www.cumberlandmuseum.ca/>. To become a sponsor of the Miners History Project or to discuss other Exhibit Sponsorship opportunities you can email [meaghan@cumberlandmuseum.ca](mailto:meaghan@cumberlandmuseum.ca).

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fmi call meg at 250-218-0520

# CUMBERLAND CHAMBER OF COMMERCE

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September 5, 2012

Mayor & Councilors  
Village of Cumberland

Re: Street Closure October 6, 2012 for Foggy Mountain Fall Fair

The Cumberland Chamber of Commerce is partnering with the Cumberland Museum to produce The Foggy Mountain Fall Fair (formerly Apples, Blackberries and Bears) on Saturday October 6, 2012. We are utilizing the indoor and outdoor spaces at the Museum and the Cultural Centre, as well as offering live entertainment at the Waverly and hosting a small vendor fair of harvest-related items beside that Hotel.

We know that the United Church is holding a garage sale on that same day, so to increase pedestrian/cyclist safety and encourage participation at both events we are asking for permission to close First Street between Dunsmuir and Penrith for the hours of 9:00 am to 5:00 pm.

We will notify the relevant agencies once permission is received. We would also like to borrow four (4) barricades from the Village.

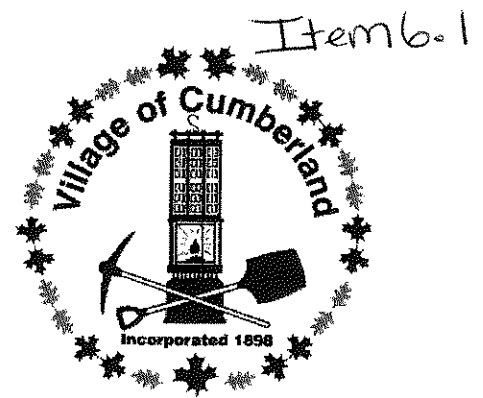
Thank you for your consideration.

Sincerely,

Via email

Sue Moen, Coordinator

# COUNCIL REPORT



REPORT DATE: September 4, 2012  
MEETING DATE: September 10, 2011  
TO: Mayor and Councillors  
FROM: Judith Walker, Senior Planner  
SUBJECT: Request for Proposals-  
Scope of Work Report for the Village of Cumberland Official Community Plan

## RECOMMENDATION

- i) THAT Council receive the 'Request for Proposals – Scope of Work Report for the Village of Cumberland Official Community Plan (OCP)'; and
- ii) THAT Council direct staff to proceed to post the 'Request for Proposals – Scope of Work Report for the Village of Cumberland Official Community Plan (OCP)'.

## SUMMARY

Council approved the option of "Review & Revise" for the new OCP for the Village, and approved the budget necessary to retain a consultant for the process. A draft RFP has been written and the *Scope of Work* is included here for Council's review. Upon approval to proceed staff will advertise, shortlist and select a consulting team for the OCP review. A report to Council with a recommendation for the preferred consultant will come to Council prior to the Village entering into a contract.

## BACKGROUND

An OCP is a provincially-mandated, Statement of Objectives that guides local government decision-making with regards to sustainable growth, economic development, and the environment. It is generally reviewed every five years to meet the community's current vision, goals and objectives. The Village's OCP was adopted in 2004 and is overdue for a review. The 2004 OCP was an intensive community planning process, and the result deserves thorough review to assess the document to inform the new OCP.

Under the legislation of the *Local Government (Green Communities) Statutes Amendment Act* ("Bill 27"), local governments are now required to include greenhouse gas (GHG) reduction targets in their Official Community Plan (OCP) along with supporting policies and actions. This was to occur by May 31, 2010, and the province is aware of the Village's commitment to the review process. While the Village's OCP contains many policies that support GHG reductions over time, the new

provincial requirements include specific numerical targets that are linked to specific policies. The Village is also required to include context statements that meet the adopted Regional Growth Strategy. Council also received the *Comox Valley Sustainability Strategy* in 2010 as a guide to consider sustainability in future actions.

## **REQUEST FOR PROPOSALS**

The following Scope of Work for the OCP review is presented for Council feedback.

### **A. Scope of Work**

#### **1.0 Background**

The Village of Cumberland, with a population of approximately 3,400 people, is situated on the east coast of Vancouver Island, within the Comox Valley. It is primarily a residential community with an historical pedestrian-oriented commercial core.

The Village's current Official Community Plan (OCP) Bylaw 786 was completed in 2004, and has had numerous amendments since that date. The desire for a new OCP is a result of the age of the current OCP, the actual and proposed increase in population, the provincially mandated Regional Growth Strategy (RGS) and a community interest in sustainability. In 2011, the Village created a sustainability evaluation statement to allow Council and staff to evaluate development proposals with regard to sustainability criteria.

Although affordable housing is documented in the OCP regarding its importance, there is no formal policy or planning for such housing within the Village.

The Village is a signatory to the *BC Climate Action Charter* and is in the process of undergoing a corporate emissions study (beginning September 2012).

The Comox Valley Cycling Plan has been endorsed by Council.

The Village's 2012 Corporate Strategic Priorities is a statement of Council's priorities, goals and actions. As a Comprehensive Community Planning initiative, it includes completing the review of the Official Community Plan and ensuring alignment with the Regional Growth Strategy.

The Village along with the adjacent municipalities of Courtenay and Comox comprise the urban core of the Comox Valley Regional District which is located in the geographic centre of the east side of Vancouver Island, stretching from the shores of Georgia Strait to the Beaufort Mountain Range and has a population of approximately 60,000.

The Village has not extended its boundaries since the 2004 OCP. The Comox Valley Regional District (CVRD) was incorporated in February of 2008 when the former Comox Strathcona Regional District was restructured into two independent entities – the CVRD and the Strathcona Regional District. The CVRD was mandated by the province to prepare and adopt a RGS prior to the end of 2010. The RGS bylaw was adopted in March 2011. The RGS, Comprehensive Background Paper and other information is available at [www.comoxvalleyrd.ca](http://www.comoxvalleyrd.ca).

Concurrently, the CVRD has also launched a number of other related initiatives:

- RGS implementation strategy;

- Sustainability Strategy for the Comox Valley;
- Regional Water Strategy – This provincially mandated strategy will provide a recommended water supply service plan and operating structure for a regional water supply system. Currently the Village operates its own internal water supply and distribution system;
- Regional Sewer Master Plan - In April 2008, the CVRD board directed that, subject to available financing, the existing sub-regional sewer master plan be expanded to align with the provincial initiatives for Comox Valley regional water and growth initiatives. The Village operates its own internal sanitary sewer system;
- Comox Valley Parks and Greenways Strategic Plan – Has been adopted and incorporated into the Comox Valley OCP.

## 2.0 Study Area

The study area is comprised of all lands within the Village as identified on Village of Cumberland Official Community Plan Bylaw 786, 2004 and Village of Cumberland Zoning Bylaw 717, 1997.

## 3.0 Objectives

Preference will be given to the proposals with the following objectives:

1. Submission of a new OCP Bylaw for Council consideration of first and second reading which:
  - a) is consistent with legal and administrative limitations;
  - b) is pragmatic;
  - c) utilizes one common framework as opposed to the creation of hierarchies within the Bylaw such as local area plans;
  - d) is clear and concise in organization, intent, language and relationship to *Local Government Act (LGA)* provisions;
  - e) is easy to administer (e.g. in relation to responding to public enquiries and incorporating future amendments);
  - f) is based on principles of sustainability;
  - g) is integrated with The Village of Cumberland 2012 Corporate Strategic Priorities
  - h) is consistent with Regional Growth Management and related initiatives of the CVRD;
  - i) is consistent with Provincial infrastructure and planning grant priority evaluation criteria; and
  - j) is consistent with BC Climate Action Charter.

## 4.0 SCOPE OF ANALYSIS

Preference will be given to the proposals with the following:

1. Compliance with all legal requirements regarding content and process including the *LGA* (e.g. *LGA* s877 – required content; s.878 – optional content and s.879 - consultation process. The references in this RFP to specific statutory requirements are not a comprehensive listing of all statutory or legal requirements;

2. Preparation for Council adoption by resolution, of a consultation process in accordance with *LGA s879* and including:
  - a) recognition that K'omoks First Nation is at Stage 5 of the treaty negotiation process;
  - b) identification of a First Nation engagement mechanism;
  - c) participation of Village Advisory Planning Commission (if in place), Heritage Commission (if in place), Village Departments, Intergovernmental Agencies, General Public, and Interest Groups;
  - d) participation of the Intergovernmental Review Team in accordance with the RGS Implementation Strategy;
  - e) responsiveness to the various ways individuals prefer to receive information and provide input;
  - f) facilitation of participation and issue identification on a neighbourhood basis (e.g. staggered open house meeting times by neighbourhood); and
  - g) minimum four stage public consultation with initial stage commencing by late Fall 2012:
    - i) Initial – start of OCP process to introduce project and process, including an analysis of the 2004 OCP with public input through the formation of a OCP task force;
    - ii) Background and Policy Alternatives Report – obtain input on the desirability and viability of policy alternatives to assist in determining policy direction;
    - iii) Draft OCP Amendments– identification of any outstanding issues for resolution prior to preparation of bylaws for Council consideration; and
    - iv) Public Hearing.
  
3. Identification of sustainability principles to be used in the OCP process and which are compatible with the RGS;
  
4. Issue identification and creation of a comprehensive Background and Policy Alternatives Report on OCP content areas including:
  - a) review of current OCP in relation to sustainability principles;
  - b) 20 year population projection;
  - c) densification including in the context of
    - i) infill,
    - ii) redevelopment, and
    - iii) green-field development;
  - d) environment;
  - e) carbon neutrality;
  - f) climate change adaptation;
  - g) Village economy;

- h) open space including requirements by type and proximity, in relation to housing type and density;
  - i) Active Transportation Planning and the relationship with the built environment;
  - j) Limitations of Village water, sanitary and sewer and the implications of CVRD Regional Water Strategy and Sewer Master Plan; and
  - k) identification of opportunities, constraints, and policy alternatives and their pros and cons.
5. Consistency with the RGS including:
    - a) provision of Regional Context Statement identifying consistency with the RGS and accepted by the CVRD Board (deadline March 2013); and
    - b) a 20 year time frame to correspond with that of the RGS;
  6. Development and inclusion of Green House Gas (GHG) reduction targets, policies and actions to achieve those targets<sup>1</sup> which are consistent with any provincial criteria for grant eligibility or priority (i.e. it is anticipated that local government GHG targets and policies may become an important consideration in the awarding of provincial infrastructure grants);
  7. Consistency with the BC Climate Action Charter (e.g. creation of a complete, compact, and more energy efficient community);
  8. Coordination with the draft Active Transportation Plan (in process -formerly known as the Village of Cumberland Cycling Plan);
  9. Consistency with the Comox Valley Cycling Strategy;
  10. Recognition of the following related Village initiatives that are **not** part of this RFP:
    - a) Review and implement of the Community Beautification Plan (Enhancement Study);
    - b) Developing an eco-tourism plan; and
    - c) Creating an industrial land development and promotion strategy.
  11. Clear distinction between ecological greenways and recreational greenways (regionally consistent definitions should be used if possible);
  12. In regard to the optional components of an OCP (LGA s878): inclusion of policies relating to the preservation, protection, and if applicable restoration and enhancement of the natural environment, its ecosystems and biological diversity;
  13. Review of any surplus School District 71 lands;

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<sup>1</sup> Provincial requirement that by May 2010 OCPs must include GHG reduction targets, policies and actions

14. Development Permit Areas (DPAs):
  - a) updating current DPA guidelines to increase clarity and reflect new environmental information and current interpretation and focus including:
    - i) urban design focus on orientation of buildings to the street and pedestrians, and streets as high amenity, multi-purpose, public space;
    - ii) incorporation of new information on the location of environmentally sensitive areas and environmental BMPs. No expansion of Village involvement in the RAR DPA is proposed other than updating the location of streams which contain fish or affect fish habitat;
  - b) review of current DPAs;
  - c) rewriting multifamily and commercial DPAs; and
  - d) creation of a new DPAs in relation to energy and water conservation, GHG reduction and sustainability;
15. Revision of Draft OCP Bylaw to incorporate results of legal review.

## 5.0 PROJECT PROCESS AND REPORTING STRUCTURE

1. The Consultant will be required to liaise with Village staff throughout the project. Staff will be available on an ongoing basis to discuss issues as they arise. Contact with the Village will be through the Senior Planner, Judith Walker, or in her absence the Chief Administrative Officer, Sundance Topham.
2. All work must be approved by, and carried out to the satisfaction of the Village.
3. Consultant will be responsible for the cost of preparing one unbound copy suitable for photocopying and one electronic copy of all reports, bylaws and submissions to Council. Electronic copies must be in pdf and MSWord 2007 Format for text, maps and data delivered as ArcGIS 10.0 Geodatabase with corresponding ArcGIS MXD (Map Document) files and when required JPG format for graphics.
4. Preference will be given to the project plan that includes the following phases and key events (*in italics & underlined*):

### Phase I – Orientation & Analysis

- Initial Consultant/staff /Council orientation meeting;
- Review of draft Public Consultation Plan (LGA s879) by staff prior to preparation of final Plan for presentation to Council;
- Council adoption by resolution of a Public Consultation Plan;
- Review & analysis of 2004 OCP (including measurable terms);
- Public consultation plan introduction and initial input opportunity;
- Produce report summarizing input received for distribution to Council, staff and public; and
- Produce an analysis of 2004 OCP with Comprehensive Background and Policy Alternatives Report on key issues to be addressed in the new OCP including those identified through Phase I input. Review Draft Report with staff prior to preparation of final report and its presentation to Council.

## Phase 2 –Draft Bylaw

- Obtain public input on Background and Policy Alternatives Report;
- Analyze and create summary of input for distribution to Council, staff, Advisory Planning Commission (APC)(if in place), Heritage Commission (HC)(if in place)and public;
- Formulate policy direction on key issues for discussion with staff;
- Creation of Draft OCP Bylaw amendments. Review Draft with staff prior to preparation of revised Draft and its presentation to Council; and
- Presentation of revised Draft to Council and incorporation of any Council direction.

## Phase 3 – OCP Bylaw

- Obtain public input on Draft OCP Bylaw;
- Analyze and create summary of input for distribution to Council, staff, APC (if in place), HC (if in place)and public;
- Formulate policy direction on key issues for discussion with staff;
- Draft of OCP for review by staff;
- Village referral of OCP Bylaw for legal review;
- Revision of OCP Bylaw in response to legal review and review of revised Bylaw by staff;
- Presentation of Bylaw and accompanying Report to Council for First Reading, consideration of the OCP Bylaw in relation to Village financial plan or capital expenditure program and any waste management plan that is applicable in the municipality or regional district and incorporation of any Council amendments;
- Referral of the OCP Bylaw to the Agricultural Land Commission for comment;
- Referral of the OCP Bylaw to meet consultation requirements as approved by Council per LGA s879;
- Referral and acceptance of the OCP Regional Context Statement by the CVRD Board (approval deadline March 2013);
- Submission to Council of results of consultation comments, incorporation of any Council Amendments and Second Reading;
- Public Hearing;
- Presentation of Third Reading Report to Council; and
- Incorporation of any Council Amendments, possible second Public Hearing, Third Reading and Adoption.

5. Proposals are not to include specific strategies for reduction of corporate GHG emissions under the BC Climate Action Charter as the creation of these strategies is a separate Village initiative.
6. Any and all reports, documents, computer software, or other items of any nature whatsoever, created by the Consultant or sub-consultants in the performance of the work for this project, whether completed or not, shall be the sole property of the Village, and shall be delivered to the Village at the end of the project or upon request.

**FINANCIAL IMPLICATIONS**

The budget for the hiring of a consulting team to review and revise the OCP was approved by Council. A grant application is currently under review by the Province but we will not have confirmation as to funding until March 2013.

**STRATEGIC OBJECTIVE**

2012 Corporate Strategic Priorities: Comprehensive Community Planning: "Completing the review of the Official Community Plan and ensuring alignment with the Regional Growth Strategy".

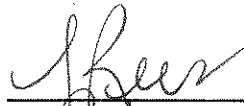
**CONCURRENCE**

Michelle Mason, Financial Officer  
Rob Crisfield, Manager of Operations

**OPTIONS**

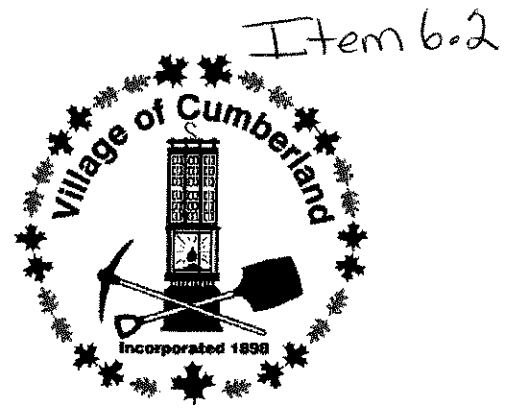
- i) That Council receive the Request for Proposals – Scope of Work Report for the Village of Cumberland Official Community Plan, and that Council direct staff to proceed to post the RFP, or
- ii) Any other action deemed appropriate by Council.

Respectfully submitted,

  
\_\_\_\_\_  
Judith Walker,  
Senior Planner

  
\_\_\_\_\_  
Sundance Topham,  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: September 5, 2012  
MEETING DATE: September 10, 2012

File No. 5400-05

TO: Mayor and Councillors  
FROM: Rachel Parker, Deputy Corporate Officer  
SUBJECT: Street Painting, Telus Boxes

---

## RECOMMENDATION

THAT Council receive the Street Painting, Telus Boxes report.

AND THAT Council approve the Telus box painting project and determine approval of the designs to be painted onto four Telus boxes in Cumberland at the following locations: Kendal Avenue and Third Street; Windermere Avenue and Egremont Street; and Penrith Avenue and Third Street.

## SUMMARY

The Village Art in the Streets Cumberland (VAST) is proposing to paint Telus boxes located in the Village.

## BACKGROUND

The VAST Cumberland group proposes to paint four Telus boxes located in the Village located at

- Kendal Avenue and Third Street
- Windermere Avenue and Egremont Street
- Penrith Avenue and Third Street (2 boxes located back to back)

These boxes are approximately three feet by four feet in size and tan in colour.

Telus requires that designs be approved by the Council to determine suitability for the community. Four designs, one for each Telus box, have been submitted by four artists for Council's consideration: Kevin Flesher, Michelle Peters, Corre Alice, and Hendrika Sitgler. The designs and are attached to this report. Please note that the last six designs are proposed to be painted on one box (one on each side).

Telus's general manager has been provided with the proposed designs and has no objection subject to Council's approval. Telus has no other requirements.

VAST proposes to paint two of the boxes this fall and two in the spring of 2013. VAST will cover all costs associated with the painting with no costs incurred by the Village for this project. The

City of Courtenay has painted Telus boxes in its community and Cumberland staff will liaise with the coordinating staff member.

**FINANCIAL IMPLICATIONS**

None.

**STRATEGIC OBJECTIVE**

None.

**ATTACHMENTS**

VAST design proposals.

**CONCURRENCE**

Rob Crisfield, Manager of Operations



**OPTIONS**

1. THAT Council receive the Street Painting, Telus Boxes report.
2. AND THAT Council approve the Telus box painting project and determine approval of the designs to be painted onto four Telus boxes in Cumberland at the following locations: Kendal Avenue and Third Street; Windermere Avenue and Egremont Street; and Penrith Avenue and Third Street.
3. Any other action deemed appropriate by Council.

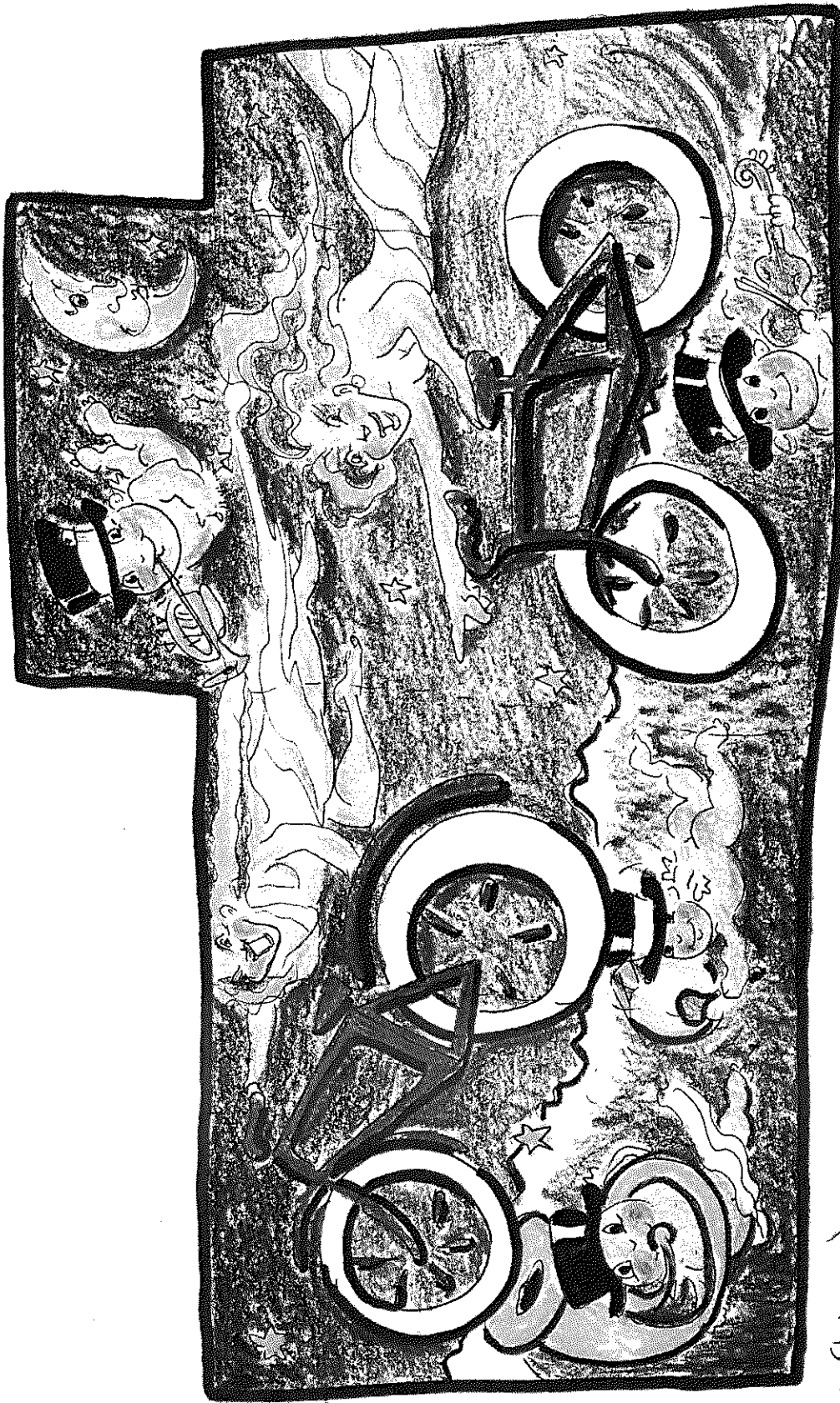
Respectfully submitted,



Rachel Parker  
Deputy Corporate Officer

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Sundance Topham  
Chief Administrative Officer



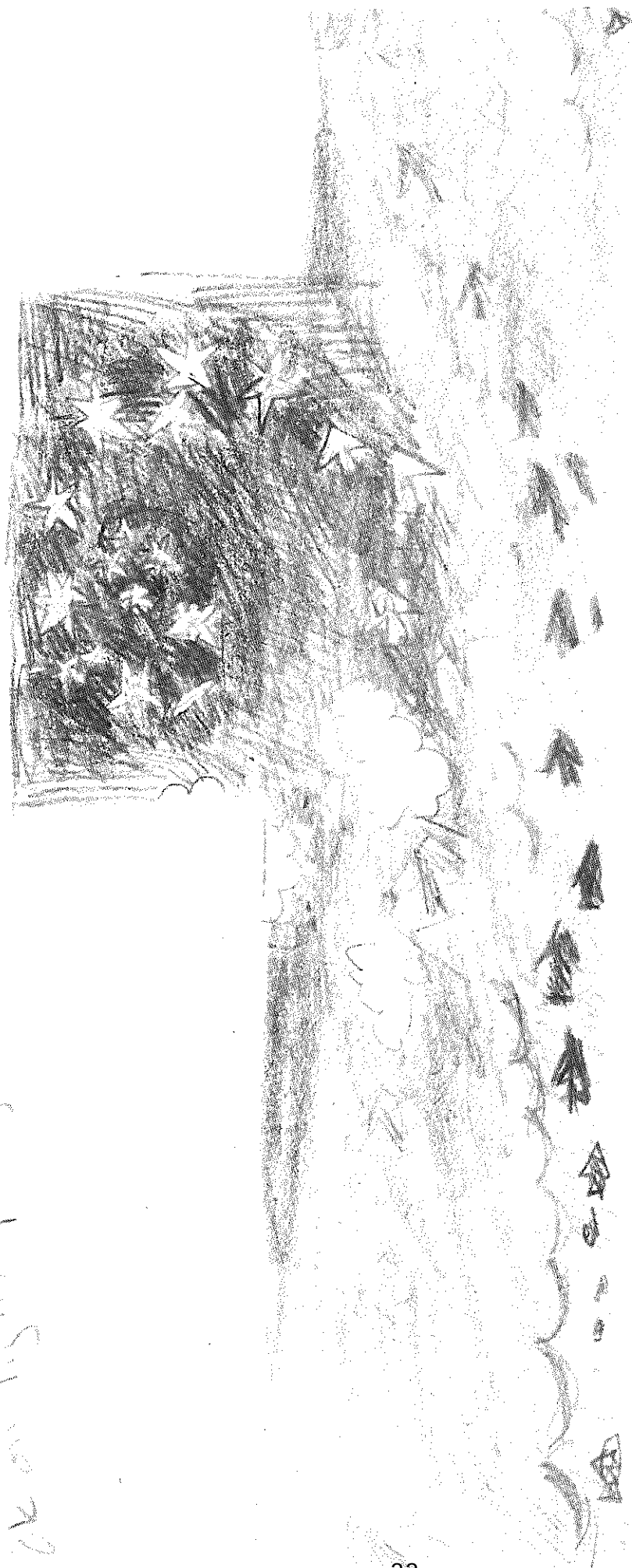
Kevin Flesher  
 250-400-4003  
 kevinflesher@gmail.com and

like Riding Valkyries and musical cherubs hover over the enchanted  
 legendary village of Cumberland. D



- Sword fern / bracken fern
- Broad leaf maple / Japanese maple
- blackberry / salmonberry / huckleberry
- horse chestnut
- curly willow

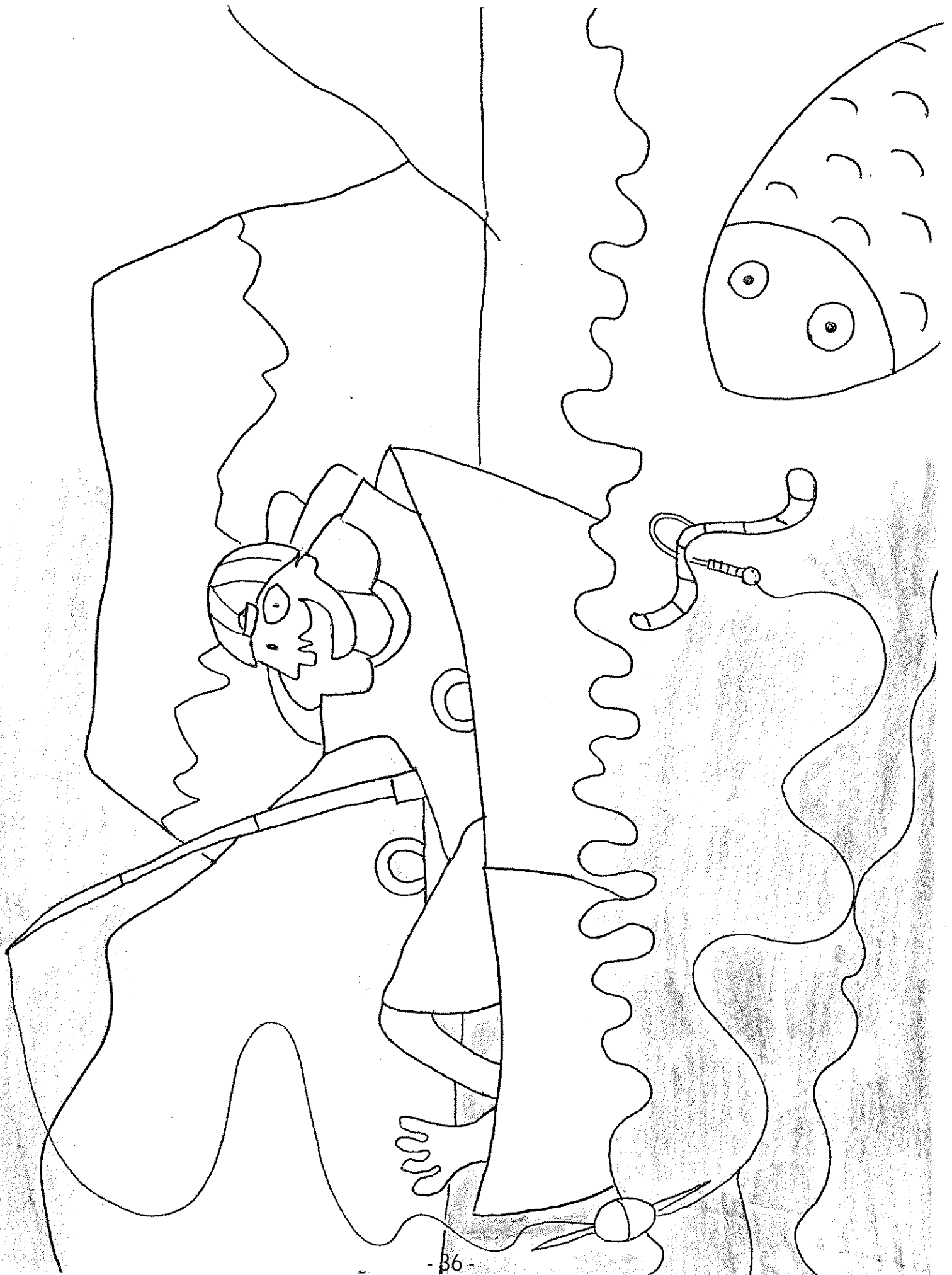
Fish to birds to stars spiralling up from light to dark  
bucaly cool colours  
ok on light, light on dark



CORRE DUCE

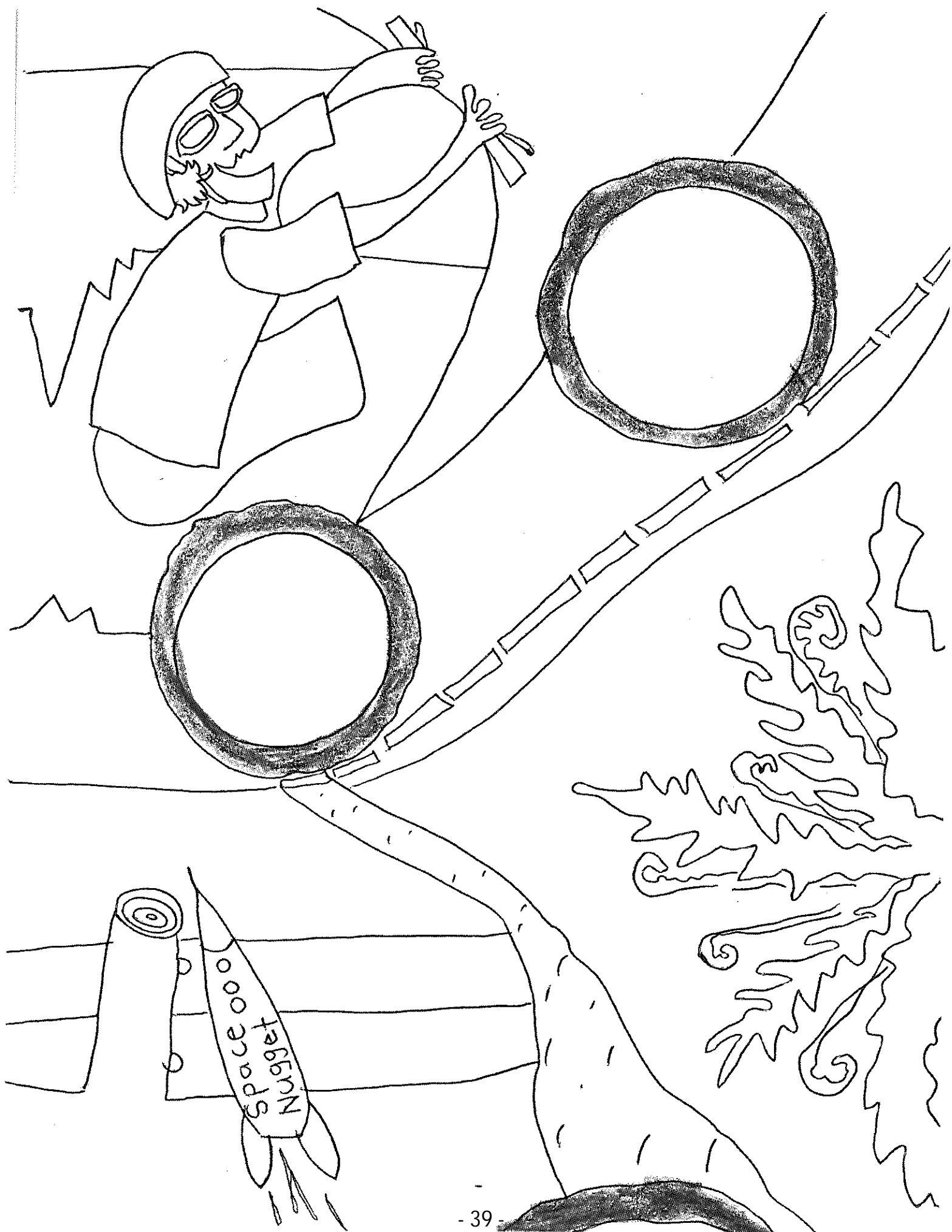




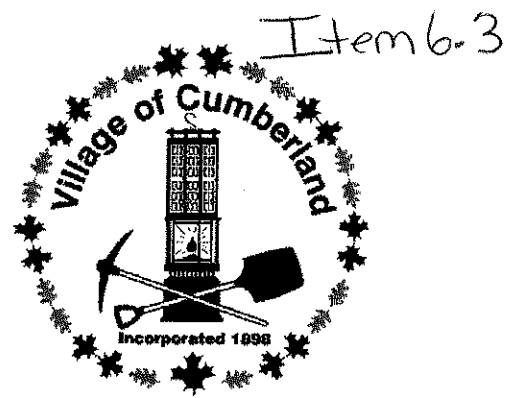








# COUNCIL REPORT



REPORT DATE: August 29, 2012  
MEETING DATE: September 10, 2012

File No. 1855-20

TO: Mayor and Councillors  
FROM: Rachel Parker, Deputy Corporate Officer  
SUBJECT: HRSDC Canada, Enabling Accessibility Fund, Village Hall Accessibility Retrofit

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## RECOMMENDATION

- i. THAT Council receive the "HRSDC Canada, Enabling Accessibility Fund, Village Hall Accessibility Retrofit" report.
- ii. THAT Council approve an application to the Canada Enabling Accessibility Fund for the Village Hall Accessibility Retrofit Project; approve the Village's contribution to the project at a maximum amount of \$12,500; and to direct staff to bring forward an amendment to the 2012-2016 Financial Plan Bylaw to reflect this change.

## SUMMARY

The Village has the opportunity to apply for funding under the small project component of the Federal Enabling Accessibility Fund to retrofit the Village Hall for accessibility purposes. The deadline for applications is October 5, 2012.

## BACKGROUND

Human Resources and Skills Development Canada has announced a new, two-year funding program for projects that enhance accessibility for people with disabilities. The objective of the Fund is to support community-based projects across Canada that improve accessibility, reduce barriers and enable Canadians to participate in and contribute to their community and the economy.

The program provides grants of up to \$50,000 per project to construct, renovate or retrofit buildings; modify vehicles for community use; or enhance information and communication technologies to make them more accessible. At least 25 percent of the total eligible project costs must come from non-federal government sources.

Staff is proposing that an application be made to retrofit the Village Office, including the community building previously used by the preschool. Work may include installing automatic

doors openers, installing accessible communication technologies, widening doorways, purchasing materials to build accessible washrooms, and purchasing accessible handles and switches. Details of the project and a final budget will be determined in the next few weeks as quotes are obtained for the work.

The Village's portion of 25% of the total project cost could come from the funds budgeted for the Comox Lake Road Project which was not utilized. Council resolved to put these funds into a reserve for another Council-sanctioned project.

The project budget is estimated below:

<b>Funding Source</b>	<b>Estimated Funding Amount</b>
EAP Program Funding	\$ 30,000
Village of Cumberland	\$ 12,500 (29.4%)
<b>Total:</b>	<b>\$ 42,500</b>

Applications may be assigned additional points during the assessment process if more than the minimum funding of 25% of total eligible project costs from non-federal government sources are secured. Therefore, once a project budget is finalized, staff may allocate more than 25% of Village funds to the project.

If the application is approved, a formal agreement must be executed with HRSDC before any expenditures may be incurred. Approved projects must be commenced before March 31, 2013.

#### **FINANCIAL IMPLICATIONS**

Council is required approve the contribution by resolution and to amend the five year financial plan bylaw if a grant is received.

#### **STRATEGIC OBJECTIVE**

None.

#### **ATTACHMENTS**

None.

#### **CONCURRENCE**

Michelle Mason, Financial Officer



## OPTIONS

- i. THAT Council receive the "HRSDC Canada, Enabling Accessibility Fund - Village Hall Accessibility Retrofit" report.
- ii. THAT Council approve an application to the Canada Enabling Accessibility Fund for the Village Hall Accessibility Retrofit Project; approve the Village's contribution to the project at a maximum amount of \$12,500; and to direct staff to bring forward an amendment to the 2012-2016 Financial Plan Bylaw to reflect this change.
- iii. Any other action deemed appropriate by Council.

Respectfully submitted,

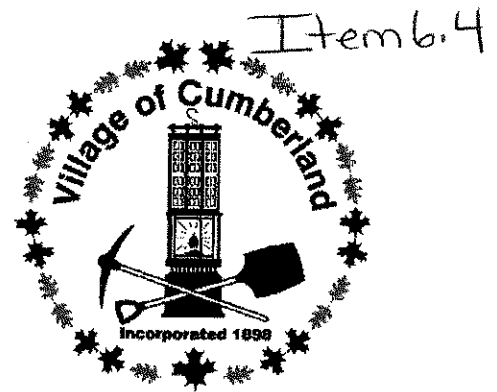


Rachel Parker  
Deputy Corporate Officer



Sundance Topham  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: August 31, 2012  
MEETING DATE: September 10, 2012

TO: Mayor and Councillors  
FROM: Rachel Parker, Deputy Corporate Officer  
SUBJECT: Gift Log to Putian, People's Republic of China

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File No. 0400-51

## RECOMMENDATION

THAT Council receive Gift Log to Putian, People's Republic of China report.

AND THAT Council approve the expenditure of \$1,200 from the Council public relations account to cover costs including receiving, agent, discharge and storage fees for the gift log to Putian, People's Republic of China.

## SUMMARY

In 2011, Cumberland offered a gift of a 60 ton log to Putian Municipality. There are unexpected costs associated with the shipping of this log and staff is seeking Council approval to cover these costs.

## BACKGROUND

In July 2011, arrangements were made between the Village of Cumberland and Timberwest for "A Million Acts of Kindness" program to strengthen the relationship between the Village of Cumberland and the City of Putian, Peoples Republic of China. A component of this project was the gift of a 70 foot, 60,000 lb log to be shipped to Putian by cargo ship. The cost to ship the log is being covered by Timberwest. This project was reported to Council at its meeting of August 8, 2011 and Mayor Bates wrote to the mayor of Putian offering this gift. We confirmed acceptance of the gift by the Putian Mayor's Office in the spring of 2012.

Village staff have been working with Timberwest and staff from the BC International Trade and Investment Office in South China, who have spent considerable time attempting to make arrangements for the delivery of this log.

Originally the log was planned to be shipped directly to Putian, however that option is no longer available and the log must be shipped to the port in Taicang and trucked to Putian. There are costs for trucking to Putian as well as receiving costs, agent fees, discharge and storage fees, and associated taxes. The Putian Foreign Affairs Office has graciously agreed to pay for the trucking cost of \$4,340, however there is approximately \$1,200 in additional costs which must be covered by the Village of Cumberland for this to proceed.

For Council's information, the Mayor of Cumberland executed an agreement on November 3, 2006 for the establishment of friendly relationship between the Village of Cumberland and Putian Municipality, Fujian Province, the People's Republic of China.

**FINANCIAL IMPLICATIONS**

The Village did not allocate any funding for this project in its 2012 budget. However, there is council public relations budget of \$4,000 for 2012 with approximately \$1,500 remaining for the remainder of the year.

**STRATEGIC OBJECTIVE**


None.

**ATTACHMENTS**

Correspondence from the Village of Cumberland to Mayor Jianyong Liang, Putian City, August 10, 2011.

Letter of Intent, November 3, 2006

**CONCURRENCE**


Michelle Mason, Financial Officer 

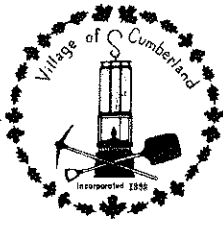
**OPTIONS**

1. THAT Council receive Gift Log to Putian, People's Republic of China report.
2. AND THAT Council approve the expenditure of \$1,200 from the Council public relations account to cover costs including receiving, agent, discharge and storage fees for the gift of a log to Putian, People's Republic of China.
3. Any other action deemed appropriate by Council.

Respectfully submitted,

  
\_\_\_\_\_  
Rachel Parker  
Deputy Corporate Officer

  
\_\_\_\_\_  
Sundance Topham  
Chief Administrative Officer



# Corporation of the Village of Cumberland

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

August 10, 2011

The Honourable Mayor Jianyong Liang  
Putian City  
2169 Licheng Middle Avenue  
Chengziang District  
Putian  
Fujian, P.R.C.

Dear Mayor Liang:

I hope you will accept the following as wonderful news.

The Village of Cumberland has harvested a tree of such beauty and magnificence that we would like to deliver and donate it to our beloved sister city.

China, having many of the world's most renowned carvers, could perhaps carve the log into a Mazu statue that would bring joy to many as well join our cultures.

We anticipate that the sixty tonne log may first rest in a cradle in one of your public parks for all to see. This step will ensure the log cures and that your artists are provided the years they will need to arrive at a design and method to carve the single piece of clear wood. It may take many years after the design stage to actually carve. In the end our wish is that the people of Putian will have a statue like no other. A gift from its sister city. A work of art known the world over, to be enjoyed by millions of people for generations to come.

In addition to the log, we are committed to undertake a "Million Acts of Kindness". A program by which we will plant one tree in our coastal rain forest for every act of kindness performed by a child or youth in Putian, up to one million trees.

There are many different acts of kindness. For example, a child or youth may help clean trash from a local park. Assist their teacher at school. Clean graffiti from a public building. Help a friend with their homework. Help teach a sport to a younger child. Help those less fortunate. Assist their mother or father around their home. Read to the elderly. Help out at a community celebration.

When informed, by the child or youth as to their act of kindness, we will register the tree in that child's or youth's name, to be recorded on GPS in order that they may keep track of it, over the internet, at any time during their life.

We wish to reaffirm our commitment to our sister city, and hope that you will accept this token of our appreciation to the cultural relationship that we value so much.

We are a rapidly developing area, with numerous resources; the potential for furthering our economic relationship is also something I would be very happy to discuss. I will commit to communicate at your convenience.

In closing we hope you will accept our donation of a log and one million trees, we look forward to your reply.

Sincerely yours



Fred Bates  
Mayor

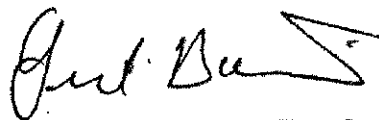
cc     China Consul General Vancouver  
         Honourable Premier Christy Clark, Victoria Parliament  
         Honourable Don McRae, Victoria Parliament  
         Honourable John Duncan MP Vancouver Island North  
         Cathy Yao, BC International Trade and Investment Office, Guangzhou, China  
         Chen Liang, Putian Foreign Affairs Office  
         John Watson, Comox Valley Economic Development

**LETTER OF INTENT FOR THE ESTABLISHMENT  
OF FRIENDLY RELATIONSHIP BETWEEN VILLAGE  
OF CUMBERLAND, BRITISH COLUMBIA, CANADA  
AND PUTIAN MUNICIPALITY, FUJIAN PROVINCE,  
THE PEOPLE'S REPUBLIC OF CHINA**

At the invitation of Putian Municipal People's Government, Fujian Province, the people's Republic of China, a delegation led by Fred Bates , Mayor of Village Of Cumberland, British Columbia, Canada visited the City of Putian from Oct. 30 to Nov. 4, 2006. During the visit, both sides held talks on the establishment of friendly relationship and reached the following agreement:

In accordance with the Joint Communiqué Governing the Establishment of Diplomatic Relations between Canada and the People's Republic of China, and for the purpose of enhancing understanding and friendship between the peoples of Village Of Cumberland and Putian municipality, the two cities have agreed to sign the Letter of Intent for the Establishment of Friendly Relationship between Village Of Cumberland and Putian municipality, so as to promote the friendly contacts between the two peoples and develop exchanges and cooperation in every field like science and technology, culture, education, public health and sports, etc.. The two cities shall make joint efforts to formally establish friendly relationship in the future.

Done in duplicate in Putian on Nov. 3, 2006 , the Letter of Intent is written in English and Chinese languages, both texts being equally authentic.

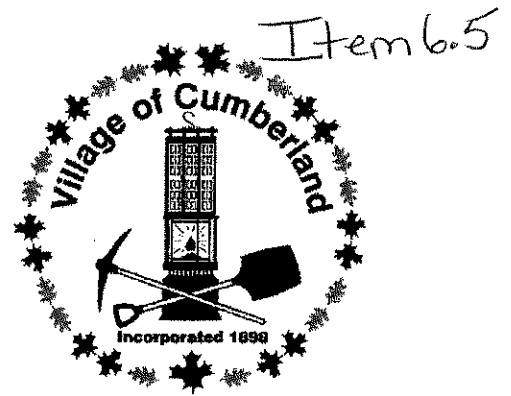


Mayor of Village Of Cumberland  
British Columbia  
Canada



Mayor of Putian municipality  
Fujian Province  
The People's Republic of China

# COUNCIL REPORT



REPORT DATE: September 5, 2012  
MEETING DATE: September 10, 2012

TO: Mayor and Councillors  
FROM: Sundance Topham, Chief Administrative Officer  
SUBJECT: Coal Creek Well – Camp Road Water Main Replacement Tender

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## RECOMMENDATION

1. THAT Council receive the Coal Creek Well – Camp Road Water Main Replacement Tender report.
2. THAT, conditional on Coal Valley Estates Limited Partnership satisfying all the requirements of their Phase 4 and Phase 4A subdivision application, including entering into the Coal Creek Well Funding Agreement and providing the required funding, the Village of Cumberland award a contract for the Coal Creek Well development and West Dunsmuir Avenue Water Main Upgrades to Knappett Industries (2006) Ltd. for the tendered amount of \$869,705.20 plus HST.

## SUMMARY

At the January 16, 2012 Village of Cumberland Committee of the Whole meeting the Village Engineer provided Council with a Water Supply Update Report. In the report was the following recommendation:

*THAT Village staff draft an agreement with Coal Valley Estates for Council approval whereby, conditional upon Vancouver Island Health Authority source approval for the Coal Creek Well, the developer can prepay (or secure by suitable financial instrument) water Development Cost Charge fees in exchange for water Development Cost Charge credits, so that the Village of Cumberland Subdivision Approving Officer is satisfied that water supply will not preclude final approval of the Coal Valley Estates Phase 4A subdivision application.*

The Vancouver Island Health Authority has given source approval for the Coal Creek Well and Council has reviewed and approved the Coal Creek Well Funding Agreement (In Camera due to section 90 1(i) of the Community Charter respecting the receipt of legal advice).

Once the Coal Creek Well Funding Agreement was agreed upon by the Village and Coal Valley Estates Limited Partnership, the Village put out a Tender for the connection of the Coal Creek Well, along with the replacement of the West Dunsmuir Avenue (Camp Road) Water Main. Knappett Industries (2006) Ltd. was the low bidder and staff are recommending that, conditional

upon Coal Valley Estates Limited Partnership satisfying all the requirements of their Phase 4 and Phase 4A subdivision application, the Village of Cumberland enter into a contract with Knappett Industries (2006) Ltd. for the tendered amount of \$869,705.20 plus HST.

## **BACKGROUND**

The Water Supply Update Report presented by the Village Engineer in January included an evaluation, which concluded that during an extreme drought, as was experienced in 2006, water demand in Cumberland could exceed existing capacity. The report went on to note that Coal Valley Estates Ltd., who have a proposed subdivision of 34 lots in Cumberland that is being delayed due to concerns with the local water supply, has offered to prepay water Development Cost Charge fees to fund connection of the Coal Creek well installed by the Village in September, 2011 to the existing water system.

The Village and Coal Valley Estates Limited Partnership reached an agreement for funding the Coal Creek Well through the prepayment of water Development Cost Charges, and as part of the connection of the new Coal Creek Well to the existing municipal water distribution network the Village has routed the water main down Dunsmuir Avenue (Camp Road) and will replace the existing water main with a new water main from Comox Lake Road down Dunsmuir Avenue to First Street. By utilizing this route the Village is able to maximize the value of the new well connection while at the same time upgrading failing infrastructure.

As noted in the attached tender award recommendation from McElhanney Engineering, Knappett Industries (2006) Ltd. has identified December 2012 as the date for substantial performance, with the exception of asphalt paving, which is to be completed in early 2013. The Village has already provided notice to residents of Camp Road that utility upgrades are planned for their neighbourhood, and additional communication will take place once exact dates are known.

## **FINANCIAL IMPLICATIONS**

With Coal Valley Estates Limited Partnership providing funding for the Coal Creek Well and their equivalent portion of the West Dunsmuir Avenue Water Main upgrades, along with Village funds set aside specifically for the replacement of the West Dunsmuir Avenue (Camp Road) Water Main, the total value of the project comes in within the Village approved budget.


## **STRATEGIC OBJECTIVE**

The increase of water capacity helps move forward the Village of Cumberland Corporate Strategic Priority of establishing an adequate and high quality source of water for the current and future residents of the Village.

## **ATTACHMENTS**

1. August 30, 2012 Coal Creek Well Development & West Dunsmuir Avenue Water Main upgrades updated tender report - Chris Pogson, P. Eng., McElhanney Engineering.

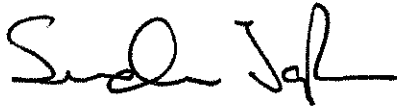
**CONCURRENCE**

Michelle Mason, Financial Officer 

**OPTIONS**

1. Conditional on Coal Valley Estates Limited Partnership satisfying all the requirements of their Phase 4 and Phase 4A subdivision application, including entering into the Coal Creek Well Funding Agreement and providing the required funding, the Village of Cumberland award a contract for the Coal Creek Well development and West Dunsmuir Avenue Water Main Upgrades to Knappett Industries (2006) Ltd. for the tendered amount of \$869,705.20 plus HST.
2. Any other action deemed appropriate by Council.

Respectfully submitted,



---

Sundance Topham  
Chief Administrative Officer  
Village of Cumberland



Village of Cumberland  
2673 Dunsmuir Ave.,  
Box 340, Cumberland, BC  
V0R 1S0

August 30, 2012  
2231-21243-4

Attention: Sundance Topham, CAO

Dear Sundance,

**Reference: Coal Creek Well Development &  
West Dunsmuir Ave. WM Upgrades  
Updated Tender Report**

---

Tenders for the above referenced project closed at our office on Thursday August 23, 2012 at 2:00 pm. A public opening was held at 2:00pm and three (3) tenders were received as follows:

Knappett Industries (2006) Ltd.	\$ 869,705.20 (plus HST)
Palladian	\$ 884,775.16 (plus HST)
Wacor Holdings Ltd.	\$ 1,066,074.65 (plus HST)

We have reviewed the tenders received for compliance with tender requirements and note the following:

- All tenders acknowledged receipt of Addendums 1, 2 & 3;
- Palladian and Wacor identified December 2012 as the date for substantial performance;
- Knappett has identified December 2012 as the date for substantial performance, with the exception of Asphalt Paving which is to be completed in early 2013.
- All tenders included a description of both superintendent and project experience, a list of sub-contractors, schedule and the required Bid Bond.

For your information we have included a copy of our tender analysis spreadsheet.

The low tender was submitted by Knappett Industries (2006) Ltd who has demonstrated their experience and capacity to perform this work. In addition, they have successfully completed projects for the Village over the last several years.

Provided the Village has sufficient funding resources to commit to this project, we recommend that the Village of Cumberland award a contract to Knappett Industries (2006) Ltd for the tendered amount of \$869,705.20 plus HST.



If you have any questions in connection with the bids received, please do not hesitate to contact me.

Yours truly,  
McElhanney Consulting Services Ltd.

A handwritten signature in black ink, appearing to read 'Chris Pogson', written over a horizontal line.

Chris Pogson, P. Eng.  
Project Manager

z:\proj-active\21243\04\05.0 tender & construction\05.5 tender analysis\tender report\tender review voc aug 30, 12.doc

Suite 1, 1351 Estevan Rd    Tel 250 716 3336  
Nanaimo BC                    Fax 250 716 3339  
Canada V9S 3Y3                [www.mcelhanney.com/mcsl](http://www.mcelhanney.com/mcsl)

Item 6.6



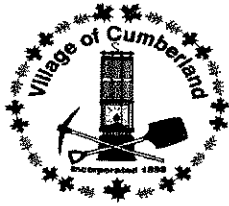
The Corporation of the Village of Cumberland  
 Electronic Funds and Cheque Register  
 From , July 1st 2012 to July 31st , 2012

Document Date	Vendor Name	Document Number	Document Amount
7/04/12	Acevedo, Javier	029684	\$50.00
7/04/12	Acme Supplies Ltd.	029685	\$8,843.24
7/04/12	Allen, Jordon	029686	\$50.00
7/04/12	Alsco Nanaimo	029687	\$198.57
7/04/12	Arseneault, Darby	029688	\$22.40
7/04/12	Associated Fire & Safety	029689	\$201.59
7/04/12	Baird, Laurie	029690	\$56.25
7/04/12	Bossom Travis	029691	\$50.00
7/04/12	Brenntag Canada Inc.	029692	\$674.78
7/04/12	Carvello Law Corporation	029693	\$3,417.79
7/04/12	Comox Pacific Express Ltd.	029694	\$315.46
7/04/12	Corix Water Products Limited Partnership	029695	\$1,478.75
7/04/12	Courtenay Auto Supply Ltd.	029696	\$131.29
7/04/12	Cumberland General Store	029697	\$837.19
7/04/12	Cumberland Museum & Archives	029698	\$250.00
7/04/12	Cupe Local 556	029699	\$674.78
7/04/12	D. Robinson Contracting Ltd.	029700	\$18,396.58
7/04/12	Delinea Design Consultants Ltd.	029701	\$1,376.48
7/04/12	E.B. Horsman & Son	029702	\$65.66
7/04/12	Elaine's Tailor Shop	029703	\$112.00
7/04/12	Engrave It!	029704	\$16.80
7/04/12	Footprints Securitiy Patrol Inc.	029705	\$115.75
7/04/12	Fox Judi	029706	\$48.00
7/04/12	Gregg Distributors (B.C.) Ltd.	029707	\$8.15
7/04/12	Greyhound Courier Express	029708	\$17.70
7/04/12	Hartman Auto Supply 1996 Ltd.	029709	\$88.57
7/04/12	Hilz Rachel	029710	\$272.00
7/04/12	Hyland Precast Inc.	029711	\$1,782.73
7/04/12	Interstate Batteries	029712	\$26.28
7/04/12	Island Business Print Group Ltd.	029713	\$677.60
7/04/12	LACOURSE THOMAS R	029714	\$275.00
7/04/12	Lacourse, Megan	029715	\$68.00
7/04/12	Lee Mac Electric Ltd.	029716	\$84.00
7/04/12	Life and Casualty Company, BC	029717	\$2,492.44
7/04/12	Lordco Auto Parts	029718	\$515.57
7/04/12	Mason, Michelle	029719	\$271.00
7/04/12	Minister of Finance - PTB	029720	\$247,214.30
7/04/12	North Island Laboratories Ltd.	029721	\$389.20
7/04/12	OnDeck Systems Inc.	029722	\$3,367.28
7/04/12	Pilon Tool Rentals (1972) Ltd.	029723	\$201.60
7/04/12	Powsey, Clive	029724	\$45.50

<b>Document Date</b>	<b>Vendor Name</b>	<b>Document Number</b>	<b>Document Amount</b>
7/04/12	Practica	029725	\$606.29
7/04/12	Price's Alarm Systems Ltd.	029726	\$201.26
7/04/12	Receiver General For Canada	029727	\$16,007.18
7/04/12	Rehabilitation in Motion	029728	\$112.00
7/04/12	Revenue Services of British Columbia	029729	\$2,120.00
7/04/12	Roffey, Sheri	029730	\$210.00
7/04/12	Royal Bank of Canada/00578.000	029731	\$773.31
7/04/12	Shields Ind Services (2004) Ltd.	029732	\$445.85
7/04/12	Slegg Construction Materials Ltd./Slegg Lumber	029733	\$1,150.81
7/04/12	South Country Feed	029734	\$231.70
7/04/12	Sun Coast Waste Services	029735	\$11,345.60
7/04/12	Van Houtte Coffee Services	029736	\$266.45
7/04/12	Vranjes, David	029737	\$136.00
7/04/12	WesternOne Rentals & Sales	029738	\$1,124.69
7/04/12	WESTVIEW FORD	029739	\$918.22
7/04/12	Wheeler Gale	029740	\$50.00
7/12/12	WorkSafeBC	029741	\$4,845.34
7/18/12	Acme Supplies Ltd.	029742	\$334.88
7/18/12	Alsco Nanaimo	029743	\$198.58
7/18/12	Assessment Authority, BC	029744	\$32,381.60
7/18/12	Baird, Laurie	029745	\$56.25
7/18/12	Bearsand Carpentry	029746	\$500.00
7/18/12	BFI Canada - Comox	029747	\$879.97
7/18/12	Bike Race Ltd., BC	029748	\$1,300.00
7/18/12	Cloverdale Paint Inc.	029749	\$269.04
7/18/12	Corix Water Products Limited Partnership	029750	\$850.23
7/18/12	Cumberland Mini Mart	029751	\$53.08
7/18/12	Cumberland Community Forest Society	029752	\$250.00
7/18/12	Cupe Local 556	029753	\$673.54
7/18/12	Davey Tree Services	029754	\$638.40
7/18/12	Diamond Municipal Solutions	029755	\$490.00
7/18/12	DPOC Neopost Canada Ltd	029756	\$2,240.00
7/18/12	Drift Mountain Biking	029757	\$250.00
7/18/12	E.B. Horsman & Son	029758	\$32.36
7/18/12	EDS Pumps & Water Treatment Ltd.	029759	\$2,152.48
7/18/12	Environmental Operators Certification Program	029760	\$224.00
7/18/12	FASTENAL CANADA LTD.	029761	\$51.21
7/18/12	Fire Power Emergency Apparatus	029762	\$2,237.76
7/18/12	General Paint Corp.	029763	\$148.90
7/18/12	Gord Corrigall Trucking Ltd.	029764	\$752.64
7/18/12	Greyhound Courier Express	029765	\$46.88
7/18/12	Grieve, Glen	029766	\$943.83
7/18/12	Guillevin International Co.	029767	\$159.94
7/18/12	Hydro & Power Authority, BC	029768	\$7,707.43
7/18/12	Jeff's Installation	029769	\$400.95
7/18/12	Jim & Don Investments Ltd.	029770	\$1,899.24
7/18/12	Kal Tire	029771	\$36.03

<b>Document Date</b>	<b>Vendor Name</b>	<b>Document Number</b>	<b>Document Amount</b>
7/18/12	Konica Minolta	029772	\$678.82
7/18/12	MATI-AO	029773	\$2,128.00
7/18/12	McElhanney Consulting Services Ltd.	029774	\$39,361.45
7/18/12	Minister of Finance - PTB	029775	\$98,503.07
7/18/12	One Call, BC	029776	\$67.20
7/18/12	Petersen Dane	029777	\$100.00
7/18/12	Powsey, Clive	029778	\$26.00
7/18/12	Purin, Paul	029779	\$100.00
7/18/12	Receiver General For Canada	029780	\$15,094.41
7/18/12	Record, Comox Valley	029781	\$192.49
7/18/12	Rees Joanne	029782	\$27.33
7/18/12	Refrigeration & Air Conditioning Ltd., Comox Valley	029783	\$781.37
7/18/12	Regional Hospital District, Comox Strathcona	029784	\$378,216.00
7/18/12	Rehabilitation in Motion	029785	\$56.00
7/18/12	Shades Tankers (1976) Ltd.	029786	\$5,638.09
7/18/12	Shaw Cablesystems G.P.	029787	\$247.09
7/18/12	Shields Ind Services (2004) Ltd.	029788	\$441.28
7/18/12	SPCA, Comox Valley	029789	\$100.00
7/18/12	Speedpro Signs Courtenay	029790	\$566.06
7/18/12	Strathcon Industries	029791	\$151.85
7/18/12	Telus Communications	029792	\$1,129.05
7/18/12	Telus Mobility	029793	\$240.58
7/18/12	Frist National Financial LP/00821.122	029794	\$770.00
7/18/12	First National Financial LP/00701.084	029795	\$275.00
7/18/12	First Line Mortgage/00820.732	029796	\$770.00
7/18/12	Bank of Montreal/476.126 McKee	029797	\$770.00
7/18/12	Templer Andrew	029798	\$250.00
7/18/12	Vranjes, David	029799	\$136.00
7/18/12	Wandering Moose Cafe, The	029800	\$88.00
7/18/12	Andrew Sheret Ltd.	029801	\$58.28
7/18/12	Canadian Institute of Chartered Accountants, The	029802	\$115.71
7/18/12	Comox Pacific Express Ltd.	029803	\$57.31
7/18/12	Municipal Finance Authority	029804	\$99.59
7/18/12	North Island Tractor Ltd.	029805	\$64.72
7/18/12	Northern Ropes & Industrial Supply Ltd.	029806	\$409.57
7/18/12	Regional District, Comox Valley	029807	\$362,913.00
7/18/12	Slegg Construction Materials Ltd./Slegg Lumber	029808	\$2,930.18
7/18/12	Vimar Equipment	029809	\$679.88
7/19/12	Mastercard, Credit Union	029810	\$2,119.48
7/25/12	Brown Michael	029811	\$120.00
7/25/12	Eldon, Jonathan	029812	\$765.00
7/25/12	Longpre, Rocklene	029813	\$180.00
7/25/12	Nicholls, Deanise	029814	\$310.00
7/25/12	Wilson, Jessica	029815	\$260.00
7/06/12	Municipal Pension Plan	CASH	\$7,307.71
7/16/12	Konica Minolta	CASH	\$1,232.00
7/16/12	Konica Minolta	CASH	\$1,000.59

<b>Document Date</b>	<b>Vendor Name</b>	<b>Document Number</b>	<b>Document Amount</b>
7/20/12	Municipal Pension Plan	CASH	\$7,104.07
7/28/12	Municipal Finance Authority	CASH	\$2,438.74
7/28/12	Municipal Finance Authority	CASH	\$2,119.50
7/28/12	Municipal Finance Authority	CASH	\$1,053.12
7/28/12	Municipal Finance Authority	CASH	\$873.72
7/28/12	Municipal Finance Authority	CASH	\$869.06
7/28/12	Municipal Finance Authority	CASH	\$867.83
7/28/12	Municipal Finance Authority	CASH	\$662.04
7/28/12	Municipal Finance Authority	CASH	\$617.83
7/28/12	Municipal Finance Authority	CASH	\$525.29
7/28/12	Municipal Finance Authority	CASH	\$328.25
7/28/12	Municipal Finance Authority	CASH	\$280.51
7/28/12	Municipal Finance Authority	CASH	\$227.57
7/28/12	Municipal Finance Authority	CASH	\$108.35
7/28/12	Municipal Finance Authority	CASH	\$101.63
	Total		<u>\$1,339,589.87</u>



The Corporation of the Village of Cumberland  
 Electronic Funds and Cheque Register  
 From , August 1st 2012 to August 31st, 2012

Document Date	Vendor Name	Document Number	Document Amount
8/01/12	ABC Printing	029816	\$633.92
8/01/12	Accu-Tech Torch & Regulator Repair	029817	\$15.23
8/01/12	Allen, Jordon	029818	\$50.00
8/01/12	Alsco Nanaimo	029819	\$198.57
8/01/12	Andrew Sheret Ltd.	029820	\$5,355.65
8/01/12	Baird, Laurie	029821	\$75.00
8/01/12	Baird, Leslie	029822	\$291.00
8/01/12	BK Short Engineering Ltd.	029823	\$2,243.75
8/01/12	Bossom, Kevin	029824	\$50.00
8/01/12	Comox Pacific Express Ltd.	029825	\$41.96
8/01/12	Courtenay Auto Supply Ltd.	029826	\$44.79
8/01/12	Crisfield, Robert	029827	\$1,552.46
8/01/12	Cupe Local 556	029828	\$674.86
8/01/12	Dahlke Joanne	029829	\$250.00
8/01/12	DAVID S BRIGGS M D INC	029830	\$92.50
8/01/12	Echo, Comox Valley	029831	\$148.34
8/01/12	FORTISBC-Natural Gas	029832	\$757.04
8/01/12	General Paint Corp.	029833	\$116.29
8/01/12	Gregg Distributors (B.C.) Ltd.	029834	\$13.74
8/01/12	Grey Rock Welding & Fab. Ltd.	029835	\$533.72
8/01/12	Greyhound Courier Express	029836	\$29.18
8/01/12	Guthrie, Russell Sean	029837	\$105.00
8/01/12	Harris & Company LLP	029838	\$176.96
8/01/12	Hartman Auto Supply 1996 Ltd.	029839	\$285.16
8/01/12	Hydro & Power Authority, BC	029840	\$257.80
8/01/12	Hyland Precast Inc.	029841	\$1,236.01
8/01/12	Iron Mountain	029842	\$54.63
8/01/12	Island Timberframe Ltd.	029843	\$5,000.00
8/01/12	Justice Institute of British Columbia	029844	\$7,407.00
8/01/12	KALEX TESTING INC.	029845	\$392.00
8/01/12	Laursen, Garry	029846	\$528.40
8/01/12	Life and Casualty Company, BC	029847	\$1,374.56
8/01/12	Local Govt. Mgmt. Association	029848	\$476.00
8/01/12	Lordco Auto Parts	029849	\$1,014.51
8/01/12	McElhanney Consulting Services Ltd.	029850	\$14,201.25
8/01/12	Midland Tools	029851	\$11.20
8/01/12	Monk Office	029852	\$732.31
8/01/12	North Island Tractor Ltd.	029853	\$1,118.75
8/01/12	Ono Trading Courtenay	029854	\$281.12
8/01/12	Pacific Blue Cross	029855	\$3,380.14
8/01/12	Phoenix Benefits Solutions Inc.	029856	\$4,620.00

Document	Document		
Date	Vendor Name	Number	Document Amount
8/01/12	Price's Alarm Systems Ltd.	029857	\$402.52
8/01/12	Price's Security Locksmiths	029858	\$37.27
8/01/12	Purolator Courier Ltd.	029859	\$123.95
8/01/12	Receiver General For Canada	029860	\$15,480.81
8/01/12	Regional District, Comox Valley	029861	\$9,130.98
8/01/12	Rehabilitation in Motion	029862	\$56.00
8/01/12	Revenue Services of British Columbia	029863	\$2,120.00
8/01/12	Rogers Communications Inc.	029864	\$109.84
8/01/12	Savage, Graham	029865	\$2,497.50
8/01/12	Shaw Cablesystems G.P.	029866	\$72.74
8/01/12	Shields Ind Services (2004) Ltd.	029867	\$123.20
8/01/12	Slegg Construction Materials Ltd./Slegg Lumber	029868	\$484.33
8/01/12	South Country Feed	029869	\$165.40
8/01/12	Speedpro Signs Courtenay	029870	\$59.73
8/01/12	Stevens David	029871	\$287.00
8/01/12	Stockand Trisha	029872	\$97.22
8/01/12	Strathcon Industries	029873	\$229.57
8/01/12	Sun Coast Waste Services	029874	\$11,353.44
8/01/12	Tidy Tanks Ltd.	029875	\$9,457.28
8/01/12	Tom Harris Business Solutions	029876	\$336.00
8/01/12	Van Houtte Coffee Services	029877	\$309.70
8/01/12	Vancouver Island Paving Ltd	029878	\$1,064.00
8/01/12	Vranjes, David	029879	\$102.00
8/01/12	Water & Waste Association, BC	029880	\$60.00
8/01/12	Whole Show Restorations, The	029881	\$750.00
8/15/12	ABC Printing	029882	\$107.52
8/15/12	Ace Industrial Supply, Inc	029883	\$172.71
8/15/12	Andrew Sheret Ltd.	029884	\$23.65
8/15/12	Associated Fire & Safety	029885	\$57.17
8/15/12	BFI Canada - Comox	029886	\$902.19
8/15/12	Cedar Mountain Signs	029887	\$84.00
8/15/12	Cleartech Industrials Inc.	029888	\$63.46
8/15/12	Coastal Mountain Fuels	029889	\$4,573.64
8/15/12	Council of Senior Citizen's Organizations of BC	029890	\$150.00
8/15/12	Countryside Rentals Ltd.	029891	\$25.20
8/15/12	Couriers, Comox Valley	029892	\$7.84
8/15/12	Cumberland General Store	029893	\$767.63
8/15/12	Cumberland Motorcycle Roundup	029894	\$287.00
8/15/12	Cupe Local 556	029895	\$697.21
8/15/12	D. Robinson Contracting Ltd.	029896	\$25,215.74
8/15/12	DPOC Neopost Canada Ltd	029897	\$1,302.56
8/15/12	Echo, Comox Valley	029898	\$254.49
8/15/12	Emcon Services Inc	029899	\$1,912.18
8/15/12	Footprints Securitiy Patrol Inc.	029900	\$218.40
8/15/12	GREEN DARRELL B	029901	\$198.00
8/15/12	Grieve, Glen	029902	\$1,330.25
8/15/12	Hartman Auto Supply 1996 Ltd.	029903	\$88.17

Document		Document	
Date	Vendor Name	Number	Document Amount
8/15/12	HMCS QUADRA	029904	\$50.00
8/15/12	Houle Electric Limited	029905	\$6,171.28
8/15/12	Hryko, Sandra	029906	\$77.43
8/15/12	Hydro & Power Authority, BC	029907	\$8,542.98
8/15/12	Hyland Precast Inc.	029908	\$165.87
8/15/12	Iron Mountain	029909	\$54.03
8/15/12	Jim & Don Investments Ltd.	029910	\$865.42
8/15/12	Kal Tire	029911	\$809.09
8/15/12	Konica Minolta	029912	\$456.93
8/15/12	Land Title & Survey Authority of British Columbia	029913	\$71.25
8/15/12	Lee Mac Electric Ltd.	029914	\$1,243.78
8/15/12	Lordco Auto Parts	029915	\$58.97
8/15/12	Loretta Christoff Ent. Inc.	029916	\$823.42
8/15/12	Mason, Michelle	029917	\$1,573.00
8/15/12	McElhanney Consulting Services Ltd.	029918	\$250.00
8/15/12	Ministry of Environment	029919	\$578.23
8/15/12	Monk Office	029920	\$622.34
8/15/12	Municipal World Inc.	029921	\$61.60
8/15/12	North Island Communications Inc.	029922	\$2,068.64
8/15/12	North Island Laboratories Ltd.	029923	\$1,014.72
8/15/12	North Island Tractor Ltd.	029924	\$200.12
8/15/12	Northern Ropes & Industrial Supply Ltd.	029925	\$135.91
8/15/12	Optrics Inc.	029926	\$1,764.00
8/15/12	Price's Security Locksmiths	029927	\$34.20
8/15/12	Receiver General For Canada	029928	\$14,902.72
8/15/12	Record, Comox Valley	029929	\$356.60
8/15/12	Regional District, Comox Valley	029930	\$574.75
8/15/12	Regional Library, Vancouver Island	029931	\$27,590.00
8/15/12	Robertson, Margaret	029932	\$201.58
8/15/12	Rogers Communications Inc.	029933	\$110.82
8/15/12	Safety Authority, British Columbia	029934	\$952.00
8/15/12	Shaw Cablesystems G.P.	029935	\$123.77
8/15/12	Slegg Construction Materials Ltd./Slegg Lumber	029936	\$280.62
8/15/12	Stewart McDannold Stuart	029937	\$82.49
8/15/12	Strathcon Industries	029938	\$9.77
8/15/12	Tayco Paving Company	029939	\$145.04
8/15/12	Telus Communications	029940	\$1,084.02
8/15/12	Tran Sign (1999) Ltd.	029941	\$1,723.66
8/15/12	Vranjes, David	029942	\$102.00
8/15/12	Waterfield Janet	029943	\$250.00
8/23/12	Topham Sundance	029944	\$2,801.65
8/29/12	Acklands-Grainger Inc.	029945	\$33.59
8/29/12	Addy Power Ltd.	029946	\$15,914.08
8/29/12	Alsco Nanaimo	029947	\$400.09
8/29/12	Andrew Sheret Ltd.	029948	\$86.11
8/29/12	Brenntag Canada Inc.	029949	\$674.78
8/29/12	Canadian Payroll Association, The	029950	\$218.40

<b>Document</b>	<b>Document</b>		
<b>Date</b>	<b>Vendor Name</b>	<b>Number</b>	<b>Document Amount</b>
8/29/12	Canadian Tire #350	029951	\$33.58
8/29/12	Carvello Law Corporation	029952	\$3,312.96
8/29/12	Chameleon Creative Graphic & Web Design Inc.	029953	\$28.00
8/29/12	Chung, Kathryn	029954	\$95.00
8/29/12	Comox Pacific Express Ltd.	029955	\$224.19
8/29/12	Corix Water Products Limited Partnership	029956	\$992.74
8/29/12	Courtenay Auto Supply Ltd.	029957	\$6.59
8/29/12	Cumberland Museum & Archives	029958	\$20.00
8/29/12	Cupe Local 556	029959	\$737.05
8/29/12	Dale's Plumbing and Mech. Ltd.	029960	\$179.20
8/29/12	DEKRA-LITE	029961	\$10,903.78
8/29/12	Dialect Communications Group	029962	\$3,584.00
8/29/12	Diamond Municipal Solutions	029963	\$10,303.82
8/29/12	E.B. Horsman & Son	029964	\$280.76
8/29/12	Echo, Comox Valley	029965	\$129.56
8/29/12	FORTISBC-Natural Gas	029966	\$422.94
8/29/12	Graphic Controls Canada Co	029967	\$107.23
8/29/12	Gregg Distributors (B.C.) Ltd.	029968	\$109.23
8/29/12	Grey Rock Welding & Fab. Ltd.	029969	\$197.49
8/29/12	Greyhound Courier Express	029970	\$136.02
8/29/12	Haughton Kevin	029971	\$250.00
8/29/12	Hilz Rachel	029972	\$1,401.68
8/29/12	Home Hardware Centre	029973	\$63.32
8/29/12	Hydro, BC	029974	\$413.28
8/29/12	Industrial Plastics & Paints	029975	\$68.21
8/29/12	Kal Tire	029976	\$16.80
8/29/12	Life and Casualty Company, BC	029977	\$2,091.32
8/29/12	Mastercard, Credit Union	029978	\$1,199.87
8/29/12	Monk Office	029979	\$402.79
8/29/12	Municipal Finance Authority	029980	\$1,102.36
8/29/12	North Island Laboratories Ltd.	029981	\$1,317.68
8/29/12	North Island Tractor Ltd.	029982	\$30.28
8/29/12	OnDeck Systems Inc.	029983	\$2,352.36
8/29/12	Ono Trading Courtenay	029984	\$52.42
8/29/12	Oyster River Volunteer Fire Rescue Association	029985	\$56.00
8/29/12	Pacific Blue Cross	029986	\$3,305.78
8/29/12	Phoenix Benefits Solutions Inc.	029987	\$408.00
8/29/12	Pilon Tool Rentals (1972) Ltd.	029988	\$50.40
8/29/12	Price's Security Locksmiths	029989	\$37.46
8/29/12	Profire Emergency Equipment	029990	\$2,604.08
8/29/12	Razmus, Stan	029991	\$100.00
8/29/12	Receiver General For Canada	029992	\$16,724.60
8/29/12	Regional District, Comox Valley	029993	\$4,618.32
8/29/12	Rocky Mountain Phoenix	029994	\$48.26
8/29/12	Sampson, Bruce	029995	\$37.50
8/29/12	Sanderson Concrete Inc	029996	\$2,586.08
8/29/12	Savage, Graham	029997	\$3,922.50

Document		Document	
Date	Vendor Name	Number	Document Amount
8/29/12	Shaw Cablesystems G.P.	029998	\$185.80
8/29/12	Shields Ind Services (2004) Ltd.	029999	\$39.78
8/29/12	SPCA, Comox Valley	030000	\$100.00
8/29/12	Sun Coast Waste Services	030001	\$11,392.64
8/29/12	Telus Mobility	030002	\$778.55
8/29/12	ThyssenKrupp Elevator	030003	\$956.19
8/29/12	Van Houtte Coffee Services	030004	\$98.48
8/29/12	Van Kam Freightways	030005	\$104.34
8/29/12	Vancouver Island Mowing Ltd	030006	\$560.00
8/29/12	Vranjes, David	030007	\$136.00
8/29/12	Wandering Moose Cafe, The	030008	\$162.00
8/29/12	Wild Bunch Productions	030009	\$1,500.00
8/30/12	DAVID S BRIGGS M D INC	030010	\$1,758.83
8/03/12	Municipal Pension Plan	CASH	\$7,112.10
8/17/12	Municipal Pension Plan	CASH	\$7,174.03
8/28/12	Municipal Finance Authority	CASH	\$2,438.74
8/28/12	Municipal Finance Authority	CASH	\$2,119.50
8/28/12	Municipal Finance Authority	CASH	\$1,053.12
8/28/12	Municipal Finance Authority	CASH	\$873.72
8/28/12	Municipal Finance Authority	CASH	\$869.06
8/28/12	Municipal Finance Authority	CASH	\$867.83
8/28/12	Municipal Finance Authority	CASH	\$662.04
8/28/12	Municipal Finance Authority	CASH	\$617.83
8/28/12	Municipal Finance Authority	CASH	\$525.29
8/28/12	Municipal Finance Authority	CASH	\$404.21
8/28/12	Municipal Finance Authority	CASH	\$340.21
8/30/12	Municipal Finance Authority	CASH	\$227.57
8/31/12	Municipal Pension Plan	CASH	\$7,247.57
8/01/12	Cloverdale Paint Inc.	REMIT000017	\$0.00
8/01/12	Vimar Equipment	REMIT000018	\$0.00
			\$372,852.96

## 2012 OUTSTANDING ACTION ITEMS

Please note: In-camera action items and motions from minutes yet to be approved by Council are not included

#	RESOLUTION	STAFF	STATUS
12.20	THAT the Village of Cumberland Purchase of Goods and Services Policy be reviewed by staff and that a new Purchase of Goods and Services Policy be brought to Council for consideration.	Michelle & Rachel	In Process
12.21	THAT the Village of Cumberland Staff, Committee and Public Communications to Council Policy be amended to reflect the changes discussed during the December 29, 2011 Committee of the Whole Meeting and that these changes be incorporated into a new Staff and Council Communications Policy to be brought to Council for consideration.	Rachel	In Process
12.43	THAT Staff invite Staff Sergeant Andrew Isles to come to a Council meeting to discuss the Village of Cumberland Fireworks Bylaw No. 712, 1997.	Rachel	Spring 2013
12.64	THAT Council approve the expenditure of up to \$22,000 for the installation of a bus shelter and waste receptacles on Dunsmuir Avenue.	Judy & Kevin	Receptacles installed. Bus shelter pending library/ transit confirmation.
12.67	THAT the Village of Cumberland explore the pros and cons of establishing other park operating models for the Lake Park, such as creating Corporations within Corporations, during the time frame of the current agreement, January 20 <sup>th</sup> , 2012 to December 31 <sup>st</sup> , 2014.	Sundance	2013
12.68	THAT Village Staff draft an agreement with Coal Valley Estates for Council approval whereby, conditional upon Vancouver Island Health Authority source approval for the Coal Creek Well, the developer can prepay (or secure by suitable financial instrument) water Development Cost Charge fees in exchange for water Development Cost Charge credits, so that the Village of Cumberland Subdivision Approving Officer is satisfied that water supply will not preclude final approval of the Coal Valley Estates Phase 4A subdivision application.	Sundance	2013
12.111	THAT staff review Development Cost Charge Bylaw No. 934 in 2012 and include	Bob	In Process

Item 6.7

	Commercial Development Cost Charge fees as a major amendment to the Bylaw, and that as part of the review staff ensure that the Bylaw receives more than the required public consultation as part of the process.		
<b>12.113</b>	THAT Council approve the expenditure of up to \$15,000, to be funded 99 per cent through a contribution from the Sanitary Sewer Development Cost Charge Reserve, with a 1 per cent contribution from the Sanitary Sewer Operating Accumulated Surplus Reserve; for the municipal engineer to design an engineering and implementation plan that will allow the municipality to move forward on its Inflow & Infiltration reduction targets.	<b>Bob</b>	<b>Smoke Testing Ongoing</b>
<b>Item 9.7</b>	Council directed Staff to email the Dam Inspection Compliance form and the Lake Park annual water distribution report to Council.	<b>Rob</b>	<b>Complete</b>

March 12, 2012

<b>12.186</b>	<p>(i) THAT one committee and two commissions be formed including:</p> <ul style="list-style-type: none"> <li>• Parks Advisory Committee</li> <li>• Advisory Planning Commission</li> <li>• Heritage Commission;</li> </ul> <p>(ii) THAT the terms of reference and the relevant bylaws be brought forward to Council for consideration; and</p> <p>(iii) THAT the existing committees, No. 6 Heritage Mine Committee and the Coal Creek Historic Park Committee provide formal comments to Council, through staff, regarding the proposed "Advisory Parks Committee"</p>	<p><b>Judy Rachel</b></p> <p><b>Heritage</b></p>	<p><b>In Process</b></p> <p><b>Appointments Sep 24 deadline</b></p>
<b>12.192</b>	THAT Staff research whether Development Cost Charge fees are available and can be used to extend the sidewalk up Third Street to Kendal Avenue.	<b>Rob</b>	<b>In Process</b>
<b>12.201</b>	THAT as part of the Development Cost Charge Bylaw review, staff research the possibility of having Commercial Development Cost Charge fees exempted in the historical downtown commercial area, pursuant to the applicable sections of the Official Community Plan, as long as the heritage character and integrity is protected and/or enhanced.	<b>Bob &amp; Sundance</b>	<b>In Process</b>

March 26, 2012

<b>12.218</b>	<p>THAT Staff re-establish the Cumberland Liquid Waste Management Public Advisory Committee and as part of the process confirm the existing members and determine whether additional members are needed, and upon reestablishment of the Public Advisory Committee that the Public Advisory Committee review the March 20<sup>th</sup>, 2012 Liquid Waste Management Plan Status Update report prepared by Bob Hoffstrom, P.Eng., Village Engineer &amp; Dan Hooper, P.Eng., McElhanney Consulting and report back to the Steering Committee.</p>	<b>Rob</b>	<b>In Process</b>
<b>12.222</b>	<p>THAT staff prepare a report examining the fee structure for waived user fees by the Village of Cumberland, in preparation for the 2013 budget discussions, and that this report be brought to Council by November 2012.</p>	<b>Rachel</b>	<b>Nov 2012</b>
<b>12.223</b>	<p>THAT staff prepare a report on Village of Cumberland contributions, including in-kind, to local community organizations, and that this report be brought back to Council by September 2012.</p>	<b>Rachel</b>	<b>Oct 2012</b>
<b>12.226</b>	<p>THAT staff research and report back to Council on the possibility of parking fees at Cumberland Lake Park and Cumberland Recreation Institute.</p>	<b>Rob &amp; Rachel</b>	<b>In Process</b>

64

April 10, 2012

<b>12.248</b>	<p>THAT Staff bring forward a Smoke Free Outdoor Public Place Bylaw for outside municipal buildings.</p>	<b>Rachel</b>	<b>In Process</b>
<b>12.256</b>	<p>THAT Staff be directed to implement the temporary off leash dog park in Village Park, with the recommended signage, fence and gate repairs and doggy-bag dispenser and bags as documented in the report; and that the 2012 – 2016 Financial Plan Bylaw be amended to add the \$2,350 in costs.</p>	<b>Michelle &amp; Darby &amp; Kevin</b>	<b>Complete</b>
<b>12.281</b>	<p>THAT Council request staff to get more clarification regarding Coal Valley Estates' responsibility in regards to the runoff from their proposed development adjacent to Camp Road in relation to the Official Community Plan section that states development needs to keep 90 per cent of rain on their development properties.</p>	<b>Sundance Rob</b>	<b>In Process To be considered at Subdivision</b>

		Sundance	In Process until financing and governance issues resolved
<b>12.291</b>	<p>THAT the Council of the Corporation of the Village of Cumberland: Agrees to participate in the current CVRD funding application for the proposed south regional sewage treatment system and authorizes staff to finalize the details of such application; and Directs that such participation in the south regional sewage treatment system is conditional upon the finalized and approved LWMP Stage 2 Supplemental Report supporting the selection of the south regional sewage treatment system as Cumberland’s preferred long range strategy for sewage treatment and disposal, and is further conditional upon addressing financing and governance issues to the satisfaction of Cumberland.</p>	Sundance	Oct 2012 Council
<b>12.292</b>	<p>THAT Staff request a delegation from Comox Valley Regional District regarding an overview of the South Regional Sewer System grant application and that following the Comox Valley Regional District presentation, that Council review the following Motion 12-218R:</p> <ul style="list-style-type: none"> <li>• “THAT Staff re-establish the Cumberland Liquid Waste Management Public Advisory Committee and as part of the process confirm the existing members and determine whether additional members are needed, and upon reestablishment of the Public Advisory Committee that the Public Advisory Committee review the March 20<sup>th</sup>, 2012 Liquid Waste Management Plan Status Update report prepared by Bob Hoffstrom, P.Eng., Village Engineer &amp; Dan Hooper, P.Eng., McElhanney Consulting and report back to the Steering Committee.”</li> </ul>	Sundance	
<b>12.303</b>	<p>THAT Council receives Cumberland Community Forest Management Plan Proposed Amendments Report and THAT Council approves the Grantees amendments with proposed changes by staff with a further amendment to replace all “<i>Village of Cumberland</i>” with just “<i>Village</i>” as required.</p>	Judy	Edits complete. Council Oct 2012
<b>12.305</b>	<p>THAT the Village of Cumberland continue to fund the municipal yard waste collection program until the end of 2016, and that the dates for this program be adjusted to begin earlier in the spring and end earlier in the fall, with no net cost increase.</p>	Michelle Rachel	2013 Schedule
<b>12.308</b>	<p>THAT item 12.124 of the Action List in regards to the Village of Cumberland Board of</p>	Trish	Complete

	Variance be put onto next agenda for the Village Hall meeting for discussion. <ul style="list-style-type: none"> <li>• THAT Council directs Ms. Rees to advertise for interested parties for the Board and that Council be presented with the list of applicants at their regular meeting on March 26<sup>th</sup>, 2012.</li> </ul>		
<b>12.309</b>	THAT Staff arrange a Village Hall Youth meeting at Cumberland Junior Secondary with Grade 9 students and create a formal agenda for that meeting.	Rachel	In Process for Fall 2012

May 14, 2012

<b>12.330</b>	THAT Council put in a table to the Rotary Club of Cumberland Centennial Meet Your Community event on September 15, 2012 to showcase who we are, what we're all about and how to participate.	Rachel	Sep 15 2012
<b>12.332</b>	THAT Council place the correspondence received April 23 <sup>rd</sup> , 2012 from Lori Kemp, Resident re: Adopt an Alley – Living Lanes on the July 30, 2012 Village Hall meeting agenda.	Trish	Complete
<b>12.335</b>	THAT Council direct staff to put back up the <i>no motorized vehicles</i> signage in Coal Creek Historic Park and THAT Council direct staff to research costs to erect other signage reflecting park rules and regulations, including <i>no camping</i> signage	Judy	In Process
<b>12.349</b>	THAT Council directs staff to research the potential collection methods and costs to participate in a Comox Valley Regional District composting pilot project, and report back to Council.	Judy Michelle	Complete
<b>12.351</b>	THAT Council direct staff to implement Phase 1 traffic calming measures for Kendal Avenue, and, if Phase 1 measures do not prove effective, provide Council with recommendations for implementing additional measures, including speed humps as noted in Phase 2; and THAT Council adopt as a policy, the requirement for considering traffic calming measures in the developers' traffic analysis report for new developments where warranted.	Judy	Signs installed. Neighbourhood letter to be sent out Sept 2012
<b>12.355</b>	THAT Council approve the expenditure of up to \$20,000, to be funded through Community Works Funds, for the necessary work associated with closing the west bound lane on Comox	Sundance	Complete

	<p>Lake Road, approximately 450 meters east of the Lake Park Campground, for the full 200 meter length, with the exception of a pull-out area between the two guard rail sections;</p> <p>AND THAT Council approve the expenditure of up to \$25,000, to be funded through Community Works Funds, for a detailed subsurface investigation of the area in 2012;</p> <p>AND THAT the \$25,000 currently allocated in the 2012 budget for the detailed subsurface investigation be reallocated to a general reserve for use for a different Council sanctioned project;</p> <p>AND THAT the financial plan bylaw be amended to reflect the changes.</p>	Michelle	In Process
<b>12.379</b>	THAT Council request funding from the Province to assist with compliance to the Comox Valley Regional Growth Strategy.	Rachel	In Process
<b>12.392</b>	That Council direct staff to re-advertise for volunteers to the Board of Variance in more creative and friendly way.	Jo	In Process

June 11, 2012

<b>12.402</b>	THAT Council direct staff to negotiate with the Comox Valley Children's Daycare Society in regard to a lease for the operation of Cumberland Community Preschool at 2675 Dunsmiur Avenue with the objective to cover costs for the Village and report back to Council.	Sundance	Complete
<b>12.406</b>	THAT Council refer the correspondence from Meaghan Cursons, Executive Director, Cumberland Museum and Archives re: Initiatives related to the space outside the Museum facility to staff.	Rob/Judy	In Process

June 25, 2012

<b>12.446</b>	THAT Council direct staff to prepare a report on guidelines and policies for community gardens for Council's consideration.	Judy	Fall/Winter 2012
<b>12.449</b>	THAT Council forward the May 31 <sup>st</sup> , 2012 correspondence from Imogene Lim, Vancouver Island University re: Parks Canada, Commemorations (current & future) to the Heritage Commission.	Rachel	In Process
<b>12.458</b>	THAT Council direct staff to prepare a report on block party policies for consideration by Council.	Rachel	Spring 2013

	Trisha	Complete
<p><b>12.476</b></p>	<p>WHEREAS the United Nations in July 2009 passed a resolution affirming the right of all persons to access clean drinking water and water for sanitation in order to meet fundamental needs; THEREFORE BE IT RESOLVED that the Village of Cumberland recognizes and affirms that access to clean water is a fundamental human right; and                      BE IT FURTHER RESOLVED that this Council calls on the federal and provincial governments to enshrine water as a human right in federal and provincial laws; and                      BE IT FINALLY RESOLVED that this Council calls on the Government of Canada to support the recognition of water as a human right in international law.</p>	<p><b>Complete</b></p>
<p><b>12.477</b></p>	<p>WHEREAS public health depends on equitable access to clean water supplies; and                      WHEREAS public ownership &amp; operation of drinking water treatment systems have improved access &amp; quality over the past century;                      THEREFORE BE IT RESOLVED that the Village of Cumberland is committed to public water systems; and                      BE IT FURTHER RESOLVED that the Village of Cumberland lobby the federal &amp; provincial governments to fulfill their responsibilities to support municipal infrastructure by investing in infrastructure funding that would address the growing need to renew existing water infrastructure &amp; build new systems; and                      BE IT FINALLY RESOLVED that this resolution be forwarded to FCM for circulation to members.</p>	<p><b>Complete</b></p>
<p><b>12.479</b></p>	<p>WHEREAS the Village of Cumberland operates and maintains a regulated water system that meets stringent water quality requirements; and                      WHEREAS the Village of Cumberland delivers very affordable water to its residents &amp; businesses; and                      WHEREAS Cumberland tap water is safe, healthy and more sustainable than single use bottled water; and                      WHEREAS Cumberland tap water is readily accessible at most public facilities;                      THEREFORE BE IT RESOLVED that the Village of Cumberland wishes to set a positive example to the community on environmental matters; and                      BE IT FURTHER RESOLVED that the Village of Cumberland re-enforces its current practice of providing municipal tap water at its meetings; and</p>	<p><b>Complete</b></p>

	sale of single- use bottled water in any Village owned or administered concessions, vending machines or public facilities where access to municipal tap water exists.		
<b>12.480</b>	THAT the Village of Cumberland host the Obon Cemetery delegation for lunch prior to the Obon ceremony on August 11, 2012.	<b>Councillor Kishi</b>	<b>Complete</b>
<b>12.481</b>	THAT Council send a member of the Cumberland OAP to the Council of Senior Citizens' Organizations of British Columbia, The Joys & Tears of Living Longer Conference, October 1-2, 2012 at village cost conditional on that individual reporting back to Council.	<b>Trisha</b>	<b>Complete</b>
<b>12.483</b>	THAT Council authorize the Chief Administrative Officer to request the meetings with Provincial cabinet ministers on the following topics: solid waste, water, liquid waste, BC Assessment, heritage, recreation funding programs.	<b>Rachel Trisha</b>	<b>Complete</b>
<b>12.485</b>	THAT Council write to the Minister of Energy and Mines in support of continued and certain funding for the 24/7 Salvation Army emergency shelter.	<b>Rachel</b>	<b>Complete</b>
<b>12.487</b>	THAT Council approve the request from Andrew Duncan, Manager, Tayco Paving, to exempt Tayco Paving from the Noise Bylaw from July 23 to July 27, 2012 and to require Tayco Paving to send notices to residents affected by the noise informing them of the work schedule.	<b>Rachel</b>	<b>Complete Notice sent</b>
<b>12.489</b>	That Council direct staff to rewrite the City of Fort St. John resolution on Federal infrastructure funding and bring it forward to the next regular council meeting.	<b>Rachel</b>	<b>Complete</b>
<b>12.491</b>	THAT Council direct staff to bring forward a report on the consequences of not purchasing carbon offsets and a resolution reflecting such action at a future meeting of council.	<b>Rob/Judy</b>	<b>Fall 2012</b>
<b>12.493</b>	THAT Council declare November 6, 2012 Respect for All Day in the Village of Cumberland.	<b>Trisha</b>	<b>Complete</b>
<b>12.495</b>	THAT Council grant the Development Variance Permit (File 2012-01-DV) for property legally described as Lot 45, District Lot 24, Nelson District, Plan VIP82932 (3382 First Street) to vary the height of a fence on the left side and rear yard from 2.0metres (6.6feet) to 3.3 metres	<b>Jo</b>	<b>Sent to LTO</b>

	(10.8feet).			
<b>12.497</b>	THAT Council grant the Development Variance Permit (File 2012-02-DV) for property legally described as Lot A (DD ED54026), Block 20, Nelson District, Plan 522C (2792 Penrith Avenue) to vary the rear lot line from the required 4.5metres to 2.9 metres to permit the conversion of an accessory building to a suite as part of the existing single family dwelling.	Jo	Sent to LTO	
<b>12.499</b>	THAT Council rescind the Policy and Statement of Operations Practices, Sidewalk and Roadway Inspections and Maintenance Policy adopted February 21, 1994; and THAT Council adopt the Sidewalk Repair Policy.	Rachel	Complete	
<b>12.501</b>	THAT the Council of the Corporation of the Village of Cumberland approve the joint application for the Civic-spatial-program grant from the Integrated Cadastral Information Society (ICIS), AND THAT the 2012-2016 Financial Plan be amended accordingly.	Judy Michelle	Complete Oct 2012	
<b>12.509</b>	THAT Council direct staff to prepare a report on the economic development potential of the industrial lands and schedule a Committee of the Whole meeting in the fall of 2012.	Sundance	COW Nov/Dec 2012	
<b>12.512</b>	THAT Council move forward on the tree bylaw and direct staff to revise the bylaw to apply it to all lands in Cumberland, reduce the fees, and address the significant tree list.	Judy	In Process	
<b>12.519</b>	THAT Councillor Copeman report back to Council on Museum hours of operation.	Councillor Copeman	Complete	

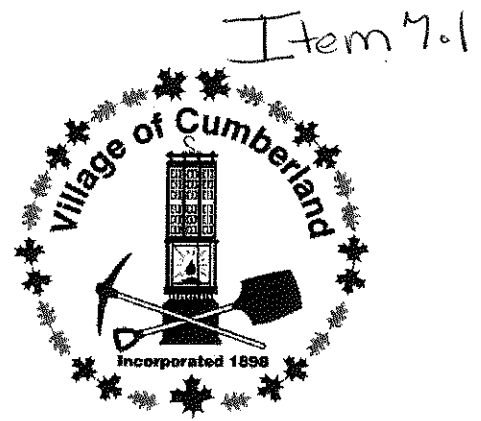
July 23, 2012

<b>12.524</b>	THEREFORE BE IT RESOLVED that the Corporation of the Village of Cumberland Council endorse the FCM campaign and urges the Minister of Transport, Infrastructure and Communities to work with FCM to ensure the new long term infrastructure plan meets the core infrastructure needs of cities and communities;  BE IT FURTHER RESOLVED that Corporation of the Village of Cumberland Council urges the Minister of Transport, Infrastructure and Communities to ensure that the new long-term plan is fully in place when existing programs expire in 2014; and	Trisha	Complete	
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	<p>BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Minister of Transport, Infrastructure and Communities, to the provincial Minister of Community, Sport and Cultural Development, to John Duncan, Member of Parliament for Vancouver Island North, to the Federation of Canadian Municipalities and to the Union of British Columbia Municipalities.</p>		
<b>12.525</b>	<p>THAT Council write to the Cumberland Museum advising that Council would like to see the Museum more accessible in the summer months and open on Sundays.</p>	<b>Rachel</b>	<b>Complete</b>
<b>12.528</b>	<p>THEREFORE BE IT RESOLVED that Council urge the provincial government to put a moratorium on the privatization of the LDB and to provide a formal vehicle - perhaps through appointment of a commissioner, a committee of MLAs, or similar means - for public discussion and community input.</p>	<b>Trisha</b>	<b>Complete</b>
<b>12.530</b>	<p>THAT Council reconfirm the following motions and provide them to John Duncan, MP for Vancouver Island North, and Don McRae, MLA, Comox Valley:</p> <p>THAT the Village of Cumberland request the BC Minister of the Environment, to conduct a comprehensive mapping and modeling of the aquifers that may be affected by the proposed mine and that the Province use this information in conducting its environmental assessment and in its determination of the appropriateness, or not, of approving this mine AND FURTHER THAT such mapping be completed prior to any mine development.</p> <p>THAT the Village Council of Cumberland request the Federal Minister of the Environment to refer the current environmental assessment of the Compliance Coal Corporation's proposed Raven Underground Coal Project near Buckley Bay, BC to an independent expert review panel for a full public hearing. This request is made pursuant to S. 28 of the <i>Canadian Environmental Assessment Act</i> based on:</p> <ul style="list-style-type: none"> <li>• the potential significant adverse environmental effects of this project; and</li> <li>• the deep and widespread public concerns associated with this project.</li> </ul>	<b>Rachel</b>	<b>Complete</b>
<b>12.532</b>	<p>THAT Council approve the additional road closure of Dunsmuir Avenue from Fourth Street to</p>	<b>Trisha</b>	<b>Complete</b>

	Fifth Street for the Cumberland Motorcycle Roundup on August 11, 2012 and require that Transit be advised.		
<b>12.534</b>	THAT Council approve the additional road closure of Dunsmuir Avenue from First Street to Fourth Street for the Rotary Club of Cumberland Centennial Annual Collector Car Cruise on July 28, 2012, and require that Transit be advised.	<b>Rachel</b>	<b>Complete</b>
<b>12.536</b>	THAT Council directs staff to incorporate recommendations from the Active Transportation Consultant meeting notes dated July 4, 2012 in drafting the active transportation plan for the Village.	<b>Judy</b>	<b>In Process</b>
<b>12.539</b>	THAT Council appoint Councillor Greening to the Heritage Commission; and direct staff to advertise for Commission members from the community at large.	<b>Rachel</b>	<b>Sep 24 Deadline</b>
<b>12.541</b>	THAT Council approve an application to the Federal Community Infrastructure Improvement Fund, Tire Stewardship BC, and the Rick Hansen Foundation for the Cumberland Village Park Renewal Project.	<b>Rachel</b>	<b>In Process</b>

# COUNCIL REPORT



REPORT DATE: August 30, 2012

MEETING DATE: September 10, 2012

TO: Mayor and Councillors

FROM: Joanne Rees, Planner

SUBJECT: Village of Cumberland Subdivision and Development Bylaw No. 948, 2012

## RECOMMENDATION

- i) THAT Council receive "Village of Cumberland Subdivision and Development Bylaw No. 948, 2012."
- ii) THAT Council give first and second readings to the "Village of Cumberland Subdivision and Development Bylaw No. 948, 2012."

## SUMMARY

The 'Corporation of the Village of Cumberland Subdivision Control Bylaw' was adopted in 1993, with only fee amendments since that date. Staff are recommending amendments be made which reflect Village needs, and provides for clarification and consistency with regards to new technologies and information.

Recently the Council reviewed a draft of the Bylaw and adopted the following resolution:

*"THAT Council direct staff to revise the draft Subdivision and Development Bylaw No. 948, 2012' with consideration of matters discussed including corrections, street name themes, specific standards under Schedule E such as traffic calming, boulevard trees, and standards that exceed the Master Municipal Construction Documents, incorporation of requirements of the Regional Growth Strategy, DarkSky standards, signatories and 'legal representatives', inclusion of options for green stormwater management; and to bring the Bylaw forward for consideration at a Council meeting in September 2012".*

## BACKGROUND

### Major changes

Briefly, the major changes are:

- i) Separating into schedules for each part of part of subdivision and development.
- ii) Addition of a procedure and fee for a Permit to Works on Public Lands or Right-of-Ways, which is required when works are being carried out by other than the Village;

- iii) Addition of a procedure and fee for Development of Offsite Works and Services, which covers works not on the affected property that are required to support development being carried out by Building Permit;
- iv) Clarifying standards for subdivision by referencing *Master Municipal Construction Documents (MMCD)* and Best Management Practices as minimum and includes additional requirements above and beyond the standards required. By referencing the MMCD, 44 pages of 1993 standards and drawings, have been removed.

Conformance with Regional Growth Strategy and Official Community Plan

Very few of the directions of the Regional Growth Strategy were addressable in this bylaw, as it gets its direction from other acts, regulations and bylaws with the exception of providing road standards which would encourage pedestrian, cycling, and transit uses. Additional standards were added to Schedule E to address this guideline in addition to the standards set in the Roads Master Plan.

In considering a subdivision, the Approving Officer are required to consider all the guidelines and regulations in the Official Community Plan, and staff has reviewed the Bylaw and recommends that it complies with the Official Community Plan.

**Incentives to Use Green Infrastructure**

An incentive in the form of a 5% reduction in application fees has been added to Schedule E.

**FINANCIAL IMPLICATIONS**

Application Fees

The application fees are intended to cover all staff time and in the case of subdivision the Approving Officer as well. Staff reviewed all the steps in processing subdivision applications. Below are presented three options for Council to consider.

**Option #1 (as previously presented)**

<b>4 lot Subdivision</b>		
Base Fee	\$1,000	\$1,000
Per Lot	\$170	\$680
Total Application Fee		<b>\$1,680</b>

<b>10 lot Subdivision</b>		
Base Fee	\$1,000	\$1,000
Per Lot	\$170	\$1,700
Total Application Fee		<b>\$2,700</b>

<b>35 lot Subdivision</b>		
Base Fee	\$1,000	\$1,000
Per Lot	\$170	\$5,950
Total Application Fee		<b>\$6,950</b>

**Option #2 (sliding scale)**

<b>4 lot Subdivision (1-5 lots)</b>		
Base Fee	\$1,500	\$1,500
Per Lot	\$100	\$400
Total Application Fee		<b>\$1,900</b>

<b>10 lots (6-10 lots)</b>		
Base Fee	\$2,000	\$2,000
Per Lot	\$100	\$1,100
Total Application Fee		<b>\$3,100</b>

<b>35 lots (11 or more lots)</b>		
Base Fee	\$3,000	\$3,000
Per Lot	\$100	\$3,500
Total Application Fee		<b>\$6,500</b>

**Option #3 (full cost recovery)**

<b>4 lot Subdivision</b>		
Base Fee	\$2,200	\$2,200
Per Lot	\$120	\$480
Total Application Fee		<b>\$2,680</b>
Actual Cost		<b>\$2,515</b>

<b>10 lot Subdivision</b>		
Base Fee	\$2,200	\$2,200
Per Lot	\$120	\$1,200
Total Application Fee		<b>\$3,400</b>
Actual Cost		<b>\$3,395</b>

<b>35 lot Subdivision</b>		
Base Fee	\$2,200	\$2,200
Per Lot	\$120	\$4,200
Total Application Fee		<b>\$6,400</b>
Actual Cost		<b>\$6,105</b>

Examples of subdivisions were considered in three sizes, 4 lots, 10 lots, and 35 lots, based on recent subdivision history.

**Option #1** is a slight increase from the current bylaw, which is a base fee of \$900 plus \$170 per lot. As illustrated in the table above, this method does not cover the estimated cost of processing a small or medium sized subdivision, and brings in considerably more than the estimated costs for the larger subdivision.

**Option #2** is a sliding scale based on the number of lots proposed, and proposes an incrementally increasing base fee and the same per lot fee for all three. This method does not cover the small subdivision costs covers the medium proposal, and brings in more than the estimated costs for the 35 lot subdivision.

**Option #3** is based on the premise of full cost recovery for all options based on a detailed estimation (see the attached fees justification chart).

Staff recommends that Council adopt Option #3 as above.

Peer Review Fees

The Peer Review fee was first implemented in 2007 to recover the costs for the Village engineer to review plans and drawings. Since that time, the scope of Peer Review has been increased in the Procedure Bylaw to include review of such things as (but not limited to) legal, engineering, environmental and architectural matters, as well as any public consultation regarding the project. It is proposed to increase the scope of Peer Review in the Subdivision and Development Bylaw as well.

The current Bylaw, as mentioned above, only collects engineering costs on a one time basis, any additional review that took place after the fee was paid, was not reimbursed. The new Bylaw proposes a fee which will capture all types of review (as above) with the initial fee being collected at Design Stage Approval (DSA) and any additional fees after that shall be paid at Final Approval. In this way, all Peer Review carried out will be reimbursed.

The Peer Review is a sliding scale based upon the cost of construction. The applicant's engineer provides this cost, and the Village must approve it. A sample of the calculation is as illustrated in the adjacent table.

A review of actual Peer Review fees paid has been a difficult task in that only one subdivision has been completed where the engineering fees were tracked. Phase 4 of Coal Valley Estates paid a Peer Review fee of \$26,439.97 on their

construction cost of \$657,598.75. It is calculated that there was \$20,476.94 for engineering review and a further \$12,279.31 for legal and consulting costs.

Cost of Construction	<b>\$1,050,000</b>	
4.5%	first \$500,000	\$22,500
2.5%	next 500,000	\$12,500
1.5%	over \$1,000,000	\$750
<b>Peer Review Paid at DSA</b>		<b>\$35,750</b>

Administration Fee

In addition to the Peer Review fees, staff are recommending a fee to recover the costs of administering the Peer Review Account in the amount of 10% of Peer Review paid.


## STRATEGIC OBJECTIVE

In Appendix 2 of the Council 2011 Corporate Priorities Plan these are included in: "Bylaws, Policies and Agreements Currently Being Prepared".

## ATTACHMENTS

- i) Draft Bylaw No. 948
- ii) Justification of fee


## CONCURRENCE

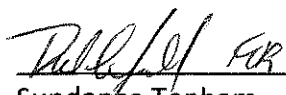
Michelle Mason, Chief Financial Officer   
Rob Crisfield, Manager of Operations

## OPTIONS

- i) THAT Council receive "Village of Cumberland Subdivision and Development Bylaw No. 948, 2012."
- ii) THAT Council give first and second readings to the "Village of Cumberland Subdivision and Development Bylaw No. 948, 2012."
- iii) Any other action deemed appropriate by Council.

Respectfully submitted,

  
\_\_\_\_\_  
Joanne Rees  
Planner

  
\_\_\_\_\_  
Sundance Topham  
Chief Administrative Officer

## Fees Justification

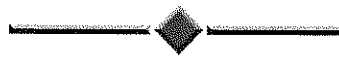
Subdivision Application Fee Justification											
		Who	4 lot Subdivision			10 lot Subdivision			35 lot Subdivision		
1	Receipt of application	Jr PL	0.5	\$39.91	\$19.96	0.5	\$39.91	\$19.96	0.5	\$39.91	\$19.96
	Discussion of application, missing items, details, etc	Jr PL	1.0	\$39.91	\$39.91	1.0	\$39.91	\$39.91	1.0	\$39.91	\$39.91
2	Preliminary review for completeness	Jr PL	0.5	\$39.91	\$19.96	1.0	\$39.91	\$39.91	1.0	\$39.91	\$39.91
3	Subdivision concept referred to applicable people	Jr PL	0.5	\$39.91	\$19.96	1.0	\$39.91	\$39.91	1.0	\$39.91	\$39.91
4 Review of concept for PLR by											
	Approving Officer	AO	1.0	\$70.00	\$70.00	2.0	\$70.00	\$140.00	5.0	\$70.00	\$350.00
	Engineer	Eng	Captured by Peer Review fee			Captured by Peer Review			Captured by Peer Review		
	Public Works	PW	1.0	\$44.34	\$44.34	1.0	\$44.34	\$44.34	2.0	\$44.34	\$88.68
	Fire Chief	FC	1.0	\$43.75	\$43.75	1.0	\$43.75	\$43.75	1.0	\$43.75	\$43.75
	Planning (applicable bylaws - zoning etc.)	Sr PL	1.0	\$44.58	\$44.58	1.0	\$44.58	\$44.58	1.0	\$44.58	\$44.58
5	Prepare PLR conditions	AO	2.0	\$70.00	\$140.00	3.0	\$70.00	\$210.00	4.0	\$70.00	\$280.00
6	Format, copy & send PLR	Jr PL	0.5	\$39.91	\$19.96	0.5	\$39.91	\$19.96	1.0	\$39.91	\$39.91
6	Assign Civic Addresses	Jr PL	0.5	\$44.58	\$22.29	0.5	\$39.91	\$19.96	2.0	\$44.58	\$89.15
7 Review of Design Stage Drawings by											
	Approving Officer	AO	2.0	\$70.00	\$140.00	3.0	\$70.00	\$210.00	6.0	\$70.00	\$420.00
	Engineer	Eng	Captured by Peer Review fee			Captured by Peer Review fee			Captured by Peer Review fee		
	Public Works	PW	2.0	\$44.34	\$88.68	3.0	\$44.34	\$133.01	6.0	\$44.34	\$266.03
	Planning (Parks, landscaping, trees)	Sr PL	1.0	\$44.58	\$44.58	1.0	\$44.58	\$44.58	2.0	\$44.58	\$89.15
9	Prepare Design Stage Approval ltr & conditions	AO	2.0	\$70.00	\$140.00	2.0	\$70.00	\$140.00	4.0	\$70.00	\$280.00
10	Format, copy & send Design Stage Approval ltr	Jr PL	0.5	\$39.91	\$19.96	1.0	\$39.91	\$39.91	1.5	\$39.91	\$59.87
11 Final Approval											
12	Prepare & keep current Checklist for FA	Jr PL	1.0	\$39.91	\$39.91	1.0	\$39.91	\$39.91	2.0	\$39.91	\$79.83
13	Prepare Draft Subdivision Serv or Maint Agrmt	Jr PL	1.0	\$39.91	\$39.91	1.0	\$39.91	\$39.91	2.0	\$39.91	\$79.83
14	Prepare Engr's Construction Completion Cert	Jr PL	0.5	\$39.91	\$19.96	0.5	\$39.91	\$19.96	0.5	\$39.91	\$19.96
15	Calculation of DCC's (if applicable)	FIN	1.0	\$70.00	\$70.00	1.0	\$70.00	\$70.00	2.0	\$70.00	\$140.00
16	Review for compliance with s.946 of L.G.A. (parks)	Sr PL	2.0	\$44.58	\$89.15	2.0	\$44.58	\$89.15	5.0	\$44.58	\$222.88
17	Review of Deficiencies list	Eng	Captured by Peer Review fee			Captured by Peer Review fee			Captured by Peer Review fee		
18 Inspections of Subdivision For Final Approval											
	Approving Officer	AO	2.0	\$70.00	\$140.00	4.0	\$70.00	\$280.00	6.0	\$70.00	\$420.00
	Engineer	Eng	Captured by Peer Review fee			Captured by Peer Review fee			Captured by Peer Review fee		
	Public Works	PW	2.0	\$44.34	\$88.68	3.0	\$44.34	\$133.01	6.0	\$44.34	\$266.03
	Planning (street trees & landscaping)	Sr PL	1.0	\$44.58	\$44.58	1.5	\$44.58	\$66.86	3.0	\$44.58	\$133.73
19 Review and acceptance of "Record" drawings											
	Approving Officer	AO	1.0	\$70.00	\$70.00	2.0	\$70.00	\$140.00	5.0	\$70.00	\$350.00
	Engineer	Eng	Captured by Peer Review fee			Captured by Peer Review fee			Captured by Peer Review fee		
	Public Works	PW	2.0	\$44.34	\$88.68	3.0	\$44.34	\$133.01	4.0	\$44.34	\$177.35
	Planning (street trees & landscaping)	Sr PL	1.0	\$44.58	\$44.58	1.5	\$44.58	\$66.86	2.0	\$44.58	\$89.15
20	Review and execution of plan of subdivision.	AO	1.0	\$70.00	\$70.00	1.5	\$70.00	\$105.00	2.0	\$70.00	\$140.00
21	Review and execution of any agreements, documents, including RoW, Covenants, etc.	AO	2.0	\$70.00	\$140.00	2.0	\$70.00	\$140.00	5.0	\$70.00	\$350.00
	Engineer	Eng	Captured by Peer Review fee			Captured by Peer Review fee			Captured by Peer Review fee		
	Legal	Legal	Captured by Peer Review fee			Captured by Peer Review fee			Captured by Peer Review fee		
22 Review of submittals for Acceptance (A.O.)											
	Approving Officer	AO	2.0	\$70.00	\$140.00	3.0	\$70.00	\$210.00	5.0	\$70.00	\$350.00
	Engineer	Eng	Captured by Peer Review fee			Captured by Peer Review fee			Captured by Peer Review fee		
	Public Works	PW	2.0	\$44.34	\$88.68	2.0	\$44.34	\$88.68	5.0	\$44.34	\$221.69
	Planning (street trees & landscaping)	Sr PL	1.0	\$44.58	\$44.58	1.0	\$44.58	\$44.58	2.0	\$44.58	\$89.15
23	Acceptance of subdivision	AO	1.0	\$70.00	\$70.00	1.0	\$70.00	\$70.00	1.0	\$70.00	\$70.00
24	Electronic filing, mapping consolidation, connection card filing, drawing filing, file cleanup and close	Jr PL	2.0	\$39.91	\$79.83	3.0	\$39.91	\$119.74	4.0	\$39.91	\$159.65
<b>Total</b>			<b>42.5</b>	<b>\$2,286.40</b>	<b>\$56.5</b>	<b>\$3,086.44</b>	<b>\$100.5</b>	<b>\$5,550.02</b>	<b>\$6,105.02</b>		
<b>10% Contingency</b>				<b>\$2,515.04</b>		<b>\$3,395.08</b>					

junior planner	\$31.93	\$39.91
senior planner	\$35.66	\$44.58
public works foreman	\$35.47	\$44.34
clerical	\$24.65	\$30.81
Fire Chief	\$35.00	\$43.75
AO	\$56.00	\$70.00

**STATUS**

**TITLE:** Corporation of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012

**PURPOSE:** A bylaw to regulate the subdivision and development of land within the corporate limits of the Village of Cumberland.



**COUNCIL:** **Date:** June 11, 2012  
**Decision:** Referred to Committee of the Whole meeting on July 16, 2012

**COMMITTEE OF THE WHOLE:** **Date:** July 16, 2012  
**Decision:** Discussion, minor amendments

**COUNCIL:** **Date:** September 10, 2012  
**Decision:** 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings

**COUNCIL:** **Date:**  
**Decision:**

**CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 948**

**A bylaw to regulate the subdivision and development of land  
within the corporate limits of the Village of Cumberland.**

**WHEREAS** Council wishes to regulate the development and subdivision of land to assist in assuring the safe, equitable, efficient, economical and orderly subdivision and development of land for the benefit of the community as a whole;

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

<b>PART A      ADMINISTRATION</b>
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**1.      TITLE**

This bylaw may be cited for all purposes as the 'Corporation of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012.'

**2.      APPLICATION**

- a)      This bylaw shall be applicable to all land within the municipal boundaries of the Corporation of the Village of Cumberland.
- b)      Procedures and fees under which an Owner of land may apply for a subdivision of lands are set out in Schedules A and A-1 which are attached and forms part of this Bylaw.
- c)      Procedures and fees under which an Owner of land may apply for a Permit to do Works in a Public Lands or Right-of-Ways are set out in Schedule B and B-1 which are attached and forms part of this Bylaw.
- d)      Procedures and fees under which an Owner of land may apply to carry out Development Offsite Works and Services are set out in Schedule C and C-1 which are attached and forms part of this Bylaw.
- e)      Standards for drawings for subdivision, development, and works and services are set out in Schedule D which is attached to and forms part of this Bylaw
- f)      Standards for subdivision and development are set out in Schedules 'E through H' which are attached to and form part of this Bylaw.

**3.      PENALTIES AND ENFORCEMENT**

- a)      The Chief Administrative Officer, Corporate Officer, Approving Officer, Manager of Operations, Protective Services Manager, Village Engineer, and Building Inspector may administer and enforce this bylaw.
- b)      Any person who does not comply with any provision of this bylaw commits an offence

- c) Except as otherwise provided for in this bylaw, any person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carry-out or perform any duty or obligation imposed by this bylaw is liable on summary conviction to a penalty not exceeding \$10,000 and not less than \$1,000 in accordance with Section 263 of the *Community Charter*.

#### 4. SEVERABILITY

If any provision of this bylaw is found invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

#### 5. REPEAL

The 'Village of Cumberland Subdivision Bylaw No. 652, 1993' and all amendments are hereby repealed upon adoption of this bylaw.

### **PART B DEFINITIONS**

The context meaning of terms contained in this Bylaw and not defined herein, are to be determined in accordance with firstly, the *Land Title Act*, secondly, this Bylaw and thirdly in the 'Corporation of the Village of Cumberland Zoning Bylaw No. 717, 1997,' as amended from time to time and then in the Canadian Oxford dictionary.

**ACCEPTANCE CERTIFICATE** certifies that that Final Approval has been given for the works, the maintenance period has ended, any defects remedied, and the Village assumes ownership of the works from the Owner.

**APPROVING OFFICER (AO)** means the person appointed by Council to carry out the duties pursuant to the provisions of the *Land Title Act*, *Strata Property Act*, *Local Government Act*, and the *Real Estate Development Marketing Act* or the duly appointed deputy.

**CHIEF ADMINISTRATIVE OFFICER (CAO)** means the Chief Administrative Officer of the Village and includes anyone authorized by Council to act on his behalf.

**CONSTRUCTION COMPLETION CERTIFICATE** means a certificate issued by the Village of Cumberland confirming that all works and services required for the subdivision or development have been satisfactorily completed.

**COORDINATING REGISTERED PROFESSIONAL (CRP)** means a registered professional retained by the Owner to coordinate all design work and field reviews of the registered professionals required for the project.

**COUNCIL** means the Council of the Corporation of the Village of Cumberland.

**CONSTRUCTION AGREEMENT (BUILDING PERMIT)** means an agreement between the Village and an Owner for the completion of deficiencies for off-site works and services required for a Building Permit.

**CONSTRUCTION AGREEMENT (SUBDIVISION)** means an agreement between the Village and the Owner for the completion of deficiencies of minor on-site and off-site works and

	services required for subdivision of land.
<b>DESIGN STAGE APPROVAL (DSA)</b>	means when the Village has approved the design of the works and services and is permitting construction to begin.
<b>FINAL APPROVAL</b>	means that all major works and services as described in the <i>Design Stage Approval</i> have been completed and approved and the maintenance period begins.
<b>GREEN INFRASTRUCTURE</b>	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: <ul style="list-style-type: none"><li>a) promote infiltration and and groundwater recharge such as but not limited to disconnected roof leaders, grassy swales and rain gardens;</li><li>b) roadside curb cuts that direct road runoff onto grassy sales and rain gardens;</li><li>c) reduce runoff and reduce/avoid the impact of peak flows such as permeable pavements, rock pits and other catch basins and detention ponds;</li><li>d) conserve water such as low flow fixtures and systems for water reclamation and redistribution such as greywater systems;</li><li>e) utilize alternative energy sources such as solar, wind, geothermal, energy;</li><li>f) conserve energy by using thermal windows, higher R-ratings in construction, district heat distribution, sewer heat recovery and industrial heat recovery; and</li><li>g) green building features.</li></ul>
<b>MAINTENANCE AGREEMENT</b>	means an agreement that covers the installed/constructed works for the period of time between <i>Construction Completion Certificate</i> and <i>Final Acceptance</i> .
<b>MMCD</b>	means the current version of the <u>Master Municipal Construction Document</u> as prepared by the Province of BC and the Master Municipal Construction Document Association.
<b>OWNER</b>	means a person registered in the land registry records as the Owner of land. For the purposes of this Bylaw, Owner includes an agent authorized in writing to act on his behalf by the registered Owner.
<b>PARTIAL CONSTRUCTION COMPLETION CERTIFICATE</b>	is issued by the Village to confirm that all works and services required for the subdivision or development have been completed, with the exception of minor deficiencies as determined by the AO.
<b>PRELIMINARY LAYOUT REVIEW (PLR)</b>	means a step in a subdivision application process whereby the Approving Officer assesses the application material and provides a list of conditions, amendments, and studies, and reports, that if completed, may lead to Final Approval of the subdivision.

**REGISTERED PROFESSIONAL (RP)** means a person who is registered or licensed to practice as a professional engineer under the British Columbia *Engineers and Geoscientists Act*.

**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 appointed by the Village to act as its municipal engineer.

**WORKS AND SERVICES** means, in general context, the water, sanitary sewer, drainage and road works and utilities, which the owner is required to provide on or off the site in relation to a subdivision , or off site related to a building permit

<b>READ A FIRST TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>READ A SECOND TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>READ A THIRD TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>ADOPTED THIS</b>	<b>DAY OF</b>	<b>2012.</b>

\_\_\_\_\_  
Mayor

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

## **Application for Subdivision**

### **1. Application**

- a) No person shall subdivide land without applying to the Approving Officer in accordance with this Bylaw.
- b) Applications for subdivision must be made a form provided by the Village together with such plans and particulars as may be required, and submitted to the Approving Officer.
- c) The application is only considered as being accepted when all the required information has been provided and fees have been paid in accordance with Schedule A-1 of this Bylaw.

### **2. General**

These specifications apply to the design and installation of services for new subdivisions, including the design and installation of waterworks, sanitary sewers, stormwater management, streets, underground power and communications, streetlighting, and other services or structures as required to be installed by the Owner.

#### **a) No Servicing Required**

- i) Where the lot is intended for future subdivision, the AO may waive requirements of this bylaw if the Owner voluntarily registers a Covenant pursuant to s.219 of the *Land Title Act* which prohibits the construction of buildings and structures and/or the use of the lot until the requirements that would have been imposed by this Bylaw are fully provided or secured in a manner and to the extent satisfactory to the Village.
- ii) The offer of and the acceptance of the Covenant must be to the satisfaction of the Village in its sole and unfettered discretion.
- iii) For certainty, this section does not require the Village's acceptance of a Covenant and if not accepted, this section is not applicable.

#### **b) Street Names**

Street names shall be subject to approval of Council and shall be guided by the following principles:

- i) The street names in the Village have traditionally been assigned based on street names found in the Cumbria area of northern England's 'Lakes District'. This general policy has been varied in cases where a property speaks to a different historical use, such as the future street name of Nikkei Crescent, for the area that was the Japanese town (in the area currently known as Maple Street).

**Schedule A**

- ii) Street names should be logical, understandable, and should be designed to satisfy the needs of visitors, operators and delivery vehicles, emergency vehicles, taxis, and similar uses, and local residents. Street names that are confusing, or that sound or appear similar to existing street names within the Village or adjacent electoral areas shall be avoided.
- iii) In the case of larger subdivisions, where a number of streets are involved, consideration may be given by Council to developing a common theme which may assist in associating a street with a specific neighbourhood.

**c) Compliance with Minimum Standards**

Nothing contained in this bylaw binds the AO to approve a subdivision complying with the minimum requirements contained in the MMCD and this Bylaw, if, in his opinion, such minimum standards would not be adequate to accommodate the proposed use of the land or otherwise be contrary to the public interest.

**3. Area and Frontage Requirements**

**a) Road Frontage**

Each lot created must front upon an open and maintained public street right-of-way and must comply with the minimum lot frontage and a minimum lot size, as prescribed in the Village's Zoning Bylaw.

**b) Frontage Exceptions**

Council delegates to the AO the authority to reduce the minimum lot frontage requirements provided that one or more of the following conditions apply:

- i) where a lot features unusual terrain or configuration;
- ii) where additional street dedication is required above and beyond the streets necessary to serve the proposed lot(s);
- iii) where the street dedication would prohibit a subdivision otherwise permitted by the specified minimum lot size.

**c) Panhandle Lots**

The creation of panhandle lots may be considered and permitted at the discretion of the AO provided that one or more of the following apply:

- i) a parcel features unusual terrain or configuration;
- ii) the lot would allow for a more efficient land use;
- iii) the panhandle portion forms half of a complete street dedication to accommodate future subdivision of the adjacent property.

**d) Cul-de-sacs**

Cul-de-sac streets will be considered in compliance with Village Bylaws and policies.

**Schedule A**

**e) No minimum Lot Size**

No minimum lot size shall apply in one of the following circumstances:

- i) where a subdivision is created through the use of density bonusing provisions of section 904 of the *Local Government Act* and Village bylaws and policies;
- ii) where a subdivision is created through the use of density averaging as permitted in Village Bylaws or in the provisions of the *Strata Property Act* provided that the Owner voluntarily registers a restrictive covenant pursuant to s.219 of the *Land Title Act* which prohibits the further subdivision of any part of the land used in the averaging calculation.
- iii) where lot lines are changed or lots are consolidated to facilitate existing development or to improve a subdivision pattern, provided that:
  - 1) no additional lots are created; and
  - 2) the lots are contiguous;
- iv) where a Crown Lease is granted;
- v) where a portion of an existing parcel is physically separated from the remainder of the parcel by an existing registered right-of-way (such as a public street, logging street, railway) but shall not include areas designated as 'Return to Crown' as indicated on the registered plan. In such cases, each severed parcel may become a separate parcel subject to all other requirements for subdivision being met;
- vi) where the lot is intended for a non-sewage generating use such as utility or park, provided the Owner voluntarily registers a covenant pursuant to s.219 of the *Land Title Act* which prohibits the construction of buildings and structures of sewage-generating occupancies.

**4. REQUIRED SERVICES**

- a) Unless otherwise specified in this Bylaw, all new subdivisions must be provided with the following infrastructure which shall be constructed in accordance with the standards established in the MMCD, this Bylaw and with Village policies:
  - i) **Subdivision with the majority of lots less than 1.0hectare in size**
    - 1) Community/Municipal system for the collection, treatment and disposal of wastewater.
    - 2) Community/Municipal water system.
    - 3) Onsite /Municipal stormwater management in accordance with Village bylaws and policies.
    - 4) Paved street of width and type in accordance with Village bylaws, reports, and policies.

**Schedule A**

- 5) Stormwater management (curbs, gutters, swales, ditches, etc.) appropriate for proposed density in compliance with Village bylaws and policies.
  - 6) Sidewalks in accordance with in accordance with Village bylaws, reports, and policies.
  - 7) Ornamental streetlighting
  - 8) Underground hydro & communications unless otherwise approved
  - 9) Where the proposed subdivision has frontage on a minor collector street or greater classification per Roads Master Plan<sup>1</sup>, bus bays in accordance with BC Transit specifications may be required.
  - 10) Proposed community mailbox(es) and access to them as required by Canada Post.
- ii) Subdivision with the majority of lots more than 1.0hectare in size**
- 1) Community/Municipal system for the collection, treatment and disposal of wastewater or servicing by an onsite wastewater disposal system in accordance with the Provincial *Health Act* and applicable regulations.
  - 2) Community/Municipal water system or proof of adequate onsite potable water (well)
  - 3) Onsite stormwater management in accordance with Village bylaws and policies.
  - 4) Paved street of width and type in accordance with Village bylaws, reports, and policies.
  - 5) Overhead hydro & communications
  - 6) Stormwater management (curbs, gutters, swales, ditches, etc.) appropriate for subject density in compliance with Village bylaws and policies.
  - 7) Where the proposed subdivision has frontage on a minor collector street or greater classification per Roads Master Plan, bus bays in accordance with BC Transit specifications may be required.
  - 8) Proposed community mailbox(es) and access to them as required by Canada Post.

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<sup>1</sup> Roads Master Plan prepared by McElhanney Consulting Services, September 2007

**Schedule A**

- b) All works and services required pursuant to this Bylaw must be provided at the sole cost of the Owner unless otherwise specified in this bylaw.

**5. PRELIMINARY LAYOUT REVIEW**

- a) An application for subdivision begins with consideration for Preliminary Layout Review and shall include:
  - i) The completed **application form** including authorizing signatures of the Owner and/or agent.
  - ii) **Fees** as prescribed in Schedule A-1.
  - iii) **Title search** for the subject property dated no more than 10 days prior to the date of application, with copies of all rights-of-way, easements, and restrictive covenants registered against the property. Where the property is owned by a company, a Corporate Search must be included which shows the company's principals.
  - iv) **Concept Drawings:** Three paper prints and one reduced copy (not larger than 28cm x 43cm) in accordance with Schedule D of this Bylaw.
  - vi) Completed Site Profile as in accordance with requirements of the *Environmental Management Act*; and
  - vii) The AO will advise the Owner in writing of any additional information required as necessary to completely assess the impact of a subdivision.

**b) Decision**

The AO will consider the subdivision application and within 60 days of receipt of a complete application he will advise the Owner in writing of the following:

- i) Requesting additional information;

OR

- ii) Grant conditional approval to the application, described as Preliminary Layout Review Approval (PLRA) and the conditions which are required to be fulfilled in order to achieve Final Approval. The conditions of approval will include:
  - 1) That the PLRA is effective for a period of one year from the date of acceptance of the application, at which time the application is considered expired; and
  - 2) That a request for PLRA extension may be made prior to the expiry of the PLRA and the AO may extend the PLRA once only for a period of up to 365 days; and
  - 3) That PLRA is not to be construed as final approval for land registration purposes. The PLRA indicates to the applicant that upon completion of the conditions noted, the subdivision proposal can reasonably be expected to receive Final Approval.

**Schedule A**

OR

- iii) Deny the application being described as Preliminary Layout Review Not Approved (PLRNA). The letter may include:
  - 1) any application refund as applicable per Schedule A-1;
  - 2) reasons for the denial; and
  - 3) that any further applications will constitute a new application.

**6. DESIGN STAGE APPROVAL (DSA)**

- a) The Owner shall retain, at his expense, a Coordinating Registered Professional (CRP) whose responsibilities must include:
  - i) Designing of the required services and specifications of installation of the works and services;
  - ii) Carrying out all necessary inspections in connection with design and installation of services;
  - iv) Supervising the installation of services; and
  - v) Upon completion of the works, shall submit certified 'Record' drawings to the AO.
- b) All aspects of this work shall meet or exceed the standards in the current edition of the MMCD. If proposed works are not included in the MMCD, good engineering practice shall be used in compliance with local, Provincial, and Federal codes and standards, and shall be subject to approval by the Village.
- c) The Owner shall submit:
  - i) Peer review fee as required;
  - ii) A list of contacts to be called in the case of an emergency;
  - iii) Proof of comprehensive liability insurance as applicable as required by Section 7 of this Schedule; and
  - iv) Plan for public protection and safety measures to be undertaken as required in Section 8 of this Schedule.
- d) The design criteria contained in the MMCD or in this Bylaw shall be considered minimum standards which does not relieve any RP of any professional responsibilities as to satisfy himself as to the adequacy of his design.
- e) The Owner shall submit to the Village for approval:
  - 1) Four sets of Design Drawings as required in Schedule D of this Bylaw;
  - 2) Supporting documents for the required statutory rights-of-way, easements, and covenants for the installation of services; and

**Schedule A**

- 3) Such other supporting documents or information as may be required by the AO.
- f) Approval of the design shall not relieve the Owner, the CRP, trades or sub trades from obtaining such other permits, approvals, or licenses as may be required by any other statute, regulation, or Village bylaw.
- g) When DSA has been granted, one set of drawings bearing the signature of the AO will be returned to the CRP for his information.

**7. INDEMNITY, INSURANCE, AND GUARANTEE**

- a) The Owner will provide proof of insurance that shall save harmless and effectually indemnify the Village against:
  - i) All actions and proceedings, costs, damages, expenses, claims and demands whatsoever and by whomsoever brought by reason of the construction and installation of any of the services proposed to be constructed;
  - ii) All expenses and costs which may be incurred by reason of the installation of the said work resulting in damage to any property owned in whole or in part by the Village or which the Village by duty or custom is obliged, directly or indirectly, in any way or to any degree, to construct, repair, or maintain with the exception of any proven gross negligence of the Village or its servants or agents;
  - iii) All expenses and costs which may be incurred by reason of liens for non-payment of labour or materials, Workers' Compensation assessments, unemployment insurance, Federal or Provincial Tax, and for encroachments owing to errors in survey; and
  - iv) All expenses and costs which may be incurred by the Village as a result of faulty workmanship and defective material in any of the works installed by the Owner provided that such fault or defect is brought to the attention of the Owner in writing within one year of the date of the Certificate of Completion.
- b) The Owner must at his sole expense and throughout the currency of the work, carry comprehensive liability insurance in the amount of at least \$5,000,000 with insurance companies licensed to carry on business in the Province of BC in partial discharge of its obligation under Clause 7(a) of this section and in every such policy of insurance the Village shall be named as an additional insured with proceeds payable as the interests of the Village and Owner may appear. Prior to commencement of the work the Owner shall furnish the Village with a certified copy of every policy of insurance herein required.

**Schedule A**

- c) The CRP must, at his sole expense and throughout the currency of the work, carry Professional Liability Insurance in the amount of at least \$1,000,000 with insurance companies licensed to carry on business in the Province of BC in partial discharge of its obligation under Clause 7(a) of this section.

**8. PROTECTION OF THE PUBLIC**

- a) The Owner must provide all such barricades, lighting and signs as are necessary to protect the public while the works are being installed.
- b) In order to maintain traffic movements with the least possible inconvenience, public street right-of-ways shall not be closed to traffic unless such closure has first been approved by the Village. The Owner must construct and maintain where necessary such detours and barriers as may be required to allow the public to pass safely around the works being installed. The Owner will be required to notify the Village, the Fire Department, the RCMP, and Public Transit, each time a public street right-of-way is to be closed and when it is expected to be re-opened.
- c) The Owner shall, at his own expense, provide for the protection and uninterrupted service of all watercourses, municipal works and services, and utilities encountered during the progress of the work. The Owner shall be responsible for all costs to repair damage which may occur to any of these existing works and services, as a result his construction.

**9. CONSTRUCTION AND INSPECTION**

- a) No departure shall be made from the approved Design Drawings without the approval of the Village.
- b) Prior to commencing any work on the subdivision development the CRP shall submit a detailed time schedule of the works to be constructed from land clearing to completion.
- c) A copy of all approved Design Drawings other documents shall be kept on the site at all times during active construction periods.
- d) The Village shall have access to the work at all reasonable times and may observe any part of the work or materials. Such observations shall in no way relieve the Owner from any obligation under this Bylaw.
- e) The CRP shall be available on site to observe and inspect the construction of the works and to approve materials. The CRP shall submit testing reports as required to the AO who may require additional tests. The costs of such testing shall be borne by the Owner.

**f) Street Cleaning**

During construction of the works for the subdivision, 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

## Schedule A

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. Final Approval may be withheld if these amounts are not paid.

h) **Sediment Control**

If, in the opinion of the Village, there may be 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 upon presentation of the invoice. Final Approval may be withheld if these amounts are not paid.

- i) Water, sanitary sewer, and storm drainage infrastructure shall not be connected to the Village system until the installations have been inspected and tested by the CRP and approved in writing by the AO.

### 10. FINAL APPROVAL

- a) The as-constructed subdivision plan shall substantially conform to the approved Design Drawings. The application for Final Approval need not cover the whole project in one application, but may, if submitted in phases as in a Strata Plan or Phased Development Agreement, be submitted as separate applications covering each phase.
- b) In application for Final Approval of a subdivision, or any Phase thereof, the Owner shall submit all of the following, unless the AO, at his discretion, determines the item is not required:
- i) A **Construction Completion Certificate** (*see section 11 below*) or **Partial Construction Completion Certificate** (*see Section 12 below*) signed by the CRP which certifies that all works and services have been provided in accordance with specifications required in the PLRA and Design Acceptance.
- ii) Where a Partial Construction Completion Certification is submitted, a Construction Agreement for the deficiencies is to be provided. This Agreement will be combined with the Subdivision Maintenance Agreement (*see section 10(b)(vii) that follows*). The Agreement is to reference the Design Drawings, identify a security amount, and set a date whereby all outstanding works and services will be completed.
- iii) The Owner shall provide:
- 1) The list of any outstanding minor deficiencies and cost estimate of same as determined by the CRP and acceptable to the AO; and

**Schedule A**

- 2) If applicable, a security in a form acceptable to the Village in the amount 120% of the estimated cost of any said deficiencies and shall include outstanding engineering including testing, drawings, survey costs, etc; The security is to be in a form acceptable to the Village.
- iv) With regards to the provision of drinking water, the Owner shall provide:
  - 1) If the subdivision is to be serviced by a community water system:
    - aa) approval from Vancouver Island Health Authority for community water system and
    - bb) a copy of the assurance that the water meets the Canadian Drinking Water standards; or
  - 2) If the subdivision is to be served by onsite wells:
    - aa) Proof of adequate potable water in accordance with VIHA requirements; and
    - bb) Test results confirming that water quality meets Canadian Drinking Water Standards.
- v) If the subdivision is to be serviced by on-site wastewater treatment system(s), approval for same must be received from the agency having jurisdiction.
- vi) Electrical Inspector's Certificate for Streetlighting.
- vii) A **Subdivision Maintenance Agreement** to ensure that the constructed works are functioning satisfactorily and will continue to function in accordance with the approved plans and specifications. The agreement will outline the following:
  - 1) The term of the agreement shall be one year from the date of Construction Completion Certificate unless otherwise determined by the AO; and
  - 2) A Subdivision Maintenance Security in a form acceptable to the Village in the amount of 10% of the estimated cost of construction certified by the CRP. Site clearing, grubbing, grading, or over-excavation costs are not to be included in this amount.
- viii) Confirmation of compliance with s.941 of the *Local Government Act* for the provision of parkland, as applicable.
- ix) Payment of Development Cost Charges pursuant to Village Bylaws as applicable.
- x) Payment of outstanding fees per Schedule A-1 of this Bylaw.
- xi) Confirmation of payment of property taxes and any other outstanding charges applicable to the property.

**Schedule A**

- xii) Three sets of paper prints of signed and sealed drawings marked 'As Constructed' or 'Record' in accordance with Schedule D.
  - xiii) Service record cards paper prints and electronically and \*.pdf for each new or modified lot in the format approved by Village showing the locations of the services and utilities to each lot created or modified.
  - xiv) Two paper prints of the plan of subdivision in addition to the documents required by Land Title Office, which have been signed by all Owners and chargeholders registered on title prior to submission to AO.
  - xv) Two paper prints of all statutory SRW's, easements, charged to the Village in addition to the documents required by Land Titles Office, which have been signed by all Owners and chargeholders registered on title prior to submission to AO.
  - xvi) One paper copy of all right-of-way's, easements, (for gas, hydro, telephone, cable, etc.) for the proposed subdivision.
  - xvii) Original copy of all agreements and documents, including statutory right-of-ways, covenants, agreements, signed by all Owners and Chargeholders, for execution by the Village.
  - xviii) Infrastructure Costing document in approved format, prepared by the CRP.
  - xix) Other information as may be required by the AO.
- c) Within 30 days of the receipt of a written request for Final Approval, the AO shall:
- i) grant Final Approval, or
  - ii) notify the Owner in writing that final approval is withheld and stating the reasons. Final Approval may be withheld where:
    - 1) the required works have not been completed in accordance with the requirements of this Bylaw, other Village Bylaws or policies;
    - 2) conditions stipulated in the PLRA and Design Stage Approval have not been complied with; or
    - 3) the proposal is contrary to pertinent sections of the *Land Title Act*, *Strata Property Act*, *Local Government Act*, and the *Real Estate Development Marketing Act*; or as otherwise determined by the AO.
- d) When an application for Final Approval is submitted more than three months from the date of survey completion, the AO may require that the Owner have the surveyor certify in writing that:
- i) all posts and monuments are still in place; and

**Schedule A**

- ii) the survey has not been affected by any intervening surveyed rights-of-way location.
- e) Final subdivision plan(s) shall be prepared by a BCLS and shall be signed by all parties as necessary in accordance with the requirements of the *Land Title Act*.
- f) Required documents shall be prepared by a legal representative, and signed by Owner and all chargeholders prior to submission to the Village.

**11. CONSTRUCTION COMPLETION CERTIFICATE**

- a) Upon completion of the all works and services, the CRP shall submit a **Construction Completion Certificate** certifying that all the required works and services have been constructed, installed and inspected in accordance with the approved Design Drawings and this bylaw, and requesting the AO's approval.
- b) The AO may inspect the completed works and services and conduct any necessary examinations to ensure that these works comply with the municipal standards specified.
- c) If the AO is not satisfied that the works comply with the approved required municipal standards specified, he will provide to the CRP with a written list which outlines the works to be rectified prior to his approval.

**12. PARTIAL CONSTRUCTION COMPLETION CERTIFICATE**

- a) The CRP may apply for a **Partial Construction Completion Certificate** by submitting certification and test results for installed works and requesting that outstanding minor deficient items be completed at a later date. If the AO, at his sole discretion, agrees to the request for Partial Completion, the completion date for outstanding or deficient works will be established in a Construction Agreement.
- b) Upon receipt of such application, together with all such drawings, and information required, the AO may issue a Partial Construction Completion Certificate and enter into an agreement with the Owner for the completion of the outstanding minor deficiencies.
- c) Should the outstanding works listed in the Certificate of Partial Completion not be completed and approved before the date stipulated, the AO may arrange for the works to be completed and the costs of completion shall be paid from the security funds provided by the Owner.

**13. MAINTENANCE PERIOD**

- a) The Maintenance Period of shall commence upon the date of the Construction Completion Certificate or Partial Construction Completion Certificate, and shall terminate upon the date of the Final Acceptance. The Maintenance Period shall be 365 days unless otherwise determined by the AO.

**Schedule A**

- b) The Owner shall maintain the works in good operating condition for the maintenance period. From time to time during the Maintenance Period, the AO may give notice to the Owner of any deficiencies and damage not resulting from normal wear and tear of the operation. If the damage or deficiencies are not repaired or corrected upon written notice of same from the Village, the AO may carry out the required repairs and corrections at the Owner's expense.
- c) The AO may, at his option, any time within the Maintenance Period, carry out such repairs and correct such deficiencies without notice to the Owner if, in the opinion of the AO, the work must be done immediately because of a hazard of any kind to the public or to ensure the proper operation of the works considered defective or damaged. The Village shall invoice the Owner for such emergency works undertaken and the Owner shall pay the invoice to the Village within 30 days of receipt. Acceptance of the subdivision will not be granted until any charges are paid in full.
- d) Not less than 30 days prior to the scheduled expiration of the Maintenance Period the CRP shall request a final inspection by the Village. Should there be deficiencies, the CRP shall state when they will be corrected and notify the Village upon their rectification. Only two inspections shall be considered part of the fees paid, and any additional inspections shall be subject to the fee as per Schedule B each payable to the Village prior to the inspection.
- e) If the Owner does not rectify all deficiencies and works within 7 working days prior to the expiration of the Maintenance Period, the Village may carry out the outstanding works, the cost of which shall be reimbursed from the maintenance security.

**14. FINAL ACCEPTANCE**

The AO will issue Final Acceptance at the end of the Maintenance Period, provided that all the deficiencies have been corrected to the satisfaction of the Village.

**15. REBATE OF FEDERAL SALES TAX**

After issuance of Final Acceptance, the Village will co-operate with the Owner by signing and certifying such documents to assist the Owner in obtaining the rebate of Federal Sales Tax on all materials used in the installation of water and/or sanitary sewer works. The Owner shall be responsible for determining from the Federal Tax department which materials are exempt from Federal Tax and how the rebate is to be claimed. No claim for payment shall be made by the Owner to the Village for loss resulting from failure on the part of the Owner to obtain a tax rebate on materials.

**Schedule A-I**

**Subdivision Fees**

	CONVENTIONAL OR STRATA	CONSOLIDATION OR LOT LINE ADJUSTMENT	PLR EXTENSION	PLR AMENDMENT	STRATA CONVERSIONS
<b>APPLICATION FEE</b>	<b>\$2,200</b> plus \$120 per unit/lot proposed	<b>\$1,000</b>	<b>\$250</b>	<b>\$500</b>	<b>\$1,000</b>
<b>Plus Peer Review Fee</b>					
<p>Payable at Design Stage Approval, the Registered Professional (RP) will provide the estimate of value of onsite and offsite works and services (not including engineering) and will submit this to the Approving Officer for his approval. If the said works are greater than \$10,000 there shall be a fee required to reimburse the Village of all costs incurred in processing the application. These items may be, but are not limited to, advice and review of: legal, engineering, environmental and architectural matters, as well as any public consultation regarding the project. The amount shall form the application "account". Staff will maintain an accounting of charges to the application, which will be provided to the payee semi-annually and upon completion or termination of the project. Funds remaining in the "account" after completion or termination of the project will be returned to the payee.</p>					
<b>Calculation of the Peer Review fee:</b>					
<i>The fee shall be the total of:</i>	4.5%	<i>of the works valued by the RP to be valued at:</i>	<i>First \$10,001 to \$500,000; plus</i>		
	2.5%		<i>\$500,001 to \$999,999; plus</i>		
	1.5%		<i>\$1,000,000 or more</i>		
<p><b>Plus</b> additional monies will be required if the Peer Review charges exceed the Peer Review Fees paid at the time of Design Stage Approval (DSA). The payee will be advised in writing that additional monies are required and the amount will be equal to the Fee paid at DSA, unless the Approving Officer determines otherwise. The letter will include an accounting to date. Processing of the application will be suspended until this fee is paid.</p>					
<p><b>Plus</b> additional administration fee of 10% of total Peer Review Fee paid to cover cost of managing account for the applicant.</p>					
<p><b>Inspection fee beyond the first two inspections:</b> \$300 each upon application for any additional Final Approval and Acceptance Inspections required.</p>					
<b>SITE PROFILE</b>	A completed "Site Profile", as required by the <i>Environmental Management Act</i> and where Schedule 2 activity of the <i>Environmental Management Act</i> is noted, the document shall be sent to the Regional Manager of the Ministry of Environment.				
	<b>\$100</b>				
<b>REFUND OF APPLICATION FEE</b>	Application made, but prior to any processing taken place		Fee paid less \$250 Admin fee		
	PLR Denied		Fee paid less 30%		
	After PLR granted but prior to Construction Drawing Design Review		Fee paid less 50%		
	After Construction Design Stage Approval		None		

**Schedule B**

**APPLICATION FOR A PERMIT TO DO WORKS  
WITHIN A PUBLIC RIGHT-OF-WAY**

**1. APPLICATION**

- a) The CAO may issue a Permit to do Works within a Public Right-of-Way (the 'Permit') to do works or install services within a public right-of-way within the Village.
- b) An application for a Permit shall be completed upon a form provided by the Village which then shall be delivered to the Village together with such additional plans and particulars as may be required. The application is considered as being accepted when all the required information (including fees) has been received.

**2. ABANDONED APPLICATION**

An application which has been inactive for more than six months is deemed to be abandoned and will be closed. The Owner has the right to request that the CAO grant an extension of up to one year, and if granted additional fees apply, as noted in the following section 6.

**3. APPLICATION REQUIREMENTS**

- a) **Fees** as prescribed in Schedule B;
- b) **Concept Drawings and Plans:** Three paper prints and one reduced copy of plans of the required off-site or frontage works and services in accordance with Schedule D of this Bylaw.
- c) The AO will advise the Owner in writing of any additional information required as necessary to completely assess the proposed works.

**4. DESIGN STAGE APPROVAL (DSA)**

- a) The Owner shall retain, at his expense, a Registered Professional (RP) whose responsibilities must include:
  - i) Designing of the required services and specifications of installation of the work;
  - ii) Carrying out all necessary inspections in connection with design and installation of services;
  - ii) Supervising the installation of services, and,
  - iii) Upon completion of the works, shall submit certified 'Record' drawings to the AO.
  - iv) All aspects of this work shall meet or exceed the standards in the current edition of the MMCD. If proposed works are not included in the MMCD, good engineering practice shall be used in compliance with local, Provincial, and Federal codes and standards, and shall be subject to approval by the Village.

**Schedule B**

- b) The Owner shall submit:
  - i) Peer review fee as required;
  - ii) A list of contacts to be called in the case of an emergency;
  - iii) Proof of comprehensive liability insurance as applicable as required by Section 5 of this Schedule; and
  - iv) Plan for public protection and safety measures to be undertaken as required in Section 6 of this Schedule.
- c) The design criteria contained in the MMCD or in this Bylaw shall be considered minimum standards which does not relieve any RP of any professional responsibilities as to satisfy himself as to the adequacy of his design.
- d) The Owner shall submit to the Village for approval:
  - i) Two sets of Design Drawings as required in Schedule D of this bylaw;
  - ii) Supporting documents for the required statutory rights-of-way, easements, and covenants for the installation of services; and
  - iii) Such other supporting documents or information as may be required by the AO.
- e) Approval of design shall not relieve the Owner, the RP, trades or sub trades from obtaining such other permits, approvals, or licenses as may be required by any other statute, regulation, or Village bylaw.
- f) When DSA has been granted, one set of drawings bearing the signature of the AO will be returned to the RP for his information.

**5. INDEMNITY, INSURANCE, AND GUARANTEE**

- a) The Owner will provide proof of insurance that shall save harmless and effectually indemnify the Village against:
  - i) All actions and proceedings, costs, damages, expenses, claims and demands whatsoever and by whomsoever brought by reason of the construction and installation of any of the services proposed to be constructed;
  - ii) All expenses and costs which may be incurred by reason of the installation of the said work resulting in damage to any property owned in whole or in part by the Village or which the Village by duty or custom is obliged, directly or indirectly, in any way or to any degree, to construct, repair, or maintain with the exception of any proven gross negligence of the Village or its servants or agents;
  - iii) All expenses and costs which may be incurred by reason of liens for non-payment of labour or materials, Workers' Compensation assessments, unemployment insurance, Federal or Provincial Tax, and for encroachments owing to errors in survey; and

**Schedule B**

- iv) All expenses and costs which may be incurred by the Village as a result of faulty workmanship and defective material in any of the works installed by the Owner provided that such fault or defect is brought to the attention of the Owner in writing within one year of the date of the Certificate of Completion.
- b) The Owner must at his sole expense and throughout the currency of the work, carry comprehensive liability insurance in the amount of at least \$5,000,000 with insurance companies licensed to carry on business in the Province of BC in partial discharge of its obligation under Clause 5(a) of this section and in every such policy of insurance the Village shall be named as an additional insured with proceeds payable as the interests of the Village and Owner may appear. Prior to commencement of the work the Owner shall furnish the Village with a certified copy of every policy of insurance herein required.
- c) The RP must, at his sole expense and throughout the currency of the work, carry Professional Liability Insurance in the amount of at least \$1,000,000 with insurance companies licensed to carry on business in the Province of BC in partial discharge of its obligation under Clause 5(a) of this section.

**6. PROTECTION OF THE PUBLIC**

- a) The Owner must provide all such barricades, lighting and signs as are necessary to protect the public while the works are being installed.
- b) In order to maintain traffic movements with the least possible inconvenience, public street right-of-ways shall not be closed to traffic unless such closure has first been approved by the Village. The Owner must construct and maintain where necessary such detours and barriers as may be required to allow the public to pass safely around the works being installed. The Owner will be required to notify the Village, the Fire Department, the RCMP, and Public Transit, each time a public street right-of-way is to be closed and when it is expected to be re-opened.
- c) The Owner shall, at his own expense, provide for the protection and uninterrupted service of all watercourses, municipal works and services, and utilities encountered during the progress of the work. The Owner shall be responsible for all costs to repair damage which may occur to any of these existing works and services, as a result his construction.

**7. CONSTRUCTION AND INSPECTION**

- a) No departure shall be made from the approved Design Drawings without the approval of the Village.
- b) Prior to commencing any of the works, CRP shall submit a detailed time schedule of the works to be constructed from land clearing to completion.
- c) A copy of all approved drawings and other documents shall be kept on the site at all times during active construction periods.

## Schedule B

- d) The Village shall have access to the work at all reasonable times and may observe any part of the work or materials. Such observations shall in no way relieve the Owner from any obligation under this bylaw.
- e) The CRP shall be available on site to observe and inspect the construction of the works and to approve materials. The CRP shall submit testing reports as required to the AO who may require additional tests. The costs of such testing shall be borne by the Owner.

**f) Street Cleaning**

During construction of the works, 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. Final Approval may be withheld if these amounts are not paid.

**h) Sediment Control**

If, in the opinion of the Village, there may be 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 upon presentation of the invoice. Final Approval may be withheld if these amounts are not paid.

**i) Connection to Municipal Services**

Water, sanitary sewer, and stormwater infrastructure shall be connected to the Village system until the installations have been inspected and tested by the CRP and approved in writing by the AO.

### 8. FINAL APPROVAL

- a) In application for Final Approval of the works, the Owner shall submit all of the following, unless the AO, at his discretion, determines the item to not be required:
  - i) A **Construction Completion Certificate** (*see section 11 below*) signed by the CRP which certifies that all works and services have been provided in accordance with specifications required in the Design Drawing Approval.
  - ii) A **Construction Maintenance Agreement** to ensure that the constructed works are functioning satisfactorily and will continue to function in accordance with the approved plans and specifications. The agreement will outline the following:
    - 1) The term of the agreement shall be one year from the date of Construction Completion Certificate unless otherwise determined by the AO;

**Schedule B**

- 2) A Construction Maintenance Security in a form acceptable to the Village in the amount of 10% of the estimated cost of construction certified by the CRP. Site clearing, grubbing, grading, or over-excavation costs are not to be included in this amount.
- 3) A list of any outstanding minor deficiencies and cost estimate of same. If applicable, a security in a form acceptable to the Village in the amount 120% of the estimated cost of any said deficiencies.
- iv) Three sets of paper prints of signed and sealed drawings marked 'As Constructed' or 'Record' in accordance with Schedule D of this Bylaw.
- v) Other information as may be required by the AO.
- b) Within 30 days of the receipt of a written request for Final Approval, the AO shall:
  - i) grant Final Approval, or
  - ii) notify the Owner in writing that final approval is withheld and stating the reasons. Final Approval may be withheld where:
    - 1) the required works have not been completed in accordance with the requirements of this Bylaw, other Village Bylaws or policies; and
    - 2) the works are not in compliance with in the Design Stage Approval.

**11. CONSTRUCTION COMPLETION CERTIFICATE**

- a) Upon completion of the all works, CRP shall submit the **Construction Completion Certificate** to the AO certifying that all the required works have been constructed, installed and inspected, are in accordance with the Design Stage drawings and this bylaw, and requesting the AO's approval.
- b) The AO may inspect the completed works and conduct any necessary examinations to ensure that these works comply with the municipal standards specified.
- c) If the AO is not satisfied that the works comply with the required municipal standards specified, he will provide to the CRP with a written list which outlines the works to be rectified prior to his approval.

**12. MAINTENANCE PERIOD**

- a) The Maintenance Period of shall commence upon the date of the Construction Completion Certificate and shall terminate upon the date of the Final Acceptance. The maintenance period shall be 365 days unless otherwise determined by the AO.
- b) The Owner shall maintain the works in good operating condition for the maintenance period. During the Maintenance Period, the AO may give notice to the Owner of any deficiencies and damage not resulting from normal wear and tear of the operation. If the damage or deficiencies are not repaired or corrected

**Schedule B**

upon written notice of same from the Village, the AO may carry out the required repairs and corrections at the Owner's expense.

- c) The AO may, at his option, any time within the Maintenance Period, carry out such repairs and correct such deficiencies without notice to the Owner if, in the opinion of the AO, the work must be done immediately because of a hazard of any kind to the public or to ensure the proper operation of the works considered defective or damaged. The Village shall invoice the Owner for such emergency works undertaken and the Owner shall pay the invoice to the Village within 30 days of receipt. Acceptance of the subdivision will not be granted until any charges are paid in full.
- d) Not less than 30 days prior to the scheduled expiration of the Maintenance Period the CRP shall request a final inspection by the Village. Should there be deficiencies, the CRP shall state when they will be corrected and notify the Village upon their rectification. Only two inspections shall be considered part of the fees paid, and any additional inspections shall be subject to the fee as per Schedule B each payable to the Village prior to the inspection.
- e) If the Owner does not rectify all deficiencies and works within 7 working days prior to the expiration of the Maintenance Period, the Village may carry out the outstanding works, the cost of which shall be reimbursed from the maintenance security.

**13. FINAL ACCEPTANCE**

The AO will issue Final Acceptance at the end of the Maintenance Period, provided that all the deficiencies have been corrected to the satisfaction of the Village.

**Schedule B-1**

**Fees**

Description	Fee
Permit to do Works within a Street Right-of-Way	<b>\$250</b>
<p>⊛ <b>Plus</b> a fee to reimburse the Village (at cost) for items, such as but not limited to review and advice on: 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. Payment of these fees will be a condition that will be met prior to granting the permit.</p>	
Extension to application	\$100 per extension request
Renewal to permit	\$100
Amendment to permit	\$100
Refunds of application fees	None
<p>⊛ <b>Plus</b> additional administration fee of 10% of total Peer Review Fee paid to cover cost of managing account for the applicant.</p>	

## **Development Offsite Works and Services**

### **1. PURPOSE**

As a condition of the issuance of a building permit on a site being developed but not subdivided pursuant to any statute or regulation, the Village may require the Owner at his sole expense, to provide off-site works and/or services pursuant to s.938 of the *Local Government Act*.

### **2. INTENT OF THIS SECTION**

These specifications and requirements apply to the design and installation of offsite works and services necessary to provide services to a development. They apply to the design and installation of off-site waterworks, sanitary sewers, stormwater management, streets, sidewalks, and other works and services which the Owner is required to provide.

### **3. EXEMPTIONS**

The requirements in this section do not apply where any one of these conditions apply:

- a) The construction value of the proposed development does not exceed \$100,000;
- b) The construction value is for the lesser of, an addition to an existing building of less than 10% of the original building or the gross floor area of less than 100.0metres<sup>2</sup> (1,076.4feet<sup>2</sup>);
- c) The construction value will result in an increase of less than three residential units; or
- d) The construction will consist only of non-structural renovations related to an existing use.

### **4. NOTIFICATION & APPROVAL OF NECESSARY WORKS**

- a) The Village shall inform the Owner that off-site works and services are required for their development and that the following is required:
  - i) Fees as prescribed in Schedule C-1;
  - ii) Four sets of Design Drawings as required in Schedule D of this Bylaw;
  - iii) Supporting documents for any existing or required statutory rights-of-way, easements, and covenants for the installation of services;
  - iv) Such other supporting documents or information as may be required by the AO;
  - v) A list of contacts to be called in the case of an emergency;
  - vi) Proof of comprehensive liability insurance as applicable as required by Section 5 of this Schedule; and

**Schedule C**

- vii) Plan for public protection and safety measures to be undertaken as required in Section 6 of this Schedule.
- b) The Owner shall retain, at his expense, a Registered Professional (RP) whose responsibilities must include:
  - i) Designing of the required services and specifications of installation of the work;
  - ii) Carrying out all necessary inspections in connection with design and installation of services;
  - iv) Supervising the installation of services, and
  - v) Upon completion of the works, shall submit certified 'Record' drawings to the AO.
- c) All aspects of these works shall meet or exceed the standards in the current edition of the MMCD. If proposed works are not included in the MMCD, good engineering practice shall be used in compliance with local, Provincial, and Federal codes and standards, and shall be subject to approval by the Village.
- d) The design criteria contained in the MMCD or in this Bylaw shall be considered minimum standards which does not relieve any RP of any professional responsibilities as to satisfy himself as to the adequacy of his design.
- e) Approval of design shall not relieve the Owner, the RP, trades or sub trades from obtaining such other permits, approvals, or licences as may be required by any other statute, regulation, or Village bylaw.
- f) When the design of the works has been approved by the Village, one set of drawings bearing the signature of the Village Engineer will be returned to the RP for his information.
- g) Offsite works and services on Village property or right-of-way requires a Permit to do Works Within a Public Right-of-Way as per Schedule B of this Bylaw.

**5. INDEMNITY, INSURANCE, AND GUARANTEE**

- a) Where the Owner is to provide services on or to the land in accordance with this bylaw, the Owner will provide proof of insurance that shall save harmless and effectually indemnify the Village against:
  - i) All actions and proceedings, costs, damages, expenses, claims and demands whatsoever and by whomsoever brought by reason of the construction and installation of any of the services proposed to be constructed;

**Schedule C**

- ii) All expenses and costs which may be incurred by reason of the installation of the said work resulting in damage to any property owned in whole or in part by the Village or which the Village by duty or custom is obliged, directly or indirectly, in any way or to any degree, to construct, repair, or maintain with the exception of any proven gross negligence of the Village or its servants or agents;
  - iii) All expenses and costs which may be incurred by reason of liens for non-payment of labour or materials, Workers' Compensation assessments, unemployment insurance, Federal or Provincial Tax, and for encroachments owing to errors in survey; and
  - iv) All expenses and costs which may be incurred by the Village as a result of faulty workmanship and defective material in any of the works installed by the Owner provided that such fault or defect is brought to the attention of the Owner in writing within one year of the date of the Certificate of Completion.
- b) The Owner must at his sole expense and throughout the currency of the work, carry comprehensive liability insurance in the amount of at least \$5,000,000 with insurance companies licensed to carry on business in the Province of BC in partial discharge of its obligation under Clause 5(a) of this section and in every such policy of insurance the Village shall be named as an additional insured with proceeds payable as the interests of the Village and Owner may appear. Prior to commencement of the work the Owner shall furnish the Village with a certified copy of every policy of insurance herein required.
  - c) The CRP must, at his sole expense and throughout the currency of the work, carry Professional Liability Insurance in the amount of at least \$1,000,000 with insurance companies licensed to carry on business in the Province of BC in partial discharge of its obligation under Clause 5(a) of this section.

**6. PROTECTION OF THE PUBLIC**

- a) The Owner must provide all such barricades, lighting and signs as are necessary to protect the public while the works are being installed.
- b) In order to maintain traffic movements with the least possible inconvenience, public street right-of-ways shall not be closed to traffic unless such closure has first been approved by the Village. The Owner must construct and maintain where necessary such detours and barriers as may be required to allow the public to pass safely around the works being installed. The Owner will be required to notify the Village, the Fire Department, the RCMP, and Public Transit, each time a public street right-of-way is to be closed and when it is expected to be re-opened.

**Schedule C**

- c) The Owner shall, at his own expense, provide for the protection and uninterrupted service of all watercourses, municipal works and services, and utilities encountered during the progress of the work. The Owner shall be responsible for all costs to repair damage which may occur to any of these existing works and services, as a result his construction.

**7. CONSTRUCTION AND INSPECTION**

- a) No departure shall be made from the approved design without the approval of the Village.
- b) Prior to commencing any work on the subdivision development the RP shall submit a detailed time schedule of the works to be constructed from land clearing to completion.
- c) A copy of all approved drawings and other documents shall be kept on the site at all times during active construction periods.
- d) The Village shall have access to the work at all reasonable times and may observe any part of the work or materials. Such observations shall in no way relieve the Owner from any obligation under this bylaw.
- e) The CRP shall be available on site to observe and inspect the construction of the works and to approve materials. The RP shall submit testing reports as required to the AO who may require additional tests. The costs of such testing shall be borne by the Owner.

**f) Street Cleaning**

During construction of the works for the subdivision, 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. Final Approval may be withheld if these amounts are not paid.

**g) Sediment Control**

If, in the opinion of the Village, there may be 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 upon presentation of the invoice. Final Approval may be withheld if these amounts are not paid.

- h) Underground services shall not be allowed to operate as part of the Village system until the installation(s) has/have been inspected and tested by the CRP and approved in writing by the AO.

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**8. FINAL APPROVAL**

- a) The works as-constructed shall substantially conform to the approved Design Drawings.
- b) In application for Final Approval, the Owner shall submit all of the following, unless the Village Engineer, at his discretion, determines the item to not be required:
  - i) A **Construction Completion Certificate** (*see section 9 below*) signed by the CRP which certifies that all works and services have been provided in accordance with specifications required Design Acceptance.
  - ii) The Owner shall provide:
    - 1) A list of any outstanding **minor** deficiencies and paving and cost estimate of same; and
    - 2) If applicable, a security in a form acceptable to the Village in the amount 120% of the estimated cost of any said deficiencies.
  - iii) A **Maintenance Agreement** to ensure that the constructed works are functioning satisfactorily and will continue to function in accordance with the approved plans and specifications. The Agreement will outline the following:
    - 1) The term of the agreement shall be one year from the date of Construction Completion Certificate unless otherwise determined by the AO; and
    - 2) A Maintenance Security in a form acceptable to the Village in the amount of 10% of the estimated cost of construction certified by the CRP. Site clearing, grubbing, grading, or over-excavation costs are not to be included in this amount.
  - iv) Payment of outstanding fees per Schedule C-1 of this Bylaw.
  - v) Three sets of paper prints of signed and sealed drawings marked '**As Constructed**' or '**Record**' in accordance with Schedule D of this Bylaw within 60 days of the date of the Construction Completion Certificate.
  - vi) Infrastructure Costing Summary Asset (as applicable) information in approved format.
  - vii) Other information as may be required by the AO.

**9. CONSTRUCTION COMPLETION CERTIFICATE**

- a) Upon completion of the all works and services, the CRP shall submit the **Construction Completion Certificate** to the AO certifying that all the required works and services have been constructed, installed and inspected, are in accordance with the approved Design Drawings and this bylaw, and requesting the AO's approval.

**Schedule C**

- b) The AO may inspect the completed works and conduct any necessary examinations to ensure that these works comply with the municipal standards specified.
- c) If the AO is not satisfied that the works comply with the required municipal standards specified, he or she will provide to the CRP with a written list which outlines the works to be rectified prior to his approval.

**10. MAINTENANCE PERIOD**

- a) The Maintenance Period shall commence upon the date of the Construction Completion Certificate, and shall terminate upon the date of the Final Acceptance. The maintenance period shall be 365 days unless otherwise determined by the AO.
- b) The Owner shall maintain the works in good operating condition for the maintenance period. From time to time during the Maintenance Period, the AO may give notice to the Owner of any deficiencies and damage not resulting from normal wear and tear of the operation. If the damage or deficiencies are not repaired or corrected upon written notice of same from the Village, the AO may carry out the required repairs and corrections at the Owner's expense.
- c) The AO may, at his option, any time within the Maintenance Period, carry out such repairs and correct such deficiencies without notice to the Owner if, in the opinion of the AO, the work must be done immediately because of a hazard of any kind to the public or to ensure the proper operation of the works considered defective or damaged. The Village shall invoice the Owner for such emergency works undertaken and the Owner shall pay the invoice to the Village within 30 days of receipt. Acceptance of the subdivision will not be granted until any charges are paid in full.
- d) Not less than 30 days prior to the scheduled expiration of the Maintenance Period the CRP shall request a final inspection by the Village. Should there be deficiencies, the CRP shall state when they will be corrected and notify the Village upon their rectification. Only two inspections shall be considered part of the fees paid, and any additional inspections shall be subject to the fee as per Schedule B each payable to the Village prior to the inspection.
- e) If the Owner does not rectify all deficiencies and works within 7 working days prior to the expiration of the Maintenance Period, the Village may carry out the outstanding works, the cost of which shall be reimbursed from the maintenance security.

**11. FINAL ACCEPTANCE**

The AO will issue Final Acceptance at the end of the Maintenance Period, provided that all the deficiencies have been corrected to the satisfaction of the Village.

## Development Offsite Works and Services Fees

<b>APPLICATION FEE</b>	<b>\$500*</b>
<b>* Plus PEER REVIEW FEE</b>	
<p>The applicant shall be required to reimburse the Village of all costs incurred in processing the application. These items may be, but are not limited to review and advice on: legal, engineering, environmental and architectural matters, as well as any public consultation regarding the project. Staff will maintain an accounting of charges to the application, which will be provided to the payee semi-annually and upon completion or termination of the project. Final Approval of the works shall be withheld until this fee is paid.</p>	
<b>INSPECTION FEE BEYOND THE FIRST TWO INSPECTIONS:</b>	\$100 upon application for any additional Final Approval and Acceptance Inspections required.
<b>* Plus</b> additional administration fee of 10% of total Peer Review Fee paid to cover cost of managing account for the applicant.	

## **DRAWINGS STANDARDS**

### **PART A GENERAL REQUIREMENTS**

1. Maximum drawing size shall be 610mm x 915mm (24" X 36").
2. The Village's Drawings and CAD Standards are based on the current versions of the industry standard software by AutoDesk: AutoCAD 3D, Land Desktop and Civil Design.
3. All drawings shall be metric. Drawing scales and dimensions shall be shown on all drawings.
4. The drawings shall be neat and legible with adequate clearance margins between the drawing information and the title block border. Notes and text shall locate and describe the proposed works in sufficient detail to facilitate construction. Limits of construction and match lines shall be clearly marked on the drawing.
5. North arrow shall be oriented as close as possible in the two northerly quadrants.
6. Lettering shall be to Leroy metric heights and widths. The minimum height of lettering for proposed works is 2.5mm and for existing structures is 1.8mm. Vertical upper case lettering is preferred. Lettering shall be unobstructed by linework and other drawing information. Conflicts between linework, symbols, dimensioning or text shall be removed.
7. All elevations shown on drawings shall be metric geodetic datum. The source and location of the datum shall be clearly noted on each drawing.
8. The drawing title block shall include the project name, project location, type of drawing (i.e. Site Plan) and registered professional's name and/or company name and logo, drawing scale, and revision number.
9. Plan and Profile drawings shall be to the following scales unless otherwise approved:  
Horizontal - 1:500 (for simple, one-utility drawings or pavement / signage drawings only) or 1:250 (for all other drawings)  
Vertical - 1:50
10. All drawings shall bear the dated stamp/seal and signature of the professional engineer responsible for the design.
11. Numerical values shown on the construction drawings shall be shown to two decimal places unless accuracy warrants otherwise.
12. All works and services shown on drawings shall be prepared by an RP, designed and constructed as specified in the MMCD or as specified herein.
13. Drawings shall contain all cadastral information including property, covenanted areas, right-of-way and easement lines and dimensions in sufficient detail to relate design to surrounding and adjacent properties.

**PART B DRAWING PACKAGES**

**1. Concept Drawings**

When required to submit 'Concept Drawings', these shall comprise of a paper print(s) (60cm X 91cm) and a reduced copy (not larger than 28cm x 43cm) containing the following information:

- a) Site plan in accordance with Part C(1) of this section;
- b) Conceptual site grading;
- c) Conceptual site servicing which includes calculations of sanitary sewer, water, stormwater (I&I) loads on the municipal systems by a registered professional; and
- d) Proposed parks, trails and open spaces (as applicable).

**2. Design Drawings**

When required to submit "Design Drawings", these shall comprise of paper print(s) (60cm X 91cm) and a reduced copy (not larger than 28cm x 43cm) containing the following information:

- a) Site plan which outlines the final arrangements of all lots (proposed and remaining), including the area of each lot together with dimensions, and a number assigned to each lot;
- b) A Drawing Index shall be provided and include the drawing titles and sheet numbers;
- c) A Key Plan to a small scale (e.g., 1:10,000), showing the location of the works in relation to major streets, shall be provided in the upper right-hand section of the drawing sheet;
- d) Plan and profile for streets, lanes, walkways, bike paths, easements and statutory right-of-ways (SRW), existing and proposed, including the lengths and widths of same and any street modifications and proposed offsite work;
- e) Final site grading plans showing MBFE elevations and topographic intervals of at least 1.0metre contours where grades do not exceed 10%, and where they do exceed 10%, contours of 2.0metre intervals shall be provided, as well as Geodetic elevations;
- f) Plan and profile for sanitary sewers and watermains will include the servicing with the required infrastructure and will include (as applicable) the location and sizes of on-site septic disposal areas and wells as applicable which shall include calculations of system capacity and pipe loading to support the design(s);
- g) Plan and profile for sanitary and storm sewers for common trench designs;
- h) Proposed streetlighting, hydro, gas, and communications;
- i) Proposed signage and pavement marking;

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- j) Parks, trails and open spaces to be dedicated as applicable;
- k) Landscaping and street tree planting plan, cost estimates and locations as applicable;
- l) Locations of community mailbox(es) and access to them as required and approved by Canada Post;
- m) Erosion and sediment control features to accommodate both the anticipated construction on the lands and the build-out phases of the subdivision;
- n) Drawing Notes:  
The following notes shall be shown on or either the site plan the first drawing of the set:
  - i) "Connection to, or alteration of, existing Village-owned utilities, requires authorization by the Village Engineer."
  - ii) "A 'Permit to do Works Within a Village Right-of-Way', will be required where construction is to be undertaken in Village right-of-ways and/or on Village owned utilities or properties." ;
  - iii) "Upon approval of the permit the Village's Public Works Dept shall be notified 48 hours prior to commencement of work."; and
- o) Additional plans showing any special details and cross sections as detailed by the Approving Officer.

**3. Record Drawings**

Drawings are required after construction is completed and these can be referred to as 'As-Constructed' or 'Record' drawings. In the case of providing this type of drawing set, the following shall be provided, unless directed by the AO:

- a) Three paper prints of drawings marked '**Record**' or '**As-Constructed**', signed and sealed by the CRP;
- b) One reduced copy of the drawings (28cm x 43cm);
- c) One electronic copy the drawing set in CAD and \*.pdf format;
- d) Service connection cards (as applicable) of each lot created, on cardstock in the approved format.
- e) These drawings, complete with the same detail of the Design Drawings, shall include:
  - i) Site plan, including the area of each lot together with dimensions, and a number assigned to each lot;
  - ii) Drawing Index shall be provided and include the drawing titles and sheet numbers;

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- iii) A Key Plan to a small scale (e.g., 1:10,000), showing the location of the works in relation to major streets, shall be provided in the upper right-hand section of the drawing index;
  - iv) Constructed streets, lanes, walkways, easements and statutory right-of-ways (SRW), including the lengths of all property boundary lines and arcs, the width of streets, walkways and easements and SRW, including the street modifications and any proposed offsite work;
  - v) Final site grading plans showing MBFE elevations and topographic intervals of at least 1.0metre contours where grades do not exceed 10%, and where they do exceed 10% contours of 2.0metre intervals shall be provided, as well as Geodetic elevations;
  - vi) Constructed water, sanitary sewer, storm drainage servicing with the required infrastructure and as applicable, will include the location and sizes of on-site septic disposal areas and potable water wells;
  - vii) Plan and profile for sanitary and storm sewers for common trench designs;
  - viii) Constructed street lighting, hydro, telephone, cablevision and gas;
  - ix) Streetlighting design summary sheet as applicable;
  - x) Installed signage and pavement markings;
  - xi) Dedicated parks, trails and open spaces as applicable;
  - xii) Landscaping and street tree planting plan, cost estimates and locations as applicable;
  - xiii) Locations of community mailbox(es) and access to them as required and approved by Canada Post; and
  - xiv) Erosion and sediment control features accommodating the build-out phases (as applicable) of the development.
- q) Additional plans showing any other information previously requested by the AO.
- r) **Drawing Notes**

The following notes shall be shown on or either the site plan or the first drawing of the set:

- i) "Connection to, or alteration of, existing Village-owned utilities, requires authorization by the Village Engineer."
- ii) "A Permit to do Works Within a Village Right-of-Way, will be required where construction is to be undertaken in Village right-of-ways and/or on Village owned utilities or properties. Upon approval of the Permit, the Village's Public Works Dept shall be notified 48 hours prior to commencement of work"

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**PART C SITE PLAN**

The following shall be shown in addition to the information required in section Parts A and B of this schedule:

1. The Site Plan shall be to a scale of not less than 1:1000.
2. The following existing and proposed information shall be shown on the Site Plan:
  - a) Arrangements of all lots (proposed and remaining), including the area of each lot together with dimensions, and a number assigned to each lot
  - b) The size and location of all existing buildings and structures on the lot(s) with measurements to the existing and proposed lot lines;
  - c) The location and dimensions of any existing and proposed public street right-of-ways, public access, street, lane, walkway, trail, or park on or adjacent to the subject property(ies).
  - d) Significant physical features, all watercourses and wetlands, and any Sensitive Ecosystem Information (per Provincial SEI mapping);;
  - e) Topographic contours where grades:
    - i) Are less or equal to 10%, contour lines will be at 1.0metre intervals; or
    - ii) Are more than 10% contour lines will be at 2.0metre intervals.

**PART D PLAN AND PROFILE DRAWINGS - GENERAL**

The following shall be shown in addition to the information required in section Parts A and B of this schedule. Each base plan and profile shall include, but not be limited to, the following information:

1. Plan and profile drawings shall be drawn with the profile on the bottom of the drawing sheet, lined up under the plan if possible. Utility and street stationing, inverts and material and grade information shall be located across the bottom of the profile.
2. Existing and proposed pavement, curbs, sidewalks, ditches, driveways, lanes, retaining walls, buildings, trees and shrubs within the right-of-way. Note significant trees on and within 5.0metres of any of these rights-of-way.
3. All existing and proposed above and below ground utilities and services (with offsets, elevations, size, age and material type and as-built references) including but not limited to the following:
  - a) sanitary sewers, storm sewers, watermains and appurtenances;
  - b) streetlight poles, conduit and appurtenances;
  - c) hydro poles and/or underground wiring ducts and appurtenances;
  - d) above ground communications appurtenances;
  - e) underground communications wiring ducts and appurtenances;
  - f) gas mains and appurtenances;
  - g) traffic control devices, poles, conduits, signs and painting; and
  - h) irrigation systems.

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4. Benchmark elevation, identification number and location shall be shown in the 'Reference data' section of each title block.
5. Right-of-way and/or street centreline stationing shall be to metric standards (0+000) at 20.0metre intervals and shall be related geometrically to legal property lines or survey monuments. Stationing shall run left to right where possible and upstream on gravity pipes.
6. Where possible, plan views shall be horizontal across the drawing sheet, and shall be aligned vertically by centre line stationing with the profile view below.
7. Profile elevations shall be placed at both sides of the profile. Split profiles must show elevations on both sides of the break.

### **PART E ROADS DRAWINGS**

The following shall be shown in addition to the information required in section Parts A and B of this schedule:

1. All proposed roadworks, complete with offsets from street centerline, including pavement, curbs, sidewalks, and poles.
2. Stations of the BC & EC of street centreline and curb return horizontal curves together with the curve information including delta angle, radius, tangent length and arc length.
3. Details of intersections with spot elevations at all critical points including grades and elevations of curb returns.
4. Catchbasin rim elevations and stations related to street centerline chainage, including lead locations to main, lead diameters and material in a table.
5. Existing ground profile and finished pavement profile along the pavement centerline.
6. Crossfall or crown information with gutter elevations at change points.
7. Proposed street centreline grade.
8. Stations and elevations of BVC, EVC, and VPI.
9. Vertical curve information including the length of curve and sag or crest K value, where K equals the length of the vertical curve in metres divided by the algebraic difference in grades, percent.
10. Elevations along the vertical curve at 10.0metre intervals.
11. Elevation and station of low and high spots of vertical curves.
12. Where there is an elevation difference of more than 1.2metres from the design street centre line to a suitable building site on the adjacent parcel, driveway grades and profiles.
13. Where only a half street is being constructed, full width design cross-sections shall be provided as required to ensure the design suits the future development of adjacent properties.

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14. Typical street cross-section showing right-of-way width, proposed street design structure, pavement width, sidewalks, curbs, underground utilities, hydro, power and streetlight poles, hydrants and their related offsets.
15. Proposed and existing monument with label (note: no monuments shall be destroyed during construction).
16. Additional design details as required.
17. **Signage and Pavement Markings**

A separate plan shall be prepared in all cases for street surface works. This plan shall detail all eradications, alterations, additions and new regulatory and advisory signage and line painting. The design shall conform to MMCD and Village installation requirements. The following information shall be shown:

- a) Dimensions, lengths and colour of proposed lane or curb markings, medians and cross walks;
- b) Dimensioned location and type of new or relocated signs. Type of new, removed or relocated signs, including a sign inventory table.
- c) The plan shall be to a scale of 1:1000 or 1:500.
- d) For drawing clarity show curb locations only. Do not show utilities, legal information or addresses.

**PART E STORM DRAINAGE AND SANITARY SEWER DRAWINGS**

The following shall be shown in addition to the information required in Parts A and B of this schedule:

1. Include common trench designs on the same construction drawing.
2. All proposed storm and sanitary works including manholes, drop pipes, cleanouts, catchbasins, inlet/outlet structures, pipe work, ditches, culverts, inspection chambers, services and wyes, complete with offsets, rim elevations, stations related to the street centreline, and pipe inverts at manholes and pipe grade breaks.
3. Existing ground profile and finished ground or pavement profile along the centerline of the proposed sewer.
4. Distance between manholes with proposed grade of pipe.
5. Stations and elevations of the BC, and EC of all horizontal curves with the curve information including delta angle, radius, tangent length and arc length.
6. Stations and elevations of BVC, EVC and VPI.
7. Vertical curve information including the length of vertical and maximum pipe deflection.
8. Size, type and class of pipe.
9. Existing or proposed pipe crossings to be shown in profile and to include pipe inverts.

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10. Proposed inverts and offset locations to property line of service connections at property lines. Offset distance to include prefix "S" for sanitary and "D" for storm, (i.e. S 2.4m or D 3.0m).
11. Location of existing buildings on properties served by storm and sanitary sewers.
12. Basement elevations for existing buildings.
13. Elevation of existing ground at the lowest point on the proposed lot.
14. Routing of all major storm flows including the 100-year storm with minimum basement floor elevations provided for properties with the potential to be affected by the major storm flows.
15. Materials, types, size, inverts and flow direction to be shown for all proposed and existing culverts.
16. Additional design details as required.

### **PART F WATER SYSTEM DRAWINGS**

The following shall be shown in addition to the information required in Parts A and B of this schedule:

1. All proposed waterworks including size, type and class of pipe, hydrants, valves, joint restraints, fittings and all related appurtenances with offsets and stationing related to street centreline.
2. Locations of proposed service connections including an offset distance from an iron pin or lot corner. Offset distance to include the prefix "W" (i.e. W 1.2m).
3. Existing ground profile and finished ground or pavement profile, and invert profile along the centerline of the proposed watermain.
4. All other service crossings to be shown in profile (e.g., sewer mains, gas mains, etc.).
5. Extent of work required in making the connection to existing watermains.
6. If the proposed watermain alignment or profile varies from the street centreline, the following shall be provided:
  - a) stations of the BC and EC of horizontal curves together with curve information including delta angle, radius, tangent length and arc length;
  - b) stations and elevations of the BVC, EVC and VPI of vertical curves together with curve information including curve length and maximum pipe deflection required;
  - c) elevations along vertical curves at 10.0metre intervals; and
  - d) proposed grades.
7. Pipes requiring joint restraints shall be shaded, labeled and dimensioned from adjacent fitting showing the length of pipe requiring restraint.
8. Additional design details as required.

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**PART G STREETLIGHTING,  
HYDRO, NATURAL GAS, AND COMMUNICATIONS**

1. The following information shall be shown in addition to the information required for the plan view in Parts A and B of this schedule:
  - a) pole, conduit and appurtenances locations with offsets and stationing related to street centerline;
  - b) size, type, and class of conduits;
  - c) schematics of wiring details for streetlights and traffic signals; and
  - d) details of detector loops and all other wiring circuits on traffic signals.
2. Streetlights shall be numbered and pertinent information shall be shown (i.e. wattage, lamp type, pole height and location)
3. The plan shall be to a scale of 1:1000 or 1:5000.

**PART H DETAIL SHEET AND CROSS-SECTIONS**

1. Where there is not sufficient room on the plan and profile drawings, design details for the particular drawing may be provided on a separate sheet.
2. Scale shall be determined by the designer to suit the design detail, and shall be included on the detail drawing.
3. Where street cross-sections are required they may be provided on a separate sheet.
4. Cross-sections shall be to a scale of 1:250 (H) to 1:50 (V) unless otherwise approved.
5. Starting at the lower left hand corner of the drawing sheet, cross-sections shall be placed up the sheet in order of increasing stationing. Grid elevations shall be shown at the left hand side of each cross-section and stationing shall be shown above each cross-section. Adequate space shall be left between cross-sections so as to ensure clarity.
6. Cross-sections shall include:
  - a) Design street cross-section within the right-of-way; and
  - b) Existing ground cross-section extending into the adjacent properties as required.

**PART I LANDSCAPE, STREET TREE AND IRRIGATION PLANS**

1. All landscape-related plans required under this section shall be undertaken by a Landscape Architect registered with the British Columbia Society of Landscape Architects (BCSLA).
2. The landscape architect shall coordinate the landscape design with existing or proposed landscape on private property fronting the street, so as avoid over planting or conflicts with sight distance, existing trees, or buildings.
3. The following information shall be shown in addition to the information required for the plan view in Parts A through B of this Schedule:
  - a) Sight distance triangles at intersections;
  - b) Proposed slopes steeper than 3:1 to be indicated with slope direction arrow and

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- slope ratio, contours and/or top and bottom of slope lines and elevations;
- c) Proposed tree locations showing trunk center and approximate canopy spread at 15 years of age;
  - d) Location of all shrub and groundcover beds and grass areas;
  - e) Extent of proposed decorative paving and/or street furnishings; and
  - f) Plant labels and an associated plant list which indicates quantity, scientific name, common name, plant size, condition (e.g. container or B&B), spacing and comments.
4. A typical right-of-way cross section drawing indicating the relationship of all plantings to overhead, above-ground and below-ground utilities, and pavement and other structures shall be referenced and shown on the landscape plan or, if there is insufficient room, on a details and cross-section sheet.
  5. Typical tree, shrub and groundcover cross section planting details shall be referenced to specific Village requirements, or if alternate details are proposed, these shall be included on the landscape plans.
  6. Where required by the AO, an irrigation plan shall be produced, using the same base information, which shows:
    - a) Location of all heads, emitter devices and driplines; lateral and mainline pipe locations and sizes; sleeves; valve sizes and locations; and location of backflow prevention device and water service connection;
    - b) An irrigation equipment legend, and schedule of hydraulic data in metric to include flow and precipitation rate for each valve zone;
    - c) Water service/backflow prevention connection detail, valve and head installation details including all equipment, fittings and related valve boxes, by reference to Village standards or if an alternative is proposed, by details shown on the landscape plans.

## **DESIGN AND CONSTRUCTION STANDARDS AND SPECIFICATIONS**

### **1. GENERAL**

- a) Design shall meet or exceed the standards in the current edition of the MMCD Design Guideline Manual, and construction of all works under this bylaw shall comply with MMCD Volume II Platinum Edition 2009 or the most current edition.
- b) If proposed works are not included in the MMCD, good engineering practice shall be used in compliance with local, Provincial, and Federal codes and standards, and shall be subject to approval by the Village.
- c) Consideration should be given to the use of “green infrastructure” in developing lands within the Village. The Application Fee as required in Schedules A-1, B-1, and C-1 may be reduced by 5%, up to a maximum reduction of \$500, where the owner applies to use “green infrastructure” alternatives certified by a registered professional which exceeds MMCD performance standards for water conservation, stormwater management, and energy conservation.

### **2. EXCESS OR EXTENDED SERVICES**

For purpose of determining excess or extended services in accordance with section 939 of the *Local Government Act*, minimum sizes of pipe and appurtenances must be greater than the following:

Water Mains	250mm
Sanitary Sewer Mains	250mm
Storm Drains	300mm.

### **3. APPROVED PRODUCTS LIST**

For works that are to be constructed and assumed by the Village, products used in the construction of these works shall comply with the Village’s Approved Products List as provided and as amended from time to time.

### **4. ROAD SPECIFICATIONS**

Further to 1(c) above, consideration should be given to ensure that standards and design of subdivision and development prioritize pedestrian, cyclist, transit routes, and traffic calming where necessary.

**Schedule F**

**HYDRO, NATURAL GAS, COMMUNICATIONS, AND  
STREETLIGHTING SPECIFICATIONS & STANDARDS**

**1. GENERAL**

The Owner shall be responsible for:

- a) making all necessary arrangements with the agency responsible for the supply and installation of materials as between the parties and for scheduling of the work; and
- b) preparing and providing engineered drawing(s) to relevant utilities which includes detailed layout and design of the necessary works.

**2. HYDRO**

Underground or overhead electrical power shall be provided in accordance with design requirements of BC Hydro. Ornamental streetlighting shall include all service wiring, bases, poles, luminaires, lamps, photocells, control equipment, and all related appurtenances.

**3. NATURAL GAS**

Provision shall be made for the installation of natural gas where applicable.

**4. COMMUNICATIONS**

Provision shall be made for the underground or overhead installation of any communication facilities (cable, telephone) where applicable.

**5. STREETLIGHTING**

Provision shall be made for streetlighting where required by the AO and shall meet or exceed the standards set in ISO certification.

## **STREET TREES & LANDSCAPING**

### **1. STREET TREES**

- a) Plans shall be in compliance with Schedule D attached.
- b) Street trees shall be required as a condition of subdivision.
- c) Street trees may be required for infill subdivision if the infill comprises part or all of a street section between two intersecting streets (e.g. a Village block), which has not been developed, or is within a neighbourhood with an existing street tree program.
- d) Where a new street is designated as a Rural Local or Rural Collector and if the Owner can demonstrate to the Village that the existing street side vegetation will achieve the same aesthetic effect as street trees, street trees will not be required.
- e) Where the trees are required in a location with may interfere with underground infrastructure, root barriers may be required.
- f) At Design Stage Approval, the Owner will be advised of the required species and varieties, and locations of trees as selected by the Village.
- g) The Owner must submit a professionally prepared planting plan which identifies the tree varieties, sizes and planting location a required by the Village. The plan will provide a cost estimate acceptable to the Village which will include the cost of site preparation, tree stock and their installation, root barriers (if required), and two complete planting seasons of maintenance and watering.
- h) The Owner will receive a Notice to Proceed when he is required to install the trees when at least 75% of the buildings in a development has received Final Inspection from the Village Building Inspector. The Notice will advise the timelines that the planting shall take place. Failure to plant within the timelines given, may result in the loss of all or a portion of the performance security. No planting or landscaping shall commence without this Notice.
- i) The Owner will provide a performance security in a form acceptable to the Village, in an amount equal to 120% of accepted cost estimate.
- j) When the planting of the street trees is complete and is inspected as acceptable by the Village, 80% of the performance security will be returned. 20% will be held for two full growing seasons to ensure viability of the plant stock. At the end of the two years, the Owner requests an inspection, and if found in conformance with the plan, the holdback is returned.
- k) All street trees are to be installed, staked and mulched according to BC Landscape and Nursery Association standards.

### **2. Landscaping**

- a) Required landscaping of public lands within or adjacent to a development (i.e. boulevards, etc.) shall be determined by the AO.

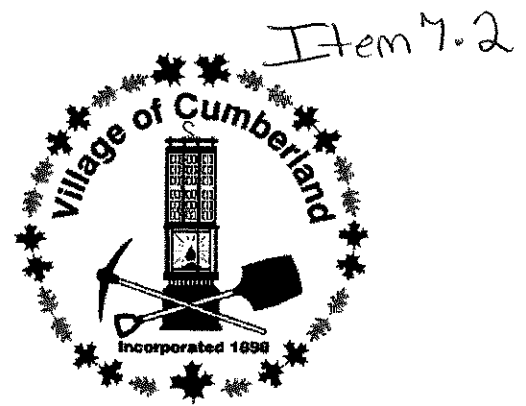
**Schedule G**

- b) At DSA, the Owner will be advised of the required landscaping and locations as selected by the Village and will be required to submit a professional prepared planting plan which identifies the plant varieties, sizes and location as required by the Village. The plan will also include a cost estimate of implementing the landscape plan which will include the cost of site preparation, plant stock and their installation, root barriers (if required), and two complete planting seasons of maintenance and watering.
- c) Where the vegetation that is required in a location may interfere with underground infrastructure, root barriers may be required.
- d) The Owner will receive a Notice to Proceed from the Village when he is required to implement the landscape plan. The Notice will advise the timelines that the landscaping and planting shall take place. Failure to complete within the timelines given, may result in the loss of all or a portion of the performance security. No planting or landscaping shall commence without this Notice.
- e) The Owner will provide a performance security in a form acceptable to the Village, in an amount equal to 120% of the cost implementing the landscape plan.
- f) When the planting is complete and is inspected as acceptable by the Village, 80% of the performance security will be returned. 20% will be held for two full growing seasons to ensure viability of the plant stock. At the end of the two years, the Owner requests an inspection, and if found in conformance with the plan, the holdback is returned.
- g) All landscaping is to be installed, staked, and mulched according to BC Landscape and Nursery Association standards.

## **PARK STANDARDS**

1. Where parkland is to be dedicated and constructed, it shall be in accordance with the Parks and Greenways Master Plan being the “Corporation of the Village of Cumberland Official Community Plan Amendment bylaw No. 923, 2010” as adopted and amended.

# COUNCIL REPORT



REPORT DATE: September 4, 2012

MEETING DATE: September 10, 2012

TO: Mayor and Councillors

FROM: Joanne Rees, Planner

SUBJECT: Village of Cumberland Building Bylaw No. 949, 2012

## RECOMMENDATION

- i) THAT Council receive "Village of Cumberland Building Bylaw No. 949, 2012."
- ii) THAT Council give first and second readings to the "Village of Cumberland Building Bylaw No. 949, 2012."

## SUMMARY

The 'Corporation of the Village of Cumberland Building Bylaw. No. 800, 2006' was adopted in February 2006. Staff are recommending amendments be made which reflect industry changes and Village needs.

## BACKGROUND

### Major changes

Briefly, the major changes are:

1. Updating Climatic and Geological Data (snow loads) for the Village.
2. Updating the definition section as required.
3. Addition of requirements for fire suppression systems, excavation, and demolition and deconstruction, which were done as they are required as part of the BC Building Code (BCBC) but were not formalized in the Bylaw.
4. Addition of the requirement for Peer Review fees in order to recoup costs of .
5. Fees Schedule has been put into one table to try to make it more user friendly instead of spread over several pages. . Some fees have been increased slightly to reflect the time it takes to process.
6. Addition of standards for lot and driveway grades, roof drainage,
7. Addition of requirements for street cleaning and sediment control.
8. Addition of procedures and fees for Moving Permits within the Village.

Conformance with Regional Growth Strategy and Official Community Plan

Very few of the directions of the Regional Growth Strategy were addressable in this bylaw, as it gets its direction from other acts, regulations and bylaws with the exception of providing for regulation for stormwater management (drainage) on individual lots and encouragement to utilize Fire-Wise guidelines.

Staff has reviewed the Bylaw and recommends that it complies with the Official Community Plan.

Incentives to Use Green Infrastructure

An incentive in the form of a 5% reduction in application fees has been added to the fee section.

**FINANCIAL IMPLICATIONS**

Application Fees

Some slight increases have been proposed and fees attached to other procedures that were not formalized.

**STRATEGIC OBJECTIVE**

In Appendix 2 of the Council 2011 Corporate Priorities Plan these are included in: "Bylaws, Policies and Agreements Currently Being Prepared".

**ATTACHMENTS**

- i) Draft Bylaw No. 949

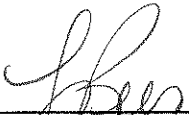
**CONCURRENCE**

Rob Crisfield, Manager of Operations

**OPTIONS**

- i) THAT Council receive "Village of Cumberland Building Bylaw No. 949, 2012."
- ii) THAT Council give first and second readings to the "Village of Cumberland Building Bylaw No. 949, 2012."
- iii) Any other action deemed appropriate by Council.

Respectfully submitted,

  
\_\_\_\_\_  
Joanne Rees  
Planner

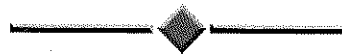
  
\_\_\_\_\_  
Sundance Topham  
Chief Administrative Officer

**STATUS**

**TITLE:** Corporation of the Village of Cumberland Building Bylaw  
No. 949, 2012

**APPLICANT:** Village of Cumberland

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



<b>COUNCIL:</b>	<b>Date:</b>	May 28, 2012
	<b>Decision:</b>	Received for information only.
<b>COUNCIL:</b>	<b>Date:</b>	June 11, 2012
	<b>Decision:</b>	Refer to Committee of the Whole on July 16, 2012.
<b>COMMITTEE OF THE WHOLE:</b>	<b>Date:</b>	July 16, 2012
	<b>Decision:</b>	Discussion, minor amendments
<b>COUNCIL:</b>	<b>Date:</b>	September 10, 2012
	<b>Decision:</b>	
<b>COUNCIL:</b>	<b>Date:</b>	
	<b>Decision:</b>	

**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:

<b>PART A     ADMINISTRATION</b>
----------------------------------

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 commits an offence punishable on summary conviction and shall be liable to a minimum fine of \$2,000 and not more than \$10,000 or to imprisonment for not more than six months.
- b) 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**

The 'Village of Cumberland Building Bylaw No. 800, 2006' is hereby repealed upon adoption of this Bylaw.

<b>PART B      DEFINITIONS</b>
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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 2006 (BCBC), secondly, this Bylaw and thirdly in the 'Corporation of the Village of Cumberland Zoning Bylaw No. 717, 1997,' as amended from time to time and then in the Canadian Oxford dictionary.

- BCBC** means the *British Columbia Building Code 2006* as adopted by the Minister pursuant to the *Local Government Act*, as enacted and amended.
- BUILDING OFFICIAL** means a person authorized by the Village to administer this Bylaw and the BCBC.
- COMPLEX BUILDING** means all buildings used for major occupancies classified as:
  - a) assembly;
  - b) care or detention;
  - c) high hazard industrial;
  - d) exceeding 600metre<sup>2</sup> in gross floor area or three storeys in height used for major occupancies classified as:
    - 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.
- EXCAVATION** For the purposes of this Bylaw, means a space created by the removal of soil, rock, or fill which exceeds 15.0metres<sup>2</sup> (161.5feet<sup>2</sup>) in area or a depth of 0.5metres (1.6feet).
- FLOOD CONSTRUCTION LEVEL** See the 'Village of Cumberland Floodplain Management Bylaw No. 962, 2012"
- 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 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
  - f) conserve energy by using thermal windows, higher R-ratings in construction, district heat distribution, sewer heat recovery and industrial heat recovery; and
  - g) green building features;
- OWNER** means a person registered in the land registry records as the Owner of land. For the purposes of this Bylaw, Owner includes an agent authorized in writing to act on his behalf by the registered Owner.
- 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 15.0metres<sup>2</sup> or a depth exceeding 0.5metres.
- REGISTERED PROFESSIONAL** means a person who is registered or licensed to practice as an:
- a) architect under the *Architects Act*; or
  - b) professional engineer 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.
- STANDARD BUILDING** means a building of three storeys or less in height, having a gross floor area not exceeding 600metres<sup>2</sup> 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 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;
  - c) signs; and
  - d) fences less than 2.0metres (6.6feet) in height.
- 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.

<b>PART C GENERAL REGULATIONS</b>
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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 10.0metres<sup>2</sup> 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 section 23(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 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**

- 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 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) constructing, extending, altering, or repairing a masonry fireplace;
    - 5) the installation of a new solid fuel burning appliance;
    - 6) constructing, extending, altering, or repairing any chimney for a fireplace or solid fuel burning appliance;
    - 7) 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 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.

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

- a) 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. 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.

#### **9. 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.

## **10. 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.

## **11. 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.

## **12. 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.

### **13. 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 13(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.

### **14. Fees**

#### **a) Application**

- i) An application made for any permit shall 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) An application will be considered abandoned and the Permit Processing Fee forfeited when the earliest of these occurs:
  - 1) 180 days after the application date, the Building Inspector is unable to issue the Permit due to the incompleteness of the submissions; or
  - 2) 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) Permit Fees**

- 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.

**c) Damage Security**

- 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 Owner may apply for a refund of the security paid in whole or part, after:
  - 1) final approval has been issued; and
  - 2) municipal streets, sidewalks, curbs, water, sanitary sewer, storm sewer and drainage, and any other works on Village property have been inspected and found to be in acceptable condition by the Building Official.

**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.

<b>DESCRIPTION</b>	<b>TRANSFER FEE</b>
For the transfer of a valid permit from one Owner to another:	\$100

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

**i) Other Fees:**

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

<b>Table 14.3 - OTHER FEES</b>		
i)	Rescind a Stop Work or Do Not Occupy notice	\$100
ii)	<b>Document Retrieval</b>	
	1) Title Search: — BC Online	\$15 each
	2) Covenants, easements, rights-of-way, etc through BC Online	\$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	\$100
v)	Copy of Building Bylaw	\$10
vi)	<b>Archives Research:</b>	
	1) For requests by Owners of single residential units	\$100
	2) All Other requests	\$250

**15. 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 section 15(b), the Permit Fee as required in Table 14.2 shall be reduced by 10%, up to a maximum reduction of \$500.00.

**16. 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 geodectic 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.

**17. Climatic and Geological Data**

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

Table 17.1															
Design Temperature				Degree Days Below 17°C	15 Min. Rain (nun)	One Day Rain (nun)	Annual Total Precipitation (mm)	Ground Snow Load (kPa)		Hourly Wind Pressures			Seismic Data		
January		July						S <sub>s</sub>	S <sub>R</sub>	1/10 (kPa)	1/30 (kPa)	1/100 (kPa)	Z <sub>a</sub>	Z <sub>v</sub>	Zonal Velocity Ratio (v)
2.5% (°C)	1% (°C)	Dry (°C)	Wet (°C)												
-7	-9	27	17	3197	10	116	1588	3.5	0.4	0.46	0.58	0.74	6	6	0.40

- b) Where no climatic and geological value is prescribed in Table 17.1 the Owner shall submit evidence in writing from Environment Canada to establish the climatic and geological values.

## 18. 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 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 section 18(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.

**19. 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.

**20. 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, he 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 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.

**21. 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, during construction:
  - i) keep a copy of the accepted designs, plans, and specifications on the property; and
  - ii) post the civic address on the property in a location visible from any adjoining streets.

**22. 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 section 22(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 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 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 section (d) above shall be concealed until a Building Official has accepted it in writing.

- f) The requirements of section (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.

**23. 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.

**24. 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) **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 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.

**d) 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 drainage swale, canal, ditch, reservoir or other man-made surface drainage feature or facility located within a public right-of-way.

## 25. 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	

## 26. 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.

## 27. 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.

## 28. 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.

### 29. 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 Manual<sup>1</sup>

### 30. 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;
  - 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.

### 31. 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.

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<sup>1</sup> Fire Smart Manual may be found at <http://www.pssg.gov.bc.ca/firecom/pdf/homeowner-firesmart.pdf>

- b) Manufactured homes that are not certified by CAN/CSA, prior to placement on the site, shall conform to this Bylaw and the BCBC.

**32. 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 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.

**33. 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.

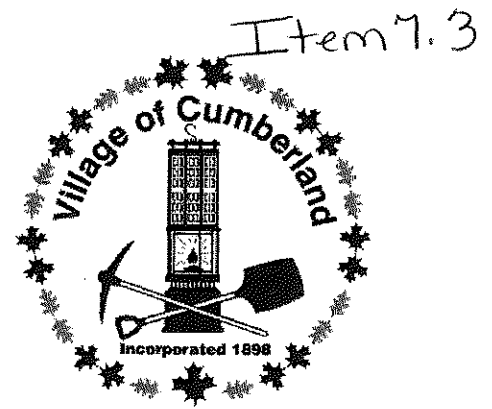
- b) The Owner of property on which a Stop Work Order has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this Bylaw have been substantially complied with and the Stop Work Order has been rescinded in writing by a Building Official.
- c) Where a person occupies a building or structure in contravention of section 21 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		
<b>READ A FIRST TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>READ A SECOND TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>READ A THIRD TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>ADOPTED THIS</b>	<b>DAY OF</b>	<b>2012.</b>

\_\_\_\_\_  
Mayor

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

# COUNCIL REPORT



REPORT DATE: August 27, 2012  
MEETING DATE: September 10, 2012

TO: Mayor and Councillors

FROM: Joanne Rees, Planner

SUBJECT: Development Procedures and Fees Amendment Bylaw No. 968, 2012

## RECOMMENDATION

- i) THAT Council receive "Development Procedures and Fees Bylaw No. 968, 2012."
- ii) THAT Council give first, second, and third readings to the "Village of Cumberland Development Procedures and Fees Amendment Bylaw No. 968, 2012."

## SUMMARY

Recently the Owner of the Old Post Office, which is designated as a Heritage Building, has inquired as to how a sign could be added to the Wandering Moose Café. This inquiry led to staff preparing an amendment to Village of Cumberland Procedures and Fees Bylaw No. 956, 2012 which would add a procedure and fee for applications for Heritage Alteration Permits. In addition, the requirement for Public Notice signs for some applications, are also being proposed.

## BACKGROUND

### Heritage Alteration Permit

Owners of buildings or structures that wish to have Heritage Designation pursuant to the section 968 of the *Local Government Act* (LGA) can be designated by Council through a bylaw process. While there are many building and structures of heritage value in the Village, at present only one building (Old Post Office) has Heritage Designation. The Arch in front of the Legion is a structure and the Chinese and Japanese Cemeteries are areas of land, all three of which have the designation. At the present time there are no incentives available from the Village to encourage Owners of heritage buildings to seek the designation.

The bylaw which designates the Post Office as a Heritage Building states that Owner must not, except as authorized by a Heritage Alteration Permit (HAP), "alter the exterior of the building" pursuant to section 973 of the *Local Government Act*.

While this bylaw amendment does not specifically pertain to the Old Post Office, if they wished to pursue external changes, they would have to make an application and Council would review staff

recommendations and adopt requirements and conditions of any proposed change. Staff recommends that a HAP application, in the format that is attached to this report, be considered on a case-by-case basis, conditions be set in accordance with the type and scale of alterations that are being proposed.

### **Public Notice Signage**

Many jurisdictions place public notice signs on properties subject to an OCP amendment/rezoning application. These signs add to the public notice given through the letters sent to the adjacent land owners and the advertisements placed in local papers. Most of the local municipalities have the signs placed prior to the applications being considered by their Council.

Staff recommends that public notice signs be required for OCP amendment/rezoning, as well as for Development Permits and new Heritage Alteration Permits, given that these processes have a public notice requirement. In addition, staff recommends that the signs be required within 10 days of the application being made, given our OCP direction for “early and on-going” public participation.

All costs, including the sign itself, installation and removal are to be borne entirely by the applicant. The applicant will engage a professional sign company to create the sign according to the Village Guidelines as to design of the sign, size, and material. See the attached Public Notice Sign Guidelines.

### **FINANCIAL IMPLICATIONS**

Addition of Heritage Alteration Permit and the subsequent fee of \$300. A justification of this fee is attached.

### **STRATEGIC OBJECTIVE**

In Appendix 2 of the Council 2011 Corporate Priorities Plan these are included in: “Bylaws, Policies and Agreements Currently Being Prepared”.

### **ATTACHMENTS**

- i) Draft Bylaw No. 968
- ii) Justification of Heritage Alteration Permit fee
- iii) Public Notice Sign Instructions

### **CONCURRENCE**

Rob Crisfield, Manager of Operations

### **OPTIONS**

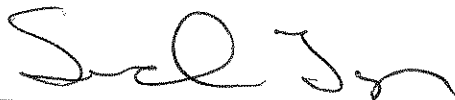
- i) THAT Council receive “Development Procedures and Fees Amendment Bylaw No. 968, 2012.”
- ii) THAT Council give first, second, and third readings to the “Village of Cumberland Development Procedures and Fees Amendment Bylaw No. 968, 2012.”
- iii) Any other action deemed appropriate by Council.

Respectfully submitted,



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Joanne Rees  
Planner



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Sundance Topham  
Chief Administrative Officer

Corporation of the Village of Cumberland

Development Procedures and Fees Amendment Bylaw No. **968**, 2012

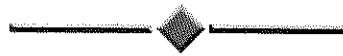
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**STATUS**

**TITLE:** Corporation of the Village of Cumberland Development Procedures and Fees Amendment Bylaw No. 968, 2012

**APPLICANT:** Corporation of the Village of Cumberland

**PURPOSE:** A bylaw to amend the bylaw to require public notice signage for significant applications and to add procedures and fees for Heritage Alteration Permits.



**COUNCIL:** **Date:** September 10, 2012  
**Decision:** 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings

**COUNCIL:** **Date:**  
**Decision:**

**CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 968**

**A bylaw to amend the Development Procedures and Fees Bylaw.**

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

1. This Bylaw may be cited for all purposes as the ‘Corporation of the Village of Cumberland Development Procedures and Fees Amendment Bylaw No. 968, 2012.’
2. The ‘Corporation of the Village of Cumberland Development Procedures and Fees Bylaw No. 956, 2011’ is amended as follows:
  - a) The following Schedules and sections are amended by the following addition and the remaining sections are renumbered accordingly:
    - a) Schedule A Section 5(b);
    - b) Schedule B Section 5(b);
    - c) Schedule C Section 6(b);

“The applicant shall ensure that a public notice sign is erected on the subject property advising of the application within 10 days of the application being made. The sign shall be in the format acceptable to the Village. The sign must be removed within 10 days of the last act of Council. The cost of the sign, installing it and removing it, will be borne entirely by the applicant.”
  - b) The following Schedules and sections are amended by the following addition and the remaining sections are renumbered accordingly:
    - a) Schedule A Section 8(c);
    - b) Schedule B Section 8(d);
    - c) Schedule C Section 9(c);

“As required, the applicant installs the Public Notice sign.”
  - c) The following Schedules and sections are amended by the following addition:
    - a) Schedule A Section 8(k);
    - b) Schedule B Section 8(n);
    - c) Schedule C Section 9(k);

“The applicant removes the Public Notice sign.”
  - d) Section 2 APPLICATION is amended by the addition of:
    - “x) Procedures under which a person may apply for a Heritage Alteration Permit are set out in Schedule I which is attached and forms part of this bylaw.”

<b>READ A FIRST TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>READ A SECOND TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>READ A THIRD TIME THIS</b>	<b>DAY OF</b>	<b>2012.</b>
<b>ADOPTED THIS</b>	<b>DAY OF</b>	<b>2012.</b>

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Mayor

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Corporate Officer

## Application for a Heritage Alteration Permit

### 1. APPLICATION

- a) An application shall be completed upon a form provided by the Village which then shall be delivered to the Village together with such additional plans and particulars as may be required. The application is considered as being accepted when all the required information (including fees) has been received.
- b) Each legal parcel shall be considered as a separate application, unless otherwise determined by the Chief Administrative Officer.

### 2. EXEMPTIONS

- a) Interior renovations that do not affect the form and character or use.
- b) Changes to the façade, design, finish, signage, or landscaping which do not change the colour scheme or materials of building exteriors.

### 3. RE-APPLICATION

An application that has been refused by Council shall not be reconsidered for a period of 12 months immediately following the date of refusal, except when permitted pursuant to the provisions of the *Local Government Act*. A re-application is considered a new application and additional fees apply, as noted in the following section 5.

### 4. ABANDONED APPLICATIONS

An application which has been inactive for more than six months is deemed to be abandoned and will be closed. The owner has the right to request that the Chief Administrative Officer grant an extension of up to one year and if granted, additional fees apply, as noted in the following section 5.

### 5. FEES

<b>\$300</b>			
+ <b>Plus</b> a fee to reimburse the Village (at cost) for Peer Review of (such as but not limited to) legal, engineering, environmental and architectural matters, as well as any public consultation regarding the project. The owner will be advised in writing of the amount outstanding and will be provided with an accounting of the costs incurred. Payment of these fees will be a condition that will be met prior to granting the permit.			
<b>Extension to application</b>	<b>\$100</b> per extension request		
<b>Renewal of Permit</b>	<b>\$100</b>	<b>Amendment to Permit</b>	<b>\$100</b>
<b>Refunds of application fees</b>	<ul style="list-style-type: none"> <li>● Less 10% before file circulation</li> <li>● Less 30% before preparation of staff report to Council</li> <li>● No refund after notification to adjacent neighbours</li> </ul>		
<b>Notes:</b>	<ol style="list-style-type: none"> <li>1. <i>Where two or more types of applications are being made at the same time and can be processed together, only one fee shall be charged, whichever is the greater.</i></li> <li>2. <i>Application fees shall include Title searches but do not include other documents such as covenants, ROW's, etc. The cost of retrieving these from LTO shall be borne by the owner.</i></li> </ol>		

**Schedule I**

**8. APPLICATION REQUIREMENTS**

- a) The completed **application form** which includes authorizing signatures of the owner and/or agent.
- b) **Title search** for the subject property dated no more than 10 days prior to the date of 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.
- c) A **Surveyors Certificate** prepared by BCLS Surveyor, at the request of the Village.
- d) A **Site plan** which contains the following minimum information about the subject property:
  - i) Location map, including neighbouring land uses;
  - ii) Existing and proposed buildings in relation to legal property boundaries with dimensions and areas;
- e) Where the application is for changes to the exteriors, the applicant shall provide coloured elevation drawings which show all sides of the building or structure;
- f) Additional information may be required, at the owner's expense, which is deemed necessary to properly assess the impact of an application's proposed activity or development. Any additional requirements will be set out in a letter to the owner.

**9. PROCESS**

- a) A complete application is received by staff. Processing will not commence until all the application requirements are met. Staff informally advises Council of the application.
- b) As required, the owner installs the Public Notice sign.
- c) The application will be referred to internal departments for comment, as required.
- d) A report is prepared for Council.
- e) Council upon considering the application may request additional information, grant the application, or may refer, table, or deny the application.
- f) The owner is advised of the Council's decision within 14 days.
- i) Where Council has granted the permit, it is then prepared in the form of Schedule I-1. When the conditions of the Permit have been met (i.e., security, plans) it is then issued by the Corporate Officer; and Notice of Heritage Alteration Permit is sent to Land Title Office for registration on the title of the subject property.
- j) Where a permit has been refused by Council, the owner shall be advised of the reasons for refusal.



<b>Heritage Alteration Permit - All</b>				
1	Receipt of application, includes discussion with applicant	0.5	\$39.91	\$19.95
2	Preliminary review of application & site visit	1.00	\$39.91	\$39.91
3	Referrals to Other Agencies (as required) & DS meeting	0.50	\$39.91	\$19.96
4	junior planner	0.25	\$39.91	\$9.98
5	senior planner	0.25	\$44.58	\$11.14
6	development consultant	0.25	\$90.00	\$22.50
7	building inspector	0.25	\$85.00	\$21.25
8	public works foreman	0.25	\$40.79	\$10.20
10	Preparation of Report to Council	2.00	\$39.91	\$79.83
11	Planner Attendance at Council	0.50	\$39.91	\$19.96
12	HAP Prepared & decision letter sent	0.50	\$39.91	\$19.96
15	Execution by Corporate Officer	0.25	\$85.00	\$21.25
18	HAP sent to LTO - file vetted and closed.	0.50	\$39.91	\$19.96
				<b>\$315.85</b>

junior planner	\$31.93	\$39.91
senior planner	\$35.66	\$44.58
subdivision & development consultant	\$90.00	\$90.00
building inspector	\$85.00	\$85.00
public works foreman	\$35.47	\$40.79
Clerical	\$24.65	\$28.35
Senior Management	\$85.00	\$85.00

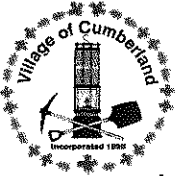
## Public Notice Sign Guidelines

### Required Public Notice Sign Erected on Subject Property

1. A sign in the approved format (see attached example) shall be erected on the subject property no more than 10 days from the date of application.
2. The sign shall be placed on or near the property line that faces a public street.
3. The Village will provide a copy of the subject property map to be included on the sign.
4. The proof of the sign shall be approved by the Planning Department prior to being created.

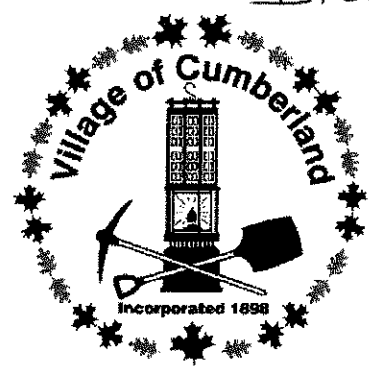
### Required Format

1. The sign must be professionally prepared.
2. Minimum size of sign: 1.22metres (4.0feet) X 1.22metres (4.0feet)
3. Minimum map size:061m (2.0feet) X 0.61m (2.0feet)
4. Black Serif-type Font on white background:
  - i) Headings no less than 20.3cm (8.0inches) in height;
  - ii) Body of notice not less than 12.7cm (5.0inches) in height; and
  - iii) Map lettering not less than 7.6cm (3.0inches) in height.

	<b>Village of Cumberland</b> <b>Purpose of the Public Notice*</b> Address of Property Affected: _____ Applicant: _____
<b>Brief description of the application and intentions.</b>	
<b>Plan of proposal with subject property high-lighted and street names legible.</b>	For further information please contact the Planning Department:  Village of Cumberland PO Box 340, 2673 Dunsmuir Avenue, Cumberland, BC V0R 1S0 www.cumberland.ca  Tel: 250 336-2291 Email: <a href="mailto:planning@cumberland.ca">planning@cumberland.ca</a>

\*Proposed OCP Amendment, Rezoning, Development Permit, Heritage Alteration Permit

# COUNCIL REPORT



REPORT DATE: September 4, 2012  
MEETING DATE: September 10, 2012  
  
TO: Mayor and Councillors  
FROM: Michelle Mason, Financial Officer  
SUBJECT: 2013 Permissive Tax Exemptions

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## RECOMMENDATION

THAT Council receive the 2013 Permissive Tax Exemptions report for information.  
AND THAT Council consider first reading of the "The Corporation of the Village of Cumberland Permissive Tax Exemption 2013 Bylaw No. 969, 2012".

## SUMMARY

The purpose of the report is to introduce "The Corporation of the Village of Cumberland Permissive Tax Exemption 2013 Bylaw No. 969, 2012".

## BACKGROUND

The policy regarding granting permissive tax exemptions was discussed and adopted with *The Corporation of the Village of Cumberland 2012-2016 Financial Plan Bylaw No. 960, 2012*. At that time it was determined that Cumberland would continue to grant exemptions for lands surrounding land and buildings subject to statutory exemption and municipal properties occupied by a community group or partner agency where the group or agency has been granted a reduced or zero lease rate but may, under Section 229 of the Charter, be subject to property tax.

The permissive tax exemptions are granted under Clauses 224 (2) (a) and (f) of the Community Charter. Bylaw 969 was prepared based on the above noted policy and must be adopted prior to October 31, 2012 for effect in 2013. Public notice will be given that the Council proposes to adopt this Bylaw following its introduction to Council and prior to its consideration at the Council meetings scheduled for October 9 and 22, 2012, as required by section 227 of the Community Charter.

## FINANCIAL IMPLICATIONS

The policy, as outlined in the 2012-2016 Financial Plan, results in exemptions for two places of worship and two municipal properties. The property tax that might otherwise be taxable is estimated at \$7,561.

**STRATEGIC OBJECTIVE**

None.

**ATTACHMENTS**

The Corporation of the Village of Cumberland Permissive Tax Exemption 2013 Bylaw No. 969, 2012.

**CONCURRENCE**

None.

**OPTIONS**

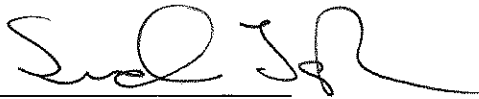
1. Consider first reading of "The Corporation of the Village of Cumberland Permissive Tax Exemption 2013 Bylaw No. 969, 2012.
2. Any other action deemed appropriate by Council.

Respectfully submitted,



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Michelle Mason  
Financial Officer



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Sundance Topham  
Chief Administrative Officer

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 969**

**A bylaw to exempt from taxation certain lands and improvements for the 2013 taxation year.**

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

- 1 This Bylaw shall be cited as "The Corporation of the Village of Cumberland Permissive Tax Exemption 2013 Bylaw No. 969, 2012".
- 2 The following land or improvements, or both, are exempted from taxation for the 2013 taxation year as follows:
  - (a) the following land or improvements held by a charitable, philanthropic or other not for profit corporation and meeting the provisions under section 224(2)(a) of the *Community Charter*:
    - (i) that portion of land and improvements of Lot 3, Block H, Plan 522E, District Lot 21, Nelson Land District, PID 008-932-212, occupied by the Cumberland and District Historical Society and Cumberland Chamber of Commerce; and
    - (ii) that portion of land and improvements of Lot B, Plan 29219, District Lot 21 & 24, Nelson Land District, PID 001-418-041, occupied by the Cumberland Old Age Pensioners Organization (#51);
  - (b) the following land and improvements used for the purposes of a church hall or the area of land surrounding a church as permitted under section 224(2)(f) of the *Community Charter*:
    - (i) that portion of Lot 1, Block 4, Plan 522, District Lot 21, Nelson Land District, PID 008-970-513, held by the Cumberland United Church Trustees; and
    - (ii) that portion of Lot B, Plan 43397, District Lot 21 Nelson Land District, PID 003-382-281, held by the Cumberland Community Church.

3 This Bylaw shall come into full force and effect and is binding on all persons during the 2013 taxation year.

READ A FIRST TIME THIS	DAY OF	2012.
READ A SECOND TIME THIS	DAY OF	2012.
READ A THIRD TIME THIS	DAY OF	2012.
ADOPTED THIS	DAY OF	2012.

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Mayor

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Corporate Officer

Item 8.1

**Trisha Stockand**

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**From:** CivicInfo BC [info@civicinfo.bc.ca]  
**Sent:** Monday, July 30, 2012 10:40 AM  
**To:** info@civicinfo.bc.ca  
**Subject:** Message from the City of New Westminster  
**Attachments:** Letter from the City of New Westminster to Premier Christy Clark - Proposed Amendment to Local Government Act - Public Release of Elected Official Address.pdf

\*\*\*\*\*  
This message is being sent by CivicInfo BC to all UBCM Member Municipalities on behalf of the City of New Westminster.  
\*\*\*\*\*

**Subject:** Proposed Amendment to Local Government Act – Public Release of Councillor Address  
**Intended Recipient(s):** Mayors/Chairs/CAOS  
**Attachments:** One (1).

If you have received this message in error, we ask that you forward it along to the appropriate person in your office.

If you have any questions, please contact Marie Slama, Secretary, Legislative Services - City of New Westminster.  
Phone: (604) 527-4612, Fax: (604) 527-4594, or Email: [msslama@newwestcity.ca](mailto:msslama@newwestcity.ca)

\*\*\*\*\*  
The information transmitted herein is confidential and may contain privileged information. It is intended solely for the person or entity to which it is addressed. Any review, retransmission, dissemination, taking of any action in reliance upon, or other use of this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please notify the sender and delete or destroy all digital and printed copies.

CivicInfo BC makes no representations or warranties whatsoever, either expressed or implied, with respect to the accuracy, reliability or suitability for any purpose, of the information contained or referenced in this message.  
\*\*\*\*\*



Wayne Wright  
Mayor

July 25, 2012

Premier Christy Clark  
P.O. Box 9041 Stn Prov Govt  
Victoria, B. C. V8W 9E1

Dear Premier Clark:

New Westminster City Council seeks support to amend Section 73(7) of the *Local Government Act* to exempt, when special circumstances are presented, the public release of an elected official's home address.

During the "Open Delegation" portion of a recent Council meeting, a power point presentation made by a member of the public, broadcast the private residential address of a member of Council. Subsequent to the broadcast, Council raised concerns pertaining to personal privacy and security. At a Regular Meeting of Council on June 18, 2012, Council passed the following resolution:

*THAT a legal opinion be sought with respect to the following resolution:*

*WHEREAS the current practice does not accommodate an interruption to a delegation when a PowerPoint presentation is being provided;*

*THEREFORE BE IT RESOLVED THAT if a delegate wishes to use electronic means of presentation that it be provided to City Staff one week prior to the scheduled meeting to allow review of content for security and privacy.*

In addition to the "in-house" procedural change above, City Council passed the following resolution:

Office of the Mayor

Corporation of the City of New Westminster

doc#304790 511 Royal Avenue, New Westminster, BC • Canada V3L1H9 T (604) 527 4522 F (604) 527 4594

www.newwestcity.ca

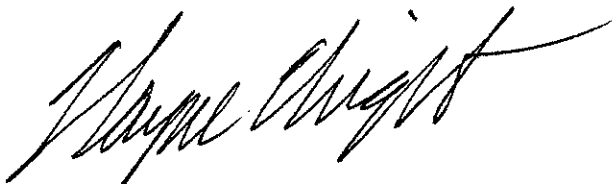
*THAT a letter be sent to the Provincial Government, and the City take a position, that the following amendment be made to "the Act" regarding the public release of Councillor addresses:*

*"That the public release of an elected official's home address be exempt when special circumstances are provided".*

Presently, the requirement is that all nomination documents be made available for public inspection from submission until 30 days after the declaration of the election results. After that time, these documents can be removed from public inspection.

We are seeking an amendment to the *Local Government Act* to increase the personal security and privacy of our elected officials. Thank you for your consideration, we look forward to your response.

Yours truly,



Mayor Wayne Wright

- c. P. Daminato, City Administrator
- Members of Council
- Honourable Ida Chong, Ministry of Community, Sport and Cultural Development
- Mr. Don Sutherland, Ministry of Community, Sport and Cultural Development
- Union of British Columbia Municipalities
- Member Municipalities

Office of the Mayor

Corporation of the City of New Westminster

doc#304790

511 Royal Avenue, New Westminster, BC • Canada V3L 1H9 T (604) 527 4522 F (604) 527 4594

[www.newwestcity.ca](http://www.newwestcity.ca)

August 2012

Dear friends,

We thought we would take this opportunity to give an update about the proposed Raven Coal Mine project currently under assessment. The support we've been shown so far for the future of our industry has greatly exceeded our expectations and we at the BC Shellfish Growers Association (BCSGA) have a responsibility to ensure that correct and timely information is disseminated and shared to allow people to make informed decisions.

The Environmental Assessment Office (EAO) and the Canadian Environmental Assessment Agency (CEAA) have approved the Application Information Requirements/Environmental Impact Statement Guidelines (AIR/EIS Guidelines) for the proposed Raven Underground Coal Project. It is our contention that many of the comments submitted in the draft AIR/EIS process were not met including the BCSGA's. A few examples of what we were requesting that were not addressed are: a baseline water analysis of Baynes Sound conducted by an independent, third-party; marine temporal boundaries that were arbitrarily defined and included only three sampling stations; and the economic importance of the shellfish industry in Baynes Sound was not recognized or accounted for.

Once the proponent submits their final application, there will be a 50-day comment period. On behalf of BC's shellfish growers, we will be closely scrutinizing every step of this proposal and submitting comments from our industry. We encourage you to do the same, the more voices broadcast, the more voices heard.

In the meantime, here are a few facts to consider about this proposal:

- The Raven Coal Mine would be an unprecedented 5 kilometers from the largest shellfish growing beds in the province – Baynes Sound
- There are over 600 full-time people employed in the Baynes Sound shellfish industry
- BC's shellfish industry is a world renown, sustainable farming industry recognized for its environmental performance by such organizations as the Monterey Bay Aquariums Seafood Watch program, Vancouver Aquarium's Ocean Wise program and the Suzuki Foundation's Sea Choice program to name a few
- Over the total Raven Mine life, the project is expected to produce 0.7 to 1.1 million tonnes of processed coal per year
- Independent studies on Raven show 88% of the coal produced will be metallurgical coal suitable for steel-making. A small amount will not meet steel-making specifications and may be used to produce energy

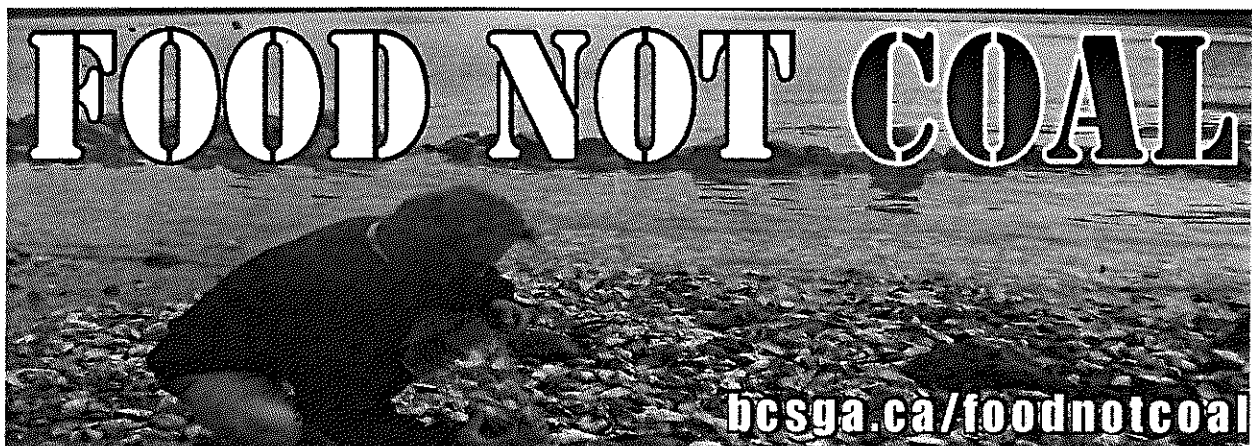
- The combustion of coal is the largest contributor to the human-made increase of CO2 in the atmosphere – even if this coal is not burned here, we all live under one atmosphere
- About one fourth of the carbon dioxide emitted from the combustion of coal is absorbed by the oceans, causing a steadily increasing ocean acidification
- Coal mining produces methane, has a global warming potential 21 times greater than that of carbon dioxide
- Coal also contains low levels of uranium, thorium, and other naturally occurring radioactive isotopes whose release into the environment may lead to radioactive contamination
- Ocean acidification is the single biggest threat not only to the health of the oceans, but to a worldwide shellfish industry

In our view, the proposed Raven Coal Mine is an example of a project that should not be given approval due to the serious risks it poses to our environment, community, province and the largest shellfish growing beds in the province – Baynes Sound. Pitting a 16 year extraction project against a sustainable farming industry is a no brainer for us and we say FOOD NOT COAL!

For more information, to show your support for shellfish farming or updates on this proposal please visit [www.bcsqa.ca/foodnotcoal](http://www.bcsqa.ca/foodnotcoal)

Sincerely,

Roberta Stevenson, Executive Director  
BC Shellfish Growers Association



**From:** Muir, Jerry [mailto:Jerry.Muir@bchydro.com]  
**Sent:** Wednesday, August 08, 2012 4:26 PM  
**Cc:** Olynyk, Ted  
**Subject:** Smart Meter Fact Sheet

To MLAs, Mayors and CAOs:

You may have seen media reports over the weekend related to a fire at a customer's home in Mission and an electrical incident that occurred early Sunday morning at a home in Coquitlam. Some media are suggesting that these incidents are related to smart meter exchanges.

I would like to update you and assure you that exchanging meters is safe. BC Hydro, just like other utilities, exchanges meters on a regular basis. Meter socket failures are extremely rare and there are a number of precautions and procedures in place to ensure safety during the exchange process. Just like an electrical socket, a properly functioning meter socket should be able to accommodate frequent meter exchanges. The process is similar to unplugging and then plugging in an appliance.

The installation of new meters throughout the province involves a visit to every customer and provides an opportunity to identify and address safety issues. All fire related incidents are investigated by the fire department, the BC Safety Authority and BC Hydro. If the investigation concludes that we were responsible, then BC Hydro will take responsibility.

Please see the attached fact sheet for more information about the safety of the new meters. Please also refer to bchydro.com for further updates.

If you have questions, please contact us and we will provide you with the facts.

Sincerely,

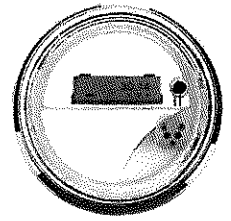
Jerry Muir  
*for Ted Olynyk*

Ted Olynyk  
Manager, Community Relations  
Vancouver Island Region  
Email: [ted.olynyk@bchydro.com](mailto:ted.olynyk@bchydro.com)  
Telephone: 250.755.7180

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# SMART METERS AND ELECTRICAL SAFETY



The installation of new meters throughout the province involves a visit to every customer and provides an opportunity to identify and address safety issues.

## What's involved in a meter exchange?

A meter exchange involves two pieces of equipment: a meter and a meter socket. The meter is the measurement device that plugs into your meter socket to deliver and measure the electricity you consume. The meter socket is a fixed part of the house. A meter exchange involves removing the old meter from the meter socket and replacing it with a new meter.

## Is exchanging a meter safe?

Yes. Just like an electrical socket, a properly functioning meter socket should be able to accommodate frequent meter exchanges. The exchange process is similar to unplugging and then plugging in an appliance.

## Can a meter exchange cause electrical problems?

All new meters comply with the British Columbia Electrical Safety Regulations and other provincial, federal and North American standards. In rare occurrences, when an old meter is pulled off and the meter socket inspected, the meter socket needs to be repaired prior to installation of a new meter. These meter socket failures occur about 0.05% of the time. During the meter installation process, if installers discover problems with the meter socket, they contact the homeowner and offer to bring in an electrician to fix the socket immediately.

## What types of meter socket problems is BC Hydro finding?

Meter bases need to be repaired when the wiring erodes or components loosen or break. Examples include: improper meter socket installation, broken jaws, broken lug nuts and in some cases, electrical bypasses that we do not believe were put in place by the customer. A damaged meter base can cause connection problems such as flickering lights, power surges and even a fire if is not repaired.

## How will I know if there are problems with my meter socket or wiring?

The best indicator of issues with your electrical equipment is your lights – look for visual markers like sustained flickering lights or multiple lights getting brighter and dimmer. If you are noticing this problem, you should contact an electrician.

## How often should wiring be inspected?

Contact your insurance company for advice on how often your household wiring should be inspected.

In addition, any modifications to your home that involves wiring, such as renovations or adding electricity intensive equipment or appliances should be done by a qualified electrician.

The new smart meters will detect when consumption is exceeding the service rating and BC Hydro will be able to alert customers that they require a service upgrade.

## Are the new meters safety tested?

Yes, there are a number of provincial, federal and North American standards in place to ensure the safe delivery of electricity. The meter socket, attached to the home, is certified by the Canadian Standards Association (CSA). Meters are grid infrastructure and are governed by British Columbia Electrical Safety Regulations, the American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE) and International Electrotechnical Commission (IEC). These safety and operating standards address topics such as humidity, rain and voltage surge to ensure meters operate properly. More information about the safety of BC Hydro's new meters is available on the manufacture's website [itron.com/consumers](http://itron.com/consumers).

Customers can count on us to continue to provide important Smart Metering Program information. Learn more at [bchydro.com/smartmeters](http://bchydro.com/smartmeters) or email us at [smartmeters@bchydro.com](mailto:smartmeters@bchydro.com).

**Rachel Parker**

**From:** Trisha Stockand  
**Sent:** Thursday, August 09, 2012 9:59 AM  
**To:** Rachel Parker  
**Subject:** FW: The Future of Island Forestry @ Economic Summit

**From:** Vancouver Island Economic Alliance [mailto:summit=via.ca@mail345.us2.mcsv.net] **On Behalf Of** Vancouver Island Economic Alliance

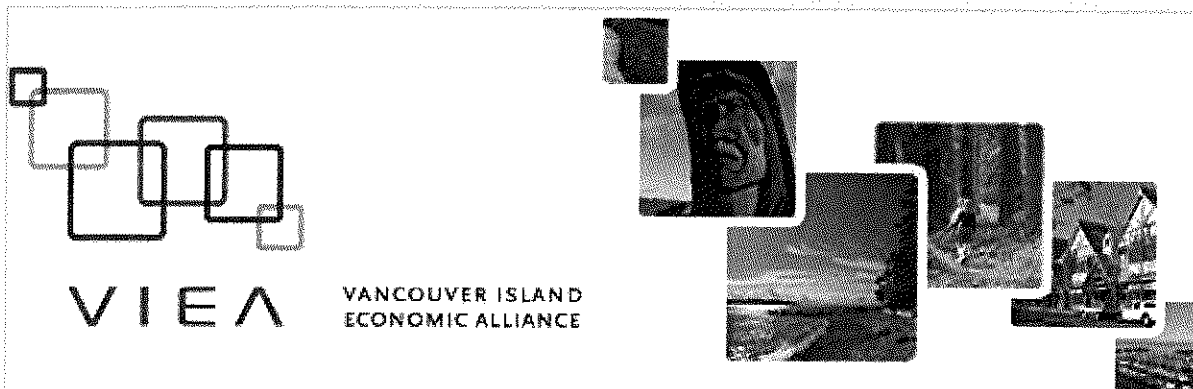
**Sent:** Thursday, August 09, 2012 9:39 AM

**To:** Trisha Stockand

**Subject:** The Future of Island Forestry @ Economic Summit

The future of Island forestry will be reviewed by a panel of experts at the Economic Summit in October.

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### The Economics of Island Forestry

This session will provide an in-depth discussion about current state and future direction of the Coastal forest industry. What are the key factors influencing the Coastal forest industry? How can we best utilize our forest resources amidst competing needs for fibre? What are the economic realities facing various sectors of the industry when it comes to log exports? Following an introductory economic overview and outlook, a panel of industry leaders will look at the complex issue of log exports and discuss how it impacts the various sectors of the forest industry and the Island economy.

James Byrne, Provincial Leader, Forest Industry Practice, MNP LLP

Tom Niemann, RPF, Manager, Log Export and Economic Analysis, BC Ministry of Forests, Lands and Natural Resource Operations

Brian Marken, Fibre Procurement Manager, Neucel Specialty Cellulose

Clint Parcher, Log Buyer, Coastland Wood Industry  
Darrel Wong, President, United Steelworkers  
Paul Stadler, General Manager, Nanaimo Forest Products  
and others...

The 6th annual State of the Island Economic Summit is October 15 and 16 at the Vancouver Island Conference Centre in Nanaimo, BC. Headline speakers include Mark Carney, Governor of the Bank of Canada, and Christy Clark, Premier of British Columbia. This session on the future of Island forestry is one of numerous such sessions featured at the Summit. For more program details and on-line registration visit [www.viea.ca](http://www.viea.ca). For more information contact [summit@viea.ca](mailto:summit@viea.ca). See you at the Summit!

2012 Summit sponsors: Coastal Community Credit Union, Canadian Western Bank, Nanaimo Economic Development Corporation, CTV, Island Radio, Glacier Media, Douglas Magazine, Impact Visual Communications, MNP, Coast Capital Savings, Certified Management Accountants of BC, Quality Foods, ProReg, Lewis & Sears Marketing & Event Management, Array Studios, Coast Bastion Inn, Vancouver Island Conference Centre, Vancouver Island Real Estate Board, Island Coastal Economic Trust, BC Salmon Farmers Association, Vancouver Island University, Community Futures – Island Coastal Region

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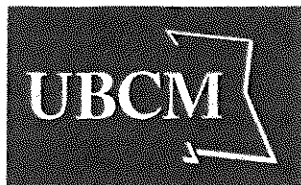
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Vancouver Island Economic Alliance  
P.O. Box 76, Station A  
Nanaimo, Bc V9R 5K4  
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# MEMO TO MEMBERS

August 10, 2012

**TO:** Mayor and Council, Chair and Board, Senior Staff  
**FROM:** Union of BC Municipalities  
**RE:** **Long-term Infrastructure Plan (LTIP) and Gas Tax Permanency Discussions**

## Summary

Discussions are underway between UBCM and the federal and provincial governments with regard to the LTIP and the permanent Gas Tax Fund.

The BC infrastructure roundtable in July brought stakeholders together for a strategic discussion about the LTIP. President Slee attended and his comments were informed by a UBCM member survey, the highlights of which are set out below.

Staff officials are now preparing for in-depth discussions on the LTIP, the permanent Gas Tax Fund and the next iteration of a federal/provincial/local government infrastructure program.

Discussions will be informed by what we have already heard from local governments. UBCM will further engage members as needed, including initiating discussions with Tiers 2 and 3 members about Gas Tax program elements specific to those tiers.

## LTIP

The July 3, 2012 BC infrastructure roundtable was part of a consultation process that will inform infrastructure programming after the 2014 expiry of the Building Canada Fund (BCF).

To prepare for these discussions, UBCM sought the views of its members through a survey. The survey built on existing UBCM policy, and President Slee was able to use the results as the cornerstone of his presentation to the roundtable.

Highlights of the survey results are set out below, with **bolded** text indicating key items addressed by President Slee at the roundtable. Given a very tight turn around time, we were pleased to receive responses from 57 local governments. While this is not likely statistically relevant, the responses were useful in the context of confirming existing policy and identifying emerging themes.

### KEY POLICY THEMES

In the survey, UBCM asserted four key policy themes based on existing policy:

- **Infrastructure funding should be stable, predictable and long-term;**
- **The scope of infrastructure funding programs should be broad enough and with enough flexibility to meet the needs and priorities of all local governments;**
- **Programs should recognize the limited capacity of BC's small and rural communities; and**
- **Processes should be streamlined with a minimum of bureaucracy.**

The vast majority of survey respondents agreed with these themes, with 84% ranking all of them as “very significant” or “extremely significant”.

### SCOPE

Responses to scope included:

- Support for eligibility for all local government infrastructure in a new program, including infrastructure currently eligible under BCF as well as additional categories (e.g., firehalls, affordable housing, tourism);
- In addition to broad scope, programs should allow local choice about which projects to fund (with some pointing to the Gas Tax Community Works Fund as a good model); and
- Several respondents said programs should find ways to support asset management and include funding for infrastructure rehabilitation and renewal, rather than just new infrastructure.

Accordingly, President Slee focused on **an approach, building on a successful Gas Tax model, that includes dedicated funding for communities, eligibility for the full range of local government infrastructure, and with sufficient flexibility to provide some local choice about priorities.**

### PUBLIC PRIVATE PARTNERSHIPS (P3)

The membership has endorsed resolutions supporting continued public ownership of infrastructure, as well infrastructure programs that encourage private investment. These, when read in conjunction with UBCM general policies about maintaining local government discretion to determine local needs, would indicate a principle related to P3 along the following lines:

**Programs should neither encourage nor discourage private infrastructure investment, thereby leaving the choice of the appropriate level of public and/or private investment in local infrastructure to individual local governments to determine in accordance with their unique community needs.**

The survey responses indicated broad support for this approach, with 92% of respondents either “agreeing” or “strongly agreeing” with programs being neutral about P3.

### SUPPORTING SMALL/RURAL COMMUNITIES

The survey asked how the needs of small and rural communities could be accommodated, with respondents suggesting a range of options (e.g., segregated funding, lower local contributions, boarder scope; application assistance). Accordingly, President Slee expressed a need for **infrastructure programs to recognize and accommodate the limited capacity of small and rural communities.**

### NEXT STEPS

Further LTIP discussions are expected in the coming months. We thank all those who participated in the survey, and we will continue to use the results as LTIP discussions unfold. In addition, we will keep the membership informed about progress, and seek additional input as needed during these discussions.

## **Gas Tax Permanency**

### SENIOR STAFF OFFICIALS MEETING

The federal government has chosen to engage in initial discussions about the permanent Gas Tax Fund in conjunction with the LTIP discussions.

Consequently, initial Gas Tax discussions will be part of a LTIP staff officials meeting later this month. That meeting will focus on program elements at a national level (e.g., program goals, scope, reporting, and administration), and is not expected to deal with BC specific elements (e.g., sub-programs and allocations amongst them).

Given this, UBCM will rely on existing policy and the LTIP survey results to inform our discussion at the meeting, and will bring the following types of local government perspectives to the table:

- overall, the Gas Tax program is working well and local governments want to maintain the existing approach which provides stable, predictable, long-term funding for local government infrastructure and that affords some local choice about which eligible projects to fund;
- a scope expansion to allow eligibility for a broader range of infrastructure projects may better meet local needs, and this may be particularly important for BC's small and rural communities;
- some method of indexation is needed in order to avoid erosion of funding;
- it will be important to continue to ensure that accountabilities can be met in ways that recognize local government capacity (e.g., encourage things like asset management or other sustainability planning, rather than requiring these);
- unique features of the BC program need further discussion; while a mix between allocation based funding and pooled funding to support larger, regional or innovative projects is generally supported, we need to ensure we've got the right balance amongst these in all areas of BC.

## NEXT STEPS IN MEMBER ENGAGEMENT

### ***Program design at a national level***

The key points noted above were drawn from previous program evaluations, UBCM policy, and what we have heard from local governments. However, if you have additional insight into national level program design, we would like to hear from you. Contact Brant Felker (contact information below) to provide that input.

### ***BC specific program design***

We will keep the full membership updated on the progress of the permanent Gas Tax discussions, and will seek input on further detailed design elements from members as needed. We have heard that the Regionally Significant Projects fund for Tier 2 regions needs some further discussion. Consequently, we will be engaging in discussions specifically with Tier 2 members regarding those allocations. Similarly, input will also be sought from Metro Vancouver and its member municipalities about the pooling of funds for that region.

## **Further Information**

More detailed results of the LTIP survey are available at:  
<http://tinyurl.com/8fhhuuk>

For further information about the LTIP, please contact Brenda Gibson, General Manager, Victoria Operations, at [bgibson@ubcm.ca](mailto:bgibson@ubcm.ca) or 250.356.0862

For further information about the permanent Gas Tax program, please contact Brant Felker, Gas Tax Program Manager, at [bfelker@ubcm.ca](mailto:bfelker@ubcm.ca) or 250.356.0893

**Subject:** UBCM Packaging and Printed Paper Policy Paper

Dear Local Government Members:

Please find attached the final draft of the Packaging and Printed Paper (PPP) policy paper, which is to be presented at the UBCM Convention in September for consideration and adoption. The format of the report has been changed somewhat from the first version that I sent you. It now contains an Executive Summary listing four key recommendations with supplementary recommendations appended to the report. The draft has been reviewed by UBCM Environment committee and the four key recommendations contained within the Executive Summary were well received. Committee members were appreciative that the group had made strong recommendations on the need for compensation, equitable coverage, the right of first refusal, and environmental mitigation for both landfilling and incineration. In general, the policy paper addresses the concerns of all local governments to ensure a smooth transition to a producer fully funded program. I would ask you to now present this final draft to your councils/boards and executive staff for a final review and endorsement. If you identify any major red flag issues, please let me know by August 30th, the latest. If you have any questions or require additional information, please call me 250-361-8169 or by e-mail at [jcraveiro@crd.bc.ca](mailto:jcraveiro@crd.bc.ca)

.....Regards...John Craveiro

**Denise Dionne, Senior Administrative Secretary**  
Environmental Resource Management, Environmental Sustainability  
Capital Regional District | 625 Fisgard Street, Victoria, BC V8W 2S6  
T. 250.360.3084 | F. 250.360.3047 | [ddionne@crd.bc.ca](mailto:ddionne@crd.bc.ca) | [Recycling in the Region](#)

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**TO: UBCM Members**

**FROM: ENVIRONMENT COMMITTEE**  
Director Rhona Martin, Chair  
Mayor Sharon Gaetz  
Chair Al Richmond  
Chair Joe Stanhope  
Councillor Lorrie Williams

**POLICY  
PAPER(#1)**

2012 UBCM Convention

**RE: PACKAGING AND PRINTED PAPER  
PRODUCT STEWARDSHIP**

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**1. DECISION REQUEST**

That the paper be endorsed by the UBCM membership.

**2. PURPOSE**

The purpose of the policy paper is to:

- identify key local government issues and concerns with the proposed product stewardship program for packaging and printed paper;
- propose recommendations for resolving potential local government issues with the implementation of the packaging and printed paper product stewardship program;
- build local government knowledge and capacity around packaging and printed paper product stewardship to assist in negotiations with producers; and
- support a smooth transition in the responsibility of managing packaging and printed paper (PPP) to producers.

**3. EXECUTIVE SUMMARY**

The paper contains the following key recommendations for designing and implementing a packaging and printed paper (PPP) product stewardship program:

*That producers are responsible for, and have an obligation to, manage one hundred percent (100%) of the packaging and printed paper waste in British Columbia. This obligation includes an extension of the PPP program to the industrial, commercial and institutional (ICI) sector within three (3) years, as well as local government compensation for the management of PPP materials that end up in local government waste streams.*

*That the packaging and printed paper product stewardship program provides an equitable level of service between urban and rural areas, and that existing levels of service be maintained or exceeded for those local governments that have established PPP programs in place.*

*That local governments be given the right of first refusal for providing packaging and printed paper product stewardship services under the new PPP program. This option would minimize and/or prevent any disruption to existing services, employment contracts, and community expectations.*

*That the design and implementation of the PPP program seek to minimize the program's environmental impact by eliminating the need for landfilling and/or incineration of program materials.*

#### 4. BACKGROUND

In May 2011, the Recycling Regulation was amended to include packaging and printed paper. The amendment shifts financial and administrative responsibility for managing these materials from local governments to the producers of packaging and printed paper (PPP). This transfer of responsibility is intended to incent producers of PPP to incorporate environmental considerations in the design of their products.

The addition of packaging, and to a lesser extent printed paper, is partly in response to local government requests. In particular, the UBCM membership has consistently endorsed resolutions calling for the development of strategies to reduce unnecessary product packaging, as well as the creation of product stewardship programs for packaging (1987-B69; 1990-A14; 1991-B18; 1995-B38; 1997-B11; 1999-B14; 2000-B20; 2004-B13; 2005-B115; 2006-B29; 2008-B31). Most recently, Resolution 2009-B39 called for all packaging to be placed under the BC product stewardship legislation. When considering packaging, the membership has similarly called for the addition of milk containers to the Recycling Regulation and the deposit refund system (2011- B38, 2010-B27).

The product stewardship program will be developed by five (5) key producers, which include: the Canada Food and Restaurant Services Association, Retail Council of Canada, Canada Newspaper Association, Food and Consumer Producers of Canada, and the Canadian Federation of Independent Grocers. The producers are represented by Multi Material British Columbia (MMBC), which is a not-for-profit agency established under the British Columbia *Society Act* formed in anticipation of the requirement to develop, submit and implement a stewardship plan for packaging and printed paper. MMBC's intention is to assume the role of a stewardship agency in order to discharge the obligations of PPP producers under Schedule 5 of the Recycling Regulation. However, some producers may choose to pursue their product stewardship obligations independently, which may impact collection and recycling efforts on multiple levels.

Since the amendment to the Regulation, several local governments have raised concerns over what service levels and targets will be included in the program. These concerns include, but are not limited to: how the program will work with local governments to ensure there is not a decline in service levels; how the interface with collection systems under union contracts will be managed; how collected materials will be managed; local capacity to manage any increase in collected materials; how the program will incent

more recyclable packaging; and how local governments could be compensated for the capital investments that have been made in the existing collection infrastructure.

In response to local government concerns and issues, the UBCM Executive approved the creation of a UBCM Packaging and Printed Paper Working Group, issued a call for nominations for representatives, and convened the first meeting in February 2012. The UBCM Packaging and Printed Paper Working Group is designed to provide a voice for local government on their expectations of an industry product stewardship program for PPP; provide information to build capacity in local government understanding of product stewardship as it applies to packaging and printed paper; and build local government capacity to effectively negotiate community interests with the producers.

In addition, the Working Group will: act as a forum for discussing local government issues, both individual and collective, with the producers; identify relevant issues pertinent to the materials/products and scope in the May 2011 amendment that may require negotiating with industry; and identify and propose recommendations to the producers for resolving potential local government issues with the PPP program implementation. The Working Group is comprised of six appointed local government staff representatives from all regions on the province, a UBCM staff representative, a representative from the BC Product Stewardship Council, and a Ministry of Environment staff member that sits as a subject matter expert on provincial policy and regulation.

Throughout the Winter and Spring of 2012, the Working Group met to finalize a terms of reference, identify local government concerns, and develop an issues compendium that would form the foundation of a policy paper. Delegations were also received from interested stakeholders, and communication materials about the efforts of the Working Group were distributed to local government area associations. The Working Group has sought to create recommendations that would advocate local government interests and positions, with the intent of having a policy paper considered by the membership prior to the producers' submission of a product stewardship plan in November 2012.

## 5. DISCUSSION

According to the 2007 Environment Action Plan, the provincial framework for any new or expanded product stewardship program must contain the following measures:

- be fully funded by the industry, in which the industry is responsible for all costs such as collection, transportation, and marketing of materials;
- maximizes the recovery rate of products from local landfills, with a recovery rate of 85% or higher;
- ensures the broadest choice of options for consumers, including the use of deposit refund systems and eco fees;
- ensures the operation of a mixed collection system, including return to retailer, curbside and depots; and
- links product stewardship programs to local solid waste management planning decisions of municipalities and regional districts.

The above position on product stewardship was endorsed by the full UBCM membership at the 2007 UBCM Convention, and acts as the foundation for discussion with the Province on all product stewardship programs, including packaging and printed paper.

Upon review of the amended Recycling Regulation, and as a result of Ministry of Environment information sessions, local governments have identified several key concerns and issues with respect to the new extended producer responsibility programs on packaging and printed paper. These concerns pertain to the scope of the program, program design, environmental impact, financial and service provision issues, as well as the role of local government.

### **Program Scope**

While recognizing the functionality of focusing on residential collection, several local governments have identified concerns over the product stewardship program's focus on residential collection prior to industrial, commercial and institutional (ICI) collection. Local governments have invested heavily in the infrastructure, marketing and outreach of their existing collection and recycling programs, and some are concerned that producers may get to capitalize on the costly foundations they have laid. As such, local governments wish to see an expansion of the product stewardship program to the ICI sector as soon as possible, following the successful implementation of the program in the residential sector.

Local governments have also identified concerns over the seventy-five percent (75%) recovery rate identified within the amended Recycling Regulation. To maximize recovery rates, the rate should focus on specific material categories as opposed to overall packaging composite, and the rate should be applied to each local government to ensure equivalency between rural and urban areas. There is also the recognition that in spite of the target recovery rate, producers have an obligation to manage one hundred percent (100%) of the packaging and printed paper waste. This is consistent with the product stewardship model within BC where producers are responsible for the entire life cycle of products. In addition, the program should cover all areas that local governments are currently servicing.

### **Program Design**

Local governments have identified the need to move beyond simply diverting PPP materials from local landfills and incinerators to actively putting in place incentives and measures to re-design and re-use packaging and printed paper materials. There is a recognition that in order to move up the pollution prevention hierarchy, the producers need to develop market based incentives and/or design requirements for their products. Such measures would diminish the potential for difficult to recycle or non-recyclable materials to be incinerated and/or landfilled, and would simultaneously reduce the carbon footprint of the product by minimizing production, storage, collection and transportation costs.

Built-in consultation mechanisms also need to be established with the product stewardship program. Local governments require meaningful consultation, both in

terms of time and opportunities, in the design of the PPP stewardship program as well as ongoing consultation and feedback mechanisms during the implementation of the program. Based on past experiences with product stewardship programs, local governments desire the opportunity to provide input on the program design if product stewards are not meeting their stated or expected service delivery levels. In particular, local governments require an enhanced dispute resolution process, whereby they have the right to receive compensation for impacted costs if producers are not providing adequate service levels that result in materials being sent to local landfills and/or incinerators.

More importantly, the product stewardship program should incorporate flexible options that local governments can select to best meet the needs and interests of their respective communities. Many local governments throughout BC have established collection systems for packaging and printed paper, each with a set of community expectations around service levels, as well as associated infrastructure and employment contracts. Some local governments have identified the potential for the product stewardship program to impact existing employment contracts, particularly if the producers decide to contract out collection services or rely on depots instead of using existing local government staff and curbside programs. Implementing a “one size fits all” approach will not yield the greatest results. To improve the effectiveness of the product stewardship program, local governments should have the choice of either continuing to deliver services with fair compensation or selecting the producer’s contracted services for their communities. In effect, local governments should be given the right of first refusal for the provision of services. Similarly, the product stewardship program needs to be integrated with other waste management programs to create efficiencies, facilitate maximum recovery rates, and ensure high customer service.

### **Environmental Impacts**

As stewards of their community, local governments are continuously implementing measures to protect the environment and address the impacts of climate change. Local governments believe that the product stewardship program should focus on clear environmental protection as opposed to simply the cost impacts on producers. The program should include measures and incentives for redesigning packaging, to ensure that the program moves up the pollution prevention hierarchy by eliminating the landfilling and/or incineration of collected program materials. Wherever possible, local governments maintain that producers should be seeking efficiencies within the collection, transportation and processing of materials to minimize the carbon footprint within affected communities.

### **Funding**

Local governments have identified a wide range of costs associated with both their existing curbside collection programs for packaging as well as costs for the successful implementation of product stewardship programs. While British Columbia has a fully industry funded model for product stewardship, local governments have acknowledged that they have frequently incurred some management costs for existing product stewardship programs when materials end up in local waste streams. In light of this experience, local governments require reimbursement for the management of

any packaging and printed paper materials that end up in local government waste streams, which include garbage, public disposal facilities and illegal dumps. Compensation could be determined through standardized and industry funded waste audits that determine the amount of materials local governments handle. In addition, in accordance with the provincial product stewardship model, the producers must be responsible for all “hard” and “soft” program costs including collection, transportation, processing, and public outreach and education.

Recognizing that the producers may utilize either contracted services or existing local government infrastructure and collection programs, local governments have identified the need for fair compensation for their assistance in any packaging and printed paper product stewardship program. To date, it is unclear as to whether the producers will be providing compensation on a per household or service level basis, and on the level of compensation should local governments choose to participate in collection in the future. However, local governments maintain that compensation for participating in, or assisting with, the product stewardship program should be based on a local government’s true operating costs (capital, operation, maintenance, contract administration, education and outreach, advertising and disposal costs).

### **Service Provision**

The level of service to be provided under the proposed packaging and printed paper product stewardship program emerges as one of the biggest concerns and issues for local governments. Local governments continue to identify service provision challenges within existing provincial product stewardship programs, particularly within more rural and remote areas. The new PPP extended producer responsibility program should ensure that rural and remote areas receive an equitable level of service as their urban counterparts so that the additional costs of managing PPP materials are not incurred by local governments.

For those local governments that have established PPP programs in place, there is a concern that existing service levels and quality of service must be maintained or exceeded. Such local governments have invested significantly in the infrastructure of, and public education for, their PPP programs and have established community expectations around what constitutes quality service levels. As such, local governments require a seamless transition with the implementation of the new PPP program to prevent any disruptions to existing service levels, community expectations, and employment contracts. The latter is particularly important to several local governments, as there is concern that the new program could potentially impact existing employment contracts, both in terms timing with contract renewal, and with the failure to utilize existing union staff in providing the service. Moreover, there is a need for the producers to clarify how the PPP program will fit within existing solid waste management plans.

### **Local Government Role**

All local governments will be directly impacted by the implementation of a new packaging and printed paper product stewardship program. However, to date, local governments are unclear as to role that local governments will play in managing PPP

materials, as well as the level of local government consultation in the design and implementation of the program. This lack of clarity extends to whether there will be potential partnerships with the producers as well as who has ownership over collected packaging and printed materials. In order to be successfully implemented, the new product stewardship program must provide options and opportunities for local governments to play an active role in managing PPP. This structural flexibility is required given local government's current administration of recycling and waste diversion programs, existing local government infrastructure, the linkage to solid waste management plans, and current community expectations around service levels.

## 6. RECOMMENDATIONS

That the following recommendations pertaining to the design and implementation of the packaging and printed paper product stewardship program be adopted by the UBCM membership.

*That producers are responsible for, and have an obligation to, manage one hundred percent (100%) of the packaging and printed paper waste in British Columbia. This obligation includes an extension of the PPP program to the industrial, commercial and institutional (ICI) sector within three (3) years, as well as local government compensation for the management of PPP materials that end up in local government waste streams.*

*That the packaging and printed paper product stewardship program provides an equitable level of service between urban and rural areas, and that existing levels of service be maintained or exceeded for those local governments that have established PPP programs in place.*

*That local governments be given the right of first refusal for providing packaging and printed paper product stewardship services under the new PPP program. This option would minimize and/or prevent any disruption to existing services, employment contracts, and community expectations.*

*That the design and implementation of the PPP program seek to minimize the program's environmental impact by eliminating the need for landfilling and/or incineration of program materials.*

That the supplementary recommendations contained within Appendix 1 be adopted as a tool for building local government knowledge and capacity to assist in local government discussions and negotiations with producers.

## APPENDIX 1: RECOMMENDATIONS

### *Program Scope*

That the PPP program be expanded within three years to cover the industrial, commercial and institutional (ICI) sector following the successful implementation of the program within the residential sector.

That the seventy-five percent (75%) target recovery rate identified in the Recycling Regulation apply to specific material categories as opposed to overall packaging composite.

That the seventy-five percent (75%) target recovery rate identified in the Recycling Regulation apply to each local government to ensure equivalent service levels between urban and rural areas.

That the PPP program seeks a recovery rate of eighty-five (85%) or higher, consistent with the principles adopted by the UBCM membership in the 2007 Environment Action Plan.

That the PPP program include the addition of milk containers to the deposit refund system.

That the PPP program apply to all areas that local governments are currently servicing.

### *Program Design*

That producers develop market based incentives and /or design requirements to stimulate product redesign and re-use to diminish the potential for materials to be incinerated or landfilled.

That material specific targets and performance measures be developed by the producers and enforced by the Province.

That local governments be given meaningful consultation opportunities in the design of the program as well as ongoing consultative mechanisms during the implementation of the program.

That an enhanced dispute resolution process be incorporated into the program, whereby local governments have the right to receive compensation for impacted costs if producers are not providing adequate service levels that result in materials being sent to local landfills and /or incinerators.

That the product stewardship program incorporates flexible and scalable options for local government participation in the management of PPP materials.

That local governments be given the right of first refusal for providing packaging and printed paper product stewardship services under the new PPP product stewardship program.

### *Environmental Impact*

That the design and implementation of the PPP program focus on seeking efficiencies within the collection, transportation and processing of materials to minimize the carbon footprint of the program.

That the product stewardship program include measures and incentives for redesigning packaging, which ensures that the program moves up the pollution prevention hierarchy by minimizing the landfilling and /or incineration of collected program materials.

### *Funding*

That local government compensation for their assistance in, or management of, the product stewardship program be based on a local government's true operating costs.

That local government be compensated for the management of PPP materials that end up in local government waste streams, and that standardized and industry funded waste audits be conducted to help determine appropriate levels of compensation for such management.

That the product stewardship program be fully funded by industry, in which producers are responsible for all costs associated with the management of PPP materials including, but not limited to collection, transportation, processing, public outreach and education.

That local governments receive compensation for continued education and outreach activities following the implementation of the product stewardship program.

### *Service Provision*

That rural and remote areas receive an equitable level of service as their urban counterparts under the PPP product stewardship program.

That existing service levels and quality of service be maintained or exceeded for those local governments that have established PPP programs in place.

That the implementation of the program seeks to provide a seamless transition for those local governments with established PPP programs, in order to minimize and/or prevent any disruptions to existing services, employment contracts, and community expectations.

### *Role of Local Government*

That local governments be provided the option and opportunity to play an active role in the management of packaging and printed paper under the product stewardship program.

That the PPP program incorporate meaningful consultation opportunities in the design of the program as well as ongoing consultative mechanisms during the implementation of the program.

That local governments explore the creation of a local government product stewardship agency that would facilitate active engagement, and negotiation with, all product stewards on existing and new product stewardship programs.

OFFICE OF THE MAYOR  
VILLAGE OF GRANISLE

Item 8.7

BOX 128, GRANISLE, B.C.  
V0J 1W0



TELEPHONE (250) 697-2248  
FAX (250) 697-2306

Aug. 20, 2012

The Honourable Christy Clark  
Premier of British Columbia PO Box  
9041, Stn, Prov. Govt. Victoria, B.C.  
V8V 1X4

Dear Premier Clark:

**Re: Persons with Disabilities Benefit**

At the Regular Meeting of Council held July 18, 2012, Village of Granisle Council determined to support the District of Kitimat's letter regarding the Disability without Poverty Network's request of the Province to increase the Persons with Disabilities benefit.

The Village of Granisle supports an increase to the Persons with Disabilities rate to a minimum of \$1200/month to better reflect the cost of living in B.C. and to bring the rates in line with the standard for low income seniors that was established by the Federal Old Age Security/Guaranteed Income Supplement Program.

On behalf of Granisle Council, I ask that your government review disability benefit rates as it is difficult enough living with a disability without the added struggle of insufficient funding for basic living essentials. Your attention and favorable response to this matter would be greatly appreciated.

Yours truly,

A handwritten signature in cursive script, appearing to read "Linda McGuire".

Linda McGuire  
Mayor

cc: B.C. Coalition of People with  
Disabilities  
UBCM Municipalities

Item 8.8

**OFFICE OF THE MAYOR  
VILLAGE OF GRANISLE**

BOX 128, GRANISLE, B.C.  
V0J 1W0



TELEPHONE (250) 697-2248  
FAX (250) 697-2306

The Honourable Keith Ashfield, P.C., M.P.  
Minister of Fisheries and Oceans  
House of Commons,  
Ottawa, Ontario K1A 0A6

August 20, 2012

Dear Minister:

**Re: Proposed Changes to Fisheries Act Section 35(1)**

In light of the proposed changes to Section 35(1) of the Fisheries Act, Council would like to express concern for fish habitats and the many waterways in and around the Village of Granisle. Sustainable waterways and fish stocks are vital to this community's livability; therefore it is imperative that open and transparent discussions take place with provincial and local governments and other stakeholders when making the proposed changes to Section 35(1) of the Fisheries Act.

In regards to the aforementioned, Council adopted a resolution to support the City of Quesnel's letter and the resolution as follows:

NOW THEREFORE IT BE RESOLVED THAT the Village of Granisle call upon the Federal Government to abandon proposed changes to Section 35(1) of the Fisheries Act that would see the removal of provision banning or limiting activities that result in the "harmful alternation, disruption or destruction of fish habitat";

AND THAT this resolution be forwarded to the Federation of Canadian Municipalities, Federal and Provincial Ministers of Fisheries and Agriculture, and to all UBCM member municipalities.

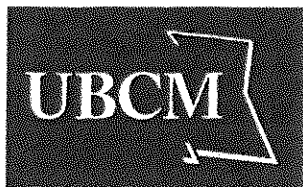
Council would like to again remind you of the dialogue that must take place with all concerned parties to gain valuable input and insight from Canadians before proceeding with any changes to the Fisheries Act.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Linda McGuire".

Linda McGuire  
Mayor

Cc: Honourable Steve Thomson, M.L.A., Minister of Forests, Lands and Natural Resource  
Federal Canadian Municipalities  
Union of British Columbia Municipalities



# MEMBER RELEASE

August 24, 2012

**TO:** Mayor & Council | Chair & Board | Senior Staff  
**FROM:** UBCM Secretariat  
**RE:** **Agricultural Land Commission – New Directions**

The purpose of this member release is to provide an update on changes that the Agricultural Land Commission (ALC) intends to implement to better achieve its mandate.

Attached is a message from Mr. Richard Bullock, Chair of the ALC entitled, ***Changing the Way We Do Business: An Update on the Transition of the Agricultural Land Commission.***

The Agricultural Land Commission is implementing changes to its operations in response to two reviews that were undertaken. Both of these reviews indicated that the ALC needed to implement measures to better protect farmland and to generate more revenue. The purpose of the new measures is to give the ALC the ability to review Agricultural Land Reserve (ALR) boundaries to ensure the land is suitable for farming; to implement a proactive planning model with local government; and to ensure enforcement/compliance measures.

## Additional Information

For additional background information, including the reviews referenced above, please see the links below:

ALC Chair's Report – November 26, 2010

<http://www.alc.gov.bc.ca/publications/Final%20Report-Nov26.pdf>

Government's 2011 direction (News Releases of November 2011)

<http://www.newsroom.gov.bc.ca/2011/11/changes-strengthening-agricultural-land-commission-now-law.html>

Auditor General of BC Report on the ALC – September 2010

<http://www.bcauditor.com/pubs/2010/report5/audit-agricultural-land-commission>

2011 legislative changes to the *Agricultural Land Commission Act*

[http://www.leg.bc.ca/39th4th/3rd\\_read/gov19-3.htm](http://www.leg.bc.ca/39th4th/3rd_read/gov19-3.htm)

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_02036\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_02036_01)

## UBCM Contact

Ken Vance

Senior Policy Advisor

Email: [kvance@ubcm.ca](mailto:kvance@ubcm.ca)

Tel: 604-270-8226 ext. 114



## **PROVINCIAL AGRICULTURAL LAND COMMISSION**

### **MESSAGE FROM THE CHAIR**

**August 23, 2012**

#### **CHANGING THE WAY WE DO BUSINESS: AN UPDATE ON THE TRANSITION OF THE AGRICULTURAL LAND COMMISSION**

##### **I. THE NEED FOR CHANGE**

On November 26, 2010, in my role as Chair of the Agricultural Land Commission (ALC), I issued a report laying out a strategic vision for the ALC. That strategic vision was based on two fundamental propositions.

The first proposition is that the ALC's mandate – to preserve agricultural land, to encourage farming on such land in collaboration with other communities of interest and to encourage all governments to accommodate farming in their planning processes – is as important today as it was when the Agricultural Land Reserve (ALR) was created almost 40 years ago. As noted in my report, there continues to be overwhelming support for the ALR. That support reflects a consensus within society about the importance of preserving a stable and coherent agricultural land base in British Columbia.

It is widely understood that there are serious challenges to the preservation of British Columbia's limited agricultural land base. Those factors include urban sprawl, increasing populations, changing weather patterns, competing land uses and land speculation. People readily understand that, in addition to the critical importance of the \$10.5 billion agri-food sector to the provincial economy, food security is not something we can take for granted in British Columbia.

The second proposition on which my report was based is that if the *Agricultural Land Commission Act (ALCA)* is to truly achieve its purpose, the ALC itself must be effective. Like any other organization or business, the ALC must be willing to adapt to changing circumstances, and must be willing to re-examine previous ways of doing business. It is not good enough to operate a certain way because that is the way it has always been. It is not good enough to avoid change because some people do not support change, or because their vested interests are

affected. It is not good enough to allow the work demands related to one part of the ALC's mandate (for example, the consideration of non-farm use, subdivision and exclusion applications) to unduly take away from other important statutory responsibilities such as policy and planning, and compliance and enforcement. The ALC has to look for creative ways to become more efficient, and has to make hard decisions about how to triage and use its resources.

In September 2010, the Auditor General of British Columbia produced a report that examined the ALC and made 9 recommendations. These recommendations encouraged the ALC to be more proactive with local government planning processes, to have a sufficiently robust compliance and enforcement scheme, and to fully evaluate decisions with a view to reviewing our overall policy direction.

The 20 months since my report was submitted have only reinforced the need for the ALC to introduce changes to the way it does business. The ALC has had time to reflect on the Auditor General's report and my November 2010 report, and to consider the legislative changes passed in November 2011 to allow the ALC to better manage parts of our workload. I consider it appropriate now to publicly outline the changes we have decided to make in order to better achieve our mandate under the *ALCA*.

## **II. THE NOVEMBER 2010 CHAIR'S REPORT**

My report set out a "Strategic Vision for Future Generations", with the following components:

1. ***An ALR that has defensible boundaries.*** The boundaries of the ALR, and any decisions to change the boundaries, should be based upon a consistent method of evaluating scientific and technical information. The boundaries should be defensible in order to discourage speculation and the proliferation of non-farm uses and subdivisions that erode the agricultural land base and drive up agricultural land prices. Communities should be encouraged to adopt compact and efficient development patterns that minimize pressure on the ALR boundary.
2. ***An ALR that places agriculture first.*** The use of lands for agriculture should take priority over all other uses within the ALR. Although the ALR permits many non-farm uses and may protect other public values that occur within it, it is first and foremost a working agricultural landscape. The ALC must have adequate resources to advocate for farmers, ranchers and the agricultural industry to encourage farming.

3. ***An ALC that places priority considerations on bona fide farmers and ranchers, and issues that may impact, positively or negatively, bona fide farmers and ranchers.*** (This requires) flexible, risk-based approach to reviewing and deciding upon proposals that are intended to support and enhance bona fide farms and ranches.
4. ***An ALC that builds strong alliances with farm and ranch groups and other organizations to identify and cooperatively address emerging issues that may impact, positively or negatively, bona fide farmers or ranchers.*** Through regular communication and consultation, the ALC will be better positioned to participate at an early stage in dialogue on issues of importance to farm and ranch communities.
5. ***An ALC that is able to respond to and enforce against improper use of ALR land.*** Ensuring that ALR lands are being used properly will maintain a high quality land base for farming and reduce the potential for lands to be degraded to the extent that they can no longer be used for agricultural production. The ALC must continue to strive to build partnerships with other government agencies and local governments to assist in compliance and enforcement related matters.
6. ***An ALC that moves away from being reactive and focused on applications towards becoming a proactive planning organization.*** This shift would allow the ALC to proactively seek opportunities to improve agricultural land preservation and utilization, encourage farming, and focus on emerging and strategic issues.
7. ***An ALC that has up-to-date technology.*** To use technology to integrate mapping (spatial) information with the ALC's database for research, planning, ALR boundary assessments and business reporting. To seek partnerships with other provincial ministries and agencies to share data to further enhance the ALC's technical capacity for research, planning, ALR boundary assessments and business reporting.

My report candidly states that in order to achieve many of these objectives (particularly items 1, 5 and 7 above), sufficient funding and resources are necessary. In this regard, a very positive development was the November 2011 legislative amendments that created the possibility of a fee schedule to establish a "user pay" funding model to generate revenue to augment the ALC's base budget appropriation. The ALC awaits advice from Government regarding further developments with regard to this reform.

The ALC is committed to proceeding with our strategic vision, even if this means having to engage in a triage process where lower priority matters give way to allow higher priority matters to be properly addressed.

Part of the reason for this message is to explain to certain stakeholders – particularly those involved in the “application” side of our mandate – why their applications may in future be processed differently. On the positive side, we believe this realigning of priorities to be more consistent with our overall mandate and responsibilities, and will lead to a revitalized and proactive ALC.

### **III. RE-ESTABLISHING THE ALC’S PRIORITIES**

A disproportionate amount of the ALC’s resources are consumed in dealing, on a reactive basis, with the numerous applications made by individuals each year to exclude, subdivide or authorize non-farm uses on ALR land. Dealing with the sheer volume of these applications – 500 to 700 new applications annually – consumes an enormous amount of ALC time and resources. Of these new applications we anticipate that approximately 25% will be the subject of a request for reconsideration (a follow up review of a denied application) which will consume even more ALC time and resources. Requests for reconsideration result in the annual application workload of the ALC increasing to 625 – 875 applications.

It is also a fact that a significant number of applications are nothing more than an attempt to gain a financial benefit from non-agricultural uses, or from removing land from the ALR. As stated in my report regarding land in the ALR “land speculation remains high after nearly 40 years”.

The time has come for the ALC to take control of our agenda and workload. To avoid remaining a largely reactive organization whose priorities are dictated by the volume of applications received, the ALC has had to seriously re-think the resource allocation given to applications relative to other functions.

The ALC has determined that we can no longer afford to be an organization that spends 80% of its time dealing with applications to the detriment of other important areas of our mandate. Within the scope of resources that can be devoted to applications, we need to look beyond a simplistic “first in time, first in line” approach to doing our work and examine other process models based on priority and triage. Finally, we need to do everything we can to ensure that when dealing with applications, our decision-making remains principled, professional, consistent and timely.

The ALC will in good faith continue to perform our duty to consider each application on its merits as appropriate, but it makes no apologies for undertaking and prioritizing work based on a considered assessment of resources and priorities.

#### **IV. RE-ALLOCATING THE ALC'S RESOURCES**

##### **A. Planning**

The *ALCA* states that a local government's bylaws (including a regional growth strategy, official community plan or zoning bylaw), and a first nations government's laws, must be consistent with the *ALCA*, the regulations and the orders of the ALC. If those laws or bylaws are inconsistent with the *ALCA*, the regulations and the ALC's orders, they are "to the extent of the inconsistency, of no force or effect": s. 46. The ALC has an important role to play in consulting with local governments to ensure that their bylaws are valid and do not contravene s. 46.

In addition, section 882(3) of the *Local Government Act* requires local governments to refer official community plan bylaws to the ALC for comment if the plan applies to land in the ALR. Section 879 of the *Local Government Act* also allows local government to consult with the ALC more generally regarding official community plans. All these powers are directly related to the ALC's mandate to encourage farming and to encourage local governments and first nations to enable and accommodate farm use of agricultural land. As part of the planning process, the ALC needs to encourage communities to adopt compact and efficient development patterns that minimize pressure on ALR boundaries.

The ALC has in the past devoted insufficient resources to these critical planning functions resulting in adverse downstream effects on many of the ALC's objectives, including promoting the use of ALR land for agriculture, preventing unnecessary urban/rural conflicts, discouraging speculative applications, and minimizing enforcement issues. The ALC has also faced significant challenges participating in provincial land use planning, resource management and major infrastructure development.

Proactive ALC participation with local governments and provincial ministries, agencies and Crown Corporations provides considerable help to these valued stakeholders who may not be well briefed on agricultural issues. Such proactive planning requires early and regular ALC communication with local government planners, provincial government representatives and

elected officials. This reflects the ALC's larger responsibility to communicate with and educate local communities and provincial ministries, agencies and Crown Corporations regarding the ALCA in particular and agriculture generally.

In the ALC's view, the time has come for our planning mandate to have greater prominence, with the following elements:

- Ensuring earlier and more extensive involvement in local government planning processes;
- Ensuring earlier and more extensive involvement with provincial ministries and agencies, and Crown Corporations in land use planning, resource management and major infrastructure planning and development;
- Encouraging local governments to develop and adopt more detailed, agriculturally-focused implementation plans and strategies, such as Agriculture Area Plans and Agricultural Strategies;
- Encouraging local governments to establish Agricultural Advisory Committees;
- Updating "off the shelf" services for local governments, including the ALC's *Planning for Agriculture* document;
- Identifying priority areas for ALR boundary reviews; and
- Expanding joint Ministry of Agriculture and ALC efforts regarding "strengthening farming" legislation: *Farm Practices Protection (Right to Farm) Act*.

## **B. Policy**

The ALC's policy role is closely related to its planning mandate. At the present time, the ALC has policies that outline principles, guidelines, strategies, rules or positions on various interpretative, operational, and fill and soil removal issues. These policies seek to provide clarification of regulations and courses of action consistently taken or adopted, formally or informally. While policies do not have the same status as laws, they are nonetheless extremely important to assist the ALC in developing plans and encouraging farming.

ALC commissioners and staff have a wealth of knowledge and experience to bring to policy development, but that resource is not currently being harnessed owing to the reactive demands on the ALC. Proper policy work cannot be undertaken off the "side of the desk", and it is not

assisted by having to be developed on an ad hoc basis in response to a pressing need. To be of greatest value, policies that encourage farming need to result from active engagement with stakeholders and the collection of proper data and research, including analysis. The time has come to devote more of the ALC's resources to our policy role.

**C. ALR Boundary Reviews**

Responsibility for revising the ALR's boundaries rests with the ALC. This role, which the ALC may exercise proactively by way of boundary reviews, is linked directly to the ALC's responsibility to preserve agricultural land.

The ALC initiated a number of boundary reviews throughout the 1980s, but the resources to undertake that work was eliminated by 1990. The ALC today recognizes that the most realistic approach to boundary reviews is to take a more modest and targeted approach based on the areas in greatest need of review.

Any boundary review process requires great care. A boundary review is a superior method for "fine-tuning" ALR boundaries than adjudicating hundreds of disparate applications. The ALR will have greater integrity, and fewer applications will be generated, where boundaries are proactively reviewed to assess whether land is, or is not, appropriately designated as ALR land. At the same time, the purpose of a boundary review must be clear. A boundary review process cannot be allowed to turn into a debate about whether there is a "higher or better use" for agricultural land, or about whether a particular farm is economically viable. As the Courts have recognized, the ALC's duty to preserve agricultural land requires us to take a longer term view, and to recognize that land not suitable for one agricultural purpose today may well be suitable for another agricultural purpose tomorrow.

ALR boundary reviews can generate a great deal of interest, and controversy. It is imperative that such reviews be conducted in an open and transparent manner by engaging local governments, agricultural organizations, other stakeholder groups and the general public. It goes without saying that even a modest boundary review will require the allocation of considerable resources.

**D. Compliance and Enforcement**

The ALR will retain its integrity only if individuals comply with the prohibition against using ALR land for non-farm uses.

The threat of prosecution is not enough to dissuade some people from breaching the *ALCA*. For that reason, in 2002 the ALC was given additional powers to ensure compliance, including the power to inspect land, to issue “stop work” and remediation orders, and to levy administrative penalties.

While the ALC has already established a partnership with the Ministry of Forest, Lands and Resource Operations and there are opportunities to partner with local governments and other provincial ministries, the ALC recognizes that we must have the ability to act when outside help is unavailable.

The ALC has determined that resource allocation to compliance and enforcement activities must be given higher priority than some types of applications. The ALC’s re-allocation of priorities will reflect this reality.

**E. Applications**

The *ALCA* currently allows several different types of applications to be made to the ALC. These include an application to authorize a non-farm use, and applications to subdivide or exclude land from the ALR.

The ALC application process has remained essentially unchanged since 1975, during which time we have considered almost 40,000 applications. As noted earlier, the ALC currently receives between 500 – 700 new applications per year plus requests for reconsideration.

As discussed earlier, the reality is that the ALC will no longer allow the purely reactive role of dealing with applications to drive our allocation of priorities. This means three things.

Firstly, applications as a class will in future receive a lower relative share of the ALC’s overall resources. Instead of application work accounting for 80% of the ALC’s budget, the ALC is initially targeting to have that work account for 30% of our budget.

Second, applications will not be addressed according to a simple “first in time” rule, but rather according to the priority of the application, after a screening process that takes into account the nature and purpose of the application and the application’s potential to encourage farming and the larger purposes of the *ALCA*.

Finally, within the targeted 30% budget allocated to application work, the ALC must find creative ways to increase our efficiency by streamlining the processing of applications.

To achieve the streamlining objective, several initiatives are being given active consideration; some are underway. One involves creating an application process – in due course, a fully electronic one - that places the onus to provide all relevant information on the person making the application. The days of the ALC helping to “perfect” an application cannot continue. As with all other federal and provincial regulatory processes in which persons seek an approval or a benefit, the onus must be on the person applying to provide all required information. If an application is materially incomplete it will not be processed until the required information is provided by the applicant. While it may in the past have been seen as a helpful public service for ALC staff members to “shore up” deficient applications made by landowners, this is no longer economically feasible.

Other initiatives will also be taken. One will involve an effort to educate local governments regarding applications that are and are not properly prepared. Others will involve changes within the ALC process, including eliminating the ALC staff report to the extent that it merely duplicates information in the file, improving the ALC’s information management systems (as funds are available), applying the ALC’s reconsideration power according to the language and intent of the reconsideration power in the *ALCA*, and improving the decision-making process through ongoing training of commissioners and organization of panels. The ALC believes that these changes, together with the new power to refuse repeat applications for non-farm use, subdivision or exclusion made within 5 years of a previous application (s. 30.1), will go a long way towards allowing us to make the best use of the resources that can be allocated to applications.

**V. TRANSITIONAL PROJECTS SUPPORTING THE ALC'S RE-ESTABLISHED PRIORITIES**

In support of re-establishing the ALC's priorities we have embarked on a number of significant projects using the transitional funding provided by Government which is available to the ALC until March 31, 2013. The ALC has the following transitional projects underway:

- Updating ALR boundary review procedural manual to provide clear and concise guidance regarding the methodology to be employed for reviews and to ensure boundary reviews are conducted in an open and transparent manner;
- Upgrading information technology and information management capabilities of the ALC's Online Application Tracking System (OATS);
- Designing and building a web-based application portal and client self-help kiosk to provide enhanced web services to clients and greater access to information. Establishing the ability to file applications electronically will further reduce the amount of ALC resources devoted to processing applications as the person(s) wishing to file an application will not be able to do so until all information is completed in the form and content acceptable to the ALC. The onus of completing a thorough and well documented application will be placed on the person(s) making the application;
- Populating the ALC database with information from approximately 25,000 applications to provide the ALC and its clients with greater access to information;
- Scanning historical documents from the 25,000 applications to provide the ALC and its clients with greater access to information;
- Digitizing and quality assurance review of historical mapping of the 25,000 applications;
- Digitizing agricultural capability mapping to provide the ALC and its clients with greater access to information. This mapping will also form the technical foundation for ALR boundary reviews; and
- Preparing a compliance and enforcement procedural handbook.

## **VI. CONCLUDING COMMENTS**

It is admittedly unusual for an administrative tribunal to provide this kind of public statement to explain the reasons for changing the way it does business. However, the ALC recognizes that we are an important regulatory institution within British Columbia, and that if the changes we have set in motion are to be understood, they must be explained.

This message seeks to reflect our respect for the Auditor General's constructive recommendations, for the stakeholders whose views contributed to my November 2010 report (and whose views continue to assist the ALC), for the Minister and Government which considered my report and passed the November 2011 amendments to the *ALCA*, and for the public that the ALC ultimately serves.

We will, as part of our ongoing annual reporting, continue to report on our progress in carrying out the changes announced in this message and the status of the transitional projects, the details of which will be announced as and when appropriate.

As well, when the ALC is provided more certainty from Government regarding the funding model to augment provincial funding, more changes and additional projects will be undertaken to sustain the momentum now underway to enhance the ALC's ability to preserve British Columbia's agricultural land and encourage farming.

Finally, the changes and transitional projects form part of a new and exciting chapter in the history of the ALC; they are just the beginning.



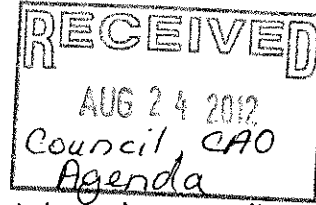
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**Richard Bullock, Chair**  
**Provincial Agricultural Land Commission**

**Trisha Stockand**

---

**From:** Frances Forgues [gumbootballet@shaw.ca]  
**Sent:** Friday, August 24, 2012 11:12 AM  
**To:** info  
**Subject:** Maple Lake Park proposal



Dear Mayor and Council;

I am delighted to hear that you are considering making Maple Lake and surrounding areas into a park. My husband and I own the property at the western end of Hope Rd., which borders on the Maple Lake marsh system. We have lived here for 15 years and have been using the lake area as a recreational site since our arrival. The trail system is well established and we have worked hard to maintain and improve many of the existing trails in order to ride our horses on them. I have two requests for your consideration. 1. Once the park is up and running (and I'm sure it will be in due course) please consider that horsemen made and maintained many of the trails in that area and please allow horsemen to continue to use those trails. 2. When the gravel pit on Bevan Rd, just west of Wellington Rd. is presented for re-zoning please consider requiring the owners to create hiker/biker/bridle paths that would allow public access to the Maple Lake trail system.

Thank you so much for this far-sighted proposal. Cumberland can only benefit from the creation of a public park and trail system around Maple Lake.

Yours truly,

Frances Forgues

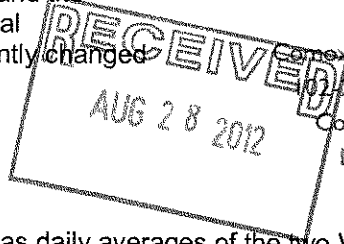
3481 Hope Rd.

Cumberland.



## 2012 Summer Update – Vancouver Island Visitor Centre

The Vancouver Island Visitor Centre has been open for 218 days, and the statistics, visitor origin, sales & bookings agreements, and anecdotal visitor feedback captured during that time demonstrates a significantly changed Comox Valley visitor servicing system.



Comox Valley Economic Development  
2435 Mansfield Drive  
Courtenay, Vancouver Island  
British Columbia, Canada  
V9N 2M2

### 1. Visitors Volume Exceeding Historical Figures by 22%

- 22,500 visitors have been served to date
- August has seen average visitor counts of 170/day, where as daily averages of the two Visitor Centres combined in August 2011 were 138/day

### 2. VIVC Servicing Significantly More 'Visitors' vs 'Locals'

- In July the VIVC welcomed 64% true 'visitors'; the highest percentage the previous Visitor Centres serviced in 2011 was 54%
- A 'visitor' is anyone who lives outside of the Comox Valley boundaries

### 3. New Sales and Bookings Systems Established

- 45 Bookable Activity and Accommodation Agreements are in place for the Comox Valley and Vancouver Island providers via the VIVC (as attached)
- 30 Artisan and Retail Consignment Agreements have been secured (as attached)
- All BC Ferry Routes and Harbour Air Tickets can be purchased via the VIVC
- The 2012 Marketing Opportunities Program (including racking and on screen advertising at the VIVC) sales surpassed 2011 figures by 41%, exceeding \$100k in gross revenue

### 4. Expanded Business Retention and Expansion Outreach

- VIVC Staff have participated in 20 scheduled familiarization tours (end of Q2) (as attached)
- VIVC Staff identified they have made individual site visits to over 200 accommodation, activity, attraction or good and services sites to further establish an industry network and knowledge base (end of Q2).

### 5. Extensive and Positive Visitor Feedback on the VIVC

The VIVC are tracking feedback on the Centre through Daily Communication Logs that comprise of notable events, activities, comments and occurrences, which are provided daily to Adventure Management Ltd. A Guest Book has also been provided since February 26, and received in excess of 1700 entries. A recent selection below;

- Shearwater, NS "Absolutely beautiful – what a gift for the CV"
- Ottawa, ON "The Jet made us do a U-turn – glad I did"
- Courtenay, BC "Congratulations, not your average Tourist Bureau"
- New Zealand "Very nice indeed!"
- Everett, WA "Terrific! Interesting First Nations Exhibit"
- Winnipeg, MB "What a wonderful way to showcase Vancouver Island"
- Comox, BC "Wonderful, made Mom cry @ amazement"
- Lake Tahoe, California "Fascinating – thanks for the Island info"
- Surrey, BC "Excellent, informative, unique and world class"
- Vancouver, BC "The best visitor centre ever!"
- Denman Island, BC "Wow! Gorgeous! Well Done!"
- Victoria, BC "Exciting & Inviting – will return with visitors"
- North Carolina "Outstanding exhibits – great job!"

Toll Free 1.877.848.2427  
Tel 250.334.2427  
Fax 250.334.2414

discovercomoxvalley.com



<b>Current Bookable Products - Local and Vancouver Island</b>	
Best Western Plus, The Westerly Hotel and Convention Centre	BC Salmon Farmer's Association-Salmon Farm Tours
Courtenay River Cottage	Campbell River Whale Watching
Crabby's Fishing Charters	Eagle Eye Adventures
Fanny Bay Oysters	Ele's Escape B&B-Lantzville
Functional Massage Therapy	Five Star Whale Watching
G & M Fishing Charters	Heading North Recreation
Holiday Inn Express & Suites Comox Valley	LandSea Tours & Adventures
Honey Grove B & B	Mid Island Fishing Charters
Horne Lake Camping	Orca Spirit Adventures Whale Watching
Horne Lake Caves	Pacific Coach
Island Gourmet Trails	Prince of Whales Whale Watching
Island Joy Rides	Royal B.C. Museum
Kingfisher Oceanside Resort & Spa	Shaw Ocean Discovery Centre
Natalie Rogers, RMT	Sutherland Place Vacation Suite (Parksville)
Old House Village Hotel & Spa	Tide Rip Grizzly Adventures
Port Augusta Inn & Suites	Victoria Butterfly Gardens
Riding Fool Hostel	Victoria IMAX
Royston House B & B	Wild BC Tours and Guiding
Travelodge Courtenay	Aboriginal Journeys
Hymax Charters	Harbour Air
Harbour Air	BC Ferries

<b>Companies Visited for VIVC FAMS</b>	
Beaufort Winery	Island Gourmet Trails
Best Western Plus	Island Joy Rides
Blue Moon Winery	Kingfisher Oceanside Resort and Spa
Campbell River Whale Watching	Old House Hotel and Spa
Carmie's Café	Port Augusta Inn
Courtenay VQA	Royston House B&B
Fanny Bay Oysters	Shelter Point Distillery
Holiday Inn Express	Travelodge Courtenay
Honeygrove Cottage	Horne Lake Caves
Union Street Grill	

<b><i>Retail Consignment Artists and Businesses</i></b>	
Adicus Bird	Bob Dugas
Alpaca Pleasures	Caroline Bridges
Anne Fenn Langdon	Cori Sandler
Brenda Borham	Elaine Savoie
Catherine Marie Gilbert	Ernie Carlson
Claude Daley	Iona Wheatlety
Comox Valley Conservation	Joe Stefiuk
DJ McIntosh	Leanne Jackovich
Dolores Vander Maaten	Lisa Strain
Dorothy Lambourne	Loretta Busch
Douglas Hudson	Sofie Skapski
Fanny Bay Oysters	Bob Dugas
Gwendolyn Monet	
Isabella Brugman	<b><i>Art Gallery Consignment Artists</i></b>
Michelle Peters	Anne Louise Davies
Mike Yip	Bob Dugas
Sally Rae Dyck	Caroline Bridges
Yvonne McDonough	Cori Sandler



COMOX VALLEY  
CONSERVATION STRATEGY  
COMMUNITY PARTNERSHIP

**Partner Organizations**

Comox Valley Land Trust  
Project Watershed Society  
Tsolum River Restoration Society  
Comox Valley Nature (CVNS)  
Millard Piercy Watershed Stewards  
Morrison Creek Stream Keepers  
C.V. Environmental Council  
Brooklyn Creek Watershed Society

**Supporter Organizations**

Mountaineer Avian Rescue Society  
Perseverance Ck Watershed Stewards  
Portuguese Creek Stream Keepers  
Oyster River Management Committee  
Black Creek Stream Keepers  
Saratoga and Miracle Beach  
Residents Association  
Comox Town Residents Association  
C.V. Water Watch Coalition  
Plateau Road Resident's Association  
Friends of Comox Lazo Forest Reserve  
Society  
Merville Area Residents Association  
Friends of Strathcona Park

**Funding Partners**

Real Estate Foundation of B.C.  
Community Gaming Grant  
RBC Blue Water Fund  
Comox Valley Regional District  
Vancouver Foundation

**Contact Information**

[www.cvconservationstrategy.org](http://www.cvconservationstrategy.org)

**David Stapley**

Project Manager  
(250) 897-1271  
Email: [dsconsulting@shaw.ca](mailto:dsconsulting@shaw.ca)

**Kerry Dawson**

Education and Outreach  
(250) 339-1029  
Email: [kerryadaw@yahoo.ca](mailto:kerryadaw@yahoo.ca)

**Mailing Address**

P.O. Box 3462  
Courtenay, BC V9N 5N5

**Office:**

2356a Rosewall Cres.,  
Courtenay, BC, V9N 8R9

August 29, 2012

To: Mayor and Council

Re: Release of AIR/EIS Guidelines for the Raven  
Underground Coal Mine project

The Comox Valley Conservation Strategy (CVCS) is a community partnership made up of 20 local environmental and residents' groups who have come together to support a Valley wide conservation plan. This strong collective voice for the local Environment is deeply concerned about the inadequate Assessment Information Requirements and Environmental Impact Statement (AIR/EIS) Guidelines recently approved for the proposed Raven Underground Coal Mine project.

During the drafting of the AIR/EIS, we participated in the public consultation process as part of the environmental assessment review undertaken by Canadian Environmental Assessment Agency and the BC Environmental Assessment Office (CEAA/BCEAO). In our submission to that process we outlined a number of potential environmental impacts the mine posed on freshwater, marine and land based ecosystems and the flow and quality of surface and ground water. Other concerns identified in our submission included: impacts to species at risk, air quality and risks to the sustainable shellfish industry in Baynes Sound.

In June 2012 the AIR/EIS Guidelines document was released for the mine project. Unfortunately, the guidelines are inadequate and fail to address many of the concerns raised through the public consultation process. The guidelines will not ensure that the project's environmental impacts will be mitigated or that they will even be adequately monitored.

The guideline requirement to assess and monitor effects on hydrology from mining activities is restricted to testing 5 wells representing only 10% of the area proposed for mining. The hydrological study of potential impacts is confined to only two watersheds within the project area excluding other watersheds such as the Tsable River and Wilfred Creek. The baseline measurements that will be used to monitor the volume and quality of surface and subsurface

water are based on incomplete and inaccurate information. The changes to aquifer volumes and quality of water over most of the area where mining operations will occur will not be measured.

The environmental assessment requirements to mitigate and monitor hydrological impacts were reviewed by an independent third party engineering firm, GW Solutions. In a letter outlining their findings they say, "As a consequence, the assessment of the effects the proposed project will have on the streams will be poor. Similarly, the risk identification, the future monitoring, and the proposed remediation plan will be inadequate. This will jeopardize the sustainability of these streams and their associated ecosystems."

The letter also states, "In addition, the majority of the comments, concerns, and recommendations expressed during the Draft AIR public comment period (including those expressed by professionals and several levels of governments) have not been taken into account. Therefore, the environmental assessment will not be thorough and rigorous, if completed as proposed in the June 2012 AIR document."

There has been no requirement established to consider the impact of the Bear Coal deposit even though Compliance Coal has stated their intention to mine this site if the Raven project gets the go ahead. The Bear Coal deposit is located in the Comox Lake Watershed, the primary drinking water source for Comox Valley residents.

The CVCS has stated from the outset that we do not support a coal mine in the Comox Valley. The global environmental effects of mining and burning coal such as increased CO<sub>2</sub> emissions leading to climate change and the acidification of our oceans are well known. Energy options other than coal and fossil fuels exist and our community and governments should be actively supporting them.

Unfortunately, the AIR/EIS Guidelines for the proposed Raven Underground Coal Mine project not only lack any consideration of global impacts, but also fail to ensure that a coal mine would be operated without long term negative consequences to the health of our local watersheds, marine and land-based ecosystems, and our sustainable shellfish industry employing 600 local residents. Therefore we must stress our lack of support for this project to go ahead.

On behalf of the Comox Valley Conservation Strategy Steering Committee,

David Stapley,  
Project Manager  
[www.cvconservationstrategy.org](http://www.cvconservationstrategy.org)

**From:** Adda Vallevand [mailto:[adda@valleylinks.net](mailto:adda@valleylinks.net)]  
**Sent:** Wednesday, August 29, 2012 12:24 PM  
**To:** Trisha Stockand  
**Subject:** Operation Red Nose 2012 - Request for Support

Hello Trisha,

Please forward the attached request for support for Comox Valley Operation Red Nose 2012 Campaign to Mayor Baird and Cumberland Council.

I will be happy to provide any additional information required.

Thanks so much!

Yours in Community,

ValleyLinks *home of* Volunteer Comox Valley

Adda Vallevand, Director of Member Services  
Phone: 250-334-8063  
Email: [adda@valleylinks.net](mailto:adda@valleylinks.net)

<ORN 2012 Request for Support - Village of Cumberland.docx>



Operation  
Red Nose™



August 29, 2012

Village of Cumberland  
Box 340  
Cumberland BC V0R 1S0

Dear Mayor Baird & Cumberland Council:

We are once again seeking support for this year's Comox Valley Operation Red Nose (ORN) 2012, a national campaign against drinking and driving providing alternative transportation options while reducing the devastating effects of impaired driving. This support will enable us to obtain the necessary assistance of community outreach and volunteer coordination to ensure the continuation of this valuable community initiative.

During the 2011 ORN campaign, 50 volunteers helped 557 people get home safely during just 10 nights of service. This year due to growing community support, sponsorship and volunteer engagement we hope to increase volunteer involvement enabling us to better meet the high demand for service. Dedicated volunteers have stated their commitment to return and are expanding our volunteer base simply by sharing their positive volunteer experiences.

It is our hope that you and Cumberland Council will consider supporting this community service through a contribution to assist in administrative and coordination expenses. In recognition of support the Village of Cumberland logo will appear on the front of each red ORN volunteer vest and will appear on all printed promotional materials displayed at venues throughout the Valley.

In addition to keeping our communities safer during the holiday season all donations from this program are designated to support local youth learning and education programs.

Thank you so much for your consideration of this request for support. Please contact me should you require additional information.

Yours in Community,

Adda Vallevand, Director of Member Services  
Volunteer Comox Valley  
Email: [adda@valleylinks.net](mailto:adda@valleylinks.net)

phone: 250.334.8063

fax: 250.338.2488

[comoxvalley@operationrednose.com](mailto:comoxvalley@operationrednose.com)

532 5th Street  
Courtenay, BC  
V9N 1K3



**THE CORPORATION OF THE  
CITY OF FERNIE**

P.O. Box 190, 501 - 3rd Avenue, Fernie, BC V0B 1M0  
Tel: 250.423.6817 Fax: 250.423.3034  
Web: www.fernie.ca

Office of the Mayor

August 30, 2012

Honourable Rich Coleman  
Ministry of Energy and Mines  
(Liquor Control and Licensing Branch)  
Box 9060 Stn Prov Gov't  
Victoria, BC V8W 9E2

Dear Mr. Coleman;

**RE: Privatization of B.C. Liquor Distribution**

At the Regular Meeting of August 27, 2012 Council received the July 12, 2012 letter from the B.C. Government and Service Employee' Union re: Privatization of B.C. Liquor Distribution and passed the following resolution:

WHEREAS the provincial government, without public consultation or business case, has announced plans to privatize the Liquor Distribution Branch distribution system and sell-off its warehouses, which is the first step in the full privatization of our public liquor system, including the retail stores; and

WHEREAS the sale of this profitable, socially responsible and proven public asset that generates almost a billion dollars a year in net income for health, education and other public services, will lead to reduced revenues, higher consumer prices, less selection, and a host of social problems associated with liquor privatization that may fall on local governments to deal with;

THEREFORE BE IT RESOLVED that Council urge the provincial government to put a moratorium on the privatization of the LDB and to provide a formal vehicle – perhaps through appointment of a commissioner, a committee of MLAs, or similar means-for public discussion and community input into these issues.

Council supports the BCGEU's efforts and urges the Provincial Government to put a moratorium on the privatization of the Liquor Distribution Branch (LDB) distribution system and sale of their warehouses.

Yours truly,

Mary Giuliano, Mayor  
Direct Line (250) 423-2233 – email: [mary.giuliano@fernie.ca](mailto:mary.giuliano@fernie.ca)

MG:sz

PC:

Mr. Daryl Walker  
President, BCGEU



Item 8.15

August 31, 2012

Mayor Leslie Baird & Members of Council  
Village of Cumberland  
2673 Dunsmuir Ave, PO Box 340  
Cumberland, BC V0R 1S0

Dear Mayor Baird & Members of Council:

**Subject: 2012 UBCM Resolution on Outdoor Smoke-Free Public Places**

As we wrote to you in the spring of this year, the health hazards associated with tobacco smoking and exposure to second-hand tobacco smoke are well-known and irrefutable, even in outdoor settings. Simply, there is no safe level of exposure to second-hand tobacco smoke, and smoking in and of itself kills when cigarettes are used as directed.

We have continually encouraged the provincial government to implement legislation to ban smoking in certain outdoor public places, most specifically places where people congregate for extended periods of time, and/or where children are often present. These places include customer service patios of restaurants and bars; in parks, on playgrounds and on beaches; and at public events. In the absence of provincial legislation, we have also encouraged individual municipalities in BC to protect their residents by implementing a bylaw on this issue. However, we still would prefer that the provincial government implement legislation on the issue to provide harmonization, consistency and continuity across the province instead of the current patchwork of municipal bylaws.

We are pleased that the City of Kamloops has forwarded a resolution to the 2012 UBCM Convention requesting the UBCM and provincial government consult with industry in order to develop and implement province-wide, uniform legislation banning smoking in specific outdoor public places, including those mentioned above. The specific resolution is attached for your information.

We encourage you to support the resolution at the 2012 UBCM Convention. Having such provincial legislation will create a more consistent framework across the province, and provide greater protection for all BC residents from second-hand tobacco smoke.

Sincerely,

Diego Marchese  
CEO, BC & Yukon  
Heart and Stroke Foundation

Scott McDonald  
President & CEO  
BC Lung Association

Attach. City of Kamloops, Smoke-Free Outdoor Public Places Resolution

cc. Kim Bruce, Vancouver Island Health Authority

1212 West Broadway,  
Vancouver, BC V6H 3V2  
T 604.736.4404 F 604.736.8732  
heartandstroke.ca

2675 Oak Street,  
Vancouver, BC V6H 2K2  
T 604.731.5864 F 604.731.5810  
bc.lung.ca



HEART &  
STROKE  
FOUNDATION



THE LUNG ASSOCIATION™  
British Columbia

## SMOKE FREE OUTDOOR PUBLIC PLACES

### CITY OF KAMLOOPS

**WHEREAS** the US Surgeon General, in a definitive report issued June 2006, concluded that there is no safe level of exposure to second-hand tobacco smoke, even in outdoor settings. Scientific evidence shows that, although varying from situation to situation, the fine particulate matter in second-hand tobacco smoke generally does not dissipate until 7.5 m from its source; and

**WHEREAS** thirty (30) municipalities across British Columbia have taken a leadership role in implementing smoke-free outdoor public places by-laws, unfortunately these by-laws contain a variety of different requirements and conditions which can cause confusion for the public.

**THEREFORE BE IT RESOLVED** that the Union of British Columbia Municipalities (UBCM) and the provincial government be requested to consult with industry and implement legislation banning tobacco smoking in customer service patios of restaurants, in bars and pubs; in parks; on playgrounds, on beaches; at public events; and at least 7.5 m from each of these locations; and at least 7.5 m from doors, windows and air intakes of public buildings.

Item 9.2

Environment



Comox Strathcona Waste Management

## 2012 Solid Waste Management Plan

**Prepared by:**

AECOM

3292 Production Way, Floor 4

604 444 6400 tel

Burnaby, BC, Canada V5A 4R4

604 294 8597 fax

[www.aecom.com](http://www.aecom.com)

**In association with:**

Maura Walker and Associates Environmental Consultants

Jan Enns Communications

**Project Number:**

60141938-10

**Date:**

August 2012

The complete document is available  
at [www.cswm.ca/plan.html](http://www.cswm.ca/plan.html) or  
upon request.

## Executive Summary

The 2012 Solid Waste Management Plan is a long term vision for solid waste management in the Comox Strathcona waste management (CSWM) area and is an update to the previous plan that was approved in 2003. This plan presents the programs, services, infrastructure and policies that will serve to guide the design and implementation of solid waste services and disposal over the next several years.

The contents of this Plan reflect the input received from the Solid Waste Management Plan Advisory Committee over the past two years, and input received during the community consultation phase held in March and April of 2012. A special thanks to the contribution of all of the members of the Advisory Committee is extended on behalf of CSWM services.

Implementation of the waste minimization components of the Plan presented herein is designed to achieve a waste diversion rate of over 70%, primarily through:

- Increasing access to recycling at multi-family buildings;
- Increasing the amount of waste recycled by industrial, commercial and institutional activities; and
- Increasing diversion of organic waste, with a focus on diversion of food waste.

The waste that cannot be reduced, reused or recycled is referred to as "residual waste". The proposed long-range plan is to pursue energy recovery from the residual waste through Waste to Energy technologies. In addition, two regional engineered sanitary landfills are planned, one in each regional district, located adjacent to the existing regional landfill sites.

Closure of the current landfills is planned for all CSWM landfills. Updated operating and closure plans will be developed for the landfills in Tahsis, Zeballos and Gold River. The closure of the Tahsis and Zeballos landfills is planned to begin in 2017, to meet BC Ministry of Environment requirements. Upon full closure, each of these sites will be replaced with a transfer station. Closure of the current landfills at the Comox Valley waste management centre and Campbell River waste management centre is scheduled to commence in 2012 and 2013 respectively.

The actions in this plan will be implemented through Solid Waste Board authorization over the next ten years. During this period, the funding of CSWM operations and capital projects is anticipated to be done through revenues received from tipping fees and financial reserves (a portion of previously collected tipping fees).

As part of plan implementation, CSWM will be considering opportunities for integrated resource recovery. In particular, integrated resource recovery will be considered as part of assessing organics processing and waste-to-energy options.