

REGULAR AGENDA



THE CORPORATION OF THE VILLAGE OF CUMBERLAND

MEETING NO. 19/12/R

Regular Meeting of Council to be held October 22, 2012 at 5:30 p.m. in the Village Council Chambers.

AGENDA

Page

1. APPROVAL OF AGENDA

1.1 Agenda for Regular Council Meeting, October 22, 2012.

Recommend THAT Council approve the agenda for the regular Council Meeting, October 22, 2012.

2. ADOPTION OF MINUTES

2.1 Minutes of the regular meeting held October 9, 2012.

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Recommend THAT Council approve the minutes of the regular meeting held October 9, 2012.

3. DELEGATIONS

3.1 Kevin Lorette, P.Eng., General Manager of Property Services Branch and Marc Rutten, Senior Manager of Engineering Services, Comox Valley Regional District

11

- South Regional Sewage Collection, Treatment & Discharge Project, 2012 Application under the "Gas Tax Agreement's General Strategic Priorities Fund (GSPF) and Innovations Fund (IF).

Recommend THAT Council accept the delegation of Kevin Lorette, P.Eng., General Manager of Property Services Branch and Marc Rutten, Senior Manager of Engineering Services, Comox Valley Regional District re: South Regional Sewage Collection, Treatment & Discharge Project, 2012 Application under the "Gas Tax Agreement's General Strategic Priorities Fund (GSPF) and Innovations Fund (IF).

4. UNFINISHED BUSINESS

- 4.1 Cumberland Skatepark Proposal, Cameron Matthews 25
Recommend THAT Council refer the Cumberland Skatepark Proposal to staff.

- 4.2 BC Mayors' Caucus re: Discussion of Key Issues Facing Their Communities 29
October 9th, 2012 resolution:
"THAT Council direct staff to prepare a resolution for Council's consideration in support of the September 24, 2012 BC Mayors' Caucus resolution on long term infrastructure funding".

5. CORRESPONDENCE

- 5.1 Florence Bell, OAP Organization 30
The Council of Senior Citizen's of BC Conference Report

6. REPORTS

- 6.1 Convening for Action on Vancouver Island – Comox Valley Status Report 35
Prepared by Judith Walker, Senior Planner
- i) ***Recommend THAT Council receive the Convening for Action on Vancouver Island (CAVI) - Comox Valley Status Report for information;***
 - ii) ***Recommend THAT Council directs staff to host the 2013 CAVI "Learning Lunch Series";***
 - iii) ***Recommend THAT Council directs staff to participate as the Cumberland member of the Comox Valley leadership team; and***
 - iv) ***Recommend THAT Council passes a resolution to fund the hosting and budget an amount not to exceed \$1500, for the 2013 series, in the 2013 Financial Plan.***
- 6.2 Village Park Master Plan 38
Prepared by Judith Walker, Senior Planner
- i) ***Recommend THAT Council receive the Village Park Master Plan report; and***
 - ii) ***Recommend THAT Council direct staff to initiate the completion of the Village Park Master Plan according to the process outlined in Village Park Master Plan report dated October 22, 2012.***

- 6.3 Bylaw Enforcement Policy 40
Prepared by Rachel Parker, Deputy Corporate Officer
i) Recommend THAT receive the Bylaw Enforcement Policy report; and
ii) Recommend THAT Council adopt the Bylaw Enforcement Policy.
- 6.4 Close Down - Loan Authorization Remaining Balance 45
Prepared by Michelle Mason, Financial Officer
i) Recommend THAT Council receive the Close Down - Loan Authorization Remaining Balance report for information; and
ii) Recommend THAT Council close down the remaining balance of \$768,000 loan authorization in the Sewer, Water and Drainage Improvement Loan Authorization Bylaw No. 914, 2009.
- 6.5 Municipal Auditor Appointment for the 2012 Year-end 47
Prepared by Michelle Mason, Financial Officer
i) Recommend THAT Council receive the Municipal Auditor Appointment for the 2012 Year-end report; and
ii) Recommend THAT Council appoints the audit firm of MNP (Meyers Norris Penny) for the 2012 financial year.
- 6.6 Financial Report – September 30, 2012 49
Prepared by Michelle Mason, Financial Officer
Recommend THAT Council receive the Financial Report – September 30, 2012 report for information.
- 6.7 Village of Cumberland Council Chambers Relocation Report 56
Prepared by Sundance Topham, Chief Administrative Officer
i) Recommend THAT Council receive the Village of Cumberland Council Chambers Relocation report; and
ii) Recommend THAT Council approve relocating the Council Chambers to the Cumberland Community Building (old preschool) located at 2675 Dunsmuir Avenue; AND THAT Council approve the allocation of up to \$12,500 for the necessary upgrades; AND THAT Council direct staff to amend the financial plan bylaw to reflect the changes.
- 6.8 Electronic Fund Transfers and Cheque Register – September 1st, 2012 to September 30th, 2012. 59

Recommend THAT the Electronic Fund Transfers and Cheque Register reports for the period of September 1st, 2012 to September 30th, 2012 be received for information.

- 6.9 Outstanding Action Items Report 63
Recommend THAT the Outstanding Action Items report be received for information.

7. BYLAWS

- 7.1 Village of Cumberland Subdivision and Development Bylaw No. 948, 2012 71
Recommend That Council give fourth reading and adoption to the "Corporation of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012."
- 7.2 Corporation of the Village of Cumberland Building Bylaw No. 949, 2012 119
Recommend THAT Council give fourth reading and adoption to the "Corporation of the Village of Cumberland Building Bylaw No. 949, 2012".
- 7.3 Development Procedures and Fees Amendment Bylaw No. 968, 2012 147
Recommend THAT Council give fourth reading and adoption to the "Corporation of 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 Exemption Bylaw 969, 2012 156
Recommend THAT Council give fourth reading and adoption to 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 the Consent Calendar be received.

- 8.1 Dora Furje, Registrar, Youth Parliament of BC Alumni Society re: 158
 British Columbia Youth Parliament, 84th Parliament;
- 8.2 Ronna-Rae Leonard, Chair, Vancouver Island Regional Library Board 159
 of Trustees re: 2013 Operating Budget;

- | | | |
|-----|--|-----|
| 8.3 | B. McDonald, Inspector, Officer in Charge, Comox Valley RCMP Detachment re: Comox Valley RCMP Monthly Policing Report – September, 2012; | 165 |
| 8.4 | Graham Bruce, Chief Operating Officer, Island Corridor Foundation re: Regional District Funding Contribution Info Package; and | 167 |
| 8.5 | Toni Hall, BC Project Manager, Canadian Fallen Heroes Foundation re: Memorial campaign. | 172 |

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.

- Village Hall, October 29th, 2012 at 7:00pm; and
- Cumberland Halloween Parade

11. QUESTION PERIOD

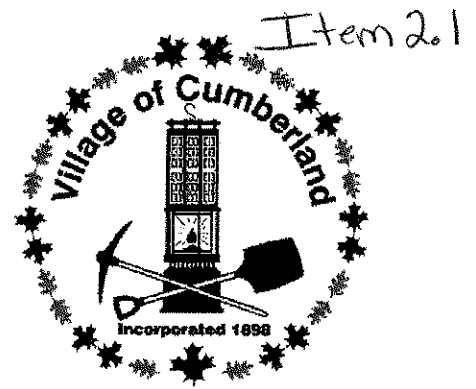
12. CLOSED PORTION

Recommend THAT pursuant to Section 90 (1) of the Community Charter Council adjourn into a closed meeting to consider:

- ***litigation or potential litigation affecting the municipality;***
- ***the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;***
- ***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. 18/12/R

Regular Meeting of Council held October 9, 2012 at 5:30 p.m. in the Village Council Chambers.

COUNCIL

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

STAFF

Sundance Topham, Chief Administrative Officer
Michelle Mason, Financial Officer
Rachel Parker, Deputy Corporate Officer
Rob Crisfield, Manager of Operations
Judith Walker, Senior Planner
Joanne Rees, Planner

1. APPROVAL OF AGENDA

- 1.1 Agenda for Regular Council Meeting, October 9, 2012.
Motion 12-614
GREENING/SPROULE
THAT Council approve the agenda for the regular Council Meeting,
October 9, 2012.

UNANIMOUS

2. ADOPTION OF MINUTES

- 2.1 Minutes of the regular meeting held September 10, 2012.
Motion 12-615
GREENING/COPEMAN
THAT Council approve the minutes of the regular meeting held September
10, 2012.

UNANIMOUS

- 2.2 Minutes of the special meeting held October 1, 2012.
Motion 12-616
KISHI/SPROULE
THAT Council approve the minutes of the special meeting of Council held
October 1, 2012.

UNANIMOUS

3. DELEGATIONS

- 3.1 Cam Matthews, Resident, Cumberland Skate Park
Motion 12-617
COPEMAN/GREENING
THAT Council accept the delegation of Cam Matthews, Resident re:
Cumberland Skate Park.

UNANIMOUS

4. UNFINISHED BUSINESS

- 4.1 Kendal Avenue Neighbourhood Association (KANA)
May 19, 2012 Council resolution:
"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".

5. CORRESPONDENCE

- 5.1 Chief Ernie Hardy, K'omoks First Nation, K'omoks First Nation – Request
for Cumberland's participation in the investigation of wastewater
infrastructure options.
Motion 12-618
SPROULE/KISHI
THAT Council receive the September 9, 2012 correspondence from Chief
Ernie Hardy, K'omoks First Nation, re: K'omoks First nation – Request for
Cumberland's participation in the investigation of wastewater
infrastructure options.

UNANIMOUS

Motion 12-619

KISHI/SPROULE

THAT the Council reply to the K'omoks First Nation that the Village of
Cumberland is willing to participate in the investigation of a P3
government application and indicate the conditions that financial and
governance issue must be addressed to the satisfaction of the Village.

IN FAVOUR: MAYOR BAIRD
COUNCILLOR COPEMAN
COUNCILLOR KISHI
COUNCILLOR SPROULE

OPPOSED: COUNCILLOR GREENING
CARRIED

- 5.2 Edwin Grieve, Chair, Comox Valley Regional District, Approval of the Solid Waste Management Plan
Motion 12-620
KISHI/COPEMAN
THAT Council receive the September 20, 2012 correspondence from Edwin Grieve, Chair, Comox Valley Regional District re: Approval of the solid Waste Management Plan.

UNANIMOUS

Motion 12-621

KISHI/SPROULE

THAT Council table consideration of the September 20, 2012 correspondence from Edwin Grieve, Chair, Comox Valley Regional District re: Approval of the solid waste management plan, pending discussions with the Comox Valley Regional District.

UNANIMOUS

- 5.3 Joe Rodger, Poppy Chairperson, Royal Canadian Legion, Branch No. 28, Remembrance Day Parade and Service, November 11, 2012

Motion 12-622

GREENING/SPROULE

THAT Council receive the September 24, 2012 correspondence from Joe Rodger, Poppy Chairperson re: Remembrance Day Parade and Service

UNANIMOUS

Motion 12-623

GREENING/SPROULE

THAT Council grant the Remembrance Day Parade and Service request from the Royal Canadian Legion, Branch No. 28 to establish October 26, 2012 as Tag Day for the Poppy campaign; to close Dunsmuir Avenue from Third Street to Fifth Street on November 11, 2012 for the parade, and to use the CRI Hall in the case of inclement weather on November 11, 2012.

UNANIMOUS

- 5.4 John Ward, CMC, Director of Legislative Services, City of Courtenay, Federal Electoral Boundaries

Motion 12-624

GREENING/SPROULE

THAT Council receive the October 2, 2012 correspondence from John Ward, CMC, Director of Legislative Services re: Federal Electoral Boundaries.

UNANIMOUS

Motion 12-625

COPEMAN/GREENING

THAT Council write to the 2012 Federal Electoral Boundaries Commission requesting that the present federal electoral boundaries for the Comox Valley be retained and that would support of the resolution of the Council of the City of Courtenay "that the presentation to the 2012 Federal Electoral Boundaries Commission of British Columbia reflected the desire and need for the City of Courtenay to be considered as a unified body represented by one electoral riding in the interest of the community cohesion and representational unity".

UNANIMOUS

6. REPORTS

6.1 Cumberland Community Forest Management Plan: Revisions

Motion 12-626

GREENING/KISHI

THAT Council receive the Cumberland Community Forest Management Plan: Revisions report.

UNANIMOUS

Motion 12-627

GREENING/KISHI

THAT Council approve the Cumberland Community Forest Management Plan for 2012-2016 as amended and forward the Management Plan to the Land Conservancy and The Comox Valley Land Trust for signing of the agreement.

UNANIMOUS

6.2 Carlisle Lane OCP and Zoning Amendment Application Information Report

Motion 12-628

GREENING/KISHI

THAT Council receive the Carlisle Lane Phased Development Agreement staff report for information only.

UNANIMOUS

Motion 12-629

GREENING/SPROULE

THAT Council direct staff to investigate and negotiate a Phased Development Agreement as requested by the applicant for the OCP and Zoning Amendment application for Carlisle Lane property (Lot 1, District Lot 24, Nelson District, plan 23314, Except Part in Plan 31165) and bring the agreement back for consideration by Council.

UNANIMOUS

- 6.3 No. 5 Mine Fan House - Coal Valley Estates
Motion 12-630
GREENING/COPEMAN
THAT Council receive No. 5 Mine Fan House – Coal Valley Estates report.
UNANIMOUS
- Motion 12-631
SPROULE/COPEMAN
THAT Council direct staff to proceed to retain, fence and sign the No. 5 fan house.
UNANIMOUS
- 6.4 *cumberland.ca* Website Launch
Motion 12-632
GREENING/KISHI
THAT Council receive *cumberland.ca* Website Launch report.
UNANIMOUS
- Motion 12-633
SPROULE/COPEMAN
THAT Council approve the official launch of *cumberland.ca* on October 10, 2012.
UNANIMOUS
- 6.5 Water Meter Status Update
Motion 12-634
GREENING/SPROULE
THAT Council receive the Water Meter Status Update report for information.
UNANIMOUS
- Motion 12-635
GREENING/SPROULE
THAT Council direct staff to continue to collect data through 2013 for utility consumption billing to start in 2014, to issue mock billing in August 2013, and to present a bylaw to Council for implementation of water consumption billing in 2014.
UNANIMOUS
- 6.6 Cumberland Road Watermain Chlorination Report
Motion 12-636
KISHI/SPROULE
THAT Council receive the Cumberland Lake Road Watermain Chlorination report.
UNANIMOUS

Motion 12-637

GREENING/SPROULE

THAT Council enter into the Release of Securities Agreement with Trilogy Properties IV Corporation; AND THAT Council approve the allocation of up to \$25,000 of Community Works Funds as matching funds for the necessary repairs to the Cumberland Road water main re-chlorination and auto-flush facility; AND THAT Council direct staff to bring forward an amendment to the financial plan bylaw to reflect the changes.

UNANIMOUS

- 6.7 August and September 2012 Recreation Department Report

Motion 12-638

SPROULE/ GREENING

THAT Council receive the August and September 2012 Recreation Department Report for information.

UNANIMOUS

- 6.8 August and September 2012 Operations and Planning Report

Motion 12-639

GREENING/SPROULE

THAT Council receive the August and September 2012 Operations and Planning report for information.

UNANIMOUS

- 6.9 Protective Services Report , August and September 2012

Motion 12-640

KISHI/SPROULE

THAT Council receive the Protective Services Report, August and September 2012 for information.

UNANIMOUS

- 6.10 Administration Department Report, August and September 2012

Motion 12-641

GREENING/SPROULE

THAT Council receive the Administration Department Report ,August and September 2012 for information.

UNANIMOUS

- 6.11 Summer 2012 Chief Administrative Officer Report

Motion 12-642

GREENING/SPROULE

THAT Council receive the Summer 2012 Chief Administrative Officer Report for information.

UNANIMOUS

6.12 Council Reports

6.12.1 Mayor Leslie Baird

6.12.2 Councillor Roger Kishi

6.12.3 Councillor Kate Greening

6.12.4 Councillor Conner Copeman

6.12.5 Councillor Gwyn Sproule

Motion 12-643

KISHI/SPROULE

THAT the Council reports be received.

UNANIMOUS

7. BYLAWS

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

Motion 12-644

SPROULE/KISHI

THAT Council receive the report "Corporation of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012".

UNANIMOUS

Motion 12-645

SPROULE/KISHI

THAT Council amend at second reading "Corporation of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012" by deleting the word "original" from section 10(b)(xvii) in Schedule A.

IN FAVOUR: MAYOR BAIRD

COUNCILLOR COPEMAN

COUNCILLOR KISHI

COUNCILLOR SPROULE

OPPOSED: COUNCILLOR GREENING

CARRIED

Motion 12-646

SPROULE/KISHI

That Council give third reading as amended to "Corporation of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012."

IN FAVOUR: MAYOR BAIRD

COUNCILLOR COPEMAN

COUNCILLOR KISHI

COUNCILLOR SPROULE

OPPOSED: COUNCILLOR GREENING

CARRIED

- 7.2 Corporation of the Village of Cumberland Building Bylaw No. 949, 2012
Motion 12-647
SPROULE/KISHI
THAT "Corporation of the Village of Cumberland Building Bylaw No. 949, 2012" be read a third time.

UNANIMOUS

- 7.3 Development Procedures and Fees Amendment Bylaw No. 968, 2012
Motion 12-648
GREENING/SPROULE
THAT Council receive "Development Procedures and Fees Bylaw No. 968, 2012".

UNANIMOUS

Motion 12-649
GREENING/SPROULE
THAT Council read "Corporation of the Village of Cumberland Development Procedures and Fees Amendment Bylaw No. 968, 2012" a first, second and third time.

UNANIMOUS

- 7.4 The Corporation of the Village of Cumberland 2013 Permissive Tax Exemption Bylaw 969, 2012
Motion 12-650
GREENING/SPROULE
THAT Council read "The Corporation of the Village of Cumberland Permissive Tax Exemption 2013 Bylaw No. 969, 2012" a second and third time.

UNANIMOUS

8. CONSENT CALENDAR

- 8.1 B. McDonald, Inspector, Officer in Charge, Comox Valley RCMP Detachment re: Comox Valley RCMP Monthly Policing Report, August, 2012;
8.2 Union of BC Municipalities re: Changes to UBCM Communications
8.3 Daisy Foster, CEO, BC Water & Waste Association re: Drinking Water Week 2012 – May 13th to 19th;
8.4 Christy Clark, Premier re: response letter regarding management of the Province's Liquor Distribution Branch;
8.5 Dr. L Carvalho, F.R.C.S. re: Two Hospitals – North Vancouver Island;
8.6 Kim Slater, Campaign Organizer, Band Together BC re: clean energy;
8.8 BC Justice Regional Round Table #2 re: Vancouver Island North;
8.9 Maureen Douglas, Founder, The Hello Pledge
Motion 12-651

GREENING/SPROULE

THAT Council receive the Consent Calendar.

UNANIMOUS

- 8.7 BC Mayors' Caucus re: Discussion of Key Issues Facing Their Communities;
Motion 12-652

GREENING/KISHI

THAT Council direct staff to prepare a resolution for Council's consideration in support of the September 24, 2012 BC Mayors' Caucus resolution on long term infrastructure funding.

UNANIMOUS

9. NEW BUSINESS

- 9.1 Special Occasion Liquor Licences (Beer Gardens) workshop
Motion 12-653

GREENING/SPROULE

THAT Council direct staff to host a Special Occasion Liquor Licensing Workshop for Beer Gardens with the RCMP and staff present and to report back to Council.

UNANIMOUS

10. NOTICES, MOTIONS AND AMENDMENTS

- 10.1 Volunteer Recognition Celebration, Sunday, October 14, 2012 at 2:00pm
in the OAP Hall.

11. QUESTION PERIOD

Council considered questions from the public relating to beer garden regulations, the cumberland.ca website, Comox Valley Economic Development Society funding of the Cumberland Road chlorinator, dam tour, Bevan Road ditches, and trails in the Community Forest.

12. CLOSED PORTION

Motion 12-654

GREENING/KISHI

THAT pursuant to Section 90 (1) of the Community Charter Council close the meeting to the public to consider the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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.

UNANIMOUS

13. ADJOURNMENT

Motion 12-655

SPROULE/GREENING

THAT the Council meeting be adjourned at 8:55 p.m.

UNANIMOUS

Confirmed this day , 2012

MAYOR

CORPORATE OFFICER

South Region Sewage Collection, Treatment and Discharge Project

- **Primary Applicant – Comox Valley Regional District**
- **Co-applicant – Village of Cumberland**
- **Partner – K'ómoks First Nation**

2012 Application under the “Gas Tax Agreement’s General Strategic Priorities
Fund (GSPF) and Innovations Fund (IF)

Agenda

- Background & Supporting Strategies
- Technology
- Reduced GHG's, cleaner air and water
- Collaboration & Innovation
- Schedule & Cash Flow
- Water Reuse
- Costs & Funding

Background - Cumberland

- **Cumberland LWMP**

- Currently operating under discharge permit
- In 1998 decision to proceed with LWMP
- There have been some delays but currently active in progressing the LWMP
- Recently completed an assessment of several different treatment and disposal options and public consultation
- Highest ranked option is to participate with the CVRD in a south regional sewer treatment plant

Background - CVRD

- **Royston / Union Bay Sewer**

- 2005 - Responding to community need, CVRD completed studies in support of a new sewer treatment plant and collection system for Royston and Union Bay
- 2006 - A successful referendum is completed providing both financial and community support for the project
- 2006 - A grant application is made for funding but is not successful
- 2009 - Further study work is completed to phase the project over multiple years and to reduce the scope and cost of phase 1
- 2009 - A second grant application is made for funding but is not successful
- 2011 - The south regional sewer study is completed by Associated Engineering (\$120,000) and includes Cumberland in the project
- 2011 - A third grant application is made for funding but is not successful
- 2012 - Farallon Consulting is retained to re-evaluate IRR opportunities and complete a value engineering exercise for the project
- 2012 - A fourth grant application is made

Sewer Master Plan

- **Sewer Master Plan (SMP)**
 - Started in 2007 and completed in 2011
 - The SMP studied and reviewed several regional options
 - On-site disposal opportunities
 - Centralized treatment
 - Decentralized treatment
 - The SMP recommended option 3a being the construction of a new treatment plant and discharge to service Royston, Union Bay and Cumberland
- **Regional Growth Strategy (RGS) and Comox Valley Sustainability Strategy (CVSS)**
 - The RGS and the CVSS both support the south regional sewer project

Technology

- **Collection:**
 - New wastewater collection and conveyance system serving Royston, Union Bay and Cumberland (existing collection)
- **Treatment:**
 - New wastewater treatment plant utilizing membrane bioreactor technology and ultraviolet disinfection to produce reclaimed water
 - Effluent meets requirements of “unrestricted public access”
- **Discharge:**
 - Ocean outfall to safely return water to Baynes Sound in a manner that protects shellfish resources and the local economy

Reduced GHG's, cleaner Air & Water

- **GHG's:**

- Reduction of 660 tonnes CO₂e/yr by removing septic fields in Royston and Union Bay
- Incorporation within the project of a number of energy efficiency and IRR components to reduce and offset energy demand such as:
 - LEED Silver
 - Irrigation of a natural forest
 - Heat recovery for the plant
 - Reclaimed water
 - Gravity sewer

- **Cleaner Water:**

- Utilize membrane bioreactor technology and UV disinfection to produce reclaimed water meeting the requirements for “unrestricted public access”

Collaboration

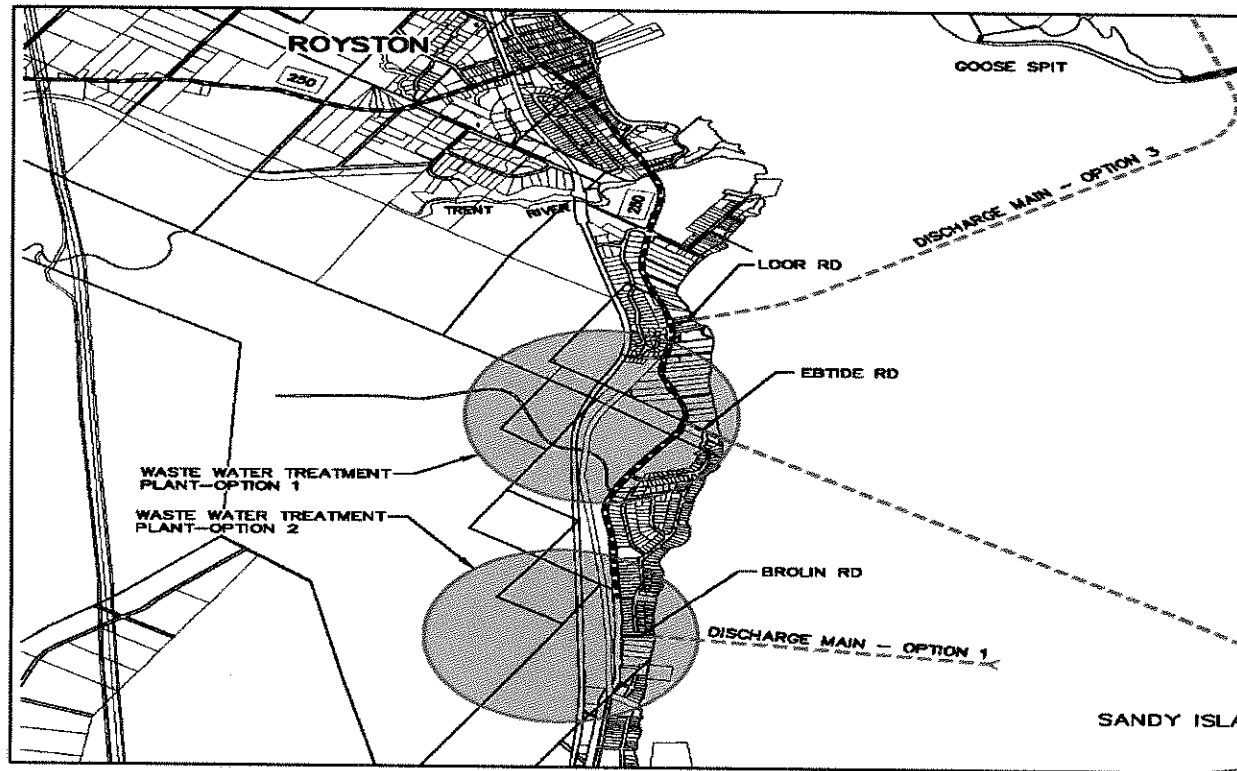
- **Inter-jurisdictional collaboration & coordination:**
 - Assists in providing a sewer solution to three local governments – CVRD, Village of Cumberland and KFN
 - In stage I the CVRD and Cumberland will participate in the creation of the new service. This relationship will require, and has already required, a high degree of collaboration and coordination
 - KFN have extensive interests in the Baynes Sound Aquaculture industry and will work in partnership with CVRD and Cumberland to ensure these interests are protected and enhanced
 - The project is aligned with many of the CVRD's regional planning strategies like the RGS, SMP and CVSS all of which require a high level of inter-jurisdictional collaboration

Innovation

- **Innovation through policy:**
 - As part of the 2012 Farallon Consultants study, several new innovative policies have been approved by the CVRD board:
 - Commit to minimizing wastewater flows
 - Commit to enabling use of recovered resources
 - Commit to the reuse of reclaimed water to the greatest extent possible in order to reduce or eliminate flow in the marine outfall (including an irrigated forest adjacent to the treatment plant)
 - Commit to including a high weighting within future RFP processes to reward tenders that propose innovative solutions
 - Commit to the reuse of water and biosolids for the improvement of adjacent land in close proximity to the treatment plant

Location

- The 2011 AE study included a land assessment for the treatment plant



Schedule

[illegible]

- GSPF/IF funding will be consumed by the March 2015 deadline
- Aggressive schedule, but still allows:
 - 12 months for environmental impact study
 - 12 months for detailed engineering
 - 14 months for construction / start up

Costs and Funding

- **Costs:**
 - The following table summarizes the costs:

Source of Funding	Amount	Comments
GSPF/IF Funding	15,000,000	Grant application amount
Other grants	2,000,000	Committed EA community works funds
Borrowing	22,786,125	CVRD will work with MFA
Other contributions	2,000,000	Private Developers
Total	41,786,125	Based on April 2011 South Regional Sewer Study – stage 1

Next Steps

- Provincial review of latest grant application – late Dec 2012 / Early 2013
- Completion of a Federal Grant to prepare a business case for a P3 partnership
- Host a public information meeting in early 2013 to review the South Regional Sewer Project status

END

Attached are my notes from my Cumberland Skatepark Proposal.

I would like to re-state my recommendation for the basketball courts beside the tennis courts. The courts themselves are ~40ft x 80ft. If we could extend this up to the tennis court's fence and extend south over the 3 extra horseshoe pits (leaving the main row of ~10 pits), the park would be 55ft x 120ft which would be a perfect size for this town. This location would also be a perfect permanent location and has all the attributes of an ideal skatepark which I mentioned in my presentation.

Thanks again for having me.
Cam

RECEIVED
OCT 12 2012

Cumberland Skatepark Proposal
By Cam Matthews
October 8, 2012

Qualifications and Motivation

I believe I have the technical, hands-on and sport-related skills to qualify me to lead this Skatepark Proposal. I am a 37 year-old Mechanical Engineer with extensive design experience and have moved to Cumberland this past spring. I have recently taken up skateboarding again and this summer I built a half-pipe in my back yard.

My motivations for representing a Cumberland skatepark proposal are:

1. To become involved in my new community
2. To be an advocate for youth who may not be interested in organized sports or may not be able to afford them.

BC Skateparks

There are 110 communities in BC with skateparks, many of which are smaller than Cumberland. This is important, as it shows that a large project is attainable for a community our size.

I have recently spoken with eight of these communities and have received excellent feedback on the process of developing a park as well as general feedback on having a park. All eight towns were very pleased with usage and community response.

Why a Community Needs a Skatepark

Skateparks are important to small communities because they represent a group of our youth who may not be represented by other amenities and activities.

Furthermore, the sport has an exceptionally low individual participation cost. Skateboards can be purchased for as low as \$30, a fraction of the cost of a season's pass or a hockey league.

We need to recognize that not all kids are interested or can afford team sports. Skateboarding allows this group to stay fit and challenge themselves individually.

Cumberland has an especially large number of young families. As a community we should encourage these families to find their recreational activities locally, thus reducing carbon footprint and helping to support local restaurants and stores.

For those of us that are concerned of the cultural presence of skateboarding, we need to realize that kids are going to find a place to skate regardless of whether or not they receive community support and acceptance. Cities without skateparks will become skateparks, which often results in damage to facilities not designed for the sport.

Youth Involvement

The Statistics Society of Canada asked BC students in grades 4 to 8 which activities they have done in the last 2 weeks. 24% of youth had skateboarded, compared to 21% for baseball and 11% for tennis, yet far more communities have dedicated resources to baseball diamonds and tennis courts.

Safety

People are often concerned with the relative safety of extreme sports such as skateboarding. The National Safety Council in the US, however found that the injury rate was among the lowest in popular sports, at about 80% lower than ice-hockey and 60% lower than soccer.

Furthermore, studies have shown that the majority of serious injuries to skateboarders involve collisions with vehicles. Providing a central location for skateboarders will help ensure their safety.

Who is the Skatepark For?

Skateboarding has been around for long enough that it appeals to a wide range of age groups. My personal ramp has been used by my 5 year-old neighbor as well as a 45 year-old friend.

With this in mind, the park should really be focused on the community's youth. Courtenay has a fantastic park, but for most of our youth, this is too far away, especially prior to having a license or a car.

If designed correctly skateparks can be used by far more than just skateboarders. Kids on scooters represent nearly half of the users of other local parks. Additionally, we have a large BMX community in town that will also enjoy these facilities. This park will also be for families. If we place the park near other popular amenities, it becomes easier for families with multiple kids to use multiple amenities at once.

So many sports today require a lot of money, including expensive bikes, season passes and costly ice time. If our community can raise the money to build a skatepark, we remove the financial burden of sports from our youth and from lower income families.

What is the Ideal Park?

Parks can be very expensive, but a higher price does not always mean a better park. A council member for Uclulet told me that if they were to build it again they would make it less challenging. This would increase the number of people who could use it and allow them to implement more youth programs. Too often, high-level skateboarders design the parks for themselves rather than for non-experts. The simpler the park, the less it will cost, the more likely it will be built, and the more people will use it.

I mentioned earlier that I built a wooden half-pipe in the spring. Despite having a very dry summer, moisture has soaked into the cracks and caused rot and mildew. If outdoor parks are made of steel or concrete, they will last for at least 15-20 years with little to no maintenance required.

Skateparks do not have to be made from permanent structures. If the layout of the Village Park is in question, metal-framed structures would allow for future relocation. This way we can provide our community with a park today, and add to it when we have more space or resources in the future.

The ideal park should be constructed in a way to maximize visibility and therefore minimize problems associated with youth who are tucked out of sight. If all portions of the park are in view from a busy road, problems will be dramatically reduced.

It is important that the local youth have input into a prospective park, ensuring that any facility meets their needs. The principal of the Junior High School suggested setting up a table at the school, where youth contacts can be made and utilized in both design and fundraising.

Where is the best Location?

A skatepark should be centrally located to maximize accessibility.

The location should be near a high traffic area in plain view to ensure that the youth feel comfortable using it and to reduce the chances of vandalism, bullying and the use of drugs or alcohol.

If the park is near other community amenities, families can use multiple amenities at once. Furthermore, having the skatepark in this area sends the message to skaters that they are embraced by the community rather than representing an unsightly culture which should be hidden away.

Finally, the more amenities on display, the more young families will be convinced to move to the area.

Suggested Location?

The two locations suggested so far have been the courts behind the junior high school and the run-down basketball courts in the Community Village Park. I believe the village park location is far superior due to its visibility, accessibility, ample parking and proximity to additional recreational amenities.

Cumberland recreation does not appear to have a typical evenings and weekend schedule. Adult skaters with a weekday off of work will be uncomfortable using the school grounds during school hours.

I made a visit to the junior high school courts and found that they have a low public visibility. I fear this would result in the actualization of all the community fears of building a skatepark.

Fundraising

A Canadian skatepark company has provided me with a 17-page document on fundraising. They say that typically 40% is supplied by the municipality, 30% from provincial grants, 15% Federal Grants and 15% by local fundraising.

Community licensed parties are an excellent way to raise money. They could include parties for Halloween, New Years and Mardis Gras, Oktoberfest and could raise the bulk of the local fundraising requirements. If 200 people show up to a party at \$20 each, we have made \$4000 before even selling any liquor. It is very realistic to raise \$10k to \$15k over the period of a year through such events.

Youth Involvement

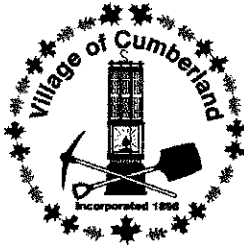
It is essential that the local youth be involved not only in the park design but also in fund raising. This will provide them a sense of ownership with the facilities. Popular youth fund raising events include youth parties, bottle drives, firewood supply and t-shirt sales. Even if the portion they raise is comparatively small, they will still feel involved in the project and have greater respect for the facilities.

Some communities have even gone so far to even get their youth involved in construction.

First Steps

In order to move forward with this Skatepark proposal, I am requesting three items from the Cumberland Council.

1. Approval of the project in principle.
2. Allocation of staff resources to find a selection of locations.
3. A discussion on the location's permanency.



Corporation of the Village of Cumberland

Item 4.2
2673 Dunsmuir Avenue
P.O. Box 340
Cumberland, B.C.
V0R 1S0
Telephone: 250-336-2291
Fax: 250-336-2321

October 17, 2012
File No. 0400-40

Endorsement of BC Mayors' Caucus Statement on Infrastructure Funding

WHEREAS the BC Mayors' Caucus met in September 2012 to examine the challenges of BC's communities and to share best practices in moving forward;

AND WHEREAS the Caucus endorsed a statement on the topic of infrastructure;

AND WHEREAS the Corporation of the Village of Cumberland has adopted a resolution endorsing the FCM campaign supporting a new federal long term plan that reflects municipal priorities across the country and ensures that municipalities can continue planning their capital spending effectively;

AND WHEREAS the Corporation of the Village of Cumberland has continuing infrastructure needs, such as

- separation of storm and sewer collection systems;
- sewer system treatment and disposal system;
- community water storage and treatment upgrades;
- road reconstruction and resurfacing;

THEREFORE BE IT RESOLVED THAT the Corporation of the Village of Cumberland supports the statement of the BC Mayors' Caucus that communities require immediate action to provide stable, predictable, long term infrastructure funding from federal and provincial governments to meet municipal needs as defined by each community's priorities;

BE IT FURTHER RESOLVED THAT the Council supports the efforts of UBCM and FCM to address the infrastructure needs of communities to ensure social, economic and environmental well-being.

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 BC Mayors' Caucus, to the Federation of Canadian Municipalities, and to the Union of British Columbia Municipalities.

Endorsed by the Council of the Corporation of the Village of Cumberland this day of
2012.

Mayor

Corporate Officer

The **Joys & Tears** **OF LIVING LONGER**

**A national conference to explore
the opportunities and challenges
of Canadians' increased longevity**

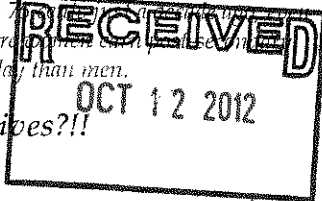
October 1 – 2, 2012, Richmond, B.C.

Gap-zilla

In Canada today, women make 70½ cents for every dollar men make for full-time work. If you factor in part-time work, it's more like 64 cents.

Women with university education do even worse, earning just 68 cents. That's down from 71 cents when they had the same degrees today than men.

What gives?!!



REPORT ON COSCO CONFERENCE OCT. 2012 PLAN WITH SENIORS, NOT FOR SENIORS

A very intense and educational presentation of seniors health and care issues. Need action now to implement services for seniors to cover future issues. By 2050 there will be a higher percentage of population over 60 yrs. old and under 16 yrs. than wage

earners age. There will also be 5 times more women than men by 2050. Reason for high cost of old age care due to profit in health care services, not due to less funding from workers taxes. Health is the major factor in Active Ageing.

City works need to be involved with seniors organizations. Venues for seniors need convenient location, accessibility, good lighting, close parking, events timed for seniors - in daylight. Build houses without stairs - inside and outside; benches placed for resting on streets and in public parks; cross-walk lights timed longer for seniors crossing. Gated seniors communities is in opposition to the community aspect for socializing.

Report by Dr. Rastgaard of Denmark: calorie reduced diets improve health, weight loss, longer life. Aged care organized by the municipality, in-home care paid for by the municipality. Higher cost of home care but less cost in hospitalization.



Gap-zilla

In Canada today, women make 70½ cents for every dollar men make for full-time work. If you factor in part-time work, it's more like 64 cents.

Women with university education do even worse, earning just 68 cents. That's down from 75 cents just a decade ago, even though more women earn post-secondary degrees today than men.

What gives?!!

Discussion from attendees at Housing Workshop
Province should encourage seniors to remain at home, with home care provided. Developers to build houses with strengthened walls for future support bars; an area to put in elevator; suite area that could be rented after family member leaves. Build seniors housing in accessible areas to walking paths, nice view, safe neighbourhood.

Accessible supportive affordable housing should be government mandate. More housing built in seniors own area rather than moving seniors to larger unfamiliar areas. Cut funding by pharmaceuticals to political parties.

Report by Mary Cohen, retired H.E.U. Overall care for residential care seniors has decreased since 2001. Two thirds of assisted living care in B.C. is publicly subsidized, the rest is privately paid. 23% to 41% need eating, bathing and toilet assistance. Low income, and illtest who are unable to pay are the worst off. Informal care givers (usually family member or friend) need support due to burn out. Need more health care workers trained and paid to accomodate diverse ethnic needs. Community health services need to be implemented to keep dementia and chronic cases from acute care beds.

Gap-zilla

In Canada today, women make 70½ cents for every dollar men make for full-time work. If you factor in part-time work, it's more like 64 cents.

Women with university education do even worse, earning just 68 cents. That's down from 75 cents just a decade ago, even though more women earn post-secondary degrees today than men.

What gives?!!

Report by Mr. Michael Rachtis

Many patients referred to surgeons often need physiotherapy, acupuncture etc. not surgery. More care in care homes, not drugs. Some seniors live in adequate price housing but do not have services near by. Getting older not costly, getting sick is.

Presentation on Health Promotion by Sheila Pither

Older adults could feel younger in 1 year by exercise, eating less, cut out fats and carbs, cut anxiety by doing activities you deem important in your life. Society has a responsibility to aid in seniors health welfare - doctors, community social groups and clubs, medical outlets, and the health system. Health literacy is also important for younger and youth elements.

Round table discussion: Remedial - tell governments what community deserves. Plan for future accomodation; education on health issues with seniors; inter-generational activities. Lower cost to seniors for activities, make access easier. Seniors have valuable knowledge they can share with organizations, schools etc. Communication between other organizations out of province.

Report by Dr. Garnet Grosjean Said the statement "Drain on the Health Care Budget" is the wrong interpretation, its the distribution of the budget. Ageing in place, people should be able to return home after treatments - especially after falling - with appropriate care.

Young Women Meet

Gap-zilla

In Canada today, women make 70½ cents for every dollar men make for full-time work. If you factor in part-time work, it's more like 64 cents.

Women with university education do even worse, earning just 68 cents. That's down from 75 cents just a decade ago, even though more women earn post-secondary degrees today than men.

What gives?!!

It is necessary to mandate quality care, basic care, affordable health care for all seniors.

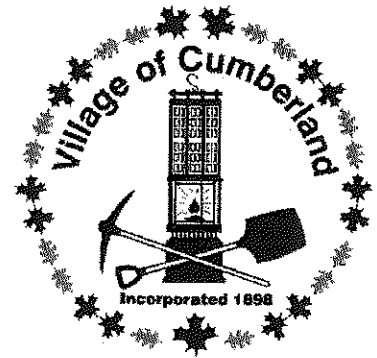
Report by Dr. Romaine Gallagher. Stressed the "Recommendations of Parliamentary Committee on Palliative Care" be enacted.

Seniors helping seniors workshop Volunteering: Canada has 2nd. highest rate in the world of senior volunteers. 1 in 4 volunteers in B.C. are seniors. Older volunteers are more caring and make social connections easier. Volunteers keep body and mind active, have better health, longer life, feel youthful, socialize.

Volunteers should not be used at hazardous worksites, areas where controlled substances are used, risky assignments, tasks that need special training.



COUNCIL REPORT



REPORT DATE: October 17, 2012

MEETING DATE: October 22, 2011

TO: Mayor and Councillors

FROM: Judith Walker, Senior Planner

SUBJECT: Convening for Action on Vancouver Island- Comox Valley Status Report

RECOMMENDATION

- i) THAT Council receive the Convening for Action on Vancouver Island (CAVI) - Comox Valley Status Report for information,
- ii) THAT Council directs staff to host the 2013 CAVI "Learning Lunch Series";
- iii) THAT Council directs staff to participate as the Cumberland member of the Comox Valley leadership team,
- iv) AND THAT Council passes a resolution to fund the hosting and budget an amount not to exceed \$1500, for the 2013 series, in the 2013 Financial Plan.

SUMMARY

The Village contributes \$500 and staff time annually for the Comox Valley Regional CAVI team for their interjurisdictional work on watershed protection in the Comox Valley. The Village's senior planner is a member of the CAVI team. Three of the local governments have hosted the annual events, "Learning Lunch Series" and "Developer's Dialogue" since 2008. The CAVI team is requesting that the Village host the 2013 "Learning Lunch Series". This requires a budget (not to exceed \$1500), providing a venue and staff time to host the series which takes place in the spring.

BACKGROUND

CAVI is a regional pilot program that is being implemented under the umbrella of the Water Sustainability Action Plan for British Columbia. CAVI represents a growing network that includes the British Columbia Water & Waste Association, the Real Estate Foundation of British Columbia, the provincial Ministries of Environment and Community Services, and the Green Infrastructure Partnership. CAVI emphasizes water-centric planning and a design-with-nature approach to water sustainability on Vancouver Island. The group provides leadership on water sustainability, education and integration across groups and sectors.

The themes of the past four years have been:

Year	Series Theme
2008	<i>Beyond the Guidebook: New Business As Usual: Change the way we develop land to protect stream health and create liveable communities</i>
2009	<i>Getting Ahead of the Wave: an Integrated Watershed Approach to Settlement – Comox Valley is demonstrating a regional team approach</i>
2010	<i>Developer's Dialogue – A bridging session</i>
2011	<i>A Regional Response to Infrastructure Liability: Through Collaboration, Adaptation & Risk Management</i>
2012	<i>Landowner's Guide to Water-Wise Development in the Comox Valley: Internal working sessions to produce draft document for all local governments</i>

The "Landowner's Guide" incorporates feedback from the peer dialogue session and will proceed to a "Developer's dialogue" in the late fall of 2012. The CAVI regional team will solicit feedback and continue to examine how policy and technical tools can help developers, regulators and designers collaborate to ensure responsible outcomes. The four local governments are striving for consistency, ease and transparency in the development process to protect watersheds and ensure an effective application process.

Four regional boards – Comox Valley, Nanaimo Region, Cowichan Valley and Capital Region have by resolution endorsed collaboration under the umbrella of the Inter-Regional Educational Initiative to further align local government priorities and staff workloads, and provide more leverage with the same resources due to the participation of the four regional districts and their 24 partner municipalities.

Proposed for 2013

2013	1. Continue to collaborate as a regional team under the CAVI-Comox Valley umbrella to: a) Complete the <i>Landowner's Guide to Water-wise Development in the Comox Valley</i>. b) Proceed with the Brooklyn Creek Water shed Blueprint as a demonstration template for other at-risk watersheds. 2. Re-commit to shared funding for the CAVI-Comox Valley program in 2013. 3. Confirm that the Village of Cumberland will host the 2013 program element.
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The four area CAO's, at their October 10, 2012 meeting, endorsed items 1 and 2 above. As to Item 3, if the Village is not able to host next year's program, the other three jurisdictions will be approached regarding the host role

FINANCIAL IMPLICATIONS

The Village budgets \$500 each year as a contribution/donation to the initiative. CAVI Comox Valley is requesting that the Village hosts the 2013 series at an additional cost not to exceed \$1500.

STRATEGIC OBJECTIVE

The following are priorities from the *Village of Cumberland 2012 Corporate Strategic Priorities* that align with the CAVI initiatives:

- Establish an adequate and high quality source of water for the current and future residents of the Village.
- Establish a stream stewardship plan.
- Review development standards to make them green, economically attractive and flexible.

CONCURRENCE

Michelle Mason, Chief Finance Officer 

Rob Crisfield, Manager of Operations 

OPTIONS

1. THAT Council receive the Convening for Action on Vancouver Island (CAVI) - Comox Valley Status Report for information, directs staff to host the 2013 CAVI "Learning Lunch Series"; directs staff to participate as the Cumberland member of the Comox Valley leadership team, and agrees to fund the hosting and budget an amount not to exceed \$1500 for the 2013 series; or
2. Any other action deemed appropriate by Council.

Respectfully submitted,

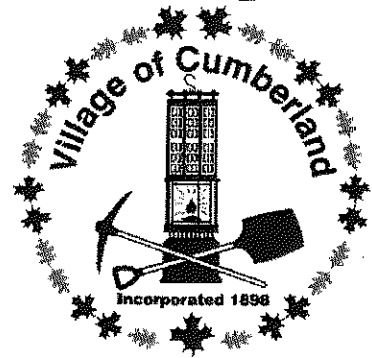


Judith Walker
Senior Planner



Sundance Topham
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: October 17, 2012

MEETING DATE: October 22, 2012

TO: Mayor and Councillors

FROM: Judith Walker, Senior Planner

SUBJECT: Village Park Master Plan

RECOMMENDATION

- i) THAT Council receive the Village Park Master Plan report, and
- ii) THAT Council direct staff to initiate the completion of the Village Park Master Plan according to the process outlined in Village Park Master Plan report dated October 22, 2012.

SUMMARY

In August 2011 consultants were retained to produce the Village Park Master Plan. Following development of options and presentation at a public meeting, Council instructed staff to put a hold on further planning of the park until the issue of the location of the BMX track was resolved. Staff proposes to have the consultants reactivate the Village Park Master Plan, based on not having the BMX track located in the area of Village Park, as show in the attached map.

BACKGROUND

Council and staff have received numerous proposals for upgrading the park and additional uses within Village Park. Due to the uncertainty of the proposed relocation of the BMX track into Village Park, it is difficult to consider various new proposals and this has stalled any long term development in the park. The dog park and the jump park were both installed as temporary facilities, pending the outcome of the Village Park Master Plan.

Staff has determined that there is approximately \$7500 left in the consultant's contract for the master plan. With Council's approval to proceed, a meeting will be scheduled with the consultant to discuss the remaining budget and potential work plan.

In order to move forward, staff recommends that the following process occur:

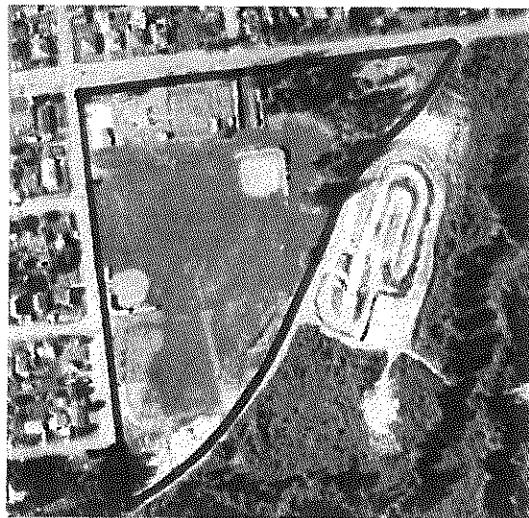
1. Determine funds available,
2. *Staff report to Council outlining the process and public consultation proposed (this report),*
3. Meet with consultant to outline criteria, additional user groups and develop work plan, including public consultation process.

Staff suggests the following work plan, pending discussion with the consultant regarding available budget and their recommendations.

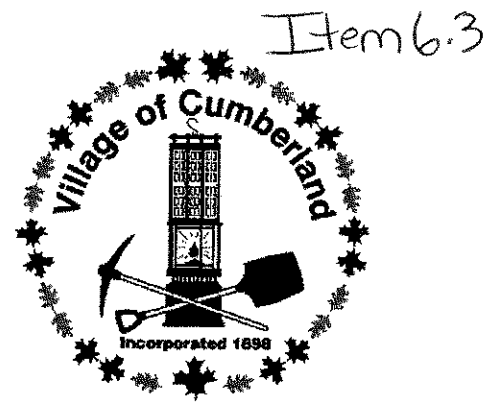
1. Meet with consultant(s) to discuss reinstating the master plan;

Map 1

Area of Village Park to be considered for
Village Park Master Plan options (outlined in black)



COUNCIL REPORT



REPORT DATE: October 15, 2012

MEETING DATE: October 22, 2012

File No. 4000-00

TO: Mayor and Councillors

FROM: Rachel Parker, Deputy Corporate Officer

SUBJECT: Bylaw Enforcement Policy and Procedures

RECOMMENDATION

THAT Council receive the Bylaw Enforcement Policy report.

THAT Council adopt the Bylaw Enforcement Policy.

SUMMARY

The attached Bylaw Enforcement Policy is attached for Council's consideration.

BACKGROUND

Working with the public on bylaw enforcement matters can often be a difficult duty for staff members. A bylaw enforcement policy that helps to provide guidance to staff on how bylaw enforcement complaints are received, investigated and acted upon can prove to be useful.

The attached policy addresses a number of issues for staff, including

- A requirement that a complainant provide their name and address
- Clarification that staff is not responsible to enforce a bylaw unless it is part of their duty and then only during work hours
- How to address complaints received from council members
- Bylaw enforcement is to take place on a public complaint-basis unless where specifically set out otherwise
- Confidentiality and policy in regard to responding to requests for information
- Guidance to staff in assessing potentially frivolous complaints or neighbour-to-neighbour and personal disputes

This policy sets out the bylaws to be enforced on a pro-active basis. Council may wish to review the effectiveness of the policy, its "fit" for the community, and corresponding staffing levels after a period of time.

The policy also sets out that any bylaw enforcement action beyond ticketing will be brought forward for Council for its consideration as these types of actions can be very costly for the municipality.

FINANCIAL IMPLICATIONS

None.

STRATEGIC OBJECTIVE

None.

ATTACHMENTS

Bylaw Enforcement Policy

CONCURRENCE

Mike Williamson, Manager of Protective Services

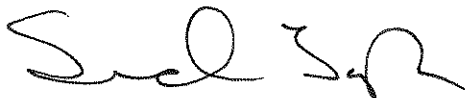
OPTIONS

1. THAT Council adopt the Bylaw Enforcement Policy.
2. THAT Council amend the Policy or direct staff to make changes to the Policy and return it to Council at a following Council meeting.
3. Any other action deemed appropriate by Council.

Respectfully submitted,

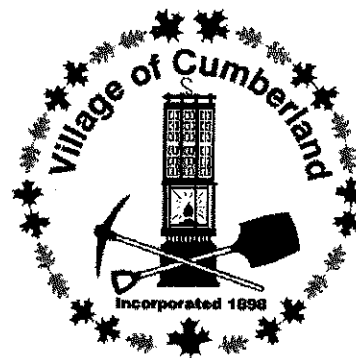


Rachel Parker
Deputy Corporate Officer



Sundance Topham
Chief Administrative Officer

COUNCIL POLICY



Title: Bylaw Enforcement Policy Authority: Adopted Date: Amended Date:	No. DRAFT October 15 2012 Section: Legislative and Regulatory Motion No.
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Policy Statement

The Village of Cumberland does not have the resources to formally inspect properties and to enforce bylaws on a regular basis in order to determine whether or not its various bylaws are being complied with at all times. Therefore, it is the general policy of the Village to rely on citizen complaints.

To reduce the opportunity for intimidation and neighbourhood conflict, the Village wishes to establish a policy with a balance of accountability and confidentiality among the various parties to this process. The Village understands the importance of providing confidentiality to both the complainant and the alleged violator. It is recognized that many complaints take place in the context of other disputes between neighbours and the motivation for the complaint itself may be retribution. Disclosure could serve to exacerbate the dispute and may even put persons at risk or harm.

Purpose

To provide guidance to staff for bylaw enforcement activities.

Policy

Submitting a Complaint

1. The Village accepts both telephone and written complaints from the public.
2. To encourage validity, a complainant must
 - a) provide their name, address and telephone number,
 - b) describe the nature and location of the alleged infraction,
 - c) describe any attempts made by the complainant to resolve the problem, and

- d) agree to testify in court if necessary.
3. The Bylaw Enforcement Officer may require a written complaint from a member of the public.

Staff Responsibilities

4. Officers and employees of the Village are not required to report bylaw violations observed
- (a) on personal time, or
 - (b) during work hours, unless it is within that employees scope of duty to do so.
5. A member of council wishing to report a bylaw violation or submit a complaint must make a formal written complaint to the Village or bring forward the matter for council consideration at a closed council meeting. Anonymous complaints will not be accepted through a member of council.
6. The following bylaws will be enforced on a pro-active basis by the staff member indicated:

	Bylaw	Staff Member
(a)	Animal Control Bylaw	Bylaw Enforcement Officer
(b)	Business Licence Bylaw	Bylaw Enforcement Officer
(c)	Building Regulation Bylaw	Bylaw Enforcement Officer Building Inspector
(d)	Fire Regulation Bylaw	Manager of Protective Service
(e)	Streets and Traffic Bylaw	Bylaw Enforcement Officer

Confidentiality Provided and Limitations

7. A complainant's name and any particulars of the complaint which may reveal the identity of the complainant will not be disclosed to the alleged violator or any member of the public.
8. A response of an alleged violator, whether verbal or written, shall not be disclosed to the complainant.
9. Where personal information is provided, the Village will keep the information confidential and use the personal information only to determine the validity of the complaint and the alleged violator's response.
10. If a person submits a request under the *Freedom of Information and Protection of Privacy Act* for the disclosure of information or records contained in a complaint or in a response to a complaint, other than for that person's own personal information, it is the Village's policy to refuse disclosure under sections 15 and 22 of the Act.
11. The anonymity and confidentiality afforded complainants and alleged violators by this Policy cannot be assured if the investigation results in court proceedings as the complainant may be required to act as a witness for the prosecution.

12. Written complaints which are addressed to Council may be placed on an agenda of the closed portion of a Council meeting.

Investigation

13. Upon receipt of a complaint, the Village may initiate an investigation. The Bylaw Enforcement Officer may, after consideration of the matters set out in section 16, require at least two complaints from residents directly affected by the alleged violation before proceeding with enforcement action.
14. Should an infraction be found, the alleged violator shall be advised of the specifics of the infraction and shall be provided with the full text of the bylaw section(s) that is being violated.

Response to Complainant

15. The Bylaw Enforcement Officer may, upon request, advise a complainant about the results of the investigation and action taken or contemplated but must do so without providing personal information of the alleged violator.
16. A response to a complainant may be withheld if legal action is pending.

Enforcement

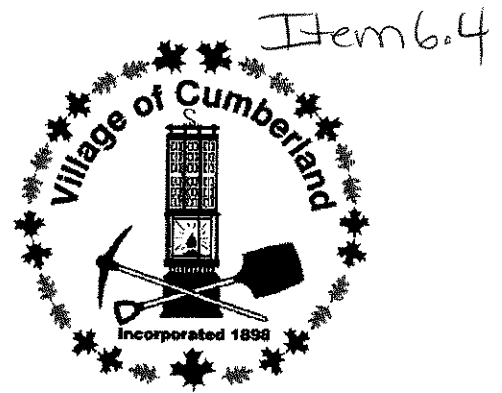
17. The Village, in determining whether a remedy is necessary, will consider, but not be limited to, matters such as:
 - a) the scale, number and duration of the infraction(s)
 - b) the current, short and long-term impacts caused by the infraction(s)
 - c) the potential for precedents
 - d) the resources available to resolve the matter
 - e) whether it is in the best interests of the public and/or the Village to proceed
 - f) the likelihood of obtaining the desired results
 - g) whether public safety is at risk
 - h) whether enforcement may act as a deterrent in future cases
18. Staff will bring forward any recommendation for prosecution of an offence under the *Offence Act*, court action through civil proceedings, and remedial action to Council for its consideration.
19. The Village is not obliged to enforce any bylaw or to pursue law enforcement action on any bylaw infraction.

Mayor Baird

Corporate Administrator

Dated:_____

COUNCIL REPORT



REPORT DATE: October 17, 2012

MEETING DATE: October 22, 2012

TO: Mayor and Councillors

FROM: Michelle Mason, Financial Officer

SUBJECT: Close Down - Loan Authorization Remaining Balance

RECOMMENDATION

THAT Council receive the Close Down - Loan Authorization Remaining Balance report for information

AND THAT Council close down the remaining balance of \$768,000 loan authorization in the Sewer, Water and Drainage Improvement Loan Authorization Bylaw No. 914, 2009.

SUMMARY

Staff is recommending that Council adopt a motion to close down the remaining balance of the loan authorization in the Sewer, Water and Drainage Improvement Loan Authorization Bylaw No. 914, 2009.

BACKGROUND

The Sewer, Water and Drainage Improvement Loan Authorization Bylaw No. 914, 2009, which authorized the Village to borrow \$2,500,000, was adopted June 8, 2009. In the fall of 2011, \$1,732,000 was borrowed against this bylaw through Council resolution. The project and borrowing component of this project is now complete and the remaining balance of the loan authorization needs to be closed down.

FINANCIAL IMPLICATIONS

The Village's borrowing capacity will be increased by the \$768,000 once this loan authorization is closed.

STRATEGIC OBJECTIVE

None.

ATTACHMENTS

None.

CONCURRENCE

None.

OPTIONS

1. Receive this report for information.
2. Close down the remaining balance of \$768,000 in the loan authorization in the Sewer, Water and Drainage Improvement Loan Authorization Bylaw No. 914, 2009.
3. Any other action deemed appropriate by Council.

Respectfully submitted,

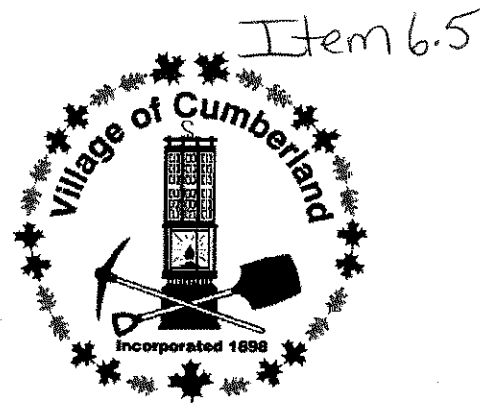


Michelle Mason
Financial Officer



Sundance Topham
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: October 17, 2012

MEETING DATE: October 22, 2012

TO: Mayor and Councillors or manager name and title
FROM: Michelle Mason, Financial Officer
SUBJECT: Municipal Auditor Appointment for the 2012 Year-end

RECOMMENDATION

THAT Council receive the Municipal Auditor Appointment for the 2012 Year-end report.

AND THAT Council appoints the audit firm of MNP (Meyers Norris Penny) for the 2012 financial year.

SUMMARY

The Village of Cumberland needs to appoint a municipal auditor annually and appointment for the 2012 year-end is needed.

BACKGROUND

Pursuant to Section 169 of the Community Charter, Council is required to appoint a Municipal auditor. For continuity during my second year-end audit and given the experience of MNP (Meyers Norris Penny) with public sector, and specifically with local government accounting, Staff recommends that they be appointed as auditors for the Village for the 2012 financial year. In the past, the audit has taken place in March of each year; however, staff is investigating the possibility of moving this forward in the year and will discuss this with the auditors during the interim audit in November.

FINANCIAL IMPLICATIONS

The 2011 audit costs were approximately \$33,000 which included the preparation and filing of the corporate tax return. MNP does not expect this to increase for the 2012 year-end.

STRATEGIC OBJECTIVE

None.

ATTACHMENTS

None.

CONCURRENCE

None.

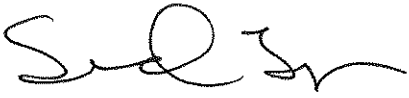
OPTIONS

1. Receive this report for information and appoint Meyers Norris Penny as the municipal auditors for the 2011 year-end.
2. Any other action deemed appropriate by Council.

Respectfully submitted,

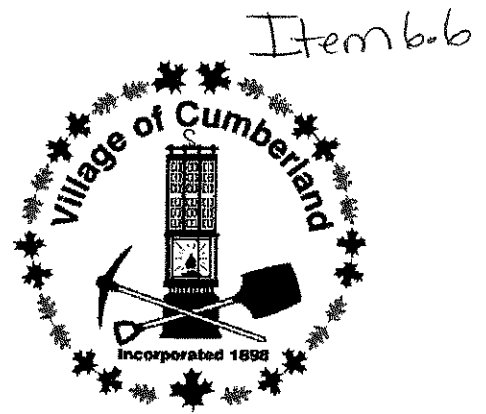


Michelle Mason
Financial Officer



Sundance Topham
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: October 16, 2012

MEETING DATE: October 22, 2012

TO: Mayor and Councillors

FROM: Michelle Mason, Financial Officer

SUBJECT: Financial Report – September 30, 2012

RECOMMENDATION

THAT Council receive the Financial Report – September 30, 2012 report for information.

SUMMARY

Revenue and expense items are currently running within budget and all departments are currently in a surplus position. There are no significant concerns to note at this time. The overall surplus based on financial plan is over \$1.2 million. Although budgets appear to be in a substantial surplus position, fourth quarter expenses and year end accruals are expected to reduce this surplus substantially.

BACKGROUND

Attached to the report are financial summaries as at September 30, 2012 with comparisons to the 2012 financial plan and 2011 audited amounts. These financial summaries are not audited and do not meet all accounting standards which would otherwise be applied for final year-end financial statement purposes. Amortization on assets and expense accruals are not booked, prepayments and inventories have not been adjusted. Principal on lease payments are reflected in operating costs and not transferred to debt until year end. The summaries are intended for internal purposes only.

The attached *Consolidated Statements of Financial and Municipal Position (Attachment 1)*, *Operations and Accumulated Surplus (Attachment 2)* and *Change in Net Financial Assets (Attachment 3)* as at September 30, 2012 provide information in financial statement format. The attached *Reconciliation of Financial Statement Surplus to Financial Plan Surplus (Attachment 4)* as at September 30, 2012 provides a list of adjustments to reconcile surplus for financial reporting purposes to surplus for financial plan purposes. For budget variance analysis we recommend focusing on the *Consolidated Statement of Operations and Accumulated Surplus (Attachment 2)* and the *Reconciliation of Financial Statement Surplus to Financial Plan Surplus (Attachment 4)*.

In reviewing budget variance please note that asset amortization is a significant accounting expense that is not being booked throughout the year and is not within budget manager's ability to control, consequently Attachment 2 and 3 have been modified to show the 2012 financial plan figures with and without amortization in order to provide a better comparative figure for a review of performance against budget.

Based on the above information and the fact that year-end adjustments and some invoices are still outstanding, we can expect an approximate 70-75% use of budget for operating expenses and 100% revenue recognition for all tax and utility revenues. Grants and development cost charge revenues are expected to reflect similar timing to related capital and operating project expenses. Brief variance comments are included on Attachment 2 and 3 and more significant variances and other items of note are provided below.

Cumberland Fire Protection District service fees revenue, budgeted at \$87,820, will be invoiced at year end. Development permit and building inspection revenue is lower than expected at this point.

The \$1.6 million variance in conditional grants and DCC revenue is offset by a variance in capital expenditures of \$1 million along with larger operating projects that still do not have any costs associated with them at this stage such as the Official Community Plan (OCP) review and the Liquid Waste Management Plan (LWMP). As most of these projects are now in progress, we expect to incur most of these costs over the next three months.

The financial plan surplus to date is \$1,261,732. The following is a list of items that are contributing to the surplus position:

- the majority of revenues are realized earlier in the year while a quarter of annual expenses are still pending;
- the Cultural Centre upgrades are in progress but do not have costs associated at this stage;
- volunteer fire department compensation is paid in December for the full year;
- snow clearing budgets have not been fully utilized to date;
- the office phone system purchase is on hold due to the need for investigations surrounding new technology;
- financial audit is expected in the fourth quarter;
- legal budgets across all departments are significantly lower than expected at this point;
- training budgets across all departments are not being utilized; and
- the payment for some of the September purchases will be made in October.

FINANCIAL IMPLICATIONS

As mentioned above.

STRATEGIC OBJECTIVE

None.

ATTACHMENTS

- Attachment 1 - Consolidated Statement of Financial and Municipal Position as at September 30, 2012;
- Attachment 2 - Consolidated Statement of Operations and Accumulated Surplus as at September 30, 2012;
- Attachment 3 - Consolidated Statement of Change in Net Financial Assets as at September 30, 2012; and
- Attachment 4 - Reconciliation of Financial Statement Surplus to Financial Plan Surplus as at September 30, 2012.

CONCURRENCE

None.

OPTIONS

1. Receive this report for information.
2. Any other action deemed appropriate by Council.

Respectfully submitted,



Michelle Mason
Financial Officer



Sundance Topham
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND
Consolidated Statement Of Financial And Municipal Position
As At
September 30, 2012
UNAUDITED

	<u>2012</u>	<u>2011</u>
	<i>(Note 1)</i>	
FINANCIAL ASSETS		
Cash and equivalents	\$ 6,974,927	\$ 4,271,128
Property taxes receivable	417,111	258,946
Accounts receivable	999,742	1,026,976
	<u>8,391,780</u>	<u>5,557,050</u>
LIABILITIES		
Bank indebtedness	-	-
Accounts payable and accrued liabilities	(509,579)	(489,891)
Trust and other deposits	(213,527)	(196,615)
Deferred revenue	(3,707,391)	(2,266,245)
Debenture and long term-debt	(2,938,274)	(3,016,378)
LIABILITIES	<u>(7,368,771)</u>	<u>(5,969,129)</u>
NET FINANCIAL ASSETS / (DEBT)	1,023,009	(412,079)
NON-FINANCIAL ASSETS		
Tangible Capital Assets	34,266,447	33,811,540
Inventories	88,574	88,574
Prepaid expenses	3,362	3,576
	<u>34,358,383</u>	<u>33,903,690</u>
ACCUMULATED SURPLUS	<u>\$ 35,381,392</u>	<u>\$ 33,491,611</u>
MUNICIPAL POSITION		
Operating funds	\$ (3,426,174)	\$ (2,073,694)
Reserves	(627,045)	(622,755)
Equity in capital assets	<u>(31,328,173)</u>	<u>(30,795,162)</u>
	<u>\$ (35,381,392)</u>	<u>\$ (33,491,611)</u>

Note 1:

These statements are not audited and do not comply with all applicable accounting standards.

They are intended for internal management purposes only.

THE CORPORATION OF THE VILLAGE OF CUMBERLAND
Consolidated Statement of Operations and Accumulated Surplus
Interim Statement as at
September 30, 2012
UNAUDITED

	2012 FINANCIAL PLAN	ADJUSTMENT (Note 1)	2012 ADJUSTED FINANCIAL PLAN	2012 ACTUAL-YTD (Note 2)	% USE OF ADJUSTED BUDGET	VARIANCE	2011 ACTUAL	COMMENTS
REVENUES								
Property value taxes	\$ (1,927,495)	\$ -	\$ (1,927,495)	\$ (1,926,723)	100%	\$ (772)	\$ (1,843,557)	Taxes for the year are 100% recognized
Grants in lieu of taxes	(50,730)	-	(50,730)	(50,651)	100%	(79)	(47,193)	Taxes for the year are 100% recognized
Frontage taxes	(171,850)	-	(171,850)	(171,862)	100%	12	(170,027)	Frontage Taxes for the year are 100% recognized
Sale of services	(1,148,310)	-	(1,148,310)	(1,104,919)	96%	(43,391)	(1,066,359)	Utility fees for the year are 100 % recognized
Sale of services to other government	(121,420)	-	(121,420)	(19,250)	16%	(102,170)	(97,235)	Cumberland Fire Protection District payment not invoiced until Y/E
Transfer from other governments - unconditional	(468,000)	-	(468,000)	(468,000)	100%	-	(431,190)	SCG recognized for the year
Transfer from other governments - conditional	(656,485)	-	(656,485)	(234,204)	36%	(422,281)	(798,392)	Grants relate to timing of capital & operating projects
Other revenue	(561,085)	-	(561,085)	(278,660)	50%	(282,425)	(241,101)	Planning/Building fees lower than expected
DCC revenue realized	(1,179,850)	-	(1,179,850)	(2,350)	0%	(1,177,500)	(189,219)	DCC revenue relates to timing of capital & operating projects
Loss on disposal of tangible capital assets	-	-	-	-	-	-	16,465	
	(6,285,225)	-	(6,285,225)	(4,256,619)	68%	(2,028,606)	(4,867,808)	
EXPENSES								
General government services	653,660	(13,820)	639,840	402,104	63%	237,736	591,128	Audit fees recognized at YE, some projects/pmts outstanding
Transportation services	1,005,405	(348,780)	656,625	466,994	71%	189,631	802,663	Snow increases in winter, some purchases/projects outstanding
Protective services	444,905	(54,580)	390,325	226,663	58%	163,662	382,898	Volunteer fire department compensation paid out at year end, some projects/purchases/pmts outstanding
Environmental health services	1,409,095	(274,900)	1,134,195	672,290	59%	461,905	1,135,013	Dams and sewer distribution costs lower than expected at this point, LWMP & smoke testing outstanding
Public health services	30,240	(1,910)	28,330	24,669	87%	3,661	18,007	Chinese Cemetery project complete/burials higher than expected (revenues match)
Environmental planning and development services	502,000	-	502,000	233,901	47%	268,099	333,234	DCC Bylaw review, GHG Corporate Plan & OCP outstanding
Recreation and cultural services	592,660	(35,350)	557,310	340,217	61%	217,093	575,504	Cultural Centre building upgrades outstanding
	4,637,965	(729,340)	3,908,625	2,366,838	61%	1,541,787	3,838,447	
ANNUAL SURPLUS	(1,647,260)	(729,340)	(2,376,600)	(1,889,781)	80%	(486,819)	(1,029,361)	
ACCUMULATED SURPLUS, BEGINNING OF YEAR	(33,491,611)	-	(33,491,611)	(33,491,611)	100%	-	(32,462,250)	
ACCUMULATED SURPLUS, END OF YEAR	\$ (35,138,871)	\$ (729,340)	\$ (35,868,211)	\$ (35,381,392)	99%	\$ (486,819)	\$ (33,491,611)	

Note 1:

The adjustment being made is for amortization that will not be recorded until year end.

Note 2:

These statements are not audited and do not comply with all applicable accounting standards.

They are intended for internal management purposes only.

THE CORPORATION OF THE VILLAGE OF CUMBERLAND
Consolidated Statement of Change in Net Financial Assets
Interim Statement as at
September 30, 2012
UNAUDITED

	2012 FINANCIAL PLAN	ADJUSTMENT (Note 1)	2012 ADJUSTED FINANCIAL PLAN	2012 ACTUAL-YTD (Note 2)	% USE OF BUDGET	VARIANCE	2011 ACTUAL	COMMENTS
ANNUAL SURPLUS	\$ (1,647,260)	\$ (729,340)	\$ (2,376,600)	\$ (1,889,781)	80%	\$ (486,819)	\$ (1,029,361)	
Amortization of tangible capital assets	729,340	(729,340)	-	-	-	-	(728,822)	Amortization not recorded at this point in the year
Change in supplies inventories	-	-	-	-	-	-	15,642	
Change in prepaid expense	-	-	-	(214)		214	1,422	
Loss on sale of tangible capital assets	-	-	-	-	-	-	(16,465)	
Proceeds on disposal of tangible capital assets	-	-	-	-	-	-	(17,000)	
Acquisition of tangible capital assets	1,508,280	-	1,508,280	454,907	30%	1,053,373	1,175,545	Sewer lagoon upgrades, water & sewer replacements & Lake Park projects complete; recreation floor scrubber, lagoon aerator & bus shelter/garbage cans purchased - all other capital projects still in progress
CHANGE IN NET DEBT (FINANCIAL ASSETS)	590,360	(1,458,681)	(868,320)	(1,435,088)	(243%)	566,768	(599,039)	
NET DEBT, BEGINNING OF YEAR	412,079	-	412,079	412,079	100%	-	1,011,118	
NET DEBT (FINANCIAL ASSETS), END OF YEAR	<u>\$ 1,002,439</u>	<u>\$ (1,458,681)</u>	<u>\$ (456,241)</u>	<u>\$ (1,023,009)</u>	<u>(102%)</u>	<u>\$ 566,768</u>	<u>\$ 412,079</u>	

Note 1:

The adjustment being made is for amortization that will not be recorded until year end.

Note 2:

These statements are not audited and do not comply with all applicable accounting standards.

They are intended for internal management purposes only.

THE CORPORATION OF THE VILLAGE OF CUMBERLAND
Reconciliation of Financial Statement Surplus to Financial Plan Surplus
Interim Statement as at
September 30, 2012
UNAUDITED

	2012 FINANCIAL PLAN	ADJUSTMENT (Note 1)	2012 ADJUSTED FINANCIAL PLAN	2012 ACTUAL-YTD (Note 2)	% USE OF BUDGET	VARIANCE	2011 ACTUAL
ANNUAL SURPLUS PER FINANCIAL STATEMENTS	\$ (1,647,260)	\$ (729,340)	\$ (2,376,600)	\$ (1,889,781)	80%	\$ (486,819)	\$ (1,029,361)
ADJUSTMENTS AS PER FINANCIAL PLAN							
Acquisition of tangible capital assets	1,508,280	-	1,508,280	454,907	30%	1,053,373	1,175,545
Remove amortization expense	729,340	(729,340)	-	-	-	-	(728,822)
Proceeds from borrowing	(30,350)	-	(30,350)	-	0%	(30,350)	(480,364)
Principals payments on debt	202,415	-	202,415	78,104	39%	124,311	135,309
Remove DCC revenue realized	104,480	-	104,480	(2,350)	-2%	106,830	189,219
Add DCC reserve interest earned	-	-	-	(10,337)		10,337	-
Add loss on disposal of assets							(16,465)
Proceeds on disposal of tangible capital assets							(17,000)
CHANGE IN CONSOLIDATED BALANCES	<u>866,905</u>	<u>(1,458,681)</u>	<u>(591,775)</u>	<u>(1,369,457)</u>		<u>777,682</u>	<u>(771,939)</u>
TRANSFER TO / (FROM) OTHER RESERVES							
Development Cost charges	(104,480)	-	(104,480)	12,687	-12%	(117,167)	(189,219)
Reserves	355,900	-	355,900	95,038	27%	260,862	416,490
TRANSFER TO / (FROM) OTHER RESERVES	<u>251,420</u>	<u>-</u>	<u>251,420</u>	<u>107,725</u>	<u>43%</u>	<u>143,695</u>	<u>227,271</u>
SURPLUS PER FINANCIAL PLAN	<u>\$ 1,118,325</u>	<u>\$ (1,458,681)</u>	<u>\$ (340,355)</u>	<u>\$ (1,261,732)</u>		<u>\$ 921,377</u>	<u>\$ (544,668)</u>

Note 1:

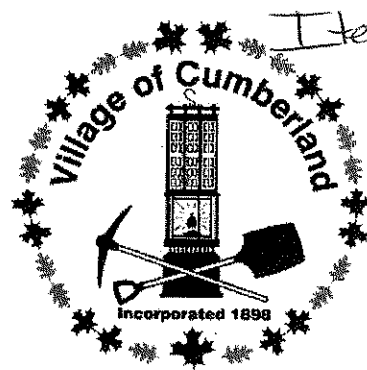
The adjustment being made is for amortization that will not be recorded until year end.

Note 2:

These statements are not audited and do not comply with all applicable accounting standards.

They are intended for internal management purposes only.

COUNCIL REPORT



REPORT DATE: October 17, 2012

MEETING DATE: October 22, 2012

TO: Mayor and Councillors

FROM: Sundance Topham, Chief Administrative Officer

SUBJECT: Village of Cumberland Council Chambers Relocation Report

RECOMMENDATION

1. THAT Council receive the Village of Cumberland Council Chambers Relocation report.
2. THAT Council approve relocating the Council Chambers to the Cumberland Community Building (old preschool) located at 2675 Dunsmuir Avenue;

AND THAT Council approve the allocation of up to \$12,500 for the necessary upgrades;

AND THAT Council direct staff to amend the financial plan bylaw to reflect the changes.

SUMMARY

The current municipal offices have reached capacity for office and filing space, and with the Cumberland Community Building (former preschool building) now vacant, staff are recommending relocating the Council Chambers to this location and utilizing the former Council Chambers for office and filing space.

BACKGROUND

As the municipality continues to grow in size the limited amount of office and storage space becomes a hindrance to the functionality of the municipality. The Village is well aware of the limitations on our resources and municipal staff already share office space and utilize all available storage areas to their fullest extent. Moving the Council Chambers from their current location to the Cumberland Community Building would provide additional capacity that should suffice for the foreseeable future.

In order to utilize the former preschool building as a Council Chambers a number of upgrades should be undertaken. The building currently has a functional accessibility ramp, however in the long-term a better entrance should be created. In order to plan for this expensive upgrade the Village has applied for a federal accessibility grant to help with the costs of installing automatic doors openers, installing accessible communication technologies and other accessibility initiatives.

Immediately implementable upgrades to make the washrooms handicap accessible and upgrade door handles will ensure that the building is functional while we await confirmation of potential federal funding.

Other immediate upgrades planned for the building include the following:

- Upgrade washrooms (fixtures, sound proofing, paint, accessibility)
- Paint interior
- Electrical upgrades including new energy efficient lights
- Privacy wall for entrance to washrooms
- New energy efficient windows

The Village will also incur some expenses in regards to creating new offices in the former Council Chambers, although these costs will be minimal as this space was formerly used for offices and most of the infrastructure is already in place.

If Council agrees to move forward with the relocation of the Council Chambers it is anticipated that the new facility will be operational early in 2013.

FINANCIAL IMPLICATIONS

Staff have estimated a cost of \$12,500 for the upgrades to the Cumberland Community Building and associated work in creating office and filing space in the old Council Chambers. The funding for this project could come from the money 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, and it was from these funds that \$12,500 was allocated for the *HRSDC Canada, Enabling Accessibility Fund, Village Hall Accessibility Retrofit* grant application.

STRATEGIC OBJECTIVE

The relocation of the Council Chambers is recommended in part due to the Council Strategic Objective of reviewing Village staffing levels, as the current office space is fully utilized.

ATTACHMENTS

None.

CONCURRENCE

Michelle Mason, Financial Officer



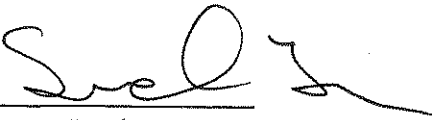
Rob Crisfield, Manager of Operations

OPTIONS

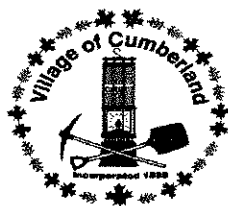
1. Receive the Village of Cumberland Council Chambers Relocation report.
2. Approve relocating the Council Chambers to the Cumberland Community Building located at 2675 Dunsmuir Avenue; approve the allocation of up to \$12,500 for the necessary upgrades, and direct staff to amend the Financial Plan Bylaw to reflect this change.

3. Any other action deemed appropriate by Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sundance', followed by a horizontal line.

Sundance Topham
Chief Administrative Officer



Item 6.8

The Corporation of the Village of Cumberland
Electronic Funds and Cheque Register
From , September 1st 2012 to , September 30th, 2012

Document Date	Vendor Name	Document Number	Document Amount
9/06/12	Minister of Finance - PTB	030011	\$284.83
9/12/12	ABC Printing	030012	\$88.48
9/12/12	Acklands-Grainger Inc.	030013	\$319.60
9/12/12	Alsco Nanaimo	030014	\$156.69
9/12/12	Andrew Sheret Ltd.	030015	\$1,633.05
9/12/12	Baird, Laurie	030016	\$56.25
9/12/12	Black Dog Arts Inc.	030017	\$750.00
9/12/12	Brenntag Canada Inc.	030018	\$674.78
9/12/12	Comox Pacific Express Ltd.	030019	\$197.38
9/12/12	Corix Water Products Limited Partnership	030020	\$1,684.16
9/12/12	Cumberland General Store	030021	\$216.18
9/12/12	Cumberland Mini Mart	030022	\$13.29
9/12/12	Cupe Local 556	030023	\$765.64
9/12/12	Footprints Security Patrol Inc.	030024	\$218.40
9/12/12	Georgia Straight Collision Ltd.	030025	\$240.80
9/12/12	Gregg Distributors (B.C.) Ltd.	030026	\$35.82
9/12/12	Hartman Auto Supply 1996 Ltd.	030027	\$332.85
9/12/12	Hyland Precast Inc.	030028	\$12,549.75
9/12/12	Janssen, Wessel	030029	\$159.00
9/12/12	Justice Institute of British Columbia	030030	\$455.23
9/12/12	Laagee Networks	030031	\$200.00
9/12/12	Lee Mac Electric Ltd.	030032	\$179.68
9/12/12	LexisNexis Canada Inc.	030033	\$158.08
9/12/12	Lordco Auto Parts	030034	\$172.50
9/12/12	Mahoney Shaylene & te Winkel John	030035	\$250.00
9/12/12	Mainroad Pavement Marking LP.	030036	\$3,830.40
9/12/12	Matthews Store Fixtures & Shelving	030037	\$280.00
9/12/12	McElhanney Consulting Services Ltd.	030038	\$17,393.60
9/12/12	Monk Office	030039	\$1,427.45
9/12/12	Municipal Insurance Association of British Columbia	030040	\$5,000.00
9/12/12	North Island Laboratories Ltd.	030041	\$350.00
9/12/12	Pilon Tool Rentals (1972) Ltd.	030042	\$82.61
9/12/12	Purin, Paul	030043	\$50.00
9/12/12	Receiver General For Canada	030044	\$16,491.27
9/12/12	Receiver General/Installments	030045	\$2,777.25
9/12/12	Record, Comox Valley	030046	\$367.61
9/12/12	Refrigeration & Air Conditioning Ltd., Comox Valley	030047	\$458.08
9/12/12	Regional District, Comox Valley	030048	\$453.00
9/12/12	Revenue Services of British Columbia	030049	\$2,120.00
9/12/12	Rocky Mountain Phoenix	030050	\$134.51
9/12/12	Royal Bank of Canada	030051	\$12,000.00

Document Date	Vendor Name	Document Number	Document Amount
9/12/12	Sisson Sheryl-Ann	030052	\$300.00
9/12/12	Slegg Construction Materials Ltd./Slegg Lumber	030053	\$4,768.12
9/12/12	Sproule, Gwyn	030054	\$75.00
9/12/12	Tayco Paving Company	030055	\$1,430.09
9/12/12	Telus Communications	REMIT000000C	\$0.00
9/12/12	Telus Mobility	030056	\$527.87
9/12/12	Tower Fence Products	030058	\$2,460.64
9/12/12	Tran Sign (1999) Ltd.	030059	\$302.20
9/12/12	Vranjes, David	030060	\$136.00
9/20/12	Wacor Holding Ltd.	030061	\$67,500.00
9/24/12	Land Title & Survey Authority of British Columbia	030063	\$10.90
9/26/12	Acklands-Grainger Inc.	030064	\$150.70
9/26/12	Alsco Nanaimo	030065	\$282.84
9/26/12	Andrew Sheret Ltd.	030066	\$420.21
9/26/12	Bailey Brian	030067	\$91.00
9/26/12	Baird, Laurie	030068	\$75.00
9/26/12	Bates Engineering-Consulting Engineering	030069	\$616.00
9/26/12	BFI Canada - Comox	030070	\$1,127.31
9/26/12	Bossom, Kevin	030071	\$39.00
9/26/12	BowRio Water Technologies Inc.	030072	\$10,517.92
9/26/12	Carmie's Café	030073	\$71.68
9/26/12	Carvello Law Corporation	030074	\$4,966.76
9/26/12	Catchpole Vicky	030075	\$250.00
9/26/12	Ces Contracting Ltd.	030076	\$800.00
9/26/12	Chung, Kathryn	030077	\$375.00
9/26/12	Clark Industries Ltd.	030078	\$400.00
9/26/12	Coastal Mountain Fuels	030079	\$1,402.10
9/26/12	Comox Pacific Express Ltd.	030080	\$161.28
9/26/12	Cousens Michelle	030081	\$58.00
9/26/12	Crisfield, Robert	030082	\$1,202.89
9/26/12	Cumberland Mini Mart	030083	\$9.98
9/26/12	Cupe Local 556	030084	\$797.78
9/26/12	Dawson Creek Moving & Storage Ltd.	030085	\$9,614.25
9/26/12	DPOC Neopost Canada Ltd	030086	\$193.70
9/26/12	Dueck, Mark	030087	\$183.00
9/26/12	Echo, Comox Valley	030088	\$277.54
9/26/12	Executive Intelligence	030089	\$1,680.00
9/26/12	F.A.S. Delivery Ltd.	030090	\$22.27
9/26/12	FORTISBC-Natural Gas	030092	\$590.41
9/26/12	Gagnier Livia	030093	\$272.00
9/26/12	Grey Rock Welding & Fab. Ltd.	030094	\$96.66
9/26/12	Greyhound Courier Express	030095	\$26.43
9/26/12	Grieve, Glen	030096	\$1,082.25
9/26/12	Guillevin International Co.	030097	\$268.80
9/26/12	Hanaton Industries dba West Brown Contracting	030098	\$400.00
9/26/12	Holm, Ian	030099	\$400.00
9/26/12	Hydro & Power Authority, BC	030100	\$10,428.14

Document Date	Vendor Name	Document Number	Document Amount
9/26/12	Island Coastal Developments Ltd.	030101	\$1,200.00
9/26/12	Jim & Don Investments Ltd.	030102	\$270.61
9/26/12	Journey Recycling	030103	\$25.20
9/26/12	Konica Minolta	030104	\$388.16
9/26/12	Lacourse, Megan	030105	\$113.00
9/26/12	Lee Mac Electric Ltd.	030106	\$3,645.40
9/26/12	Lewis James	030107	\$400.00
9/26/12	Life and Casualty Company, BC	030108	\$2,388.67
9/26/12	Manara Mike	030109	\$50.00
9/26/12	Mason, Michelle	030110	\$1,525.00
9/26/12	Mastercard, Credit Union	030111	\$3,692.94
9/26/12	Mather Kenneth	030112	\$400.00
9/26/12	Midland Tools	030113	\$201.58
9/26/12	Monk Office	030114	\$431.18
9/26/12	Muchalaht Construction	030115	\$400.00
9/26/12	Mumby's Tree Services Ltd.	030116	\$134.40
9/26/12	Ocean Bay Developments	030117	\$800.00
9/26/12	Osten, Janet and Brian	030118	\$750.00
9/26/12	Pacific Blue Cross	030119	\$3,780.31
9/26/12	Planet Clean	030120	\$314.36
9/26/12	Purin, Paul	030121	\$200.00
9/26/12	Receiver General For Canada	030122	\$18,283.10
9/26/12	Regional District, Comox Valley	030123	\$4,786.25
9/26/12	Rideout Construction Ltd.	030124	\$922.41
9/26/12	Robannah Developments	030125	\$800.00
9/26/12	Robertson, Margaret	030126	\$398.63
9/26/12	Roffey, Sheri	030127	\$322.26
9/26/12	Rogers Communications Inc.	030128	\$134.83
9/26/12	RPM Sheet Metal	030129	\$400.00
9/26/12	Shaw Cablesystems G.P.	030130	\$319.98
9/26/12	Society of Landscape Architects, BC	030131	\$75.00
9/26/12	Sun Coast Waste Services	030132	\$11,416.16
9/26/12	Telus Communications	030133	\$308.91
9/26/12	Tom Cat Holdings Ltd.	030134	\$1,200.00
9/26/12	Tran Sign (1999) Ltd.	030135	\$108.26
9/26/12	Van Houtte Coffee Services	030136	\$238.97
9/26/12	Vega Flory Francia	030137	\$150.00
9/26/12	Vranjes, David	030138	\$136.00
9/26/12	WESTVIEW FORD	030139	\$50.79
9/26/12	WFR Wholesale Fire & Rescue Ltd.	030140	\$598.39
9/26/12	Woods Todd	030141	\$400.00
9/27/12	Hydro, BC	030142	\$7,932.96
9/14/12	Municipal Pension Plan	CASH	\$7,288.18
9/28/12	Municipal Pension Plan	CASH	\$8,240.08
9/28/12	Municipal Finance Authority	CASH	\$2,438.74
9/28/12	Municipal Finance Authority	CASH	\$2,119.50
9/28/12	Municipal Finance Authority	CASH	\$1,053.12

Document Date	Vendor Name	Document Number	Document Amount
9/28/12	Municipal Finance Authority	CASH	\$873.72
9/28/12	Municipal Finance Authority	CASH	\$869.06
9/28/12	Municipal Finance Authority	CASH	\$867.83
9/28/12	Municipal Finance Authority	CASH	\$662.04
9/28/12	Municipal Finance Authority	CASH	\$617.83
9/28/12	Municipal Finance Authority	CASH	\$525.29
9/28/12	Municipal Finance Authority	CASH	\$227.57
Total			<u><u>\$307,746.61</u></u>

2012 OUTSTANDING ACTION ITEMS

October 16, 2012

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 th , 2012 to December 31 st , 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	Complete
12.111	THAT staff review Development Cost Charge Bylaw No. 934 in 2012 and include 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.	Bob	In Process
12.113	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	Bob	Smoke Testing Ongoing

- 63 -

Item 6.9

	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.		
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March 12, 2012

12.186	(i) THAT one committee and two commissions be formed including: • Parks Advisory Committee • Advisory Planning Commission • Heritage Commission; (ii) THAT the terms of reference and the relevant bylaws be brought forward to Council for consideration; and (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"	Judy Rachel	In Process
12.192	THAT Staff research whether Development Cost Charge fees are available and can be used to extend the sidewalk up Third Street to Kendal Avenue.	Rob	Complete
12.201 4 -	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.	Bob & Sundance	In Process

March 26, 2012

12.218	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 th , 2012 Liquid Waste Management Plan Status Update report prepared by Bob Hoffstrom, P.Eng., Village Engineer & Dan Hooper, P.Eng., McElhanney Consulting and report back to the Steering Committee.	Rob	In Process
12.222	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.	Rachel	Nov 2012
12.223	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.	Rachel	Nov 2012

12.226	THAT staff research and report back to Council on the possibility of parking fees at Cumberland Lake Park and Cumberland Recreation Institute.	Rob & Rachel	In Process
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April 10, 2012

12.248	THAT Staff bring forward a Smoke Free Outdoor Public Place Bylaw for outside municipal buildings.	Rachel	In Process
12.281	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.	Sundance Rob	In Process To be considered at Subdivision

April 23, 2012

12.291	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.	Sundance	In Process until financing and governance issues resolved
12.292	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: “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 20th, 2012 Liquid Waste Management Plan Status Update report prepared by Bob Hoffstrom, P.Eng., Village Engineer & Dan Hooper, P.Eng., McElhanney Consulting and report back to the Steering Committee.”	Sundance	Oct 2012 Council
12.305	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	Michelle Rachel	2013 Schedule

	spring and end earlier in the fall, with no net cost increase.		
12.309	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			
12.330	THAT Council put in a table to the Rotary Club of Cumberland Centennial <i>Meet Your Community</i> event on September 15, 2012 to showcase who we are, what we're all about and how to participate.	Rachel	Complete
12.335	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
12.351	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.
12.355	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 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; 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; 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; AND THAT the financial plan bylaw be amended to reflect the changes.	Sundance Michelle Michelle	Complete In Process Nov 2012
12.379	THAT Council request funding from the Province to assist with compliance to the Comox Valley Regional Growth Strategy.	Rachel	In Process
12.392	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

12.406	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
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June 25, 2012

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

July 9, 2012

12.491	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.	Rob/Judy	Fall 2012
12.495 - 67 -	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 (10.8feet).	Jo	Complete
12.497	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	Complete
12.509	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
12.512	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

July 23, 2012

12.536	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.	Judy	In Process
12.539	THAT Council appoint Councillor Greening to the Heritage Commission; and direct staff to	Rachel	In Process

	advertise for Commission members from the community at large.		
12.541	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.	Rachel	Complete

August 13, 2012

12.554	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.	Rob	Complete
12.558	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.	Jo	Complete
12.560	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;	Jo	Complete
12.560	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.	Jo	In Process
12.562	THAT Council participate in the Comox Valley Regional District organics composting pilot project.	Judy	In Process
12.564	THAT Council direct staff to respond 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.	Judy	Complete
12.568	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	Rachel	Complete

	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.		
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September 10 2012

12.581	SPROULE/GREENING THAT Council direct staff to provide a report on the concept of green burials at the Cumberland Cemetery.	Rachel	Spring 2013
12.583	THAT Council respond to Inspector McDonald, Comox Valley RCMP, and advise that the Village of Cumberland will continue to receive referrals for special occasion liquor licences for public events.	Rachel	Complete
12.586	THAT Council approve the road closure of First Street from Dunsmuir Avenue to Penrith Avenue on Saturday, October 6, 2012 from 9 a.m. to 5 p.m. for the Cumberland Chamber of Commerce, Foggy Mountain Fall Fair.	Trisha	Complete
12.588	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)' with the inclusion of cultural policy, landfill, and minimum five stage public consultation, specifically public consultation before the public hearing in Phase 3.	Judy	Complete
12.590	THAT Council approve the Telus box painting project and approve the submitted designs for painting 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.	Rachel	In Process
12.592	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.	Rob & Rachel	Complete

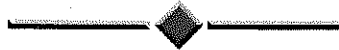
12.594	THAT Council approve the expenditure of \$1,200 from the Council public relations account to cover costs including receiving, agent, discharge and storage fees for the gift log to Putian, People's Republic of China.	Rachel	Complete
12.596	THAT, conditional on Coal Valley Estates Limited Partnership 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.	Sundance	Complete
12.608	THAT Council direct staff to refer the correspondence from Frances Forgues, Residents, regarding Maple Lake Park proposal, dated August 24, 2012 to the Parks staff.	Rachel	Complete

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

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: 1st and 2nd readings

COUNCIL: **Date:** October 9, 2012
 Decision: 3rd reading

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:

PART A ADMINISTRATION

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 though 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
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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.
DESIGN STAGE APPROVAL (DSA)	means when the Village has approved the design of the works and services and is permitting construction to begin.
FINAL APPROVAL	means that all major works and services as described in the <i>Design Stage Approval</i> have been completed and approved, the subdivision may be registered, and the maintenance period begins.
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 such as but not limited to 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 such as permeable pavements, rock pits and other catch basins and detention ponds; d) conserve water such as low flow fixtures and systems for water reclamation and redistribution such as greywater systems; e) utilize alternative energy sources such as 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.
MAINTENANCE AGREEMENT	means an agreement that covers the installed/constructed works for the period of time between <i>Construction Completion Certificate</i> and <i>Acceptance Certificate</i> .
MMCD	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.
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.
PARTIAL CONSTRUCTION COMPLETION CERTIFICATE	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.

PRELIMINARY LAYOUT REVIEW (PLR)	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 <i>Engineers and Geoscientists Act</i> .
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

READ A FIRST TIME THIS	10TH	DAY OF	SEPTEMBER,	2012.
READ A SECOND TIME THIS	10TH	DAY OF	SEPTEMBER,	2012.
READ A THIRD TIME THIS	9TH	DAY OF	OCTOBER,	2012.
ADOPTED THIS		DAY OF		2012.

Mayor

Corporate Officer

Schedule A

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 Plan¹, 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.

¹ 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

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- 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.

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- 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 Stage Approval.
- 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

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- 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.
- xv) Two paper prints of all statutory SRW's, easements, charged to the Village in addition to the documents required by Land Titles Office.
- xvi) One paper copy of all right-of-way's, easements, (for gas, hydro, telephone, cable, etc.) for the proposed subdivision.
- xvii) Copy of all agreements and documents, including statutory right-of-ways, covenants, agreements.
- 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
 - 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 in accordance with the requirements of the *Land Title Act*.

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- f) Required documents shall be prepared by a legal representative.

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 Acceptance Certificate. 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.

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- 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 all 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. ACCEPTANCE CERTIFICATE

The AO will issue Acceptance Certificate 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 Acceptance Certificate, 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-1

Subdivision Fees

	CONVENTIONAL OR STRATA	CONSOLIDATION OR LOT LINE ADJUSTMENT	PLR EXTENSION	PLR AMENDMENT	STRATA CONVERSIONS
APPLICATION FEE	\$2,200⬢ plus \$120 per unit/lot proposed	\$1,000⬢	\$250⬢	\$500⬢	\$1,000⬢
⬢Plus Peer Review Fee					
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.					
Calculation of the Peer Review fee:					
The fee shall be the total of:	4.5%	of the works valued by the RP to be valued at:	First \$10,001 to \$500,000; plus		
	2.5%		\$500,001 to \$999,999; plus		
	1.5%		\$1,000,000 or more		
⬢ Plus 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.					
⬢ Plus additional administration fee of 10% of total Peer Review Fee paid to cover cost of managing account for the applicant.					
Inspection fee beyond the first two inspections: \$300 each upon application for any additional Final Approval and Acceptance Inspections required.					
SITE PROFILE	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.				
	\$100				
REFUND OF APPLICATION FEE	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.

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- 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 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.

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.

9. 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.

10. 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 Acceptance Certificate. The maintenance period shall be 365 days unless otherwise determined by the AO.

Schedule B

- 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 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. ACCEPTANCE CERTIFICATE

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

Schedule B-I

Fees

Description	Fee
Permit to do Works within a Street Right-of-Way	\$2500
✱Plus 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.	
Extension to application	\$100 per extension request
Renewal to permit	\$100
Amendment to permit	\$100
Refunds of application fees	None
✱ Plus additional administration fee of 10% of total Peer Review Fee paid to cover cost of managing account for the applicant.	

Schedule C

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 100.0metres² (1,076.4feet²);
- 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

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- 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, and this 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 licenses 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.

Schedule C

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 at Design Stage Approval.
 - 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 of shall commence upon the date of the Construction Completion Certificate, and shall terminate upon the date of the Acceptance Certificate. 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. ACCEPTANCE CERTIFICATE

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

Schedule C-1

Development Offsite Works and Services Fees

APPLICATION FEE	\$500
✱ Plus PEER REVIEW FEE	
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.	
INSPECTION FEE BEYOND THE FIRST TWO INSPECTIONS:	\$100 upon application for any additional Final Approval and Acceptance Inspections required.
✱ Plus additional administration fee of 10% of total Peer Review Fee paid to cover cost of managing account for the applicant.	

Schedule D

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.

Schedule D

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 watermain 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;

Schedule D

- 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;

Schedule D

- 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"

Schedule D

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 (SEI) according to Provincial 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.

Schedule D

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 road works, 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 drainage, 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.

Schedule D

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 as well as 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 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.

Schedule D

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.

Schedule D

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;

Schedule D

- b) Proposed slopes steeper than 3:1 to be indicated with slope direction arrow and 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.

Schedule E

**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.

Schedule G

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 which 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 as 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 will be 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 with 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.

Schedule G

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.

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

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.



COUNCIL:	Date:	May 28, 2012
	Decision:	Received for information only.
COUNCIL:	Date:	June 11, 2012
	Decision:	Refer to Committee of the Whole on July 16, 2012.
COMMITTEE OF THE WHOLE:	Date:	July 16, 2012
	Decision:	Discussion, minor amendments
COUNCIL:	Date:	September 10, 2012
	Decision:	1 st & 2 nd readings
COUNCIL:	Date:	October 9, 2012
	Decision:	3 rd reading
COUNCIL:	Date:	October 22, 2012
	Decision:	

CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 949

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

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

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

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

PART A ADMINISTRATION

1. **Title**

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

2. **Application**

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

3. **Purpose of Bylaw**

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

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

4. Severability

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

5. Penalties and Enforcement

- a) Every person who contravenes any provision of this Bylaw 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.

PART B DEFINITIONS

For the purpose of this Bylaw, the following definitions apply. The context meaning of terms contained in this Bylaw and not defined herein, are to be determined in accordance with firstly, the British Columbia Building Code 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 <i>British Columbia Building Code 2006</i> as adopted by the Minister pursuant to the <i>Local Government Act</i> , 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 600metre² 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 ² (161.5feet ²) in area or a depth of 0.5metres (1.6feet).
FLOOD CONSTRUCTION LEVEL	<i>See the 'Village of Cumberland Floodplain Management Bylaw No. 962, 2012"</i>
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 ² or a depth exceeding 0.5metres.
REGISTERED PROFESSIONAL	means a person who is registered or licensed to practice as an: a) architect under the <i>Architects Act</i>; or b) professional engineer under the <i>Engineers and Geoscientists Act</i>.
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 600metres² and used for major occupancies classified as: a) residential; b) professional and personal services; c) commercial; and d) medium and low hazard industrial.

- STRUCTURE** means 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 equal to or 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.

PART C GENERAL REGULATIONS
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1. Permit Conditions

- a) A Permit is required whenever activity regulated under this Bylaw is to be undertaken.
- b) It is the full and sole responsibility of the Owner to carry out the activity in respect of which the Permit was issued, in compliance with the BCBC, this Bylaw, and any other applicable enactments respecting safety.
- c) No person shall rely upon any Permit as establishing compliance with this Bylaw or assume or conclude that this Bylaw has been administered or enforced according to its terms. The person to whom the Permit is issued and his representatives are responsible for making such determination.

2. Scope and Exemptions

- a) This Bylaw applies to the design, construction and occupancy of new buildings and structures, and the alteration, reconstruction, demolition, deconstruction, removal, relocation, occupancy, and change of occupancy of existing buildings and structures.
- b) This Bylaw does not apply to:
 - i) building or structures exempted by Part 1 of the BCBC;
 - ii) accessory buildings less than 10.0metres² in building area that do not create a hazard;
 - iii) retaining structures less than 1.2metres (3.9feet) in height unless otherwise determined by the Building Inspector to be in accordance with 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.

Table 14.1	
DESCRIPTION	TRANSFER FEE
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		
1.	Building Permits for construction with an estimated value of									
	a)	Equal to or less than \$10,000	\$50 ^{1,2}	0.6% of the estimated value of construction ^{3,4}	Nil		\$100	\$100		
	b)	Greater than \$10,000 but not exceeding \$100,000	\$150 ^{1,2}		\$250		\$100	\$100		
	c)	Greater than \$100,000 but not exceeding \$250,000	\$250 ^{1,2}		\$1,500		\$100	\$100		
	d)	Greater than \$250,000	\$500 ^{1,2}		\$3,000		\$150	\$250		
2.	Plumbing									
	a)	Complex buildings	\$150 ^{1,2}	\$100 + \$10/fixture ^{3,4}	None	● Permit Processing Fee is non-refundable. ● Permit Fees less than 10% after permit has been issued. No refund after construction has commenced ● Damage Deposit refundable per Part C, section 14(c). ● No refund of extensions request or revision /amendment fees	\$75	\$100		
	b)	Standard buildings	\$100 ^{1,2}	\$50 + \$5/fixture ^{3,4}	None		\$50	\$75		
3.	Other Permits									
	a)	Excavation	\$100 ^{1,2}	\$100 ^{3,4}	\$5,000	● Permit Processing Fee is non-refundable. ● Permit Fees less than 10% after permit has been issued. No refund after construction has commenced ● Damage Deposit refundable per Part C, section 14(c). ● No refund of extensions request or revision /amendment fees	\$50	\$50		
	b)	Demolition/Deconstruction	\$100 ^{1,2}	\$100 ^{3,4}	\$1,500		\$50	\$50		
	c)	Change of Occupancy (Use)	\$100 ^{1,2}	\$100 ^{3,4}	None		None	None		
	d)	Wood-burning appliances and chimneys	\$50 ^{1,2}	\$50 ^{3,4}	None		\$25	\$25		
	e) Fire Suppression – Automatic Sprinkler System									
		i)	Complex Structures	\$150 ^{1,2}	\$100 + \$10/fixture ^{3,4}		None	\$50	\$50	
		ii)	Standard Buildings	\$100 ^{1,2}	\$50 + \$5/fixture ^{3,4}		None	\$25	\$25	
	f) In-Ground Sprinkler System									
		ii)	Accessory to Complex Building	\$100 ^{1,2}	\$75 + \$10/fixture ^{3,4}		None	\$50	\$50	
		iii)	Accessory to Standard Building	\$50 ^{1,2}	\$25 + \$5/fixture ^{3,4}		None	\$25	\$25	
	g) Moving Buildings & Structures with a GFA of:									
		i)	Equal to or less than 50.0m ²	\$100 ^{1,2}	\$100 ^{3,4}		\$2,500		\$75	\$100
		ii)	Equal to or more than 50.0m ² but less than 100m ²	\$150 ^{1,2}	\$200 ^{3,4}		\$5,000		\$100	\$125
		iii)	Equal to or more than 100.0m ²	\$250 ^{1,2}	\$300 ^{3,4}		\$10,000		\$125	\$150
4.	Re-inspection or Special Inspections									
	a)	Complex Building	Not applicable	\$250	None	None	None	None		
	b)	Standard Building	Not applicable	\$100	None	None	None	None		

Notes (may not be applicable to all Permits)

1 The permit processing fee is doubled for carrying on work without a valid permit

2 If a Stop Work Order is issued and remains outstanding for 30 days, an additional charge equal to 25% of the Permit fee will be charged

3 **Plus** a fee to reimburse the Village (at cost) for retrieval of existing titles, SRW, RW, covenants and easements, etc. will be required

4 **Plus** Peer Review fee

i) Other Fees:

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

Table 14.3 - OTHER FEES		
i)	Rescind a Stop Work or Do Not Occupy notice	\$100
ii)	Document Retrieval	
	1) Title Search: — 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)	Archives Research:	
	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 Geodetic Datum where applicable; and
 - vii) the height of the building or structure from the natural grade to the highest part of the building or structure.
- b) The Building Official may waive the requirements for a survey certificate of location, in whole or in part, where:
- i) the Building Permit is issued for the internal repair and/or alteration of an existing building or structure where there no change to the footprint of the building or structure;
 - ii) the location of the subject building or structure is more than 1.0metre (3.3feet) from minimum property line setbacks or setbacks to natural boundary of any lake, wetland, pond or watercourse;
 - iii) the geodetic elevation of the underside of the floor system or the top of any pad supporting a building or structure is more than 1.0metre (3.3feet) above the established geodetic elevation related to minimum flood construction levels; or
 - iv) the height of the building or structure is less than 0.3metres (1.0foot) of the maximum permitted by Bylaw.

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								1/10 (kPa)	1/30 (kPa)	1/100 (kPa)	Z _a	Z _v	Zonal Velocity Ratio (v)
2.5% (°C)	1% (°C)	Dry (°C)	Wet (°C)					S _s	S _R						
-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 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 Manual¹

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.

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

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

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

Mayor

Corporate Officer

Corporation of the Village of Cumberland

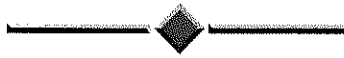
Development Procedures and Fees Amendment Bylaw No. **968**, 2012

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:	Discussion of cost, and public involvement.
COUNCIL:	Date:	October 8, 2012
	Decision:	1 st , 2 nd , & 3 rd reading
COUNCIL:	Date:	October 22, 2012
	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:

- a) 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.'
- b) The 'Corporation of the Village of Cumberland Development Procedures and Fees Bylaw No. 956, 2011' is amended as follows:
 - c) 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."
 - 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."
 - e) The bylaw is amended by the addition of Schedule I which is attached and forms part of this bylaw.

READ A FIRST TIME THIS	9TH	DAY OF	OCTOBER,	2012.
READ A SECOND TIME THIS	9TH	DAY OF	OCTOBER,	2012.
READ A THIRD TIME THIS	9TH	DAY OF	OCTOBER,	2012.
ADOPTED THIS		DAY OF		2012.

Mayor

Corporate Officer

Schedule A

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, 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 6.

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 6.

5. NEIGHBOURHOOD PUBLIC MEETING

The owner is required to hold a Neighbourhood Public Meeting (the “*meeting*”) prior to the first presentation of the application to Council. The *meeting* shall be held in a venue in the Village of Cumberland. The owner is required to prepare a summary of comments and/or concerns from the *meeting* and submit same to the Village in a timely manner in order that this information may be forwarded to Council.

6. NOTIFICATION

- a) The owner shall ensure that the notice of the *meeting* is placed in one edition of a local newspaper and mailed or otherwise delivered to adjacent landowners and occupiers of all properties within a 75.0 metre (246.0 feet) radius of the lot lines of the land involved under application at least 10 days before the *meeting*.

Schedule A

- b) The owner 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.
- c) The Village shall ensure notification that Council will be considering an application for a Heritage Alteration Permit be mailed or otherwise delivered to the owners and occupiers of all properties within a 75.0 metre (246.0 feet) radius of the lot lines of the land involved under application at least 10 days before consideration by Council.

7. FEES

There are no fees associated with this application.

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) **Elevation drawings**, in colour, which illustrate the changes to the outside of the building and includes a list of materials used.
- 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) The owner holds the required Neighbourhood Public Meeting.
- c) As required, the owner installs the Public Notice sign.
- d) The application will be referred to applicable internal departments and other agencies for comment, as required.
- e) A report is prepared for Council.

Schedule A

- f) Staff sends notification to adjacent landowners.
- g) Council upon considering the application may request additional information, grant the application, or may refer, table, or deny the application.
- h) 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.
- k) The owner removes the Public Notice sign.



Corporation of the
Village of Cumberland

**Heritage
Alteration Permit**

TO: *(insert owner name here)*

AGENT: *(insert agent name here if applicable)*

OF: *(insert address of owner here, as it appears on title)*

1. This Heritage Alteration Permit *(Insert file number here)* is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as specifically varied or supplemented by this permit for the purposes of *(insert purpose of HAP)*.

2. This Heritage Alteration Permit applies to and only to those lands within the Village of Cumberland described below, and any and all buildings, structures and other development thereon:

Legal Description: *(as it appears on title)*

Folio: 516 00000.000

PID: 000-000-000

Civic Address: *(address of property affected)*

3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit:

(Insert conditions as prescribed by Council)

4. This permit is **not** a building permit.

CERTIFIED as the **HERITAGE ALTERATION PERMIT** granted by resolution of the Council of the Corporation of the Village of Cumberland on the ____ day of ____, 20__ and issued on the ____ day of ____, 20__ *(the Council grants the permit, and senior staff shall issue the permit when all the conditions have been met. (such as the landscaping bond, etc)*

Corporate Officer

Fees Estimation

Heritage Alteration Permit - All				
1	Receipt of application, includes discussion with applicant	1.00	\$39.13	\$39.13
2	Preliminary review of application & site visit	1.00	\$39.13	\$39.13
3	Referrals to Other Agencies (as required) & DS meeting	0.50	\$39.13	\$19.56
4	junior planner	0.50	\$39.13	\$19.56
5	senior planner	0.50	\$43.70	\$21.85
6	development consultant	0.50	\$90.00	\$45.00
7	building inspector	0.50	\$35.00	\$17.50
8	public works foreman	0.50	\$43.46	\$21.73
9	Notice to adjacent neighbours prepared & sent	1.00	\$39.13	\$39.13
10	Preparation of Report to Council	2.00	\$39.13	\$78.25
11	Planner Attendance at Council	1.00	\$39.13	\$39.13
12	HAP Prepared & decision letter sent	0.50	\$39.13	\$19.56
14	Collection of conditions	2.00	\$39.13	\$78.25
15	Execution by Corporate Officer	0.25	\$70.00	\$17.50
18	HAP sent to LTO - file vetted and closed.	0.50	\$39.13	\$19.56
				\$514.83
	junior planner	\$31.30	\$39.13	
	senior planner	\$34.96	\$43.70	
	subdivision & development consultant	\$90.00	\$90.00	
	building inspector	\$35.00	\$35.00	
	public works foreman	\$34.77	\$43.46	
	administration	\$24.17	\$30.21	
	Senior Management	\$56.00	\$70.00	

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: 0.61m (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.

	Village of Cumberland
	Purpose of the Public Notice*
Address of Property Affected: _____	
Applicant: _____	
Brief description of the application and intentions.	
Plan of proposal with subject property high-lighted and street names legible.	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: planning@cumberland.ca

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

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	10TH	DAY OF	SEPTEMBER	2012.
READ A SECOND TIME THIS	9 TH	DAY OF	OCTOBER,	2012.
READ A THIRD TIME THIS	9 TH	DAY OF	OCTOBER,	2012.
ADOPTED THIS		DAY OF		2012.

Mayor

Corporate Officer

Rachel Parker

From: Leslie [leslie.baird.mayor@gmail.com]
Sent: Friday, September 28, 2012 8:32 AM
To: Rachel Parker
Subject: Fwd: BC Youth Parliament

Sent from my iPhone

Begin forwarded message:

From: Dora Turje <registrar@bcyp.org>
Date: 25 September, 2012 10:27:29 AM PDT
To: "Dora Turje, Registrar" <registrar@bcyp.org>
Subject: BC Youth Parliament

Re: British Columbia Youth Parliament, 84th Parliament

The British Columbia Youth Parliament's 84th Parliament will be held in Victoria at the Provincial Legislative Chambers from December 27 to 31, 2012. The Youth Parliament is a province-wide non-partisan organization for young people ages 16 to 21. It teaches citizenship skills through participation in the December parliamentary session and in community service activities throughout the year. **Youth Parliament is a one year commitment.**

I invite you to encourage eligible youth from your municipality or region to apply to sit as members of the Youth Parliament. Youth Parliament is non-partisan, and applicants need only be interested in learning more about the parliamentary process and in serving their community.

Soft copies of the application form, as well as a brochure and poster, are available from our website at www.bcyp.org/joinus.html. Your municipal office should also have received hard copy information earlier this month. I encourage you to make the application form and brochure available to interested young people and to make copies of the forms as needed. If your municipality sponsors a "youth of the year" award or has a municipal youth council, young people with that sort of initiative and involvement are ideal candidates for our organization.

All application forms must be received by October 23, 2012. Applicants will be notified whether they have been selected in early November. If you require more information, please contact me by telephone or e-mail as indicated below, or visit our website at www.bcyp.org.

Sincerely,

Dora Turje, Registrar
Youth Parliament of BC Alumni Society
Sponsoring the BC Youth Parliament

**CENTRAL SERVICES**

Box 3333 | 6250 Hammond Bay Road
 Nanaimo, BC Canada V9R 5N3
 Tel: 250.758.4697 Fax: 250.758.2482
 Email: info@virl.bc.ca Web: www.virl.bc.ca

October 5, 2012

Dear Trustees,

Now that the VIRL Board of Trustees has adopted the 2013 operating budget for Vancouver Island Regional Library, I thought it would be useful to provide all trustees with some additional information that will help you as you discuss the budget around your local government table and with your constituents.

As trustees for Vancouver Island Regional Library our role is to carry forward to our councils the collective decisions made around the VIRL Board table. The budget was passed on September 15th with overwhelming support. Thirty four of the thirty six trustees (94% approval) in attendance voted in favour. The following highlights of our budget discussion are worth repeating:

- Over the past five years, customers of Vancouver Island Regional Library have checked out 23% more books, DVDs, CDs and magazines from our branches. In tight economic times it's good to know that the local public library is a source of information and support for many people.
- We are in year three of a ten year Facilities Master Plan which showed us that while most of our branches are well located in their communities, the buildings are not large enough to meet what our customers expect of a modern library. In the past three years, new branches have opened in **Ucluelet, Bella Coola, Quadra and Gabriola Islands**. Branches in **Port Renfrew, Lake Cowichan, Cortes Island, Cumberland, and North Nanaimo** are on the list for 2013 and 2014 and well into the planning/implementation stage. **Sooke/Juan de Fuca** and **Chemainus** are in the planning stage while **Campbell River**, among others is also interested in a new branch. Other branches require "catch up" of deferred maintenance issues.
- VIRLs five year financial plan (2013-2017) builds on our five strategic priorities (collection, communications, facilities & operations, information technology, and quality service). The financial plan continues the Board's goal of creating a revitalized library service ready to meet the needs and expectations of our customers. The library of the 21st century must be relevant and responsive to ensure its continued success.

Strong Libraries ■ Strong Communities

Bella Coola Bowset Campbell River Chemainus Comox Cortes Island Courtenay Cowichan Cowichan Lake Cumberland
 Gabriola Island Gold River Hornby Island Ladysmith Masset Nanaimo Harbourfront Nanaimo Wellington Parksville
 Port Alberni Port Alice Port Clements Port Hardy Port McNeill Port Renfrew Quadra Island Qualicum Beach Queen Charlotte
 Sandspit Sayward Sidney/North Saanich Sointula Sooke South Cowichan Tahsis Tofino Ucluelet Union Bay Woss



CENTRAL SERVICES

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Tel: 250.758.4697 Fax: 250.758.2482
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- Our performance indicators truly tell our success story. The indicators for the library in your community are a great tool to help you illustrate to your fellow members of council the tangible benefits the library provides to your community.

Communities on Vancouver Island see the value of having a library as a vital part of their village, town and city. They see the value of strong library branches that are vital community destinations for knowledge, inspiration, innovation and renewal.

We have included additional information with this letter that highlights a number of valuable facts and statistics about Vancouver Island Regional Library. We hope this information helps to illustrate the benefit of our regional library system and the value it brings to our customers. We think it is important to share the message of success that is our regional library system and remind our customers that strong libraries mean strong communities.

Sincerely,

Ronna-Rae Leonard, Chair
Vancouver Island Regional Library Board of Trustees

Strong Libraries ■ Strong Communities

Bella Coola Bowser Campbell River Chemainuz Comox Cortes Island Courtenay Cowichan Cowichan Lake Cumberland
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Vancouver Island Regional Library Key Messages

Value of a library card

Membership has its privileges!

Public libraries provide educational and learning opportunities for a lifetime – from early literacy programs, summer reading and homework help for school-aged children, to adult literacy. Public libraries are perhaps the one remaining place where knowledge and opportunity can be freely accessed by anyone.

People are turning to Vancouver Island Regional Library for help, not just to borrow CDs, magazines and books, but to use the Internet to search for employment, to apply for jobs or government services, and a host of other tasks to better their lives.

While the population of our service area has increased 9% over the past five years, our customers have borrowed **23 % more** materials from their local library.

Materials you can borrow at your library include DVDs of movies and popular television series; the latest popular magazines, best sellers and books of every description!

Customers who live in a remote location within our service area can register for **Books By Mail** to borrow books, talking books, CDs and DVDs. Books By Mail customers can also call a librarian toll-free at 1-877-415-VIRL (8475) for help selecting materials and finding information.

The smartest card: your library card.

Ask a Librarian - by email, toll-free phone number or in-branch. Our librarians fielded over 150,000 questions in 2011.

"Google can bring you back 100,000 answers, a librarian can bring you back the right one." (Neil Gaiman)

What's happening in our branches?

Public libraries provide educational and learning opportunities for a lifetime – from early literacy programs, summer reading club and homework help for school-aged children, to adult literacy and author readings.

Strong Libraries ■ Strong Communities

Bella Coola Bowser Campbell River Chemainus Comox Cortes Island Courtenay Cowichan Cowichan Lake Cumberland
Gabriola Island Gold River Hornby Island Ladysmith Masset Nanaimo Harbourfront Nanaimo Wellington Parksville
Port Alberni Port Alice Port Clements Port Hardy Port McNeill Port Renfrew Quadra Island Qualicum Beach Queen Charlotte
Sandspit Sayward Sidney/North Saanich Sointula Sooke South Cowichan Tahsis Tofino Ucluelet Union Bay Woss

Public libraries are:

- busy gathering places
- a vital and relevant important resource for our information age
- accessible by everyone at no charge.

In 2011, over 48,000 people attended a program at their local library! We offer programs for every age including Summer Reading Club, early literacy programs, story times, eReader sessions and adult book clubs.

Our eLibrary Your Virtual Vancouver Island Regional Library

- www.virl.bc.ca is always open for business! Enjoy 24/7/365 remote access to our complete collection.
- Download the latest best sellers to your mobile device or borrow a **Kobo eReader** from the library!
- Borrow popular downloadable eBooks and eAudiobooks from **VIRL Library to Go**. Introduce your kids to **Tumblebooks**, an online collection of animated, talking picture books which teach kids the job of reading in a format they'll love.
- Access the entire catalogue of Sony Music Entertainment with **Freegal** and download tunes you can keep for free!
- Use our **VIRL Mobile app** (compatible with your Android device, iPhone, iPod touch and Ipad), to find titles, check availability, place holds and find eBooks and eAudiobooks. Read reviews of titles by other VIRL customers and browse bestsellers and new material. It's easy to get the information you need, anytime and anywhere!

We have a terrific selection of online resources that can be used anytime from the comfort of your home or office, or in the Library during our operating hours.

- Want to learn a new language? | **Mango Languages**
- Want to search your family tree? | **Ancestry Library Edition**
- Need tips on repairing your vehicle? | **Auto Repair Reference Centre**
- Interested in buying a property? | **BC Assessment**
- Want to check on the latest laws in BC? | **BC Laws**
- Looking to find rare and out of print books? | **Bookfinder**
- Ready for a "do it yourself" project? | **DIY Data**
- Searching for a job | **Finding a Job. Service Canada**
- Interested in the latest health information? | **Online Medical Library**



Cumberland LIBRARY BRANCH

SERVICE AREA

Cumberland Branch serves the Village of Cumberland and surrounding areas.

HOURS & LOCATION

2724 Dunsmuir Street
Cumberland, BC V0R 1S0

Library Manager: Stephen R. Warren

General Inquiries: 250.336.8121

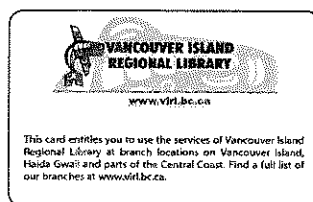
- ▶ Monday: Closed
- ▶ Tuesday: 10am – 12pm & 1pm – 5pm
- ▶ Wednesday: Closed
- ▶ Thursday: 10am – 12pm & 1pm – 6pm
- ▶ Friday: 10am – 12pm & 1pm – 5pm
- ▶ Saturday: 1pm – 5pm
- ▶ Sunday: Closed

FACTS & FIGURES 2011

- ▶ Visitors: 20,819
- ▶ Virtual visitors:
- ▶ Number of people using computers: 1,873
- ▶ Registered borrowers: 1,056
- ▶ Number of programs: 5
- ▶ Number of program attendees: 89
- ▶ Number of items borrowed: 33,536

Who has a library card?

33.4% of the population served by the Cumberland Branch have a library card.



Highlights

- ▶ Value of a library card: \$968.61
- ▶ Direct cost per library use: \$1.94
- ▶ Items borrowed per capita: 10.61
- ▶ Items borrowed per user: 31.76

Updated: March 21, 2012

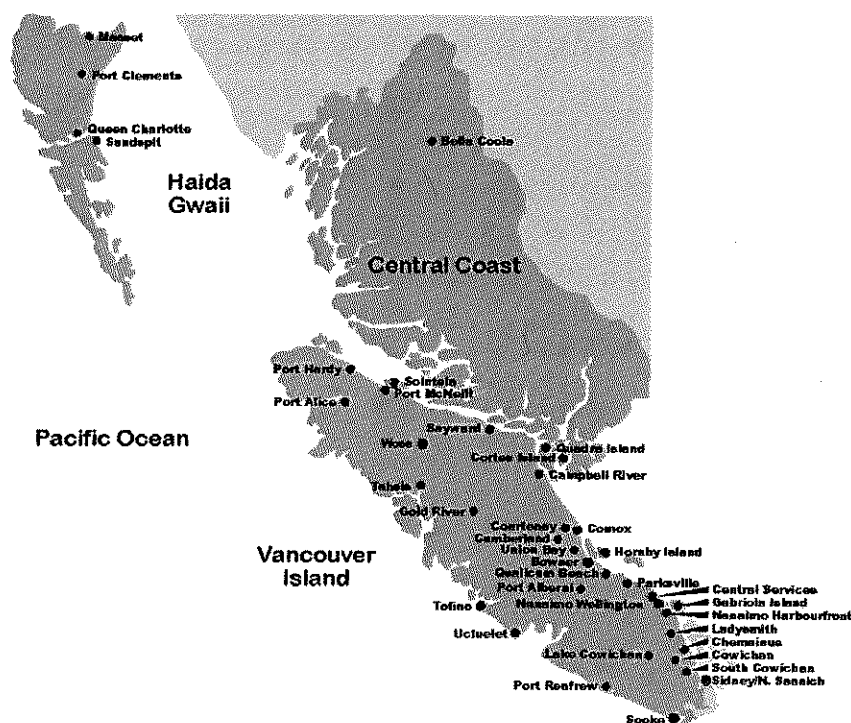
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Vancouver Island Regional Library

SERVICE AREA

38 branches serving over 425,000 people in communities on Vancouver Island, Haida Gwaii and the Central Coast (Bella Coola).



2011 FACTS & FIGURES

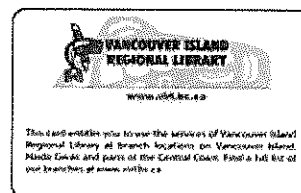
- ▶ Visitors: 2,784,059
- ▶ Number of people using computers: 385,592
- ▶ Registered borrowers: 161,944¹
- ▶ Number of programs: 2,371
- ▶ Number of program attendees: 48,363
- ▶ Number of items borrowed: 4,974,822²

HIGHLIGHTS

- ▶ Value of a library card per borrower: \$932.82³
- ▶ Direct cost per library use: \$1.90
- ▶ Value per capita: \$367.93⁴
- ▶ Items borrowed per capita: 12.06
- ▶ Items borrowed per user: 33.58
- ▶ Average total cost per capita: \$37.57⁵

Who has a library card?

39.4% of the population served by Vancouver Island Regional Library have a library card.



- 1: includes 618 Books by Mail customers
- 2: excludes 432,473 online renewals
- 3: based on average cost of books and registered borrower usage
- 4: estimated based on branch cost and total population usage
- 5: based on actual budget levy

Updated: September 26, 2012

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Royal Canadian
Mounted Police

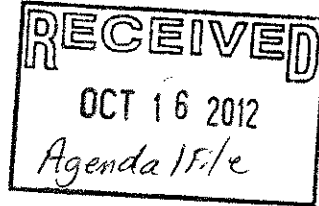
Gendarmerie royale
du Canada

Item 8.3
Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

Officer in Charge
Comox Valley Detachment
800 Ryan Road
Courtenay, BC V9N 7T1

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



Your File - Votre référence

Our File - Notre référence

302-2

Date

October 9th, 2012

Dear Mayor and Council:

Re: Comox Valley RCMP Monthly Policing Report - September, 2012

The following is a brief overview of some of the more significant events and activities of the Comox Valley Detachment for the month of September, 2012.

- With the beginning of the 2012 school year, member of the Comox Valley RCMP Detachment have been actively conducting traffic enforcement in key areas around the area, specifically concentrating on school zones. Speeding in and around school zones remains a priority for the detachment traffic section. Another of the priorities continues to be distracted driving enforcement and education. To date in 2012 there have been 180 violation tickets issued for Using Electronic Devices While Driving. Even with the penalty of \$167, some drivers continue to talk or text on their cell phones.
- The renovations to the Comox Valley RCMP Detachment cell block are substantially completed. The renovations were conducted in two phases so as to minimize disruptions to the daily operations of the cell block area. The renovations made improvements in several key aspects of cell block operation and should provide a much needed upgrade to the entire area.
- The Comox Valley Detachment Auxiliary program continues to provide an excellent service to the detachment and the Comox Valley. Auxiliary Constables continue to provide countless volunteer hours in areas such as accompanying regular members during their patrols, school education programs, crime

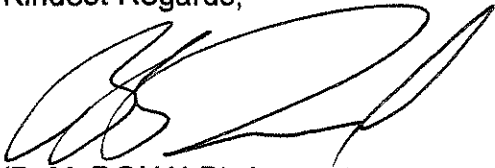
Canada

RCMP GRC 2823 (2002-11) WPT

prevention education and other duties. To date in 2012, the Auxiliary Constables have contributed over 3000 hours of volunteer time to the community.

Should you wish to discuss this report or any other matter, please feel free to contact me.

Kindest Regards;

A handwritten signature in black ink, appearing to be 'B. McDonald', written in a cursive style.

(B. McDONALD), Inspector
Officer in Charge
Comox Valley RCMP Detachment

Trisha Stockand

From: Island Corridor Foundation [islandrail@shaw.ca]
Sent: Thursday, October 11, 2012 11:31 AM
To: islandrail@shaw.ca
Subject: Regional District Funding Contribution Info Package
Attachments: Regional Districts Asked to Support Their Railroad.docx; ICF Regional District Project Profile.pdf

Mayors and Councils:

The Island Corridor Foundation has made formal request to our five (5) regional district ICF members for \$3.2M of bridge and trestle funding.

The attached press release and backgrounder gives a good description of the benefits for Islanders.

More detailed information is available either from your regional district or the ICF.

As you will see the regional funding is critical to sustaining a rail service on Vancouver Island.

Although this is not a lot of money this is a major decision for the people of Vancouver Island. The significance of your decision is far greater than the monetary contribution.

The ICF is appreciative of your commitment to taxpayers and prudent use of their tax dollars.

Graham Bruce
Chief Operating Officer
Island Corridor Foundation
250 754 7254 Office
250 246 4320 Direct
islandrail@shaw.ca

PRESS RELEASE

October 10th 2012

Regional Districts Requested to Support Railroad

The five regional district members of the Island Corridor Foundation are being asked to contribute \$3.2 million for the structural repairs to the 48 bridges between Victoria and Courtenay. Last spring the ICF secured \$15 million in federal and provincial funding for railroad infrastructure as part of the plan to rebuild the Island railway.

The improvements provide an incremental approach to restoring and expanding passenger and freight service on Vancouver Island. The incremental plan resulted from a ministry of transportation study in 2010.

Mary Ashley, co-chair of the ICF said the regional contribution is essential to keeping rail services operational and providing for an alternate mode of transportation.

"Without the regional participation it is likely we will lose the federal/provincial funding, our rail operator and a functional railroad. That would be too bad when we are this close to giving rail a real chance to prove its value to the people of Vancouver Island", she said.

The re-establishment of a viable rail service has been a priority for Island communities since 2004 – when Regional Districts, municipalities and First Nations first rallied together to save the railway from closure.

Forming the Island Corridor Foundation and acquiring ownership of the railway was the first step. Partnering with a successful rail operator was the second and the third step is the incremental rebuilding of the railway to restore passenger service and expand freight service.

Ashley said the \$3.2 million would represent \$0.43 per \$100,000 of assessment, "As an example the cost for a \$400,000 property would be \$1.72 per year for five years". Ashley added this is a one-time request.

The improved railroad will allow for a new train service agreement to be negotiated with VIA Rail. Improvements including upgraded passenger cars and scheduling changes to provide an additional early morning southbound commuter run from Nanaimo to Victoria and an additional early evening run returning to Nanaimo from Victoria.

Co-chair Judith Sayers said this request was likely to garner lots of discussion as all requests for money do, "however from the very beginning when Islanders came together to save the rail corridor the regional districts came to the table as partners".

"We are asking them as partners to contribute to something that is vital to the continuation of viable forms of transportation that will help the Island economy. What's needed now is commitment and action".

Sayers encouraged people to support this request by writing to their regional district. Additional information and addresses can be found on the ICF website, www.islandcorridor.ca

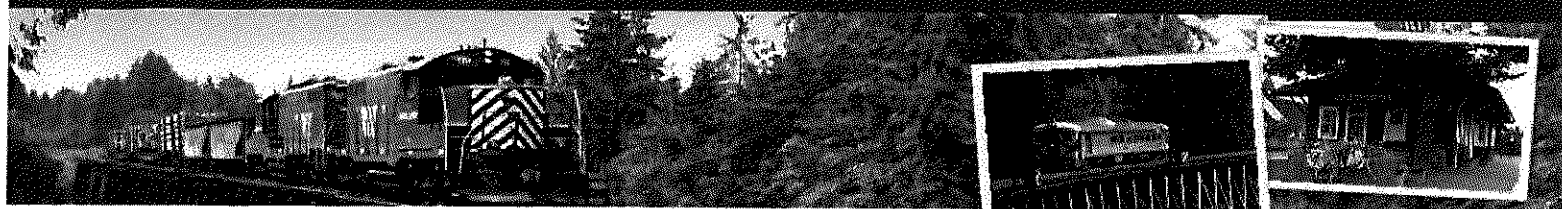
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Media contact:
Graham Bruce
250 246 4320
250 210 0411



Island Corridor Foundation

Making Vancouver Island Rail a Reality



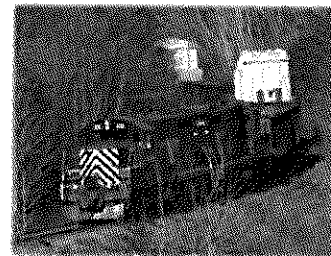
Towards Restoration – your contribution will make rail service a reality.

The re-establishment of a viable rail service on the Vancouver Island Railway has been a priority for Island communities since 2004 – when Regional Districts, municipalities and First Nations first rallied together to save the railway from closure. Forming the Island Corridor Foundation and acquiring ownership of the railway was the first step in the process. Partnering with a successful rail operator was the second (Southern Railway of British Columbia). The third step, which will make rail service a reality, is the incremental rebuilding of the railway to restore passenger service and expand freight service.

Detailed studies have identified the need for approximately \$20.9 million worth of incremental upgrades to restore service for a minimum of ten years. The ICF has worked tirelessly to build a strong business case and attract investment. These efforts have been tremendously successful - the provincial and federal governments have confirmed a combined total of \$15million in funding.

This has substantially reduced the amount of funding required from member Regional Districts to just 15% of the total project cost, or \$3.2 million. Shared by all five member Regional Districts, the cost to taxpayers (based on assessment) would be approximately \$0.43 per \$100,000 of assessed value. For example, the cost for a property worth \$400,000 would be around \$1.72 per year, for five years.

This investment is critical to the future of rail service on Vancouver Island. Without it, the provincial/federal funding will be lost, and the future of the Vancouver Island railway will be in jeopardy.



Your Railway, Your Decision It's Now Up to You

Vancouver Island Railroad Infrastructure Project (Phase 1)

Funding Sources

Government of Canada	\$7.5 million
Province of BC	\$7.5 million
Southern Railway of Vancouver Island	\$500,000
ICF Loan / Fundraiser	\$2.2 million

Member Community

(Regional Districts') Contribution **\$3.2 million (required)**

TOTAL PROJECT COST **\$20.9 million**

Related benefits:

- ✓ 25-year operating agreement / \$70 million value.
- ✓ First Nation Railway Trackman training and employment program.
- ✓ First Nation Conductor/Engineer scholarship program.

Vancouver Island Railway

A \$366 million historic asset that **belongs to you** – the Island communities located within the following five Regional Districts that participate in shared ownership along with 13 First Nations communities:

- Alberni-Clayoquot
- Capital Region
- Comox Valley
- Cowichan Valley
- Nanaimo

The provincial and federal governments have generously committed \$15million to repair your railway. This transportation corridor travels right through Vancouver Island's most populated areas – bustling regions that are currently lacking an efficient alternative for transporting both people and goods. This is a one-time funding request to rebuild the railway and make sure your community's efforts to acquire it ultimately pay off.

How Will Island Communities Benefit?

The Island Corridor Foundation entered into a contract for operation of the rail system with Southern Railway of British Columbia (SRY). The ICF and SRY's Island subsidiary (Southern Railway of Vancouver Island, or SVI) have completed a draft 25-year operating agreement, which can be finalized in conjunction with the funding approval for the member communities' portion of the project. This long-term agreement will result in numerous benefits for Island communities, including:

Job Creation & Spending

- the proposed project will generate almost \$20 million in construction spending, creating an estimated 164 jobs, along with \$7.7 million in wages and salaries;
- In the longer term, an estimated 15 to 30 full-time positions will be saved and/or created within SVI's operations/maintenance department.
- Upon project completion, SVI will inject approximately \$42 million over 10 years into the Island economy for wages, salaries, goods and services.

Restored Passenger Rail Service

- A new agreement to be negotiated with VIA Rail will provide for restored passenger service between Victoria and Courtenay. Improvements including upgraded rail cars and scheduling changes to provide an additional early morning southbound commuter run from Nanaimo to Victoria, and an additional early evening run returning to Nanaimo from Victoria.

Expanded Marketplaces for Island-Produced Goods

The delivery of locally-produced goods to market in a timely and cost-effective manner plays a critical role in the Island's economy. The project will set the stage for expanded freight service.

- Seamless transfers through the new SRY-owned Annacis Island Marine Terminal will connect Island industries to four "Class 1" railroads and North American markets.
- Upgraded infrastructure and efficient access to expanded marketplaces will support growth in several key sectors, including forestry, agriculture, animal feed, propane, fuel products and concrete. It will also enable SVI to aggressively attract new freight business – target markets include aggregate, coal, and manufactured forest products.

Environment

Rail is rapidly being accepted across North America as the green transportation alternative. Trains account for far fewer emissions than other forms of transport and are, on average, three times more fuel-efficient than truck transport. Improved passenger service for residents commuting to the Capital Regional District will remove even more vehicle traffic. This will reduce GHG emissions, alleviate congestion and improve road safety. It will also provide an important transportation alternative linking the central, south and north Island regions.

First Nations Socio-Economic Benefits

The ICF, in partnership with SVI, has initiated two innovative project-related employment programs, both of which are specifically designed to facilitate permanent, full-time employment opportunities for members of Vancouver Island's First Nations communities. They include a Railway Trackman training & employment program, as well as a conductor/engineer scholarship program.

"We have not come this far, worked this hard and achieved this much to walk away from the Railway at this critical time. As the owners of this multi-million dollar asset, we must recognize the enormous value of this one-time, \$15million gift from the federal and provincial governments, and take immediate action to ensure this opportunity is not lost."



Dear Mayor and Council:

RECEIVED
OCT 16 2012

British Columbia has a rich history of military service and sacrifice. Young men and women from all corners of the province enlisted when called upon, and every community suffered losses. Among the many thousands who have served, close to 10,000 soldiers never came home, many buried overseas, at or near the place of their final battle. Lost was the opportunity to have children, grandchildren, to live a full life. The Canadian Fallen Heroes Foundation is a charitable organization committed to honouring each of our fallen soldiers through our Memorial campaign.

The Memorials testify to the sacrifice made by citizens of various communities and Municipalities throughout the province. The memorials feature a photograph, brief biography including military service details, age and date of death, and relevant historical information.

Once complete these Memorials are grouped by home community and will provide an opportunity to see the faces and read the stories behind those who died in service. Our list of soldiers to be memorialized this year from Cumberland include Gary Columbo and Ian De Witt. Enlistment records often make reference to more than one community and make placement difficult. If there are soldiers from the local honour roll or cenotaph that are not included in this list please let us know so that our records can be updated and we can begin the required research.

We are posting all soldiers from the province on www.canadianfallenheroes.com where they can be found under virtual Memorial and can be searched by name, home town or province. If the Council would like to commission Memorials for soldiers from the area a Memorial is placed with each \$50.00 donation and all donors will receive an official tax receipt.

Thank you very much for your time and consideration, should you have any questions please feel free to call me @ 250-367-2236 .

Regards,

Toni Hall

Box 293, Fruitvale, BC V0G 1L0

British Columbia Project Manager

Canadian Fallen Heroes Foundation

CHARITY TAX # 86563 9447 RR0001