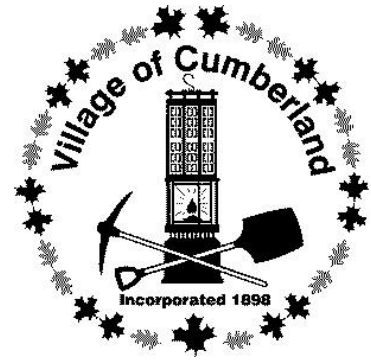


# REGULAR AGENDA

25/2014/R



## The Corporation of the Village of Cumberland

Regular Council Meeting  
October 14<sup>th</sup>, 2014 at 5:30 p.m.  
Village Council Chambers

1. **Approval of Agenda**
  - 1.1 Agenda for regular council meeting, October 14<sup>th</sup>, 2014.  
***Recommend THAT Council approve the agenda for the regular council meeting, October 14<sup>th</sup>, 2014.***
  
2. **Adoption of Minutes**
  - 2.1 Minutes of the council meeting held September 29<sup>th</sup>, 2014 1  
***Recommend THAT Council approve the minutes of the council meeting held September 29<sup>th</sup>, 2014.***
  
  - 2.2 Minutes of the Heritage Advisory Commission meeting held October 6<sup>th</sup>, 2014. 11  
***Recommend THAT Council receive the minutes of the Heritage Advisory Commission meeting held October 6<sup>th</sup>, 2014 for information.***
  
3. **Delegations**
  - 3.1 Jean Cameron, Chairperson, Motorcycle Roundup Association 13
    - Motorcycle Roundup Changes  
***Recommend THAT Council receive the delegation of Jean Cameron, Chairperson, Motorcycle Roundup Association re: Motorcycle Roundup Changes.***
  
  - 3.2 Helen Furgale, Chair, and Dianne Hawkins, President and CEO, Comox Valley Chamber of Commerce 14
    - Comox Valley Chamber of Commerce Governance Review Task Force  
***Recommend THAT Council receive the delegation of Helen Furgale, Chair, and Dianne Hawkins, President and CEO, Comox***

***Valley Chamber of Commerce re: Comox Valley Chamber of  
Commerce Governance Review Task Force.***

**4. Unfinished Business**

4.1 Tasha Page, Settlement Coordinator, Immigrant Welcome Centre, 16  
Immigrant issues and the Local Immigrant Partnership initiative  
**Recommend THAT Council provide direction regarding  
participation in the Local Immigrant Partnership initiative.**

4.2 Cemetery Master Plan, prepared by Lees and Associates, Cemetery 17  
Planners  
**Recommend THAT Council receive the Cemetery Master Plan,  
prepared by Lees and Associates, Cemetery Planners.**

**5. Correspondence**

5.1 Christy Clark, Premier, Province of British Columbia, Board Member, 116  
British Columbia Achievement Foundation  
• 2015 British Columbia Community Achievement Awards  
**Recommend THAT Council receive the correspondence from  
Christy Clark, Premier, Province of British Columbia, Board  
Member, British Columbia Achievement Foundation re: 2015  
British Columbia Community Achievement Awards.**

5.2 W.H. (Wes) Shoemaker, Deputy Minister, Ministry of Environment 121  
• Export of Raw Bitumen on the Coast of British Columbia  
**Recommend THAT Council receive the correspondence from  
W.H. (Wes) Shoemaker, Deputy Minister, Ministry of  
Environment re: Export of Raw Bitumen on the Coast of British  
Columbia.**

5.3 Joe Rodger, Poppy Chairperson, The Royal Canadian Legion Branch 125  
No. 28  
• Remembrance Day Parade and Service  
**Recommend THAT Council receive the correspondence from Joe  
Rodger, Poppy Chairperson, The Royal Canadian Legion Branch  
No. 28 re: Remembrance Day Parade and Service.**

**6. Reports**

6.1 Cumberland Lake Park: 2015 Park Operations 126  
Prepared by Kevin McPhedran, Parks and Outdoor Recreation  
Coordinator

- i) Recommend THAT Council receive the Cumberland Lake Park: 2015 Park Operations report.*
  - ii) Recommend THAT Council direct staff to await the completion of the ongoing Cumberland Lake Park Master Planning process prior to determining the preferred operating model for 2015 Park operations and beyond.*
  
- 6.2 Application for Development Variance Permit – 2738 Maryport Avenue 129  
Prepared by Joanne Rees, Planner
  - i) Recommend THAT Council receive the report “Application for Development Variance Permit – 2738 Maryport Avenue.”*
  - ii) Recommend THAT Council grant the Development Variance Permit (File 2014-04-DV) for property legally described as Lot 1, District Lot 21, Nelson District, Plan 522A (2738 Maryport Avenue) to vary Section 5.1(3)(b) Siting of Principal Buildings and Structures the required rear yard setback shall be no closer than 3.0metres (10.0feet) for the construction of a two storey garage/suite in accordance with the drawing attached to the Development Variance Permit as Schedule A.*
  
- 6.3 Village of Cumberland Highway Entrance Sign Status Report 134  
Prepared by Judy Walker, Senior Planner
  - i) Recommend THAT Council receive the Village of Cumberland Highway Entrance Sign Status Report for information.*
  - ii) Recommend THAT Council defer the project to 2015 for budget consideration.*
  
- 6.4 Litter Collection Program Update 136  
Prepared by Rachel Parker, Deputy Corporate Officer
  - i) Recommend THAT Council receive the Litter Collection Program Update report.*
  - ii) Recommend THAT Council consider the expansion of the litter collection program to other arterial and collector roads, and trails.*
  
- 6.5 Road Closure for Fire Chief McClure Service 139  
Prepared by Rachel Parker, Deputy Corporate Officer
  - i) Recommend THAT Council receive the Road Closure for Fire Chief McClure Service report.*
  - ii) Recommend THAT Council approve the closure of Dunsmuir Avenue between First Street and Egremont Road on October*

***18, 2014 from 10 a.m. to 11 a.m., and from noon to 12:30 p.m.  
for the funeral service of Fire Chief Ken McClure.***

- 6.6 Cumberland Creek Dam #2 Design Work 141  
Prepared by Rob Crisfield, Manager of Operations  
***i) Recommend THAT Council receive the Cumberland Creek Dam #2 Design Work report.***  
***ii) Recommend THAT Council approve the engagement of Tetra Tech (EBA) for the pre-design work and detailed design of the Cumberland Creek Dam #2 for the seismic stability upgrade.***
- 6.7 Municipal Auditor Appointment for the 2014-2016 Year-ends 144  
Prepared by Michelle Mason, Financial Officer  
***i) Recommend THAT Council receive the Municipal Auditor Appointment for the 2014-2016 Year-ends report.***  
***ii) Recommend THAT Council appoints the audit firm of BDO Canada LLP for the 2014-2016 financial years.***
- 6.8 Fortis Gas Operating Agreement – New Operating Fees 147  
Prepared by Sundance Topham, Chief Administrative Officer  
***i) Recommend THAT Council receive the Fortis BC Gas Operating Agreement – New Operating Fees report.***  
***ii) Recommend THAT Council endorse the AVICC recommended Gas Operating Agreement in the format as attached.***
- 6.9 September 2014 Recreation Department Report 179  
Prepared by Leah Knutson, Manager of Recreation  
  - September 2014 Parks and Outdoor Recreation Report***Recommend THAT Council receive the September 2014 Recreation Department Report for information.***
- 6.10 September 2014 Protective Services Report 183  
Prepared by Mike Williamson, Manager of Protective Services  
  - September 2014 Bylaw Enforcement Summary Report***Recommend THAT Council receive the September 2014 Protective Services Report for information.***
- 6.11 September 2014, Operations Department Report 188  
Prepared by Rob Crisfield, Manager of Operations  
  - Planning Report for September 2014
  - Public Works Report for September 2014

***Recommend THAT Council receives the September 2014 –  
Operations Department Report for information.***

- 6.12 September 2014, Administration Department Report 196  
Prepared by Michelle Mason, Financial Officer  
***Recommend THAT Council receive the September 2014  
Administration Department Report for information.***
- 6.13 September 2014, Chief Administrative Officer Report 199  
Prepared by Sundance Topham, Chief Administrative Officer  
***Recommend THAT Council receive the September 2014 Chief  
Administrative Officer Report for information.***
- 6.14 Council Reports
- 6.14.1 Mayor Leslie Baird 201
- 6.14.2 Councillor Conner Copeman
- 6.14.3 Councillor Kate Greening – Verbal Report
- 6.14.4 Councillor Roger Kishi 205
- 6.14.5 Councillor Gwyn Sproule 206  
***Recommend THAT the Council reports be received.***
- 7. Bylaws**
- 7.1 Water Rates Amendment Bylaw No. 1011, 2014 and Sanitary Sewer 207  
Rates Amendment Bylaw No. 1012, 2014.  
***i) Recommend THAT Council receive the Water Rates  
Amendment Bylaw No. 1011, 2014 and Sanitary Sewer Rates  
Amendment Bylaw No. 1012, 2014 report for information.***  
***ii) Recommend THAT Council give first and second reading to  
“Water Rates Amendment Bylaw No. 1011, 2014” and to  
“Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014”.***
- 7.2 Village of Cumberland Parks and Greenways Master Plan Bylaw No. 216  
998, 2014  
***i) Recommend THAT Council receive the Bylaw No. 998, 2014 –  
Parks & Greenways Master Plan Bylaw report.***  
***ii) Recommend THAT Council give second and third reading to  
“Village of Cumberland Parks and Greenways Master Plan  
Bylaw No. 998, 2014”.***
- 7.3 Permissive Tax Exemption 2015 Bylaw No. 1010, 2014 258

***Recommend THAT Council adopt the "Permissive Tax Exemption 2015 Bylaw No. 1010, 2014".***

**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.

**9. New Business**

**10. Notices, Motions and Announcements**

Matters considered here may include notices or motions to hold a meeting of the Committee of the Whole, a Village Hall meeting, a public hearing, and notices of motion introduced by a council member.

- Reminder of Water Restrictions – Village of Cumberland

**11. Question Period**

**12. Closed Portion**

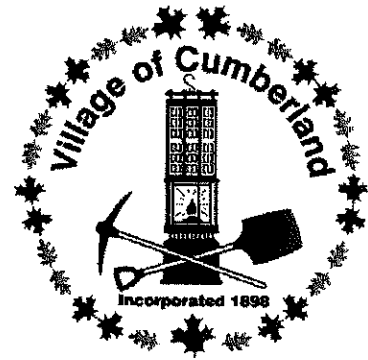
***Recommend THAT pursuant to Section 90 (1) of the Community Charter Council close the meeting to the public to consider:***

- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interest of the municipality.

**13. Adjournment**

# REGULAR MINUTES

24/2014/R



## The Corporation of the Village of Cumberland

**Regular Council Meeting**  
**September 29<sup>th</sup>, 2014 at 5:30 p.m.**  
**Village Council Chambers**

**Council Present:**

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

**Staff Present:**

Sundance Topham, Chief Administrative Officer  
Jaclyn Casler, Deputy Corporate Officer  
Rob Crisfield, Manager of Operations  
Michelle Mason, Financial Officer  
Leah Knutson, Manager of Recreation  
Kevin McPhedran, Parks and Outdoor Recreation  
Coordinator  
Rachel Parker, Deputy Corporate Officer

The meeting was called to order at 5:30 p.m.

Mayor Baird noted the passing of former Cumberland fire chief, Ken McClure and, on behalf of Council, expressed condolences to his family.

**1. Approval of Agenda**

1.1 Agenda for regular council meeting, September 29<sup>th</sup>, 2014  
Motion 14-471

**Kishi/Sproule**

THAT Council approve the agenda for the regular council meeting, September 29<sup>th</sup>, 2014 with the addition of the staff report regarding BC Transit Phase 2 Bus Route Changes.

**Carried Unanimously**

**2. Adoption of Minutes**

2.1 Minutes of the council meeting held September 8<sup>th</sup>, 2014  
Motion 14-472

**Sproule/Copeman**

THAT Council approve the minutes of the council meeting held September 8<sup>th</sup>, 2014.

**Carried Unanimously**

- 2.2 Minutes of the village hall meeting held September 15<sup>th</sup>, 2014  
Kishi/Sproule  
Motion 14-473  
**Kishi/Sproule**  
THAT Council approve the minutes of the village hall meeting held September 15<sup>th</sup>, 2014.  
**Carried Unanimously**
  
3. **Delegations**
  - 3.1 Fred Bigelow, CEO, Comox Valley Airport Commission, Airport Update  
Motion 14-474  
**Copeman/Kishi**  
THAT Council receive the delegation of Fred Bigelow, CEO, Comox Valley Airport Commission re: Airport Update.  
**Carried Unanimously**
  
  - 3.2 Tasha Page, Settlement Coordinator, Immigrant Welcome Centre, Immigrant issues and the Local Immigrant Partnership initiative  
Motion 14-475  
**Kishi/Sproule**  
THAT Council receive the delegation of Tasha Page, Settlement Coordinator, Immigrant Welcome Centre re: Immigrant issues and the Local Immigrant Partnership initiative.  
**Carried Unanimously**
  
4. **Unfinished Business**
  - 4.1 Mike Tymchuk, Riders Pizza, Sidewalk Cafe Proposal at #2 2730 Dunsmuir Avenue  
Motion 14-476  
**Greening/Kishi**  
THAT Council direct staff to report to Council on feasibility of sidewalk cafes, including costs, then proceed with a public process.  
**Carried Unanimously**
  
5. **Correspondence**
  - 5.1 James Warren, Acting Chief Administrative Officer, Comox Valley Regional District, Public opinion vote on homelessness  
Motion 14-477  
**Kishi/Sproule**

THAT Council receive the correspondence from James Warren, Acting Chief Administrative Officer, Comox Valley Regional District re: Public opinion vote on homelessness.

**Carried Unanimously**

**Copeman/Greening**

THAT Council thank the Comox Valley Regional District for its request to conduct a non-binding public opinion vote on homelessness, and not include the question on the ballot.

In favour: Councillor Copeman  
Councillor Greening

Opposed: Mayor Baird  
Councillor Kishi  
Councillor Sproule

**Defeated**

Motion 14-478

**Kishi/Sproule**

THAT Council include the Comox Valley Regional District non-binding public opinion vote on homelessness on the Village of Cumberland 2014 local general election ballot.

In favour: Mayor Baird  
Councillor Copeman  
Councillor Kishi  
Councillor Sproule

Opposed: Councillor Greening

**Carried**

- 5.2 Edwin Grieve, Chair, Comox Valley Regional District, Transit Future Plan  
Motion 14-479

**Kishi/Sproule**

THAT Council receive the correspondence from Edwin Grieve, Chair, Comox Valley Regional District re: Transit Future Plan.

**Carried Unanimously**

Motion 14-480

**Greening/Sproule**

THAT Council include on-table item 6.4.5, staff report on BC Transit Phase 2 Bus Route Changes.

**Carried Unanimously**

Motion 14-481

**Greening/Sproule**

THAT Council receive the presentation from Michael Zbarsky, Manager of Transit and Sustainability, BC Transit.

**Carried Unanimously**

**Copeman/Greening**

THAT Council write to BC Transit and ask that the Village have a similar routes within Cumberland so that residents can have frequent trips that they used to have.

In favour: Councillor Copeman  
Councillor Greening

Opposed: Mayor Baird  
Councillor Kishi  
Councillor Sproule

**Defeated**

Motion 14-482

**Sproule/Kishi**

THAT Council approve the recommended Phase 2 bus route changes as part of the Transit Future Plan to be implemented in early 2015.

In favour: Mayor Baird  
Councillor Kishi  
Councillor Sproule

Opposed: Councillor Copeman  
Councillor Greening

**Carried**

Motion 14-483

**Sproule/Kishi**

THAT Council advise the BC Transit Advisory Committee that it has concerns regarding the Phase 2 Transit Future Plan routing regarding senior citizens being able to travel to and from the Cumberland Health Centre from the Village core area.

**Carried Unanimously**

5.3 Steve Morgan, BSc Bio, Cumberland Resident, Cumberland Wetlands Protection

Motion 14-484

**Kishi/ Sproule**

THAT Council receive the correspondence from Steve Morgan, BSc Bio, Cumberland Resident re: Cumberland Wetlands Protection.

**Carried Unanimously**

Motion 14-485

**Sproule/Copeman**

THAT Council refer the correspondence from Steve Morgan, BSc Bio, Cumberland Resident re: Cumberland Wetlands Protection to staff and thank Mr. Morgan for his offer and support the installation of water measuring gauges in the wetlands.

**Carried Unanimously**

- 5.4 Anna Rambow, Executive Director, Cumberland Museum and Archives, Letter of Support for Comox Valley Regional District Funding Application

Motion 14-486

**Kishi/Copeman**

THAT Council receive the correspondence from Anna Rambow, Executive Director, Cumberland Museum and Archives re: Letter of Support for Comox Valley Regional District Funding Application.

**Carried Unanimously**

Motion 14-487

**Sproule/Kishi**

THAT Council provide a letter of support to the Cumberland Museum and Archives regarding its application to for Comox Valley Regional District funding.

**Carried Unanimously**

## **6. Reports**

- 6.1 Village Park Hard Surface Play Areas Design and Engineering Services Including Skateboard Park Design

Motion 14-488

**Greening/Copeman**

THAT Council receive the Village Park Hard Surface Play Areas Design and Engineering Services Including Skateboard Park Design report for information.

**Carried Unanimously**

Motion 14-489

**Greening/Sproule**

THAT Council approve the additional expenditure of up to \$15,000, of which \$10,000 is to be funded through the Cumberland Community Schools Society donation and \$5,000 to be funded through the skatepark operating reserve funds, for the comprehensive skatepark design with public engagement.

**Carried Unanimously**

Motion 14-490

**Kishi/Copeman**

THAT Council direct staff to bring forward an amendment to the adopted 2014-2018 Financial Plan Bylaw to reflect the expenditure of up to \$15,000 for the comprehensive skatepark design with public engagement to be funded through the skatepark operating reserve funds.

**Carried Unanimously**

6.2 Recreation Review Update

Motion 14-491

**Kishi/Greening**

THAT Council receive the Recreation Review Update report.

**Carried Unanimously**

6.3 Banner Hanging in the Village of Cumberland

Motion 14-492

**Kishi/Sproule**

THAT Council receive the Banner Hanging in the Village Cumberland report.

**Carried Unanimously**

Motion 14-493

**Kishi/Sproule**

THAT Council refer draft Policy # 2.2 Banner Hanging to staff to consider a percentage damage deposit and to explore insurance requirements.

**Carried Unanimously**

6.4 Funding Opportunity for Cross Walk Lights at Fourth Street and Ulverston Avenue

Motion 14-494

**Kishi/Copeman**

THAT Council receive the Funding Opportunity for Cross Walk Lights at Fourth Street & Ulverston Avenue report.

**Carried Unanimously**

Motion 14-495

**Sproule/Kishi**

THAT Council approve an expenditure of \$5,000 from community works funds to provide funding in addition to \$10,000 from ICBC for the installation of solar powered crosswalk lights at Fourth Street and Ulverston Avenue.

**Carried Unanimously**

Motion 14-496

**Sproule/Kishi**

THAT Council direct staff to bring forward an amendment to the adopted 2014-2018 Financial Plan bylaw reflecting the expenditure of \$5,000 from community works funds to provide funding in addition to \$10,000 from ICBC for the installation of solar powered crosswalk lights at Fourth Street and Ulverston Avenue.

**Carried Unanimously**

6.5 Outstanding Action Items Report

Motion 14-497

**Greening/Sroule**

THAT Council receive the Outstanding Action Items Report for information.

**Carried Unanimously**

6.6 Electronic Funds and Cheque Register Report, August 2014.

Motion 14-498

**Greening/Sroule**

THAT Council receive the Electronic Funds and Cheque Register Report, August 2014 for information.

**Carried Unanimously**

6.7 Multi Materials BC Contract Renewal

Motion 14-499

**Kishi/Sroule**

THAT Council receive the Multi Materials BC Contract Renewal report.

In favour: Mayor Baird  
Councillor Copeman  
Councillor Kishi  
Councillor Sproule

Opposed: Councillor Greening

**Carried**

Motion 14-500

**Sproule/Kishi**

THAT Council direct staff to enter into discussions with Multi Material BC for the renewal of a contract for the collection of Paper and Product Packaging (PPP) materials, including the incentives for residential curbside collection.

In favour: Mayor Baird  
Councillor Copeman  
Councillor Kishi  
Councillor Sproule

Opposed: Councillor Greening

**Carried**

6.8 Cemeteries Master Plan – Chinese and Japanese Cemeteries

Motion 14-501

**Kishi/Sroule**

THAT Council receive the Cemeteries Master Plan – Chinese and Japanese Cemeteries report.

**Carried Unanimously**

Motion 14-502

**Kishi/Sroule**

THAT Council reimburse Ms. Colleen Leung for the cost of mapping the Cumberland Chinese Cemetery and to acquire the maps and data to be funded from the cemetery operating reserve and amend the financial plan bylaw to reflect this expenditure.

**Carried Unanimously**

Motion 14-503

**Kishi/Sroule**

THAT Council allocate up to \$10,000 from the cemetery operating reserve to carry out the processes of obtaining and certificate of public interest for the Japanese and Chinese cemeteries, including legal and advertising costs, and to amend the financial plan bylaw to reflect this expenditure.

**Carried Unanimously**

7. **Bylaws**

7.1 Village of Cumberland Parks and Greenways Master Plan Bylaw No. 998, 2014

Motion 14-504

**Kishi/Sroule**

THAT Council receive the Village of Cumberland Parks and Greenways Master Plan Bylaw No. 998, 2014 report.

**Carried Unanimously**

Motion 14-505

**Copeman/Sproule**

THAT Council give first reading to "Village of Cumberland Parks and Greenways Master Plan Bylaw No. 998, 2014" and direct staff to report back to Council on proposed amendments to the bylaw.

**Carried Unanimously**

- 7.2 The Corporation of the Village of Cumberland Municipal Ticket Information Bylaw No. 997, 2014

Motion 14-506

**Greening/Sproule**

THAT Council adopt "The Corporation of the Village of Cumberland Municipal Ticket Information Bylaw No. 997, 2014".

**Carried Unanimously**

- 7.3 Permissive Tax Exemption 2015 Bylaw No. 1010, 2014

Motion 14-507

**Greening/Sproule**

THAT Council give second and third reading to the "Permissive Tax Exemption 2015 Bylaw No. 1010, 2014".

**Carried Unanimously**

## **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.

- 8.1 Island Coastal Economic Trust re: Bursaries Support Registration for Economic Development Training;

- 8.2 Brad Woodside, Mayor, City of Fredericton, FCM President re: FCM Fixing Canada's Housing Crunch campaign;

- 8.3 Vancouver Island Regional Library re: Approved 2015-2019 Financial Plan.

Motion 14-508

**Greening/Sproule**

THAT the Consent Calendar be receive with the removal of item 8.2 for discussion.

**Carried Unanimously**

**9. New Business**

None

**10. Notices, Motions and Announcements**

Matters considered here may include notices or motions to hold a meeting of the Committee of the Whole, a Village Hall meeting, a public hearing, and notices of motion introduced by a council member.

- Reminder of Water Restrictions – Village of Cumberland
- Candidate Nomination Period – 9 am on September 30<sup>th</sup> to 4 pm on October 10<sup>th</sup>

**11. Question Period**

Questions and comments were received on the recycling storage facility, sidewalk cafes, and cemetery closure.

**12. Closed Portion**

Motion 14-509

**Copeman/Sproule**

THAT pursuant to Section 90 (1) of the *Community Charter*, Council close the meeting to the public to consider the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interest of the municipality.

**Carried Unanimously**

**13. Adjournment**

**Greening/Copeman**

The meeting was adjourned at 9:24 p.m.

**Carried Unanimously**

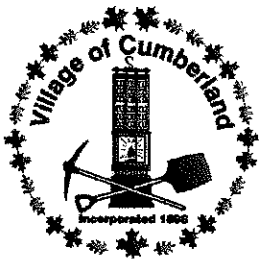
Certified Correct:

---

Mayor

---

Corporate Officer



# Corporation of the Village of Cumberland

Heritage Commission Meeting  
June 16 2014

Minutes of the Heritage Commission held on Monday October 6, 2014 in Council chambers located at 2675 Dunsmuir Avenue, Cumberland BC. The meeting commenced at 5:30pm.

**PRESENT:** Mike Tymchuk, Chair  
Janet Cochrane, Secretary  
Gillian Brooks  
Mary Kornelsen  
Adam Robinson  
Karen Webber

**Council and Staff** Judith Walker, Senior Planner

**ABSENT:** Kate Greening, Councillor

1. Approval of Agenda

**Robinson/Kornelson:** "THAT the Heritage Commission approves the agenda as written."

**Carried Unanimously**

2. Approval of minutes

**Kornelson/Webber:** "THAT the Heritage Commission approved the minutes of the Heritage Commission meeting held June 16, 2014.

**Carried Unanimously**

3. Housekeeping

Tanis Schulte has resigned from the Heritage Commission as she no longer lives in the Comox Valley.

The Heritage commission will hold up to ten meetings per year (per the bylaw) with summer months off. Any missed meetings were as a direct result of lack of business to address.

4. Heritage BC Conference: report from the chair

**Tymchuk:** recommended that the Heritage Commission be more proactive and come up with a list of character defining elements in the HCA.

[Type text]

5. Heritage Week 2015

Chair attended a planning session for Heritage Week of all three municipalities. It is the 100th anniversary of City of Courtenay. Discussion regarding the role, if any of the Heritage Commission in any possible Cumberland celebrations. Judy to contact past Heritage Week volunteers for main contact, if any Commission members interested in being involved.

6. Review of the Heritage conservation area (HCA) in the OCP

General discussion of the HCA in the OCP.

7. Review of the new HCA brochure

Staff distributed samples of brochure that will be mailed to all owners and tenants in the HCA.

8. Walking tour of the HCA


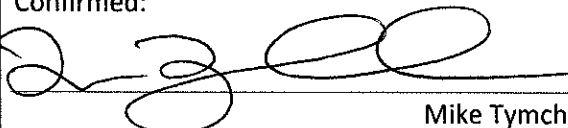
9. Next Meeting

Monday November 3, 2014 5:30pm. Council chambers

10. Adjournment

**Robinson:** "THAT the Heritage Commission meeting adjourn"

Time: 7:30pm

<p>Certified Correct:</p>  <p>Janet Cochrane Recording Secretary</p>	<p>Confirmed:</p>  <p>Mike Tymchuk Chair</p>
---	--

**From:** Jean Cameron [[mailto:camerons\\_salon@hotmail.com](mailto:camerons_salon@hotmail.com)]  
**Sent:** Thursday, September 18, 2014 3:52 PM  
**To:** Jaclyn Casler  
**Subject:** Sept. 29th

Hi Jaclyn  
The Cumberland Motorcycle Roundup would like to attend the next Council meeting as a delegation.  
Hope this works for the schedule.  
Thanks, Jean

**JEAN CAMERON**  
**CHAIRPERSON**  
**CUMBERLAND MOTORCYCLE ROUNDUP ASSOC.**  
**PO Box 625**  
**Cumberland, BC**  
**VOR 1S0**  
**bus: 250-336-8746**  
**cell: 250-702-7181**  
**[www.cumberlandmotorcyclergroundup.com](http://www.cumberlandmotorcyclergroundup.com)**  
**<http://www.facebook.com/cumberlandmotorcyclergroundup>**  
**[camerons\\_salon@hotmail.com](mailto:camerons_salon@hotmail.com)**

**From:** Dianne hawkins [<mailto:dhawkins@comoxvalleychamber.com>]  
**Sent:** Thursday, September 04, 2014 2:43 PM  
**To:** info  
**Subject:** REQUEST TO APPEAR AS A DELEGATION

The Chamber would like to appear as a delegation before Cumberland Council. Could you please send me the form or a link to download the form?

Thanks so much!

Dianne Hawkins  
PRESIDENT & CEO  
Comox Valley Chamber  
250.334.3234 P  
250.334.4908 F  
[www.comoxvalleychamber.com](http://www.comoxvalleychamber.com)



**Comox Valley Chamber of Commerce  
Governance Review Task Force**

**Background Information**

---

**Mission of the Task Force**

**The best decisions are based on getting accurate facts.**

The goal of the Comox Valley Governance Review Task Force is to initiate an independent study to determine if the governance of the Comox Valley is structured in a manner that best satisfies the political, cultural and public services the community needs in order to meet the challenges that growth brings.

At this time the task force is in the process of gathering information in order to be able to determine if there is a desire amongst the general population and levels of government to investigate fully whether it is necessary or even possible to restructure the provision of services and/or the governance of the Comox Valley.

If there is indeed a desire then the primary objective of the task force would be to initiate a request for a study and have a joint committee established to oversee the review process as outlined in the Ministry of Municipal Affairs' Review and Program Guide titled ... Managing Changes to Local Government Structure.

This initiative is in line with the BC Chamber of Commerce Policy Statement that has been approved by all member Chambers throughout the Province.

---

***BC Chamber Policy & Positioning Statement***

***Review of Regional Governance Model in Urban Areas***

*"It appears the Regional Governance model does not serve the majority of districts well. The fine-tuning of the Regional Governance Structure to meet the needs of particular areas is too short term an approach and longer-term solutions are required. The regions need to be treated fairly and appropriately and review of this important governing body and its role is needed."*

***THE BC CHAMBER RECOMMENDS***

*"That the Provincial Government reviews its concept of regional districts and their roles and the manner in which representatives are selected."*

*April 24, 2014*

Item 4.1

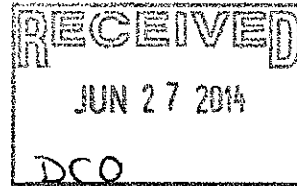


Experts in immigrant services since 1992

July 27, 2014

Rachel Parker  
Deputy Corporate Officer  
Village of Cumberland

Fax: 250-336-2321



Dear Ms. Parker;

The Immigrant Welcome Centre has been helping newcomers settle in the region since 1992. Building working partnerships within the communities we serve has been a big part of our success. We would like the opportunity to update Cumberland Village Council on current immigrant issues and to introduce our Local Immigrant Partnerships initiative.

Preferred date of presentation: September 29th  
Presenter: Rachel Blaney Executive Director  
Topic: Immigrant issues and the Local Immigrant Partnership initiative.  
Action Requested: Consider participation in the Local Immigrant Partnership Council  
Length of Presentation: 10 minutes  
Format: Power Point

Please contact me at 250-830-0171 or [ann.mcleod@immigrantwelcome.ca](mailto:ann.mcleod@immigrantwelcome.ca) to confirm the presentation or make arrangements for an alternate date.

Sincerely,

Ann McLeod  
Community Connections Worker

---

**Campbell River**  
A114 - 740 Robron Road,  
Campbell River, BC V9W 6J7  
T: 250-830-0171 | F: 250-830-1010

**Comox Valley**  
1001C Lewis Avenue,  
Courtenay, BC V9N 5R4  
T: 250-338-6359 | F: 250-338-6359

**North Island**  
T: 1-855-805-0171  
[info@immigrantwelcome.ca](mailto:info@immigrantwelcome.ca)  
[www.immigrantwelcome.ca](http://www.immigrantwelcome.ca)

Item 4.2



Submitted to the Village of Cumberland on August 7, 2014

# VILLAGE OF CUMBERLAND CEMETERIES MASTER PLAN

Submitted by:







## ACKNOWLEDGEMENTS

We would like to thank those who contributed to the creation of this Cemeteries Master Plan:

### VILLAGE OF CUMBERLAND

*Rachel Parker, Deputy Corporate Officer*  
*Jaclyn Casler, Deputy Corporate Officer*  
*Judy Walker, Senior Planner*  
*Trisha Stockand, Clerk/Stenographer*  
*Michelle Mason, Financial Officer*  
*Rob Crisfield, Manager of Operations*  
*Kevin Fitzgerald, Foreman/Coordinator*  
*Mark Springford, Public Works Chargehand*  
*Kevin McPhedran, Outdoor Recreation Coordinator*  
*Leslie Baird, Mayor, Village of Cumberland*  
*Conner Copeman, Councillor, Village of Cumberland*  
*Kate Greening, Councillor, Village of Cumberland*  
*Roger Kishi, Councillor, Village of Cumberland*  
*Gwyn Sproule, Councillor, Village of Cumberland*  
*Sundance Topham, Chief Administrative Officer*

### COMMUNITY PARTNERS

*Kent Roduck, Comox Valley Funeral Home*  
*Cumberland Sand and Gravel*  
*Grace Doherty, volunteer*  
*Michelle Willard, Cumberland Museum and Archives*  
*John Leung, pioneer descendant and heritage supporter*  
*Mrs. Tako Kiyono, pioneer descendant and heritage supporter*  
*Mike Tymchuk, Chairman, Village of Cumberland Heritage Commission*

### LEES+ASSOCIATES TEAM

*Erik Lees, Principal*  
*Catriona Hearn, Senior Associate*  
*Jennifer Thibert, Business Manager*  
*Stewart Denny, Associate*  
*Tim O'Brien, Outlook Land Design*





# TABLE OF CONTENTS

**ACKNOWLEDGEMENTS ..... i**

**TABLE OF CONTENTS .....iii**

**EXECUTIVE SUMMARY..... v**

**INTRODUCTION ..... 1**

**DEMAND NEEDS ANALYSIS ..... 2**

**LAND USE PLANNING AND DESIGN ..... 7**

**PRODUCT AND SERVICES REVIEW..... 13**

**FINANCIAL PLAN ..... 16**

**CEMETERY CONSERVATION PLAN ..... 24**

**MARKETING PLAN ..... 35**

**CONCLUSION ..... 39**

**APPENDIX A: MASTER PLAN METHODOLOGY ..... 43**

**APPENDIX B: COURTENAY LHA ..... 44**

**APPENDIX C: REGIONAL CEMETERY MARKET - BENCHMARKING ..... 46**

**APPENDIX D: DETAILED DEMOGRAPHIC PROFILE..... 48**

**APPENDIX E: DETAILED DISPOSITION TREND ANALYSIS ..... 50**

**APPENDIX F: HISTORIC CEMETERY MARKET..... 52**

**APPENDIX G: HISTORIC MARKET CAPTURE..... 53**

**APPENDIX H: OPEN HOUSE MATERIALS & PRELIMINARY CONCEPTS.... 55**

**APPENDIX I: SUMMARY OF OPEN HOUSE FEEDBACK..... 61**

**APPENDIX J:NEW PRODUCT AND SERVICE OPTIONS..... 64**

**APPENDIX K: CEMETERY FEES - PRICING COMPARISON..... 67**

**APPENDIX L: FINANCIAL SCENARIO SENSITIVITY ANALYSES ..... 70**

**APPENDIX M: PERPETUAL CARE FUND LEGISLATIVE REQUIREMENTS . 73**

**APPENDIX N: PCF BEST PRACTICES + SENSITIVITY ANALYSIS ..... 78**

**APPENDIX O: GLOSSARY OF CEMETERY TERMS..... 82**





## EXECUTIVE SUMMARY

In February 2014, the Corporation of the Village of Cumberland (the Village) commissioned LEES+Associates to prepare a Cemeteries Master Plan that would address the Village's three burial areas: the Cumberland Cemetery, the Cumberland Chinese Cemetery and the Cumberland Japanese Cemetery. The objective of the Master Plan was to "guide the development, use and provision of a full range of cemetery services in a fiscal and environmentally sustainable manner over the next 30 years."<sup>1</sup> Primary issues that emerged through the course of the study included:

- Developing service options for cremated remains;
- Pricing changes;
- Perpetual Care Fund (PCF) and maintenance planning;
- Marketing and business management; and
- Capital development for meeting future needs.

The highlights of this Master Plan include:

### DEMAND NEEDS ANALYSIS

- Cumberland has a **higher than average death rate and cremation rate** compared with the rest of British Columbia.
- Cumberland has an **above average market capture** rate of regional decedents.
- Cumberland has an **above average number of non-residents** and pre-need sales compared to the average for Canadian municipal cemeteries.
- Projecting from historic data and continuing with current practices, Cumberland can expect to make **778 interments over the next 30 years** (91% cremated remains, 9% casket remains).

### LAND USE PLANNING + DESIGN

- The Village should implement a **phased program of improvements** to the municipal cemetery on Minto Road.
- Phase I improvements (years 1-5) should focus on upgrading **vehicle and pedestrian circulation**, expanding and improving the **range and quality of interment products and services** offered, and implementing **aesthetic and functional upgrades** that address the site's current lack of trees and public amenities.
- Phase II improvements (years 6 – 10) should focus on improving the options provided for **cremation interment and operations**.
- Phase III improvements (10 years +) should focus on integrating the Village Cemetery into the community's recreational network with **signage**, a **trail connection** to Maple Lake and a **feature arbor or pavilion** that would offer a space for cemetery and non-cemetery events.
- Cumberland should **update its Cemetery Bylaw** to reflect the changes it wishes to implement at the municipal cemetery.

---

<sup>1</sup> P 2 The Corporation of the Village of Cumberland Request for Proposal – Cumberland Cemetery Master Plan.



## DEVELOPMENT CONCEPT/SITE MASTER PLAN

The preferred 25 year concept plan for the Village Cemetery is provided on page 10. A summary table of recommendations and projected development costs are provided on page 11. Recommendations are grouped by their overall objectives and arranged over a twenty-five year horizon, as short (0 – 5 year), medium (5 – 10 year) and long term (10+ year) initiatives.

## PRODUCT AND SERVICES REVIEW

- Cumberland should address its relative lack of diversity in product and service offerings. To meet projected demand, Cumberland should **introduce new options for cremated remains** (columbaria walls and scattering gardens in a Cremation Garden context), and provide an area dedicated to children and infants.
- The Village should respond to an expressed interest within the community interest and the support of Staff and elected officials, to consider the establishment of a **green burial section** at the Village Cemetery.
- Based on Cumberland's below average prices for niche offerings and interment (opening and closing) services relative to other regional cemeteries, the Village should **raise prices** in 2015 to align rates with these communities. All prices should then be increased 3% each subsequent year to account for inflation and to gradually **close the gap between revenues and expenses**.

## FINANCIAL PLAN

- Cumberland currently experiences an average annual **net loss** of **\$1,500** before subsidies. This is on par with the losses typical of other small Canadian municipal cemeteries.
- Under a "Status Quo" scenario, over the next 50 years, Cumberland is not projected to achieve breakeven, the needed tax subsidy is expected to grow, and the Perpetual Care Fund (PCF) balance is projected to remain below sustainable levels.
- Under the "**Recommended Financial Plan**" scenario provided in this Plan, Cumberland should implement **fee increases**, invest in marketing and community engagement to **increase market share**, **increase the percentage of PCF contributions** from sales, and reallocate tax subsidies of **\$5,000 per year** to this fund. It is projected that these strategies will help the Village achieve breakeven in 10 years, and achieve a sustainable PCF balance in 50 years.

## CONSERVATION MANAGEMENT PLAN

- The Village should **formalize a Heritage Cemeteries Vision** to support protection of its three heritage cemeteries and to integrate them within the community's heritage resource framework.
- Planning staff should work proactively with developers to **protect the desirable characteristics** of the Village Cemetery.
- Village staff should fill an active **coordinating role** in encouraging heritage programming and events that provide spin-off economic benefits.
- A program of **monument conservation** should be developed in order to document and conserve heritage monuments. A summary of this plan is provided on page 37.



## MARKETING

- Cumberland should budget a minimum **\$2,500** in 2015 and **\$1,250** from 2016 forward.
- Creating a dedicated cemetery **webpage** and **hosting events** at the cemetery are two key methods to prioritize increasing community engagement and subsequent market share.
- Additional opportunities include preparing a **cemetery brochure**, introducing **interpretative signage**, increased **staff training**, as well as engaging local media and **volunteer groups**.
- The Village should **capitalize on the heritage character** of the Village Cemetery as its key distinguishing characteristic.

## CONCLUSION

This Cemeteries Master Plan provides a “roadmap” to guide cemetery policy, marketing, operations and development over the next 25 years. Implementation of its recommendations will enable the Village to expand and improve the cemetery products and services offered to the community, move towards financial sustainability, and build a Perpetual Care Fund that is better equipped to meet the long term maintenance needs of its three cemeteries. The Master Plan will help create a caring cemetery system that reflects Cumberland’s commitment to professional management, quality service, and to consolidate its cemeteries as valued community resources, now and well into the future.



# INTRODUCTION

The Village of Cumberland (the Village) commissioned LEES+Associates Cemetery Planners in early 2014 to prepare a Cemeteries Master Plan. The objective of this Plan is to provide the Village with a guiding vision for the development and management of its three cemeteries, while achieving its financial objectives over the next 25 years. This report summarizes the background research, financial analysis and recommendations for proposed action. It includes sections on

- **Demand Needs Analysis**
  - An assessment of current and future demand, trends in social and cemetery practices and within the cemetery and funeral industry, to help guide the future use of cemetery lands.
- **Land Use Planning + Design**
  - An analysis and design for optimal land use, based on the needs analysis, staff/stakeholder and public input. Public input to the process was provided through two Open Houses, website information, published notices and mail-outs.
- **A Product and Services Review**
  - A comparison of cemetery fees, and product and service options among in similar municipal operations, including recommendations for product and service pricing.<sup>2</sup>
- **Financial Planning**
  - A proposed business model to help the cemetery system move towards cost recovery. An analysis of the Perpetual Care Fund (PCF) was provided, along with a review of how the cemeteries align with provincial regulations and best practices.
- **A Marketing Plan**
  - Recommendations to improve marketing of cemetery services, including a range of strategies to improve product and service offerings and the level of customer service provided. Ways to enhance public awareness, engagement and connection with the Village's three sites were also suggested.
- **A Cemeteries Conservation Management Plan**
  - A set of recommendations for managing the heritage resources, including the many wonderful old headstones at the Village's three cemeteries, along with recommendations for management of the heritage Chinese and Japanese Cemeteries.

Detailed data from the analysis, graphical overviews and assumptions are summarized in the supplementary Appendices. This detailed master plan's methodology, can be referenced in "**Appendix A: Master Plan Methodology.**" The recommendations of this report are founded on the input received from all who participated in and contributed to the master planning process. By implementing this Master Plan, the Village will improve service delivery, progress towards financial self-sufficiency, build a healthy PCF and reaffirm the community's commitment to its cemeteries as valued community resources.

---

<sup>2</sup> Please refer to Appendix O: "Glossary of Cemetery Terms," for an explanation of the terminology used in this report.



# DEMAND NEEDS ANALYSIS

## CEMETERY SITES MARKET REVIEW

### MUNICIPALITY AND LOCAL HEALTH AREA CHARACTERISTICS

Cumberland is an incorporated village municipality in the Comox Valley on Vancouver Island. The Village of Cumberland is part of the **Courtenay Local Health Authority (LHA) 71**. There are **14 communities** in the Local Health Area, including; Cumberland, Black Creek, Grantham, Comox, Courtenay, Fanny Bay, Merville, Saratoga-Miracle Beach, Royston, Union Bay, Buckley Bay, Denman Island, Hornby Island, and Mud Bay.

Local Health Area statistics were used for analysis of the Village of Cumberland regional market, as data regarding death and disposition is compiled provincially on this basis. It is important to note that the boundaries of provincial LHAs do not necessarily follow the boundaries of municipal jurisdictions. Analyzing the cemetery market data by the LHAs represents a more complete population overview of vital statistic and disposition data for the local market compared with data by municipality. The LHA includes lower density population areas outside of the Village boundaries, and these fall within the market area for Cumberland Cemetery.

BC Statistics works with the Ministry of Health to produce LHA Health Administrative Delivery Boundaries and Maps. LHAs incorporate more than one community, rural areas and regional unincorporated settlements. A map of the Courtenay LHA is provided in “**Appendix B - Courtenay Local Health Area.**”

### REGIONAL CEMETERY SITES

There are three cemeteries in Cumberland:

#### 1. **Village of Cumberland Cemetery**

Located on Minto Road just east of the Inland Island Highway, this cemetery has been in continuous use since the mid-1890s. It is the primary active site and offers full burials, cremation lots, and niches in a columbaria wall.

#### 2. **Cumberland Chinese Cemetery**

Located along Union Road near the junction of Cumberland Road, the Chinese Cemetery was established in 1897. There are no existing records that accurately identify grave locations and few headstones remain to indicate exactly where burials have taken place.

#### 3. **The Japanese Cemetery**

Located immediately west of the Chinese Cemetery, the oldest headstones at this site date back to 1901. In 2008, the Cumberland Japanese cemetery was dedicated as a heritage landmark, and a plaque was unveiled to recognize the contribution of this site to Cumberland’s history and culture. There is no remaining record of grave locations. In 1967, all headstones remaining at this site were installed in a concrete plinth just inside the entry gate.



#### 4. Other local cemeteries

Outside of the three cemeteries in Cumberland, there are three other active cemeteries that serve the Comox Valley region: Courtenay Civic, Qualicum Beach and Campbell River. As well, there are several smaller religious and community-specific cemeteries that also serve area residents. These sites are identified and included in the analysis in “**Appendix C – Regional Cemetery Market and Benchmarking**”.

## DEMOGRAPHIC PROFILE

Demographic trends, such as the number of deaths within a given community, are the starting point for defining market size and developing a cemetery business case. A detailed analysis of the Village and LHA demographics can be found in “**Appendix D – Detailed Demographic Profile.**”

### KEY FINDINGS – DEMOGRAPHIC PROFILE

- Average annual growth for the Village over the past 10 years has been **2.22%** per year.
- Average annual growth for the LHA over the past 10 years has been **12.6%** per year.
- The Village’s death rate is **11.80** per 1000 people, higher than the British Columbia average of **7.10**, or even that of the surrounding LHA rate of **8.24**.
- The Village’s average age is **38.3**, younger than the BC average of **41.1**.
- The higher death rate is because Cumberland is a popular community for retirees to move to from rural areas. Consequently, the Village has a larger than average group of young people in the community, **as well as** a larger than average number of seniors.

## DISPOSITION TRENDS

Disposition trends, such as the proportion of cremations and full burial within a region, define the community preferences and activity in key cemetery market segments. A detailed analysis and graphical representation of the Village and Local Health Authority disposition trends can be found in “**Appendix E – Detailed Disposition Trend Analysis.**”

### KEY FINDINGS – DISPOSITION TRENDS

Analysis of historic market patterns from 2003-2013 show that:

- The total number of full body dispositions in the Village of Cumberland was **29** (7.3%); and
- The total number of cremation dispositions in the Village of Cumberland was **369** (92.7%).
- The total number of full body dispositions in the LHA was **418**, (7.3% of dispositions); and
- The total number of cremation dispositions in the LHA was **5,302**, (92.7% of dispositions).
- The cremation rate has consistently exceeded the rate of full body dispositions in the Village and the LHA.

The graphs in “**Appendix F – Historic Cemetery Market**” summarize the data that defines Cumberland’s historic cemetery market profile from 2003 to 2013. Demographic characteristics summarized in these graphs include the historic population, death, and disposition rates for Cumberland and the Courtenay Local Health Areas.



## CEMETERY MARKET CAPTURE

The extent to which people choose to be buried in a cemetery is known as the market capture. Canadian municipal cemeteries tend to experience the following average capture rates:

- **90%** market capture of the community's traditional casket burials by local cemeteries;
- **20%** market capture of the community's cremated remains (in-ground, niche and scattering) by local cemeteries.

These rates are estimates, based upon LEES+Associates' professional judgment and experience in reviewing Canadian cemeteries interment data over the last decade. These rates vary in correlation with the degree of competition intensity and services offered by competing cemeteries.

A detailed analysis and graphical representation of the Village of Cumberland's and Courtenay Local Health Authority market capture profile (including a review of historic resident/non-resident, pre-need/at-need data) can be referenced in "**Appendix G – Historic Cemetery Market Capture.**"

### RESIDENT VERSUS NON-RESIDENT

According to the Village of Cumberland Cemetery Bylaw 913, 2009:

- **Resident** means any person, who at the time of death or at the time of moving to a care facility, lived or owned property in the Village of Cumberland for a period of at least **one year**.
- **Non-resident** means any person, who at the time of death was not defined as a resident.

The Village does not currently request any kind of documentary evidence, when recording the decedent's residency status and arranging payment by families. Establishing clear standards for claiming residency and the accurate tracking of residency at the point of sale of cemetery products and services would enhance the Village's understanding of its customer base and improve its ability to refine its pricing strategy in the future.

### PRE-NEED TO AT-NEED RATIO

Village employees have not historically recorded whether interments are for pre-purchased lots or for at-need. Therefore, this report's review of pre-need versus at-need is limited to lot sales. Extra revenue from pre-need sales can be used to narrow the tax subsidy gap experienced by most municipal cemetery operators, as well as to fund investment in much needed new cemetery inventory (such as columbaria), and upgrades to cemetery site infrastructure

### KEY FINDINGS – MARKET CAPTURE

From 2008 – 2013, Cumberland Cemetery experienced a:

- Total annual interments **declining** from 23 to 12 per year;
- **98** total interments at Cumberland Cemetery, including:
  - 21 full body burials – **21%** and 77 cremated remains – **79%**.
- **16** average annual number of interments at Cumberland Cemetery, including:
  - 3 full body burials – **21%** and 13 cremated remains – **79%**.
- Casket capture that **exceeded 100%** of the Village of Cumberland's potential casket market, indicating the cemetery inter a substantial number of non-residents.
- Casket capture that **exceeds** the industry average of **90%** for the local casket market.



- **39% annual average market capture** of Village of Cumberland's cremated remains market.
- Cremation capture **exceeds** the industry average of **20%** for the local cremation market.
- **3% annual average market capture** of the total Courtney LHA cremated remains dispositions.
- **47% annual average market capture** of the Village and **3%** of Courtenay LHA total markets.
- **Resident to non-resident** ratio for interments and plot sales is **1:1.5**. This is **above average non-resident sales** for Canadian municipal cemeteries, which usually have a ratio of **1:0.5**.
- **Pre-need to at-need** ratio for plot and niche sales of **1:1.5**. This is **above average pre-need sales** for Canadian municipal cemeteries, generally averaging a ratio no higher than **1:1**.

"Market loss" represents the decrease in market capture by the local cemetery system. Market capture and loss is primarily affected by customer satisfaction, marketing, price, distribution, competition, and the range of available interment options. Due to the flexibility and portability of cremated remains, the loss is higher among individuals that choose cremation over those that choose full body burial for their final disposition.

Improvements to market capture (and mitigation of market loss) depends on initiatives to improve customer service, promoting local awareness of Cumberland Cemetery, and efforts to diversify the interment and commemoration options offered. Investment in marketing and community engagement is important to municipal cemeteries as a key driver of cemetery market capture.

## FORECAST MARKET PROFILE

Demographically, the largest single cohort in Canada is the "Baby Boom" generation: people born between 1945 and 1965. As this cohort reaches its life expectancy, an increase in the demand for cemetery services should follow.

Industry professionals have, however, noted that a smaller percentage of this cohort appears to be investing in funeral/cemetery goods and services. Nevertheless, the large Baby Boom is expected to affect cemetery market growth over the longer term. According to Statistics Canada, the aging of the population should cause the demand for cemetery and funeral related purchases to accelerate from 2011 to 2031, the period over which the entire generation will pass the age of 65.

The oldest Baby Boomers reached the age of 69 in 2014. The average life expectancy for this cohort is about 80 years. In 2025, the oldest of this group will reach the age of 80 — their average statistical life expectancy, so an increase in demand for death-related goods and services is expected to increase starting before this point at around 2020. This demand is expected to remain high for the duration of the "Baby Boom". The number of deaths is then expected to decrease again moving towards the end 2045, when the youngest of this generation turns 80.

Finally, due to disposition trends increasingly favoring cremation, it is expected that Cumberland will experience larger demand for cremated remains products and services in the future.

### 30 YEAR MARKET FORECAST – VILLAGE OF CUMBERLAND

For the Village of Cumberland's market projection, it assumed the historical long term growth rate of **2.22%** will continue. The historic death rate for this market projection is expected to continue at the historical rate of **11.80 per 1,000** for the Village of Cumberland, up to the start of the "Baby



Boom” during which time it is expected to average a death rate of **12.8 per 1000**. Cumberland Cemetery is also assumed to maintain its historical market capture rates.

The following graph illustrates the 30 year forecast for Cumberland’s cemetery market, based on the projected pattern of demographics, death rates and population growth from 2013 to 2043.

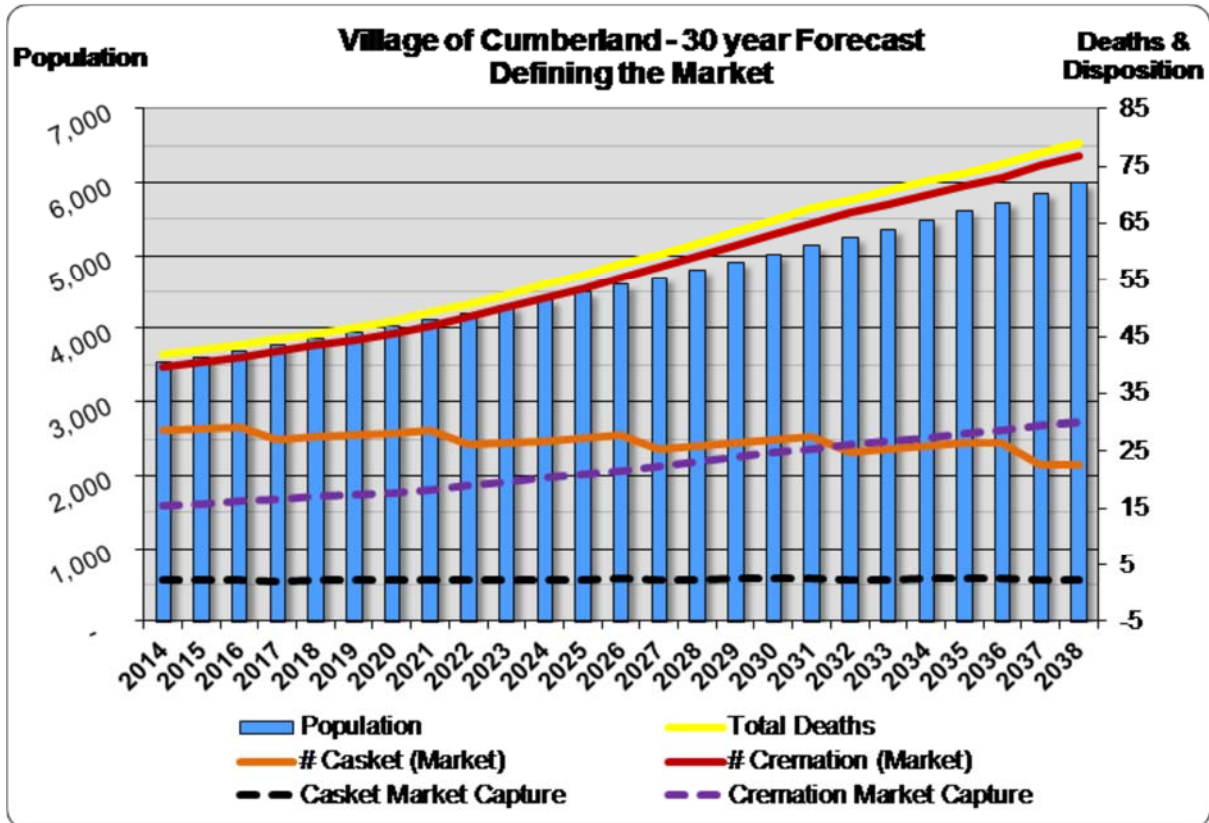


Figure 1: Defining the Market - Village of Cumberland - 30 Year Forecast, Source: LEES+Associates.

#### KEY FINDINGS – CURRENT MARKET CAPTURE

Projections for the Village of Cumberland predict the following, for the next 30 years:

- The **total number of deaths** is projected to be **1,868**, averaging **63** deaths per year.
  - **60** traditional casket dispositions (3%), and
  - **1,808** cremation dispositions (97%).
- Of these deaths, **778 interments will be made at Cumberland Cemetery**, averaging 26 per year, including
  - **70** traditional casket interments (9% of total interments), and
  - **708** cremated remains interments (91% of total interments).



# LAND USE PLANNING AND DESIGN

## FORECAST CAPACITY

The 4 hectare (10 acre) site of the Village of Cumberland municipal cemetery originally began as two separate cemeteries: a Catholic Cemetery at the east end of the site and a Protestant Cemetery at the west. This is the reason that most of the vacant land remaining at this site is primarily in the middle, between the two original cemeteries. Chinese and Japanese residents were interred at their own cemeteries, about 2 km. to the west.

Based on the low annual interment rate and the increasing percentage of area residents now choosing cremation, the municipal cemetery still has sufficient undeveloped land available to meet community needs for several decades. There is, however, a desire to establish a lot plan to enable the Village to develop new graves before the need arises. There is also a desire to confirm a product mix (casket lots and cremation interment options) for the site. Determining an optimal lot layout plan was a key objective of the land use planning and design phase of the Cemeteries Master Plan.

Two preliminary concepts (A and B) were developed for review by Village staff, elected officials and the public. **See “Appendix H: Open House Materials.”** The final preferred “Concept C” provides the following new interment capacity, by product type:

New Cremation Lots:		<b>1,494</b>
New Casket Burial lots:		<b>1,136</b>
New Green Burial lots	<b>( Phase 1: 138 +Phase 2: 171)</b>	<b>309</b>
Future Columbaria Niches:		<b>528</b>

The preferred concept also proposes a scattering garden, which would further increase the site’s capacity though it is not possible to calculate by how much.

According to projections, the Village Cemetery will need to accommodate **a total of 778 interments over the next 30 years**. Of these, **708 (91%) will be for cremated remains and 70 (9%)** will be for casket burials. As shown by the breakdown above, the preferred concept more than fulfills projected demand for interment capacity over the approximately 30 year horizon of this Master Plan.

It is worth noting that all three concepts propose a significant number of new casket lots, even though this interment option is decreasing in popularity and now meets the wishes of only a small percentage of customers. The reason for this is that **it is the demand for casket lots that drives the need for cemetery space**. For the same reason, although the current cemetery site has significant remaining capacity (enough to meet the projected demand with no changes to current conditions), given an opportunity to acquire additional lands in the small parcel across Minto Road, it is recommended that the Village seek to acquire this site for cemetery purposes. It is believed within the industry that there will always be a segment of the population that prefers casket burial, so providing for future demand for this most space-consuming interment option is a prudent idea.



## PUBLIC ENGAGEMENT

The public provided input to the planning and design process at two Open House Events on March 12<sup>th</sup> and June 25<sup>th</sup> 2014. A summary of the comments and input provided is included in “**Appendix I: Open House Materials Feedback.**” Approximately 40 people submitted feedback forms over the course of the public engagement process. Key responses included:

- The highest ranked issues identified as needing to be addressed by the Village were:
  - Water (11)
  - Permitted monument types (10)
  - Heritage/historic qualities (9)
  - Site maintenance (8)
- The majority of people that provided feedback at these events stated that they intended to be buried in a casket in a standard grave (12) or be interred in a cremation lot (14) at the Cumberland Cemetery.
- The majority of respondents that completed full questionnaires (16) stated that they would consider green burial, if it were made available.
- Most respondents said that they would be interested in interring more than 4 sets of cremated remains in a standard grave.
- A significant number (14) said that they would be interested in placing the name of a loved one on a memorial wall at the cemetery.
- Half of respondents (20) said that they would use on-line info about the Cumberland Cemetery, if it were available, but most would not use a smartphone app.
- The most popular items that should be considered as part of the future plans for the cemetery included:
  - Trees, grass and other plantings (24)
  - Upright headstones (19)
  - On-site grave-finding (20)
  - A cemeteries webpage (18)

One of the key issues identified in the course of the public engagement process is what items—from monuments to ornaments—are and should be permitted at the Village Cemetery. This topic is explored in the following section.

## GRAVE ADORNMENTS

There is a long history of families placing mementoes (such as artificial flowers and plants, toys, figurines, coins, glass and ceramic vases candles and solar lights) as well as various types of edgings at graves in the Village Cemetery. Items of this nature are known as “grave (or lot) adornments.” While adornments are undoubtedly placed as tokens of affection, most items tend to weather, fade and eventually fall apart. Glass, metal or ceramic items often end up in pieces, which are not only unsightly but can also be a hazard to the Public Works personnel that maintain the cemetery, especially when using power tools. The visual effect of increasing adornments has a visual impact on neighbouring graves, as well as on overall character of the cemetery.



To address this issue, the latest Cemetery Bylaw (2009) included a new Section, General Provisions and Regulations (paragraphs 75 through 83). This section stipulates what is permitted to be placed within the cemetery and for what time period. The current bylaw also states that the Village may remove any items at its discretion, and without providing notice to families. The Bylaw permits artificial flowers between November 1<sup>st</sup> and March 31<sup>st</sup> but prohibits potted plants. Edging such as curbs, railings, fences or hedges are also prohibited. Families are advised of these regulations when they purchase a lot, and staff have periodically posted notices regarding removing adornments. Nevertheless, the right to install edging and place adornments at the Cemetery remains a sensitive issue, and this issue arose during the March 12<sup>th</sup> Open House.

The proliferation of adornments and edgings appears to be the result of past bylaws that may not have been sufficiently clear in this area. There are certainly also some graves with edge treatments and adornments that go back many years, prior to more recent bylaws and in this sense, and therefore appear to have been “grandfathered in.” Primarily, however, the problem of unauthorized adornments is due to inconsistent bylaw enforcement. From a legal perspective, when customers purchase a lot at the cemetery, they enter into a contract with the Village. Both parties bring to the agreement a set of expectations regarding what they can and cannot do. Although the terms are written down on the sales paperwork, the problem arises when what the paperwork says and what the customer sees at the site are not consistent.

Ultimately, policy is not policy if it is not reflected in action. From a legal perspective, a bylaw needs to be enforced if it is to function as intended. The Village’s elected officials are considered the trustees of the cemetery, which means that they are responsible for ensuring that the cemetery bylaw is enforced. Prohibiting noncompliant objects and installations can be relatively easy to achieve moving forward. Even people making preneed purchases have the option of cancelling their purchase if they object to its terms. The challenge associated with bylaw enforcement lies primarily in removing noncompliant items that have been on site for some time due to a lack of enforcement. In this case, the lot owner may have a legal right to object to any removals.<sup>3</sup>

The Village of Cumberland is not alone in dealing with this problem. The City of Campbell River has recently initiated a process to remove all noncompliant features placed at its municipal cemetery. Like most cemetery owners, the City decided that the only way to deal with the issue was to provide notice and a (nine month) grace period to allow people to remove all nonstandard items. The City has committed to then removing all items that remain, and to storing them at a municipal site for pick up for an additional year. After this, all items will be discarded. This initiative has resulted in complaints and some angry families. The City of Campbell River has, however, decided to follow the lead of other municipal cemetery operators and simply try to weather the period of discontent until people accept that cemetery regulations will be enforced in the future, with no exceptions.

**It is recommended that the Village of Cumberland adopt a similar strategy.** Notice should be provided through the webpage, the local newspaper and a posting at the Village Cemetery. It is very important that the timeline be followed and that no exceptions are made. Possessions collected at

---

<sup>3</sup> *Personal conversation with Sean Sisett, Consumer Protection BC, July 22, 2014.*



the end of the grace period should be held for at least six months to allow families to reclaim them. In future, staff should be vigilant in removing all noncompliant items as soon as they appear.

The issue of edging and noncompliant headstones and grave covers is more difficult to address due to the investment made to install these items. One approach would be for the Village to offer families the option of paying an annual fee to allow existing noncompliant items to remain on a year-by-year basis. Then, following a period of 5 to 10 years, the fee could be waived and remaining installations could be allowed to remain. This would place these noncompliant features in the same category as other historic items, such as old fencing curbs and headstones that do not meet current bylaws but remain at the site, and would at least allow the Village to collect a fee for investing in the PCF. The problem would lie in the challenge and expense of administering this strategy.

There is one category of edging—custom welded aluminum curbs—that merits specific action at the Cumberland Village Cemetery. The number of aluminum curbs appears to be increasing and staff should notify the families responsible that these are noncompliant and subject to removal or payment of an annual fee. Utilitarian edgings such as these are not appropriate to a cemetery, especially not one designated Heritage Cemetery. It should be made clear that existing curbs will incur an annual fee, or be removed, and that all future curbs will be removed upon installation.

It is clear from the level of adornment at the Village Cemetery that families are used to this practice. In some cases, the practice may reflect dissatisfaction with the level of care being provided to their loved ones' graves. A public education piece may be needed that would clarify that families may purchase a right of interment, but do not actually own the gravesite or the niche occupied by their loved one. Once site improvements are initiated at the Village of Cumberland Cemetery, some families may appreciate that efforts are being made to improve the aesthetics and amenities of the site. Providing opportunities to contribute to the cemetery through events may also help people engage more appropriately with their cemetery.

## PREFERRED CONCEPT FOR THE VILLAGE CEMETERY

The Preferred Concept has been developed to reflect, as far as possible, the outcome of the public engagement process. The central area designated for “Ashes only” is proposed to be laid out for mixed casket and cremation lots to allow families who choose different interment options to remain in the same area of the cemetery. The entry drive from Minto Road is realigned to optimize lot yield, extend the historic alignment of (east-west-facing) graves, and establish a focal feature from the approach to the main (east-west) cemetery drive.

The concept indicates a new scattering garden flanked by columbaria that extend towards the proposed new green burial area along the wooded north edge. The graphic indicates that this area will be reforested as burials take place and trees are planted every few lots. While not shown, an allowance has been made in the cost estimate for a vegetative buffer to be planted as a screen between this area and the Cremation Garden. A future pavilion, an operations area and a pedestrian trail with interpretive signage are also proposed. This option also provides for significant new tree planting. A graphic of Development Concept, “Concept C: Preferred Option” is provided below, with a cost breakdown included on the following page. Projects are intended to be implemented according to the Village's priorities and ability to access resources. Additional staff, including individuals with landscape expertise (as typical of a Parks Department) will also be required to manage the site.



# CONCEPT C - Preferred Option



## Overall Cemetery Site Improvements

- Soil amendment/topsoil over proposed new lots and incrementally over existing lots where possible, seeded with drought-tolerant grass or grass/wildflower mix.
- Vehicle routes demarcated by re-grading and top dressing with gravel or crushed asphalt.
- Non potable water (courtesy of Cumberland Sand and Gravel) for visitor use/irrigation purposes only.
- In-ground irrigation system to be installed to enable watering of all landscape improvement areas.

## Legend

- Existing Casket lots
- Proposed New Casket lots
- Proposed Green burial lots
- Proposed upright marker lots
- Proposed cremation lots
- Columbarium wall
- Existing trees
- Proposed deciduous tree
- Proposed evergreen trees
- Proposed shrub bed/ Scattering Garden
- Property line
- Proposed fencing
- Proposed pedestrian trail

## VILLAGE OF CUMBERLAND CEMETERIES MASTER PLAN

August 7th 2014





Village of Cumberland Cemetery CONCEPT C: Site Improvements - Cost Estimates and Phasing						
Project	Description	Priority	Quantity	Units	Unit Cost	Estimated Cost
<b>Site Preparation</b>						
Survey staking - Property Line	For perimeter fencing	1	1	Allow		\$6,000.00
Site protection	Snow fencing around limit of work to protect trees, graves and headstones	1	2,000	lm	\$2.00	\$4,000.00
<b>Subtotal</b>						<b>\$10,000.00</b>
<b>Vehicle Circulation Areas</b>						
Existing cemetery driveways - excavation and grading	150 mm excavated and removed	1	5,730	m2	\$5.00	\$28,650.00
Driveways to remain (including realigned section) - subgrade prep	Grading and installation of 100 mm compacted road base	1	4,775	m2	\$10.00	\$47,750.00
Driveways to remain (including realigned section) - resurfacing with asphalt millings	50 mm asphalt millings (crushed asphalt) overlay; crowned and rolled	1	4,775	m2	\$15.00	\$71,625.00
Exterior parking lot - subgrade prep	100 mm excavated and removed	1	315	m2	\$3.00	\$945.00
Exterior parking lot - resurfacing with asphalt millings	50 mm asphalt millings (crushed asphalt) crowned and rolled	1	315	m2	\$15.00	\$4,720.50
<b>Subtotal</b>						<b>\$153,690.50</b>
<b>Landscape Improvement Areas</b>						
New interment areas - site clearing and excavation to 150 mm depth	100 mm excavated and removed; incl'd reclaimed driveways	1	8,330	m2	\$5.00	\$41,650.00
New interment areas - growing medium (soil amendment or topsoil)	100 mm growing medium, tilled into existing and fine graded; incl'd reclaimed driveways	1	8,330	m2	\$4.50	\$37,485.00
Seeding with drought-tolerant seed mix (grass or grass/10% wildflower seed mix)	Hydroseeded	1	8,330	m3	\$1.50	\$12,495.00
Establish new green burial section	Signage and planted buffer only - see below	1		See below		
Establish upright marker sections	Administrative costs only	1		N.A.		
Establish scattering garden	Stone curbing around planted bed areas - see below	2	\$50.00	lm	\$25.00	\$1,250.00
<b>Subtotal</b>						<b>\$92,880.00</b>
<b>Site Features</b>						
Entry Signage - new archway between existing brick entry walls (to remain)	Metal archway over entry drive; incl'd design and engineering	1	1	Allow		\$18,000.00
Future arbor/shelter - central area	Allowance for 8x8 m2 pavilion with solid roof	3	1	Allow		\$25,000.00
Future arbor/shelter - associated paving (pedestrian access and patio)	Concrete unit pavers over sand	3	80	m2	\$120.00	\$9,600.00
Cremation Garden - existing columbaria wall relocated	Allowance for relocation, new footing and reclamation of former site	2	1	Allowance		\$5,000.00
Cremation Garden - new columbaria wall	One new 48 unit structure similar to existing, install on concrete base	2	1	Allowance		\$18,000.00
<b>Subtotal</b>						<b>\$75,600.00</b>
<b>Site Furnishings</b>						
Cemetery map and interpretive signage	Installed along cemetery entry drive	2	1	Allow		\$5,000.00
Trailhead signage	Installed at exterior parking lot	3	1	Allow		\$2,000.00
Green burial section - signage	Sandblasted boulder, supplied and installed	1	1	Allow		\$1,500.00
Perimeter fencing along Minto Road	Black ornamental metal, 1.5 m ht	2	220	lm	\$100.00	\$22,000.00
Benches	To match Village's existing standard	2	4		\$1,500.00	\$6,000.00
<b>Subtotal</b>						<b>\$36,500.00</b>
<b>Softscape</b>						
Coniferous Trees - along along central driveway	Primarily pines and fastigiate or columnar (narrow) varieties	1	43	ea	\$300.00	\$12,900.00
Coniferous Trees - infill between existing trees - Minto Road ROW	Mixed evergreen species	1	40	ea	\$250.00	\$10,000.00
Deciduous Trees - in central mixed cremation and casket area	Note: Two casket lots/tree to be allocated for plantings	1	34		\$250.00	\$8,500.00
Green burial Section - trees and shrubs for planted buffer	Native species only	1		Allow		\$1,500.00
Scattering Garden - ornamental trees	Drought tolerant flowering ornamental species	2	8	ea	\$175.00	\$1,400.00
Scattering Garden - Shrubs & Perennial plantings	Primarily native species, some hardy, drought-tolerant/deer resistant ornamental varieties	2	127	ea	\$50.00	\$6,350.00
Planting medium - scattering garden bed areas	500 mm excavated and removed; 500 mm depth new planting medium	2	32	ea	\$40.00	\$1,280.00
<b>Subtotal</b>						<b>\$41,930.00</b>
<b>Operations and Bulk storage Yard</b>						
Driveway from external parking lot	Gravel access drive	2		Allow		\$5,000.00
Fenced, lockable compound with bins for storage of grave spoils/bulk materials	2 m chain link fence and gate, three lock-block bins, gravel surface	2		Allow		\$15,000.00
<b>Subtotal</b>						<b>\$20,000.00</b>
<b>Irrigation</b>						
Below-ground cistern with pump, connected to existing tap	Polyethylene water storage tank c/w fittings; UG power from hydro lines on Minto Road	1		Allow		\$15,000.00
Irrigation System (Design and installation)	Mainline from cistern along main E-W drive; rotor coverage of all improvement areas; Include quick connects to allow for manual irrigation of other plantings on an as-needed	1		Allow		\$15,000.00
<b>Subtotal</b>						<b>\$30,000.00</b>
<b>Proposed Priority 1 (years 0 - 5) estimated costs</b>	<b>Note: Refer to column "Priority" above</b>					<b>\$337,720.50</b>
<b>Proposed Priority 2 (years 5 - 10) estimated costs</b>						<b>\$86,280.00</b>
<b>Proposed Priority 3 (10 years +) estimated costs</b>						<b>\$36,600.00</b>



# PRODUCT AND SERVICES REVIEW

## CURRENT SERVICES PROVIDED

Cumberland cemetery offers full burials, cremation lots, and a columbarium niche wall for cremated remains. Cemetery products and services commonly provided by Canadian municipal cemeteries that are **not offered** at Cumberland Cemetery include:

- In-ground full burial lots and interment dedicated to Child, Infant, and Veterans;
- Chapel or grave-side value-added services (for diverse religious groups);
- Double depth burial;
- Green burial;
- Family and community vessels (large urns),
- Grave liners, plaque installation and niche inscriptions
- Cremation scattering (gardens, ponds) and ossuaries, and
- Memorial benches, wreathes, and trees.

Some cemeteries also rent their lowering devices and tents, however Cumberland Cemetery does not currently provide these, and the Funeral Homes bring their own.

Options for interring cremated remains within the Village's cemetery system are **limited** compared to other private and public cemeteries in Western Canada. Consumers today are accustomed to an array of choices available for most products and services, at cemeteries. Convenience, ease of decision making and the ability to make necessary arrangements at one location are valued by families making funeral and cemetery arrangements. Diversifying offerings, potentially in partnership with local distributors of funeral products, would meet this growing need. Broadening the range of cremated remains options will help to attract customers in this growing market segment, as it creates an attractive spectrum of price points. Committing to and developing a new "green burial" section at the Village Cemetery would be an excellent way to diversify product offerings, and to take advantage of the burgeoning interest in this "new" interment option.

**"Appendix J: New Product and Service Options"** provides added detail concerning new memorialization options, green burial and how the Village compares with neighboring communities,

## KEY FINDINGS - CURRENT FEES

Cemetery fees were last increased in **2009**, and at the time, there was community concern about the lack of publicity prior to the increase, that allowed some people to make purchases before the prices increased. Best practices at Canadian municipal cemeteries, usually include **annual price increases** – at minimum - that align with the cost of living, currently at rate of 2%.

Pricing for cemetery plots and niches are categorized by Resident and Non-Resident status, as defined by the Cemetery Bylaw. Cumberland does not currently differentiate between **resident and non-resident opening and closing services**. Canadian cemeteries that offer differential pricing often also do so for services, as well as lots. For example, Castlegar, Creston and the District of West Kelowna all offer higher rates for non-resident interments (extra fees ranging from \$75 to \$200 higher than the resident rate).



To provide a benchmark for this fee review, Cumberland's cemetery fees have been compared with those of surrounding communities and similarly-sized communities across BC. Several mainland communities of similar size to Cumberland were considered in this benchmark study, however due to space limitations, not all data analyzed is presented in this report.

More information about cemetery offerings in catchment area communities and one representative mainland community can be found in "**Appendix K: Cemetery Fees - Pricing Comparison**". The pricing benchmark study and market review confirms that Cumberland's cemetery rates are:

- Largely **comparable** or higher than benchmark communities for all **plots**.
- **Below average** for Niches by 39% - however, the value of columbaria varies significantly and is directly tied to the attractiveness, style and the position of the niche.
- **Below average** for all **Interment (opening/closing)** prices. Full burial is **lower by 13%**, cremation burial is lower by **35%**. Inurnment lower by **20%** compared with the average rate.

## RECOMMENDATIONS - SERVICES

To align Cumberland with cemetery best practices and communicate the Village's commitment to delivering enhanced value to long-term residents, it is recommended the Village:

- Prepare a **community communication plan**, to discuss upcoming and ongoing initiatives and price changes. This should include a public event to facilitate discussion, answering questions, distributing a community bulletin. This should extend to other media (newspapers, radio, etc.).
- **Expand offerings** and provide **service diversity** comparable to other regional cemeteries, particularly with respect to cremation options. Given the site's characteristics, standard regional offerings, and current market trends, the Village should prioritize adding:
  - Green burial;
  - In-ground full burial lots and interments dedicated to Infants and Children;
  - Cremation Scattering (gardens, ponds) and additional Columbaria Niches;
  - Plaque installation and niche inscriptions, memorial benches, wreathes, and trees  
(Prices will vary with product offering).
- Explore marketing opportunities in **partnership** with the private funeral industry – particularly to facilitate the offering of **more diverse monument options** to the community.
- Increase all cemetery fees annually, at minimum, by the **rate of inflation**. The purpose of this is to ensure cost recovery of equipment, materials, overhead and employee time to deliver services at the Village cemeteries. *It is important to note that raising rates to achieve full cost recovery risks a decline in revenue due to lost market capture, particularly from pre-need sales. This is likely if rates are increased significantly after a long period of historically low rates.*
- Request **documentary evidence** of residency status when arranging payment by families.
- Differentiate the rates for opening and closing services for **residents** and **non-residents**.
- Offer a **10% discount** on opening and closing to **residents** for every 25 year period worth of direct ancestors interred at Cumberland Cemetery.



- For instance, if a person's parents were interred in the past 25 years, they receive a 10% discount. If their parents were interred in the past 25 years and grandparents within the past 50 years, they would receive a 20% discount. Family members will need to present evidence of this generational connection to Cumberland cemetery administration.
- Introduce a **\$150** fee to allow installation of **upright memorials** in sections of the cemetery, (per the interest expressed in this option at the Public Open House events).
- Immediately align Cumberland's Rates with neighboring communities by:
  1. Increasing Full Traditional and Green Burial Opening/Closing for Residents to **\$950**;
  2. Offering Full Traditional and Green Burial Opening/Closing for Non-Residents at **\$1050**;
  3. Increasing Cremated Remains Opening/Closing rates for Residents to **\$250**;
  4. Increasing Cremated Remains Opening/Closing rates for Non-Residents to **\$300**;
  5. Offering Resident Children Plots at **\$550** and Infant Plots at **\$200**;
  6. Offering Non-Resident Children Plots at **\$750** and Infant Plots at **\$300**;
  7. Offering Resident Children's Interment at **\$550** and Infant Interment at **\$300**;
  8. Offering Non-Resident Children's Interment at **\$650** and Infant Interment at **\$450**, and
  9. Offer Scattering Rights at **\$150** for Residents and **\$200** for Non-residents.

To align residents with the regulations defined by the Cumberland Cemetery bylaws designed to enhance the safety and quality of the cemetery site, it is recommended the Village initiate an adornment policy as described on pages 9 - 11, and should:

- Send a letter of notice to families that add "permanent" noncompliant ornamentation or memorialization (e.g. grave curbs, adornments, unusual headstone alignments) at Cumberland Cemetery graves. It is important to educate the public regarding the cemetery bylaw in question they are violating and the practical reasons behind the regulations.
  - This letter of notice should request that families remove the noncompliant installations, or opt to pay an extra fee to retain their presence, and
  - If deemed appropriate by Council and Staff, introduce a **\$50 annual "grandfathering" fee** that families can opt to pay for 5 years, should they wish to keep the noncompliant installation at the grave site. This fee will be reduced to **\$25 per year** after the first five years of payment. (Refer to page 11 for discussion of this issue)

It should be noted that a Bylaw update will be required to implement many of the changes recommended by this Master Plan.



# FINANCIAL PLAN

## CURRENT CONTEXT

The financial plan developed for Cumberland's cemetery system is designed to help the Village reach its goal of operating at cost recovery within the 25 year timeline of this Master Plan.

The 25 year Demand Needs Analysis projections were used to prepare two financial scenarios, along with historic cemetery data. Trends observed in similar municipalities also informed the process.

These scenarios are identified as:

1. **The Status Quo Financial Plan:** Projections resulting from continuing with current practices.
2. **The Recommended Financial Plan:** Projections after changing current practices by increasing fees, expanding product and service diversity and implementing a marketing plan.

The two financial scenarios were compared, resulting in the following findings:

### KEY FINDINGS – CURRENT CONTEXT

Cumberland cemeteries serves Village residents and the surrounding LHA. It is funded through:

1. **User fees** (from the sale of products and services);
2. **Property taxes, penalties and interest** revenues;
3. **Government grants** (Payments in Lieu of Taxes Program, administered by Public Works and Government Services Canada, and the BC Small Community Grant Program); and
4. **Periodic donations** by community groups.

From 2009 to 2013, the Cumberland Cemeteries averaged:

- **Annual operating revenue of \$16,500**, including extraordinary donations for projects in the Japanese and Chinese Cemeteries.
- **Annual operating revenue of \$12,500**, excluding unusual donations.
- **Total operating expenses of \$18,000.**
- *Operating revenue covering 70% of operating costs.*

Extraordinary costs included the:

- **Insurance on the columbaria wall.** Canadian cemeteries do not typically insure columbaria unless there is reason to expect they may be vandalized. With no history of significant vandalism at Cumberland Cemetery, it is not necessary to continue with this expense.
  - **Japanese Cemetery Walkway:** \$7,488.65 was donated for this project, which was constructed in 2009.
  - **Chinese Cemetery Fence:** \$12,000 was donated for this project, constructed in 2012.
- *An annual net loss of \$1,500 per year before subsidies.*
  - Cumberland's **cemeteries tax subsidy was \$6,900.** This often exceeded annual net loss.



- Cemetery revenue and expense proportions were allocated as shown:

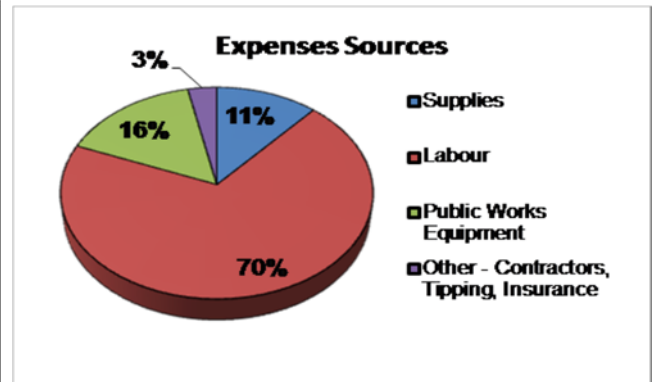
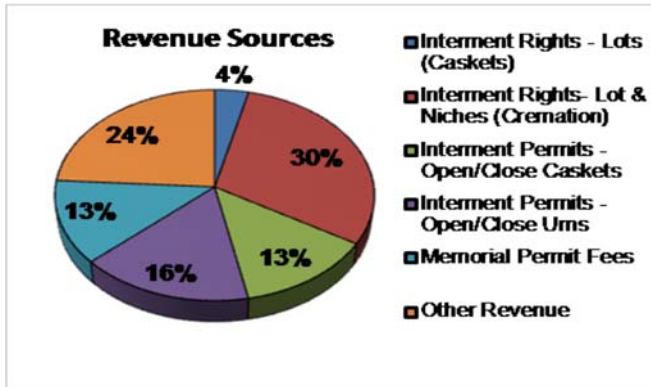


Figure 3: Revenue for the Cumberland Cemetery System,  
Source: Village Financial Reports  
Cumberland cemetery system:

Figure 2: Expenses for the Cumberland Cemetery System,  
Source: Village Financial Reports

Interment Service	2014 Open & Close Price	Direct Costs to Deliver	Net Margin to Cover Indirect Costs + Overhead
Ashes Interred in Casket Space	\$180	\$379	(\$199)
Full Burial in Casket Space	\$850	\$543	\$307
Ashes Interred in Cremation Space	\$180	\$119	\$61
Ashes Interred in Niche Wall	\$100	\$42	\$58

Table 1: Cost per Interment, Source: Village of Cumberland Staff Communications.

Direct costs include an allocation for staff time and equipment costs. They do not include any allocation for supplies, insurance, tipping and other contractor expenses, or administration costs (for example, time to work with families, Public Works or Accounting).

**BC's Community Charter**<sup>4</sup> does not allow municipalities to price their services such that they will generate a profit. According to the Charter, if a fee is not directly related to the service provided (tied to actual costs), it is considered a tax, and if requested, the municipality must report how a fee has been established. Village staff has expressed concern that this could be an impediment to raising fees charged for cemetery goods and services (notably services); however, the unique situation with cemetery operations suggests that this is not necessarily the case.

Cemetery revenues in the Village have historically not fully covered costs—much less provided sufficient contributions to the PCF as required under the British Columbia (BC) Cremation, Interment and Funeral Services Act (2004).<sup>5</sup> Municipal cemeteries are not profitable ventures but they do need to operate in a manner that balances meeting public need and providing for the future. All fees, including price increases, can only be applied only towards reinvestment in infrastructure and for long term maintenance and therefore cannot be interpreted as generating profit or imposing a tax. From 2009 to 2013, Cumberland Cemeteries the annual cost of delivering cemetery services,

<sup>4</sup>BC Community Charter [http://www.bclaws.ca/Recon/document/ID/freeside/03026\\_00](http://www.bclaws.ca/Recon/document/ID/freeside/03026_00)

<sup>5</sup> See Appendix L: Perpetual Care Fund Legislative Requirements



site maintenance, and overhead averaged **\$1,250 per interment** over the total fees collected from fees at their current levels. It is clear that any increases in fees would simply help reduce the operating subsidy currently required for the cemetery system.

#### KEY FINDINGS – RECORDS MANAGEMENT + PERFORMANCE MEASUREMENT

The Village currently uses **Microsoft Excel** for all records management. This includes recording interment activity and financial transactions associated with each grave or niche. Since Excel is not designed for cemetery records management, it does not include the level of functionality of proprietary cemetery software, such as information about lot location, background information about historic residency, next of kin or pre-need sales. As well, due to the limitations of Excel, gravesites are not currently mapped “live” (available through via mobile platforms such as phones or tablets), and cemetery records are not linked by GIS to the site’s lot layout.

Historic errors and the lack of detail recorded has caused problems with accurately tracking and recording sales. Unfortunately, these errors have adversely impacted customer confidence within some local families. Investing in cemetery-specific software (such as **Stone Orchard Software**) would enable linking data with a financial management system that quickly and easily delivers customized, cemetery-specific reports, which also meet current industry standards. Stone Orchard offers a custom software solution that simplifies record-keeping, data retrieval, and accessing and updating information. It facilitates responding to customer questions and requests. Stone Orchard Software is also compatible with iCemetery (a Smartphone App) and GIS cemetery mapping.

**iCemetery** is a mobile application (app) designed by LEES+Associates in collaboration with Stone Orchard Software to provide an easy tool for locating graves and related records. iCemetery is valuable for families looking for graves of relatives or conducting genealogy research. GPS and GIS maps are accessible through this tool, enabling cemetery operations and administrators to quickly locate a grave or headstone in the field.

Investment in cemetery-specific software would quickly recover costs by improving operational efficiency, both in the office and on-site. Improved and expanded records management capability would also yield an added benefit of helping to build public confidence in the Village’s cemetery management. The current disregard for bylaws and regulations (an ongoing challenge) may be mitigated to some degree by upgrading to a state-of-the-art, cemetery-specific records management software program.

The Village’s current financial Chart of Accounts appear to have been properly maintained to date. The Village generally has **above average reporting of expense accounts**, as it identifies the cemetery’s cost of maintenance separately from its cost to deliver services.

## FINANCIAL SCENARIOS – SENSITIVITY ANALYSIS

A financial sensitivity analysis (testing the effects of different variables in performance) was conducted in the process of developing the two financial scenarios. Analysis was done using a Cemetery Business Case Analysis Tool (CBCAT™), which is an integrated planning *pro forma* that was developed specifically for tracking interment trends, population changes and cemetery services. The CBCAT incorporates baseline data, current and projected revenue and costs in a template used for planning.



## DETAILED ANALYSES & ASSUMPTIONS

The detailed financial analyses of these scenarios can be reviewed in “**Appendix L – Financial Scenario Sensitivity Analyses**”. This Appendix reviews the assumptions, key drivers, and results of a 50 year projection assuming **status quo** conditions, as well as a new **recommended** strategy that would enhance Cumberland Cemetery System’s future financial performance.

### KEY FINDINGS - SCENARIO 1 - MAINTAINING THE STATUS QUO

Scenario 1 examines the outcome of cemetery system operations with all of the Village’s policies and practices continuing as-is, with only the external environment (the demographic and industry trends that drive demand) forecast to change.

In this scenario, the Village does not initiate any price, policy, or service changes, and inflation and market capture rates remain constant. The result is that the Village will not break even in the foreseeable future, and the net operating balance (without subsidies) will increase to **\$18,000 annual loss** in 50 years. In this scenario, revenue is driven only by demand, which will grow at a **slower rate than inflation**. At the same time, costs will increase faster, steadily increasing the cemeteries’ operating loss.

It is important to note, that since the Village Cemetery has existing inventory of over 1,500 cremated remains spaces and over 300 full-size casket spaces, projecting from its current rate of market capture, the site has more than enough capacity to meet the expected burial demand for the next 50 years. The projection indicates that there will be 778 interments made at the Village Cemetery over the next 30 years, and the majority of these will be for cremated remains. Cumberland does not, however, have sufficient capacity to meet the projected demand for columbaria niches. The Village will need to invest in providing new niches to meet projected demand.

### KEY FINDINGS - SCENARIO 2 – RECOMMENDED FINANCIAL PLAN

Scenario 2 examines the outcome of moving the cemetery system *towards full cost recovery*. In this scenario, a new strategy was generated. After rigorous testing of different forecast variations in the CBCAT, this scenario is based on adjusting key variables in the 50 year projection.

On the revenue side of the equation, a projected increase in revenue is correlated with **increased market capture**. This would result from additional marketing, some price increases, and enhanced product/service offerings. On the expense side, increases are driven by inflation, as well as the cost of new promotional efforts and initiatives.

On the expense side, all costs are assumed to increase at the rate of inflation only. Given that market capture is expected to increase gradually, and the lack of precise data indicating the capacity of current staff to absorb increased volume, this scenario does not assume any specific point in time where fixed labor cost increase as a result of hiring additional staff.

In the recommended scenario, it is expected that the Village Cemetery will break-even without tax subsidies in **9 years**, 2023. In a decade, the Village can expect profits which can be allocated to increasing the cemeteries’ perpetual care fund, inventory development (e.g. columbaria) and infrastructure. With revenues reaching \$50,500 and expenses growing to \$33,000, this scenario will reach a net operating balance (without subsidies) of **\$17,500 annual profit** in 25 years.



## PERPETUAL CARE FUND

### BEST PRACTICES + LEGAL REQUIREMENTS

A key factor in the viability of a cemetery is the adequacy of its Perpetual Care Fund (PCF). Canadian cemeteries are required by law to maintain a PCF, which is created by depositing a percentage of revenue from products and services sold. The purpose of the PCF is to provide a future source of interest income, which would cover future maintenance costs after the cemetery is no longer generating revenue from selling lots and interments, eliminating the need for a perpetual tax subsidy.

Details of BC's legislation can be found in "**Appendix L - Perpetual Care Fund Legislative Requirements**". Details concerning PCF industry best practices can be found in "**Appendix M - Perpetual Care Fund Best Practices + Sensitivity Analysis**".

The proportion of maintenance costs out of total operating expenses in Village cemetery system is currently above industry average. This is due in part to maintenance of the primarily inactive Chinese and Japanese cemeteries. This represents a case where separately identifying costs from different sites would be useful in tracking and monitoring expenses.

### INVESTMENT POLICIES + FUND BALANCE STATUS

PCF investment policies at the Village have been inconsistent in the past, varying with the judgment of financial staff. Prior to 2009, the PCF was placed in term deposits. These investment funds were then transferred into a low interest bank account. Past financial records (as far back as 1994) indicate that the historic growth of the Village of Cumberland Cemetery's PCF was lower than other Canadian municipal cemeteries. This has recently improved, with current staff reinvesting the PCF in an investment portfolio with terms that are expected to generate **1.25% interest**.

The current PCF balance is approximately **\$43,000**, which is significantly below where it should be. If all revenue and tax subsidies for the cemetery were to cease, there would be insufficient interest (only \$22 per year at the historic rate, and \$533 per year at 1.25%) to provide for a basic level of maintenance, let alone the funds needed to maintain roads, fences, columbaria etc.

In 50 years, Cumberland cemeteries will incur **\$53,000 annual operating costs**. If all three cemeteries became inactive, **\$13,000** in service costs would no longer be generated. This would leave **\$40,000** in annual maintenance costs, while active. In the best case scenario, **\$20,000** per year will be required to cover basic maintenance costs. If the Village is prepared to subsidize this cost through the foreseeable future then the PCF is not a major issue. If, however, the Village wants to reduce that liability, a strategy to increase the PCF balance (and interest generated) is required.

### DETAILED ANALYSES & ASSUMPTIONS

Additional data and detailed analyses for both scenarios can be found in "**Appendix L – Perpetual Care Fund Best Practices + Sensitivity Analysis**". This includes a review of 50 year PCF projections based on status quo conditions, and a new alternative scenario, with proposed changes to the PCF that would enhance Cumberland Cemetery System's long term sustainability.

### KEY FINDINGS – PERPETUAL SCENARIO 1 - MAINTAINING THE STATUS QUO



Scenario 1 examines the results of Cumberland Cemetery System operations, with all PCF policies and conditions remaining as status quo, and only the external market environment forecast to change. Under these circumstances, then in 50 years, the Village could expect:

- To increase its PCF to **\$170,000**, under the historic rate of 0.05%.
- To increase its PCF to **\$242,000**, under the new rate of 1.25%.

The increase in PCF is mostly driven by annual contributions consisting of approximately 11% of forecast revenues, as well as by compounded interest income over time, being retained within the fund. The historic rate of 0.05% would only generate **\$90 interest** with its new PCF balance. The newer rate of 1.25%, would generate **\$3,000 interest** with its new balance, still leaving a gap of at **\$17,000** to cover the basic cemetery maintenance costs. If the Village needed to cover more than basic maintenance cost, then the gap and the need for additional subsidy would expand further.

#### KEY FINDINGS – PERPETUAL CARE FUND SCENARIO 2 – RECOMMENDED FINANCIAL PLAN

Scenario 2 assumes the same criteria for operations proposed earlier in the financial plan under the alternate strategy, and adds changes to PCF policies, enhances potential investment return and increases PCF contributions to **33% of lot sales**, after breakeven is achieved.

Without additional subsidy, beyond measures outlined in Scenario 2, the Village can expect:

- To increase its PCF to **\$803,000** in 50 years, under an improved interest rate of 2.0%.

The increase in PCF is driven by annual contributions, consisting of 11% of forecast revenues up until the point contribution rates are increased in 10 years. At this time, contributions will increase to **16%** of revenues. In 25 years, this would amount to an annual contribution of about **\$8,000** per year from sales. This, in addition to compounded interest over time, would drive PCF growth.

At the enhanced interest rate of 2%, the PCF will generate about **\$15,500 interest** income in 50 years. This leaves a **gap** of **\$4,500** for covering just basic cemetery maintenance. Unfortunately, even with the proposed changes, it appears that the Village of Cumberland will still fall short of the PCF levels it needs for long term sustainability. At an interest rate of 2.0%, the Village would require approximately **\$1,000,000** in the PCF to ensure an annual interest of **\$20,000**, which could cover the basic level maintenance on the cemetery sites 50 years from now. In Scenario 2 (without additional subsidy) the PCF would only reach **\$803,000**.

If, over the next 25 years, the Village were to annually contribute an additional **\$5,000** from its tax and government grant resources – above and beyond that generated by sales - to the PCF, this would increase the principal by an additional **\$120,000**. With the effect of compound interest, this would enable the PCF to reach its target of **\$1,000,000** by 2062. This donation is suggested to come from the usual property tax, penalties and interest revenues, and the sources of government grants normally used to cover operating costs.

With an additional subsidy of \$5,000 annually over the next 25 years, under Scenario 2, in 50 years, the Village can expect:

- To increase its Perpetual Care Fund to approximately **\$1,100,000**.

At the increased rate of 2%, the PCF would generate **\$20,500 interest** income in 50 years. This would allow the cost of basic cemetery maintenance to be fully covered by the PCF interest generated.



## RECOMMENDATIONS – FINANCIAL PLAN

### OPERATING FINANCIALS

In order to move the cemetery system **towards cost recovery** and meet current cemetery management **best practices**, it is recommended that the Village of Cumberland:

- Adopt **Scenario 2** to guide decision-making. This option best aligns pricing with neighbouring communities, while moving the municipality toward cost recovery over a reasonable period. Risk of market loss is mitigated by increased marketing, customer service, and engagement.
- Implement **one-time price increases** to fees identified in the Product and Service Review in 2015 and add differential pricing for resident and non-resident interments.
- **Increase all cemetery fees by 3% annually, after 2015.** This is an increase of **1% more** than expected inflation (currently estimated at 2%), to help close the current operating cost gap.
- **Provide new product and services** including, green burial, columbaria, and scattering gardens, funded by tax subsidy in the first ten years, and cemetery profits after break-even.
- Invest in strategic **marketing and community engagement**, spending a minimum **\$2,500** in 2015 and **\$1,250** from 2016 forward. Promotion is necessary to communicate with the public about upcoming development changes and the Village's goal of improved quality of service. This will mitigate potential market losses from increasing prices and drive growth in sales.
- Continue allocating tax, penalties and interest revenues, as well as grants as historically done. As operating cost recovery improves, shift this funding into the **PCF** and a new **“Cemetery Build Fund”** for new inventory and infrastructure development (e.g. columbaria).

### RECORDS MANAGEMENT + PERFORMANCE MEASUREMENT

It is recommended the Village strives to improve its financial data and records management, and day-to-day access. Interment and client information records should be upgraded, including linking people to geo-referenced places of interment. The Village should:

- Commit to implementing **cemetery-specific software** (such as Stone Orchard Software) for records management with integrated mapping capability to streamline staff's accounting and customer service. **Estimated software cost \$15,000.**
- Commit to the sharing the mobile app, **iCemetery**, with cemetery visitors (provides a searchable database for locating graves and headstones, services and availability, and pricing.) This app could link to a new Cumberland Cemetery webpage. (See the Marketing Plan section of this report.)
  - \$ 8,000 for GIS cemetery mapping
  - \$ 2,000 upfront cost for iCemetery data management and \$200 per year for hosting.
- Commit to enhancing the financial management software infrastructure, and expand the Chart of Accounts infrastructure with subcategories for revenues and expenses.
- Prepare financial methodology notes as part of an **internal procedures document**. This internal document should describe the Village of Cumberland financial policies, procedures and accounting methodologies concerning items such as:
  - Annual price increases;



- Target margins per interment;
  - Long-term investments (PCF).
  - Overhead allocation per interment type to be used in the pricing strategy.
- Tracks costs by each cemetery within the Cumberland system. New revenue accounts should be added to more effectively track sales data, including:
    - Revenue by Interment Type (casket, cremation burial, or niche);
    - Revenue by At-Need and Pre-Need contracts, and
    - Revenue by Resident and Non-Resident (for interments, memorials and plots/niches).

This additional information will contribute to greater transparency, clarity and understanding of cemetery operations and the community it serves. It will also enhance forecasting and future planning, policies and decision-making.

### PERPETUAL CARE

Analysis of scenarios suggests that in 50 years, the Village will not be in a position to cover the cost of basic cemetery maintenance using just PCF interest, with the PCF funded by sales contributions and compound interest alone. If the Village works with an investment specialist, it may be possible to achieve an interest rate greater than 2.0%. The current historically-low interest rates became the “new industry standard” as a result of challenging investment markets and difficult economic conditions between 2008 and 2013. In the next 50 years, it is very likely that interest rates will increase in proportion to economic recovery.

Cumberland Cemetery will remain active for at least another 50 years, so there is a significant time for the Village to implement strategies to close the gap between projected PCF interest generated and maintenance costs. A key challenge is that inflation and subsequent increases in expenses will continue to erode the ability of PCF’s interest to cover costs. The PCF is sensitive to price and contribution increases, and over the long term, difficult decisions regarding pricing will be required.

There are **opportunities** for the Village to improve future cash flows and the PCF balance. The following strategies are recommended for Cumberland Cemetery to achieve long term sustainability, and off-set future obligations of maintenance:

- Adopt increased prices and PCF contributions as per **Scenario 2**, with additional principal subsidy. In this scenario, Cumberland Cemetery will generate positive cash flows in 9 years;
- When the cemetery breaks even, the Village should increase the PCF contributions to **33% of grave sales**. This will align the Village with the contribution rates of other BC communities.
- Consult with Village **legal staff**, concerning the limits of investment for the municipality and consult an **investment specialist** to recommend a portfolio that would obtain higher interest rates, within the conservative bounds of investing criteria as defined by Village legal staff. Staff should meet with this specialist annually, and monitor investment performance.
- Leverage **compound interest** by retaining all interest in the PCF. This enables Cumberland to attain maximum growth, with greater amounts of interest income being generated over time than if the fund was drawn down for other purposes.
- Allocate **\$5,000 per year** in tax and grant revenue to the **PCF for the next 25 years**. This equates to under \$1.50 per area resident per year, for a total of \$120,000. This donation should



be seen as a “gift” to future residents that would enhance the PCF’s ability to pay for future cemetery maintenance when it reaches capacity.

Implementation of the above strategic alternatives and adopting the terms of financial Scenario 2, the Recommended Financial Plan, along with physical site improvements, will significantly strength the cemetery system’s financial position, and move the Village’s cemetery system towards long term self-sufficiency.

## CEMETERY CONSERVATION PLAN

### INTRODUCTION

Cemeteries are traditionally recognized as sacred places. Cemeteries also provide communities with a tangible link with their past through their physical layouts, their natural features (such as trees), and their built elements (such as monuments). As the physical site of burial of a community’s founders and their enduring presence in the landscape, cemeteries also represent one of the oldest types of “heritage landscapes.”

The disposition of human remains by earth burial or cremation has a practical basis in protecting the living from disease. This practical rationale is reinforced by religious beliefs that prohibit the disturbance of burial sites. Prohibiting disturbance of burial sites also serves to convey respect toward the dead, and to confirm the connection between living members of society and the deceased.

Protecting the integrity and perpetuity of burial sites is common to many societies. It is this concept that still underpins the legislation governing most Canadian cemeteries. In BC, cemeteries are governed by the Cremation, Interment and Funeral Services Act [2004], which is administered by Consumer Protection B.C. Section 19 of the Act (Prohibition on removal of remains) specifically prohibits the disinterment of remains except by people with specific credentials and for specific reasons, including by order under the Heritage Conservation Act or the Coroner’s Act. The effect of this legislation is that it effectively enshrines cemeteries as permanent features in the landscape that generally cannot not be converted to other uses.

As well, the Act stipulates that cemetery owners must provide for “reasonable care and maintenance” of cemetery sites in perpetuity. Unlike other public lands and parks, while cemeteries are active, they are required to establish and contribute to a PCF. As noted in the section, Financial Plan, interest generated by the PCF is intended to defray the cost of care and maintenance of a cemetery once it has reached capacity and closed. In this sense, current legislation is designed to help make cemeteries self-sustaining landscapes, capable of functioning as heritage sites after they transition from active to inactive status.

### CONSERVATION MANAGEMENT

The following section outlines how the Village could use the resources available to it to establish, coordinate and contribute to a primarily volunteer-based program of conservation management at its three heritage cemeteries.



## RECOGNIZING HERITAGE IN CUMBERLAND

The Village of Cumberland is a community rich in heritage resources, and it has recognized heritage as a key factor in the identity and future of the community. The current (2014 Draft) Village of Cumberland OCP Update includes as Goal 3: “The Village will protect the heritage resources and heritage values of the community,” and identifies “Heritage and Cultural Assets” as one of the community’s strengths.<sup>6</sup>

Heritage, along with Culture, is also recognized in the OCP as an asset in helping make Cumberland a year-round tourist destination.

The Village has supported heritage through passing bylaws and implementing heritage initiatives, including:

- Approving the Heritage Commission Bylaw (2006)
- Designating the Village, Chinese and Japanese Cemeteries as Heritage Cemeteries (2007)
- Establishing a Heritage Commission (2012)
- Approving Heritage Commission - Terms of Reference (2013)

The bylaws designating the three Village Cemeteries as heritage sites were based on the desire to protect “the historical aspect and their spiritual importance.”<sup>7</sup>

Implementation of a conservation management program should be based on a vision statement that states:

- Why a conservation management program is needed for the cemeteries
  - Recognizing the contributions of the diversity of Cumberland pioneers buried at the three sites would make this a distinct, “made-in-Cumberland” vision.
- How the Village intends to implement the conservation management program
  - Identifying the specific roles of Village Staff, elected officials, community groups and other stakeholders would provide a clear framework for moving forward, and
  - Acknowledging the key role played by volunteers would recognize their importance.

## VILLAGE OF CUMBERLAND CEMETERIES: HERITAGE AND CONSERVATION MANAGEMENT

There is not yet any formal program in place to guide conservation management of the Village of Cumberland cemeteries. Building on the heritage initiatives to date, the Village has expressed a desire for The Cemeteries Master Plan to provide recommendations for implementing a program of conservation management for these three sites.

Within the field of Heritage Planning, “conservation management” refers to the management of an historic place with the intent of conserving its heritage values. The **heritage values** of a site are identified through a specific, systematic process. Once identified, these values are used as the basis of “statements of significance” that describe exactly *what* is worth conserving and *why* conservation of these qualities is important.

The heritage values of sites (such as the heritage cemeteries) are typically included in a community’s **Heritage Conservation Plan**. This type of Plan would provide direction for how each site should be managed. The Village of Cumberland has committed to but has not yet established a Heritage Conservation Plan. It has also expressed a desire to create a Community Heritage Registry. The

<sup>6</sup> Corporation of the Village of Cumberland, DRAFT Official Community Plan Update Bylaw NO. 990, (2014) p.22

<sup>7</sup> Village of Cumberland Heritage Bylaws, 882-884, (2007) p. 1



Village's heritage cemeteries should be included in the Village's Heritage Conservation Plan. Once this is complete, they should also be included in the Village's Heritage Registry.

Until a process to identify the specific heritage values of the cemeteries has been completed, conservation management can be guided by the general language of the Heritage Designation Bylaws for the three cemeteries. These bylaws state "the need to preserve the heritage buildings and properties which represent periods and styles in the municipality's evolution."<sup>8</sup>

The Bylaws to designate the Heritage Cemetery include the following list of **permitted alterations**:

- a) opening or closing of graves;
- b) adding graves, engraving text;
- c) regular maintenance including cutting, trimming, watering, edging, top dressing graves, top dressing grass areas, work on wild areas and perpetual care plots;
- d) pruning of a tree to remove an existing or potential safety hazard;
- e) removal of a dead or hazardous tree;
- f) maintenance of hedges: including the removal, trimming, and replanting.<sup>9</sup>

In recognition that these sites are still classed as **active cemeteries**, the list accommodates activities and alterations that are normally associated with cemetery operations and maintenance.

## CEMETERY CONSERVATION POLICIES

### Active and Inactive Cemetery Status

Conserving the heritage of the three cemeteries is a goal of the Heritage Cemeteries Bylaws. As noted above, **how** this is accomplished must allow for the continued active use of the heritage cemeteries for interment purposes. Although few interments have taken place in recent years at the Chinese or Japanese Cemeteries, the current Village of Cumberland Cemetery Bylaw (2009) lists all three cemeteries as "active cemeteries," and therefore available for interment purposes.

The Chinese and Japanese Cemeteries are park-like spaces with no existing maps or plans to accurately indicate the location of burials. There is a document that lists the names of decedents interred at the Japanese site (in Japanese characters, and a partial translation); however, neither site has reliable information about actual numbers of graves and locations. Although patterns of burials have been (and still are) somewhat discernable by topography and vegetation, it is impossible to confirm where space may remain for new lots. Ground penetrating radar was conducted a few years ago on a pro bono basis; however no complete map was ever prepared. There have been reported incidents of discovering remains while digging new graves and this has led to calls over the past few years to close these sites to new burials.

To further complicate matters, in 2007, during the preparation of the bylaw to designate the Chinese and Japanese Cemeteries as heritage sites, it was noted that the Village does not have legal title to the Chinese cemetery site. The two acre site was legally purchased in 1897 by three Chinese businessmen who paid \$40 to its owner, the E&N Railway.

---

<sup>8</sup> Corporation of the Village of Cumberland Bylaws 882, 883, and 884, November 26 2007, p 1.

<sup>9</sup> Ibid p. 2



Unfortunately, title to the land was never filed with the Land Title Office in Victoria, with the result that the site remains on the title as property of the railway (now CPR). Efforts by staff during the preparation of this Master Plan have, however, now resolved the issue.<sup>10</sup>

In view of the challenges of allowing future casket interments at the Chinese and Japanese Cemeteries, it is recommended that **both of these sites be re-designated as inactive heritage cemeteries**. Out of respect for the living descendants of those buried at these sites, a policy should be prepared to allow for future interments, but of cremated remains only, by in-ground burial or scattering. This policy should apply for a defined period, such as 25 years. Interring cremated remains would not interfere with any existing, undocumented burials, and would provide the community with a respectful transition period. The Village should proceed through the appropriate channels to notify families, and should formalize this change to the Cemetery Bylaws once the transition period is over.

### Cemetery-specific Conservation Policies

**Cemetery-specific conservation policies** are required to ensure that actions affecting these sites will conserve the heritage of these three cemeteries. To facilitate this happening, cemetery-specific conservation policies should be included in the Village of Cumberland Heritage Management Plan, when it has been created.

Most heritage conservation management policies are developed for specific buildings or features within a designated heritage area. Conservation policies for cemeteries may conserve specific features but they should also strive to conserve **the cemetery landscape as a whole**. For example, if a cemetery's key heritage characteristic has been identified as the alignment of graves along the ceremonial route to allow a funeral cortege to pass specific features, then the cemetery-specific policies for this site would be written to protect not just the site features but also the alignment of graves and the vehicle route.

At this site or "landscape" level, cemetery-specific conservation policies should stipulate what is needed to preserve the **overall quality** of each site.

Cemetery conservation policies should be written to:

- **Sustain the heritage significance of each site**
  - Preserve their key heritage characteristics.
- **Mitigate the effects of physical change over time**
  - Address possible changes on-site and in their immediate context that could impact their key heritage characteristics.
- **Facilitate the most beneficial, sustainable use of the heritage site:**
  - Provide for the public use, education about and enjoyment of each site.

---

*10 Personal correspondence with Village of Cumberland Staff, July 16, 2007: "LTO will be filing a Title conversion to the original 1897 trustees for the Chinese Cemetery, and they will be doing so with a notation that the property be "in care of the Village of Cumberland". If it turns out that there are no heirs to the trustee, and or they do not want the responsibility for the cemetery, Cumberland can go to court apparently to become the trustee. The PID and legal description for the Chinese cemetery currently exists on an 'ungranted document' that has been part of the original E&N lands."*



### Cemetery Conservation in an Active Cemetery

One key characteristic of all three of the Village's Heritage Cemeteries is their relative seclusion and peacefulness. If these characteristics are deemed essential to their heritage character, policies are needed to identify what should be done to preserve these qualities, which exist at the site level.

Measures to achieve this are most important at the Village Cemetery, which is situated adjacent to three properties that are now zoned for residential/commercial mixed use. Such measure could include:

- Site planning to minimize traffic impacts and retain historic access/views into the site;
- Retention of a perimeter vegetative buffer zone to preserve existing trees;
- Augmentation of the buffer zone with new plantings;
- Stipulation of replacement tree plantings following a two year establishment phase, and
- Other screening elements such as fencing, as needed.

Also at the site level, cemetery-specific conservation policies for the Village cemetery, as an active facility, should allow for new interments and, if the Village chooses to allow this, new upright headstones within designated rows. Other appropriate new uses and facilities should also be permitted, based on their compatibility with the desired character, and their ability to enhance the site's capacity and appeal to the community. Examples of appropriate new uses and facilities could include new signage, trails, a new shelter or arbor, and new benches and columbaria. All new features should complement but not mimic the authentic heritage features of the site.

For example, a new overhead cemetery "gateway" sign could reflect the colours and forms used in features of other heritage sites around the community. Well-designed, new interpretive signage could also be integrated into all three sites. Ideally, signage for the Chinese and Japanese cemeteries would be low key (perhaps as rustic stone pillars or boulders with sandblasted text) to tell the stories associated with these unique cultural landscapes.

The Village of Cumberland has expressed an interest in establishing a new "green burial" area at the Village Cemetery. "**Appendix J New Product and Service Options**" includes a description of green burial.

Green burial would be compatible with the heritage cemetery designation for the following reasons:

- Green burial focuses on minimizing impacts on the environment and causing very minimal visual impact. Both of these qualities are compatible with a heritage cemetery.
- Green burial seeks to restore the native landscape. In the case of the Village Cemetery, this would establish the kind of wooded landscape that would have been common throughout the area at the time the cemetery was established.
- Due to its prohibition on embalming and non-biodegradable materials, green burial is actually the same type of burial that would have been practiced during the early years of the Cumberland cemeteries.

### THE VALUE OF HERITAGE AND HERITAGE CONSERVATION

Heritage planning and conservation is based on the fundamental concept that **heritage has value**. The main benefit and rationale for supporting heritage is that **heritage enhances quality of life**. This "intrinsic value" requires the more tangible, "instrumental value" of heritage to garner more broadly based support, which is that **heritage generates economic benefits to the community**.



The challenge presented is identifying the economic benefits that result from preserving the heritage qualities of the cemeteries. Although there are challenges in attributing economic benefits to any one heritage site, there are already a number of cemetery-related economic benefits that are attributable in part to the heritage cemeteries. These include:

- **The Miner’s Memorial Weekend:** held in Cumberland each spring since 1986, this event brings visitors to the Cemetery and revenue into the community;
- **The Lunar New Year Celebration:** attracts visitors, including Asian families with roots in Cumberland, into the community each February;
- **The Vancouver Island *Obon* Cemetery Tour** attracts visitors each August;
- **The growing number of visitors** who come each year to Cumberland on their own to visit the cemeteries and other heritage sites. In this sense, the heritage cemeteries **reinforce and expand on the “spin-off” economic benefits of the many other heritage sites** throughout the community, and
- Recent donations made to the cemeteries by cultural groups have injected economic benefits to the community by paying for **labour and materials** to implement site improvements.

## RECOMMENDATIONS FOR A VILLAGE OF CUMBERLAND CEMETERIES CONSERVATION MANAGEMENT PROGRAM

### FUNDING CEMETERIES CONSERVATION

Conservation management at the three Village of Cumberland Cemeteries will need to be accomplished through a coordinated program of stewardship efforts and initiatives that is mindful of current financial constraints.

It should be noted that while there is a PCF in place for the Village Cemetery, there are no comparable funds for the Chinese and Japanese Cemeteries. As well, the funds currently in the Village Cemetery PCF are intended to pay for landscape maintenance rather than the conservation of heritage features. Funding for heritage conservation must come from other sources.

Recent funding of heritage-related projects at the Village cemeteries has come by way of cash donations:

- \$7,500 in 2009 from The National Association of Japanese Canadians to construct the Japanese Cemetery walkway;
- \$12,000 in 2012 from the Cumberland Chinatown Picnic Reunion Group/Leong family, to rebuild the Chinese Cemetery fence, and
- Other donations over the years from other groups to recognize the burial place of Ginger Goodwin, the victims of early coal mine disasters and others.

Collectively these gifts have made a significant contribution towards maintaining these sites as attractive heritage landscapes. Unfortunately, one-time donations from cultural organizations cannot be counted on to fund heritage improvements.



## CURRENT CEMETERIES MAINTENANCE

The Village's cemeteries are currently managed by staff from the Village's Public Works Department, plus one student hired each summer for seasonal work. Residents have noted an improvement in the level of care provided to the cemeteries over the past ten years. The Village is fortunate that its cemeteries are also the beneficiaries of efforts by volunteer groups, including a small volunteer "committee" that regularly rakes and tidies up woody debris at the Japanese site. As well, community members participate in scheduled clean-up days, and some families routinely tidy up around their family graves.

The Village should recognize and support its heritage volunteers, and encourage their on-going efforts by engaging them in planning and ensuring that their efforts are properly coordinated with the work done by paid Village staff.

## PROGRAMMING: A NEW SOURCE FOR FUNDING CEMETERY CONSERVATION

Cemeteries across North America are increasingly looking to programming to raise their profile and expand their role within the community. Urban cemeteries are recognized as providing significant green space for active and passive uses. "Cemetery programming" encompasses the range of activities and events that should and could take place at a cemetery. The trend is for cemeteries to move out of providing only interment services, and to host (provide a venue for) non-interment-related events. These events can range from art installations and concerts to bird walks, history tours, classes and special performances. The underlying motive is to increase the public awareness and appreciation of cemeteries as interesting and attractive places to visit.

Programming can also be a vehicle for supporting cemeteries conservation management. It is recommended that the Village should:

- **Capitalize on the many local families with deep roots** (and relatives already interred at its cemeteries) to encourage volunteering to support heritage-related initiatives. Establishing connections with genealogical groups and other heritage cemeteries is also encouraged.
- **Work with community groups now active in heritage initiatives** (such as the Cumberland Museum and Archives) to leverage existing resources.
- **Reach out to the local school board and other educational institutions** to encourage teacher to bring students to visit and learn about the heritage cemeteries; and to use the cemeteries for research, social studies, history, art or other projects. If possible, the Village should partner with educational institutions to organize events that could be held at the cemeteries (such as a Remembrance Day ceremony).
- **Establish a volunteer "Heritage Cemeteries Committee."** This committee would be made up of responsible community volunteers and heritage enthusiasts and could take on approved heritage-related projects.
- **Encourage the development of a cemeteries walking tour.** A brochure, signage and potentially digital media (such as QR codes) could be used to link the three sites, as well as relating them to other heritage parks and attractions, notably the nearby Maple Lake. This would also be helpful in achieving the longer term objective of a formalizing a bike and pedestrian trail that would link the three cemeteries.
- **Encourages appropriate recreational use of the cemeteries**, such as for bike riding, on leash dog walking (with signage to "to stoop and scoop"), jogging and picnicking,



based on evidence that greater use of public sites tends to reduce the incidence of vandalism and inappropriate activities.

- **Focuses on conserving the Chinese and Japanese Cemeteries** by stabilizing structures only. A sound policy for these special landscapes is to try to maintain them “as is” but otherwise not intervening in terms of their overall aesthetics. The wooded character of the Japanese site, which has reportedly evolved since the site was active, is now being well managed by volunteers. Retention of the native trees, moss and islands of native shrubs has created a “Japanese landscape effect” evocative of the Japanese concept of *wabi-sabi*<sup>11</sup>. Its serenity and beauty has been noted by one of the last descendants of the Japanese community still resident in the area.<sup>12</sup>
- **Approaches cemeteries conservation based on the principles of preservation, documentation and interpretation.** Use well-designed, graphic signage that will accurately convey and authentically evoke history, rather than reconstructed or poor quality restorations of original features.
- **Understand cemeteries conservation management as a long term, ongoing initiative.** Patience is required but the results will be the strengthening the community’s heritage assets and the realization of associated economic benefits.

## CONSERVATION OF CEMETERY MONUMENTS

All three cemeteries, but particularly the Municipal and the Japanese Cemeteries, contain some wonderful old headstones (also called “monuments” or “markers”). Some of these are deteriorating due to weathering, the buildup of airborne pollution, and mold, lichen and other organics, mechanical damage (being hit at some point), and simply decades of no care or maintenance.

It is important to note that cemetery markers are purchased by families, and legally remain the property of the purchaser, not the cemetery. Under current legislation, cemeteries are required to collect a PCF contribution for every monument installed but they are not bound to repair them. The purpose of the contribution is to help defray routine care, such as levelling, though not generally repair or replacement. Cemeteries do, however, have the ability to undertake monument care at their discretion, especially the care of very old monuments whose purchasers are long deceased.

While monument conservation is a subject beyond the scope of this report, it is recommended that the Village should:

- **Find the resources to document heritage headstones at each site.** The project could be part of the community’s inventory of historic artifacts. A call could be made for volunteers with digital cameras who would be willing to take on this project in exchange for some form of recognition by the Village. While this kind of inventory is best done through a cemetery management software program such as Stone Orchard, an Excel spreadsheet format (which offers a place to record key facts about each stone) would be a good place to start.
- **Establish a “Heritage Headstones” program.** The intent would be to intervene to “gently” care for headstones that have become illegible due to dirt, or are at risk of falling over. Care should be taken before any physical interventions are made the gravesites of those with family in the community. Publishing a public Notice of Intent is advisable prior to beginning cleaning of monuments. While there are always risks with engaging

---

<sup>11</sup> *The Japanese aesthetic centred on the acceptance of transience and imperfection, which reveres the beauty of weathering, aging and “flawed beauty.”* <http://en.wikipedia.org/wiki/Wabi-sabi>

<sup>12</sup> *Personal correspondence, 2014 03 04 03 Mrs. Tako Kiyono in conversation with R. Parker (VoC Staff).*



volunteers at this level, these risks should be evaluated in light of the potential benefits—and the alternative, which is that most projects of this nature simply will not happen without volunteers. Many heritage cemeteries in the U.S. depend on volunteers, including scouts and school groups, to provide services for which there is no funding.

- **Coordinate a program of cleaning of specific types of headstones.** Cleaning should be based on the principle of “do no harm” to the structure and its materials. A safe, step by step procedure for the gentle cleaning of monuments should be prepared.

Cleaning should be approached as a means of removing surface dirt and organic matter that detract from a monument’s design, and legibility and contribute to the deterioration of the material it is made of. Simple products such as distilled water and a soft car washing brush can be effective for removing surface build-up. It should be noted that bleaches, acidic or caustic cleaners, stiff brushes or power washing are not recommended. Cleaning information could be made available to families through the Village website.

More delicate headstones, including some of the oldest and most significant marble monuments located in the Village Cemetery require professional cleaning, or use of commercial masonry restoration products is recommended.<sup>13</sup> Ideally, this task would be taken on by professionals, however, many cemeteries take this kind of task on during the off-season, or use staff (such as Public Works personnel) to oversee the work of volunteer groups for simpler cleaning projects..

- **Identify broken, damaged or fragile headstones that should not be cleaned, or repaired.** Contemporary conservation policy is based on the concept that the honesty of a treatment is more important than the nature of the treatment. This translates to accepting damage and decay as authentic characteristics of heritage features rather than trying to artificially repair and “restore” them. Identifying and documenting the most fragile stones with digital photos is a recognized, valid form of heritage conservation.
- **Pursue a program of respectfully stabilizing collapsed graves.** Collapsed graves, especially those with grave covers, should be addressed so they do not present a public hazard. Efforts should be made to contact relatives but it is within the cemetery’s right to fill collapsed graves with gravel and to remove broken monuments.

Pieces of headstones with text or iconography should be left at the gravesite. Broken monument shards, including those that have been abandoned around the edge of the Village site, should be kept for possible use in a cemetery project, such as the creation of a “memory wall” or other feature.

Effective long term conservation management of the heritage cemeteries requires creative strategies to realize their objectives, and it will be up to the Village to continue in a coordination capacity. Most successful cemetery programs are led by a “cemeteries champion” – someone inspired by cemeteries, who will keep projects on the front burner. Ideally, a champion can be found to lead the program of conservation management at the Village of Cumberland heritage cemeteries.

The following table: “Cemeteries Conservation Management Plan: Recommendations” summarizes this section.

---

<sup>13</sup> Products such as those available from ABRP American Building Restoration Products <http://www.abrp.com/masonry-restoration.php> have been used successfully on the types of stone used in the area for monuments. These are sold in Canada as CBRP – Canadian Building Restoration Products but they are best contacted for detailed product info through their US website. Technical staff are available through the website to review the best product options for the type of stone to be cleaned.





Village of Cumberland Cemeteries Conservation Management Plan: RECOMMENDATIONS	
<b>HERITAGE CEMETERIES VISION</b>	<ol style="list-style-type: none"> <li>1 sites.</li> <li>2 Recognize the culturally rich legacy of the Village of Cumberland cemeteries as reflected in the diversity of pioneers buried at these sites.</li> <li>3 Identify the Village's Heritage Cemeteries as a specific category in the Heritage Management Plan.</li> <li>4 Include the three Heritage Cemeteries in the future Village of Cumberland Heritage Registry.</li> <li>5 Commit to the Village's long- term, on-going management of the cemeteries as heritage sites. Confirm the coordinating stewardship role of elected officials and staff.</li> <li>6 Seek funding and in-kind services to support heritage initiatives. Work with community stakeholders to secure government grants; engage with special interest groups, schools and businesses and assist community stakeholders to implement approved projects.</li> <li>7 Recognize the role and value of volunteers in achieving the Village's heritage objectives, based on the principle that a strong volunteer base builds a strong community.</li> </ol>
<b>CEMETERY BYLAWS</b>	<ol style="list-style-type: none"> <li>1 Revise the current cemetery bylaw to remove the Japanese and Chinese Cemeteries from active cemetery status and redesignate as Inactive Heritage Cemeteries.</li> <li>2 Revise the current bylaw to allow the installation of upright headstones in a new upright headstone section.</li> <li>3 Prepare a Notice of Intent to close the Japanese &amp; Chinese Cemeteries to interments. Include a policy to allow for the in-ground interment of cremated remains at these sites for a set transition period prior to formalizing the change. Publish the Notice of Intent and mail to family members, as possible.</li> </ol>
<b>PLANNING and DEVELOPMENT</b>	<ol style="list-style-type: none"> <li>1 Protect heritage character by preserving existing trees around the perimeter of the site. Confirm tree retention in established buffer zones and stipulate a 15 m vegetated buffer zone inside any other adjacent properties. Designate as "retained forest buffer on private property" and recommend as DP requirement, to be included in OCP.</li> <li>2 Secure property south of the Village Cemetery for possible future cemetery uses, ensuring that the terms are suitable for this purpose.</li> <li>3 Identify future trail linkages between the three Village cemeteries and Maple Lake.</li> <li>4 Work towards formalizing the ownership of the the Chinese Cemetery lands to the Village of Cumberland.</li> </ol>
<b>CEMETERY SITE IMPROVEMENTS</b>	<ol style="list-style-type: none"> <li>1 Design and implement cemetery improvements that reinforce heritage character. Avoid attempts to replicate or restore features.</li> <li>2 Install interpretive signage at each site. Provide an overview, maps and locations of notable graves. Consider using digital technologies to link to web-based resources.</li> <li>3 Use coordinated graphics (on signage etc.) to establish the link between the Heritage Cemeteries and other Village heritage sites (such as Coal Creek Park).</li> <li>4 Introduce "green burial" at the Village Cemetery. Offer option as an interment type compatible with the site's heritage designation.</li> </ol>
<b>CEMETERY PROGRAMMING</b>	<ol style="list-style-type: none"> <li>1 Continue to work with the Village of Cumberland Museum and other community groups on heritage-related initiatives that support their historic and cultural values.</li> <li>2 Encourage passive/low impact recreational use of the cemeteries, recognizing the value of visitors in helping prevent inappropriate activities.</li> <li>3 Link the three cemeteries through signage, a defined trail connection, and a heritage walking tour.</li> <li>4 Support traditional celebrations that encourage people to pay their respects by visiting and cleaning family gravesites.</li> <li>5 Develop partnerships with schools and educational institutions, genealogical and other groups to develop and implement cemetery programming.</li> </ol>
<b>MARKETING PLAN</b>	<ol style="list-style-type: none"> <li>1 Promote the heritage character of the Village cemetery as a desirable, distinguishing characteristic.</li> <li>2 Develop the new Cemeteries website to reflect their heritage designations. Use this site for posting the Heritage Cemeteries Vision, notices of events, relevant links etc..</li> </ol>
<b>MONUMENT CONSERVATION</b>	<ol style="list-style-type: none"> <li>1 Create a digital photo inventory of heritage monuments at each site. Coordinate creation of a monument data base with the ability to add additional information over time.</li> <li>2 program.</li> <li>3 Identify broken, damaged or fragile headstones (such as marble monuments) that should NOT be cleaned by volunteers.</li> <li>4 Plan a program for conserving fragile headstones using commercial masonry restoration products. Seek professional guidance re: appropriate products and techniques.</li> </ol>



## MARKETING PLAN

The marketing plan recommended for the Village of Cumberland cemeteries is intended to:

- Increase public awareness of the Village of Cumberland cemeteries;
- Enhance public perception of the Village of Cumberland cemeteries system;
- Provide a framework for new services and interment options; and
- Implement improvements to customer service and marketing.

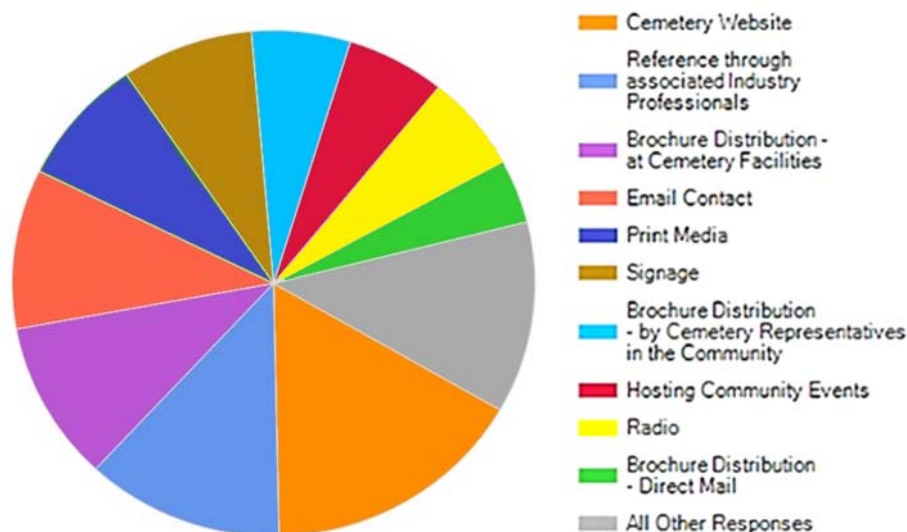
As staff, management and budgets evolve, specific actions arising from implementing this marketing plan will also change over time.

## BENCHMARKING

Benchmarking in this context refers to the comparison of the Village's cemeteries to other comparable municipal cemeteries. In 2013, LEES+Associates conducted an independent survey of marketing practices currently being used by municipal cemeteries in Southern Ontario. By order of popularity, the most common **Marketing Methods** reported were:

- A cemetery-focused webpage;
- References from industry professionals;
- Brochures made available at cemeteries;
- Email contact; and
- Print media.

In terms of preference, no single marketing method significantly outweighed the others, which suggests that municipalities rely on a variety of marketing methods to engage the community and advertise their presence, services and products. The average marketing expense in the survey area was about **\$6,000 per year**. The largest marketing contributor came in at **\$20,000 per year**. The results of this survey are provided below:



**Figure 4:**  
**Marketing Methods**  
**of S. Ontario**  
**Cemeteries by**  
**Frequency Used.**  
Source:  
LEES+Associates  
Benchmarking  
Survey 2013.



Although the survey did not measure the effects of different marketing methods, it is of interest in identifying how other municipalities are approaching marketing their sites. As with most industries, it appears that cemetery marketing will increasingly be done using digital resources, especially as their customers become more comfortable with technology. Continuing to provide printed materials is, however, recommended for the foreseeable future, due to its familiarity simplicity, and portability.

## CEMETERIES AS CULTURAL RESOURCES / CEMETERY PROGRAMMING

As outlined in the Cemeteries Conservation Management Plan, North American cemeteries are shifting from offering only interment products and services to providing a venue for diverse non-interment-related activities and events. The impetus for this trend appears to be a growing public desire to reconnect cemeteries with the communities they serve. Evidence of the trend to “reconnect” can also be found in the growing interest in green burials—a form of interment that reflects a need felt by many to engage more actively in the milestone events of life.

Royal Oak Burial Park in Victoria has followed the lead of Vancouver’s Mountain View Cemetery by hosting an annual arts-based “open house.” The public is invited to join lantern-making workshops and create shrines to honour their deceased loved ones leading up to the event. The event culminates in an evening of music, tours, visiting cemetery facilities, looking at art installations, participating in performances and learning about notable people buried at the cemetery and its natural and social history. Both the Mountain View “All Souls” event, held the week before Halloween and Royal Oak “Summer *Soulstice*” event, held the weekend closest to June 21st, have become grown significantly over the past few years, and now attract visitors from all around the community. While these types of events require significant coordination and some funding, both have proven very effective in inspiring families to reconnect with the cemetery and consider purchasing new interment space.

The Asian tradition of caring for ancestor’s graves during the Chinese *Qing-Ming* (“tomb-sweeping day,” held in early April) and the Japanese *Obon* (ancient Buddhist celebration returning souls of ancestors, held in mid-August) are already celebrated in Cumberland. The Village has also hosted an annual public cleanup day at the Village Cemetery. There is potential to expand on all of these events and celebrations and to encourage people to pay their respects by visiting and cleaning grave sites during new events that would build on these traditions. Like offering green burial, hosting grave-visiting and cleaning days also represents a potential marketing opportunity for the Village.

It is in the interest of cemetery operators to cultivate the perception that cemeteries are relevant, attractive, *usable* spaces. Cemetery operators are seeking to broaden public expectations of what a cemetery is and can do. They are working to help cemeteries assume a special role within their community’s system of public open space and cultural landscapes<sup>14</sup>.

Cemeteries are naturally suited to host heritage-related activities and events. Enhancing public awareness and understanding of the role of modern cemeteries can build support for broader public uses, including for nontraditional uses such as providing space for recreational and cultural events. This in turn can enhance the perceived value of cemeteries within the community at large. Insofar

---

<sup>14</sup> *Cultural landscapes are landscapes that have been shaped by human actions and reflect cultural beliefs and actions*



as the Village of Cumberland is actively promoting and capitalizing on its heritage resources, its cemeteries are well-placed to contribute to this effort.

An important link in the marketing chain is customer service. Currently, Village of Cumberland cemetery customers come to the Village offices to enquire about and purchase cemetery products and services. Cemetery sales are typically made at the reception counter. There is a private room available for discussing more sensitive situations (such as bereaved families needing to make arrangements related to an unexpected or impending death); however, the space available is a shared area. Issues arise when the space is being used or staff levels do not allow for the cemetery clerk to leave the counter for a private meeting with families. Even for routine cemetery transactions, the atmosphere of the office is not always conducive to the work required. Most people are unfamiliar with the cemetery procedures and options available to them, and so need—and appreciate—extra time with the cemetery clerk.

The Corporate Services Assistant with primary administrative responsibility for cemeteries is also responsible for every other front desk function including answering the phone, public reception and scheduling of Council business. No training is currently provided for dealing with the bereaved. The lack of printed promotional materials, and the limitations of the current records management programs used by the Village reduces efficiency. The challenge of dealing with families with unrealistic expectations (typically regarding pricing and cemetery regulations) can be problematic. Addressing these issues should be one of the first steps in implementing a new marketing program.<sup>15</sup>

## KEY FINDINGS - MARKETING

There are currently no funds allocated in the cemeteries budgets for marketing and promotion, leaving this important task to word of mouth and regional funeral homes. The Village should diversify its marketing methods to reach a broad spectrum of the Comox Valley market. The Village could improve its market share by investing in promotional initiatives including digital and printed marketing materials, community engagement and programmed events.

Improvements should be considered to enable staff to provide better customer service to customers with sensitive cemetery-related needs. Although the cemetery accounts for a very small fraction of the work allocated to this position, an investment to ensure staff's ability to use a confidential meeting area would be beneficial. As well, providing clear and concise marketing materials and cemetery-specific records management software would enhance efficiencies, improve customer satisfaction and contribute to a sense of professionalism. Collectively, these improvements would help enhance and promote the Village of Cumberland's Cemeteries system.

---

<sup>15</sup> Personal conversation with VoC staff, April 15, 2014.



## RECOMMENDATIONS – MARKETING PLAN

It is recommended that the Village:

- Sets aside a minimum **promotions budget of \$2,500 in 2014, and \$1,250 in 2015 forward** for marketing and community engagement initiatives.
- Pursues **staff training** in customer service and community engagement by encouraging staff to use the current employee training allowance to attend a professional development program or event each year.
  - Participate in **industry conferences** to improve awareness of current industry practices:
  - Enroll a staff member in the Western Canada Cemetery Association's annual conference, and the International Cemetery, Cremation and Funeral Association's "**cemetery university.**"
- Clearly **articulates and communicates goals** for enhanced service delivery by:
  - Adopting annual **customer service** objectives;
  - Creating **performance plans** that integrate service objectives; and
  - Implementing **annual progress reports** to Council, users and the community.
- Provides a dedicated, separate room at the Village offices for families who wish to make cemetery enquiries or purchases to meet with the Corporate Services Assistant in a more discreet, respectful environment.
- Promote the cemeteries through appropriate media:
  - Create a dedicated cemeteries webpage and smartphone app with a searchable database for locating graves and headstones, a listing of events, interment service and availability, pricing, and hospice, bereavement and memorialization site links;
  - Create a professional brochure about the history of the Village's cemeteries; and
  - Issue press releases when new products, services are offered or feature areas are opened at the Village Cemetery.
- Hosts community, religious and historic **events** at the Village Cemetery:
  - Work with school children to visit, learn about and decorate graves in the weeks leading up to events such as **Remembrance Day.**
- Increases **education** and interpretation opportunities:
  - Design and distribute a new **cemetery map** and **brochure** describing the history of the cemetery site, their notable gravesites, natural and cultural histories.
  - Design and install **interpretive signage** at the cemeteries to tell the story of each site; include a Heritage Information station along trails linking to the cemeteries.
  - Establish and promote a self-guided **walking tour** in cooperation with the Museum.
- Enlists the aid of **students/cooperative programs and school boards** to integrate cemetery tours into the local curriculum.
  - Engage with and recognize local **volunteers**, and
  - Develop partnerships with genealogical societies, historical societies, schools and others to assist in the development and delivery of the materials and tours.

## CONCLUSION

This Cemeteries Master Plan report is intended to provide the Village of Cumberland with a roadmap to guide cemetery policy, operations, site development and conservation of its three cemeteries over the next 25 years.

The master planning process included:

- An analysis of community demographics;
- A review of the financial, administrative and operational management of the Village and the Chinese and Japanese Cemeteries;
- Site analysis and conceptual planning for the municipal cemetery;
- A review of current cemetery products and services offered by the Village;
- An exploration of how conservation management could be achieved at the Village's three heritage cemeteries and how this could help achieve the community's broader heritage objectives, and
- An evaluation of marketing opportunities.

This report is the product of

- Two Public Open Houses;
- Two in-person meetings with Council;
- Three in-person meetings with staff;
- Twelve progress telecom sessions, and
- Extensive collaborations within the project team.

**Key recommendations of this Master Plan** are that the Village should:

- Expect to provide for **a minimum of 778 interments** over the next 25 years, with potentially significantly greater numbers, if recommendations of this Plan are implemented.
- **Implement fee and PCF changes** to work towards making the cemeteries more financially sustainable, with the objective of building the PCF and achieving cost recovery.
- Implement **a program of phased improvements** at the Village Cemetery, focusing on expanding and enhancing interment offered to cremation customers, which constitute the majority of the cemetery market.
- **Improve the aesthetics and public amenity** available at its municipal cemetery; defining and upgrading vehicle and pedestrian access, and working to conserve its key heritage qualities.
- **Provide a section for upright headstones** to meet local demand from families seeking this option.
- **Establish a new green burial section** at the municipal cemetery.

- **Re-designate the Chinese and Japanese Cemeteries as inactive cemeteries.** Close these sites to casket burials, allow a transition period of cremation interments, eventually closing to all new interments. Continue supporting these cemeteries as heritage sites.
- **Upgrade records management** systems, implement strategies to **improve customer service**, and **provide facilities to enhance operations and management** of the active cemetery.
- **Improve cemetery marketing and communications** and **enforce Cemetery Bylaws** (updating as needed) to restore public confidence and pride in the Village cemeteries.
- Formalize the cemeteries as heritage resources by developing **a vision statement, supporting heritage-related programming and features** that will help achieve the community's broader heritage objectives
- **Implement programming** and **support volunteers** working on heritage-related initiatives, such as headstone conservation, as well as culture and arts-related programming. Initiate a long term cemeteries conservation program.

Implementation of the recommendations of this Plan will enable the Village to expand and improve the cemetery products and services it provides to the community, proceed towards financial sustainability, and build a Perpetual Care Fund that is equipped to meet the term maintenance needs of the three cemeteries. This Master Plan has been developed to assist the Village in creating a caring cemetery system that reflects Cumberland's commitment to professional management and quality service, and confirms the cemeteries as valued community resources, now and well into the future.

## APPENDICES

1. **Appendix A: Master Plan Methodology**
2. **Appendix B: Courtenay LHA**
3. **Appendix C: Regional Cemetery Benchmarking**
4. **Appendix D: Detailed Demographic Profile**
5. **Appendix E: Detailed Disposition Trend Analysis**
6. **Appendix F: Historic Cemetery Market**
7. **Appendix G: Historic Cemetery Market Capture Profile**
8. **Appendix H: Open House materials (Preliminary Concepts)**
9. **Appendix I: Open House Feedback - Summary**
10. **Appendix J: New Product and Services**
11. **Appendix K: Cemetery Fees – Pricing Comparison**
12. **Appendix L: Financial Scenario Sensitivity Analysis; PCF Legislative Requirements**
13. **Appendix M: Perpetual Care Fund Best Practices + Sensitivity Analysis**
14. **Appendix N: Glossary of Cemetery Terms**



## APPENDIX A: MASTER PLAN METHODOLOGY

The key objectives of this Master Plan are to:

1. Assess current practices and create a customer focused plan that will improve service for the Cumberland Cemetery that is consistent with a municipally-operated facility;
2. Propose a contemporary business model for the Cumberland Cemetery Cemeteries building on current best practices; and
3. Recommend a policy for rates and fees that will meet desired financial objectives.

The methodology used to achieve these objectives and prepare this report included site visits to the Cumberland, Japanese and Chinese cemetery lands; interviews with staff and stakeholders; a staff workshop; analysis of demographic, interment, and financial data, and a review of the physical cemetery sites in light of current industry practices and standards.

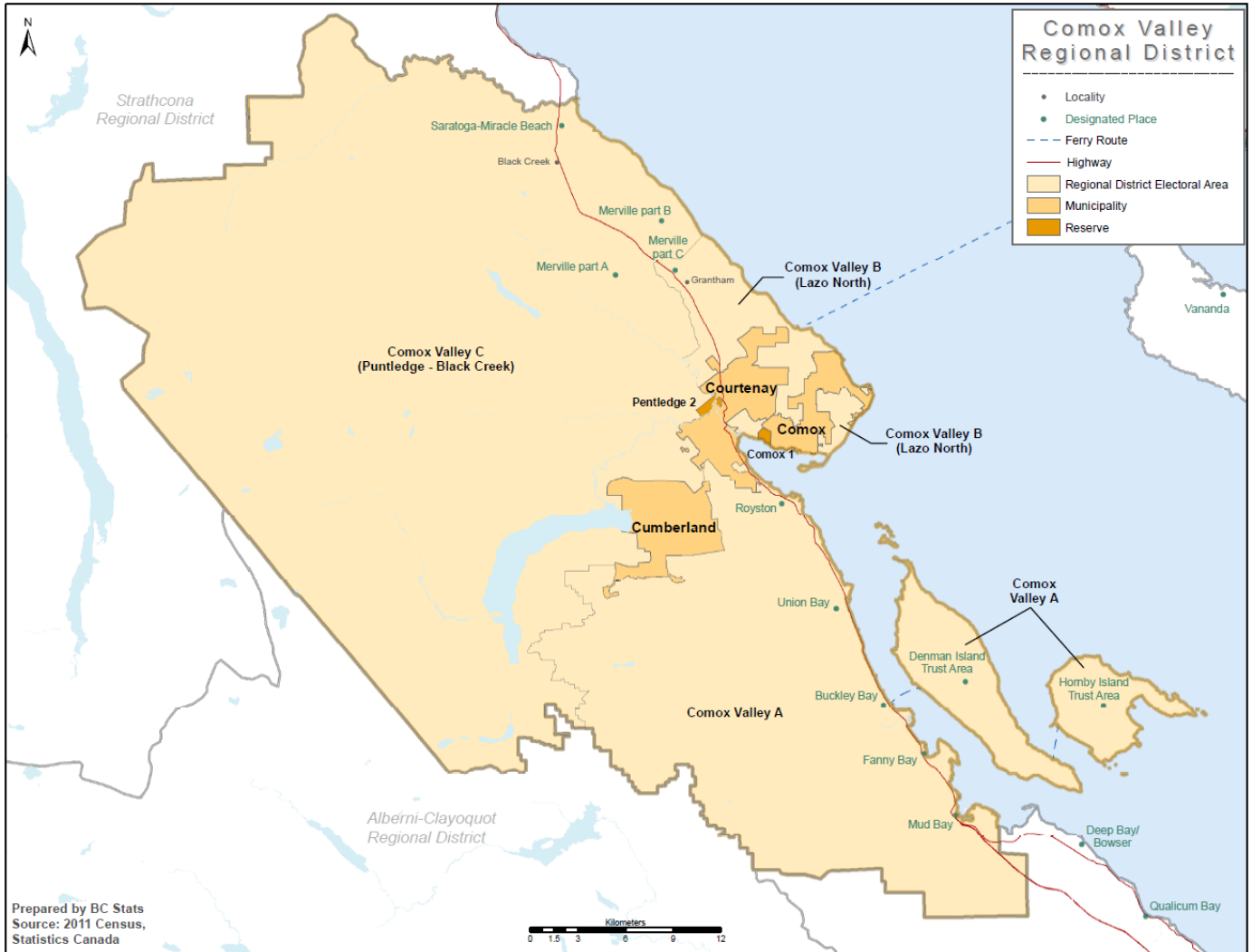
A financial analysis, based on population, death, burial and cremation projections for the next 30 years, provided a financial trajectory for the cemetery. Scenarios were developed from this point to explore possible outcomes in terms of achieving a more financially sustainable cemetery system.

This report was prepared with input from Village of Cumberland Council and staff, local funeral service providers, and area residents. In addition, the following background documents were reviewed:

- British Columbia Vital Statistics;
- National Census Statistics, Statistics Canada;
- Village of Cumberland Official Community Plan
- Cemetery Bylaw No. 990, 913, 880, 757, 718, 786;
- Cemetery maps and aerial photos;
- Hard copy financial documents, interment and correspondence records provided by the Village of Cumberland including:
  - Cemetery capital budget (2002-2012);
  - Cemetery operating financials (2006-2013);
  - Interment records (2008-2013);
  - Perpetual Care Fund amounts;
  - Current Plot Dimensions; and
  - Cemetery Operating Procedures.

## APPENDIX B: COURTENAY LHA





## APPENDIX C: REGIONAL CEMETERY MARKET - BENCHMARKING

Regional municipal cemeteries considered in the pricing benchmarking survey include:

1. **Courtenay Civic Cemetery**, Courtenay, Population 21,940
  - Located on the north side of Courtenay, at 4768 Old Island Highway, between Muir Road and Veterans Memorial Parkway. Courtenay offers full burials, cremation lots, columbaria, and a scattering garden for cremated remains.
  - The cemetery is open to the public seven days a week from 8:00 am to 8:00 pm,
  - The cemetery offers products for sale such as: urns, keepsake urns, jewelry urns, biodegradable urns, porcelain memorial portraits and memorial boulders.
2. **Campbell River Cemetery** and **Elk Falls Cemetery**, Campbell River, Population 31,186
  - The City of Campbell River operates two cemeteries – the Campbell River Cemetery, located at 3200 Island Hwy (Hwy 19) and the Elk Falls Cemetery, located at 8900 Gold River Hwy (Hwy 28).
  - The Campbell River Cemetery was originally run by a committee of local residents. Operations of the cemetery were eventually taken over by the District of Campbell River.
  - Elk Falls Cremation and Reception Centre provides a **state of the art funeral facility** housing Campbell River's only crematorium. This was constructed in 2003 and includes a niche walls and a scattering garden.
  - Elk Falls Cemetery has approximately 150 graves, plus another 100 in the section dedicated to buried ashes.
3. **Qualicum Beach**, Town of Qualicum Beach, BC – Population 8,087
  - Town of Qualicum Beach owns and operates one cemetery, located at 687 Jones Street. The cemetery offers traditional burial for casket and cremated remains, as well as a columbaria and a scattering garden.
4. **Grand Forks Cemetery**, City of Grand Forks, BC – Population 3,985
  - The City of Grand Forks has a municipal cemetery called the Evergreen Cemetery and is located at 1468-66th Avenue,
  - This community is not located on Vancouver Island, however has been chosen as a mainland cemetery benchmark, due to its similar community size to the City of Cumberland.

Other municipal cemeteries were reviewed in consideration of the local cemetery environment, but not benchmarked for pricing, include:

**5. Hornby Island Cemetery, Hornby Island**

- The currently active cemetery is located on Central Road, east of the Highways yard, was established in May 1935. There are older cemeteries on the island as well;
- Hornby Island Resident and Ratepayers Associate volunteers contribute to the operations of the cemetery, and
- There are two kinds of interments available on Hornby Island, burial of cremated remains and full body burials. Only Hornby Island residents are eligible for plots and this cemetery does not offer pre-need sales options.

**6. Denman Island Cemetery, Denman Island**

- The *Denman Island Memorial Society* (DIMS) is working towards a first in Canada — an entirely 'green' cemetery.<sup>16</sup> A hectare of land at the corner of Central Park has been donated to Denman Island Memorial Society for the establishment of a Natural Burial Cemetery;
- The current cemetery was created in 1904 and is nearing capacity, and
- For 25 or more years there has not been a plot for purchase.

Religious cemeteries that are also part of the local cemetery environment include:

**7. St. John the Baptist Catholic Church cemetery, Comox**

- Located at the site of a Roman Catholic heritage church in the City of Comox.

**8. Anglican Church cemeteries in the Comox Valley:**

- Including St. John the Divine, St. Peter's (Comox), St. Andrew's (Sandwich), Holy Trinity (Cumberland).

**9. Mennonite Black Creek Cemetery, Campbell River**

- Located at 2230 Ployart Road, south of Campbell River, Black Creek is accessed off the Island Highway (19A), in the central farming area of Vancouver Island, where there are two Mennonite settlements.
- This cemetery was established in 1935 by the Mennonite church. It is sometimes referred to as the Black Creek Mennonite Cemetery.

---

<sup>16</sup>"Denman working toward totally green cemetery"  
<http://www.comoxvalleyrecord.com/news/166484846.html>

## APPENDIX D: DETAILED DEMOGRAPHIC PROFILE

### POPULATION GROWTH AND DEATH RATES

Population	2003	2006	2011	2013	Average Change	10 Yr. Change
Cumberland	2,747	93	3,311	3,460	2.22%	26%
Courtney LHA	58,521	62,326	64,805	66,004	1.20%	12.8%

*Table 2: Village of Cumberland and Courtney Local Health Area, Population Growth  
Source: Statistics Canada Census 2006 and 2011, BC Vital Statistic*

Death	2003	2006	2011	2013	Average Number per Year	10 Yr. Total
Cumberland Deaths	31	36	38	41	36	399
Courtney LHA Deaths	467	504	577	544	520	5,724
<b>Cumberland Deaths per 1000</b>	11.29	12.50	11.48	11.80	11.80	<b>11.80</b>
<b>Courtney LHA Deaths per 1000</b>	7.98	8.09	8.90	8.24	8.24	<b>8.24</b>
<b>British Columbia Deaths per 1000</b>	7.07	7.20	6.95	7.10	7.10	<b>7.10</b>

*Table 3: Village of Cumberland and Courtney Local Health Area Death Rates, Source: Statistics Canada Census 2006 and 2011, BC Vital Statistics*

### ETHNIC AND RELIGIOUS GROUPS

According to the 2011 National Household Survey, the Village of Cumberland largest religious group is Christian (29% of the population), dominated by Catholics (32% of Christians). 69% of the population identified itself as having no religious affiliation.

The Village of Cumberland's ethnic makeup is predominantly Caucasian, with 83% of its residents of European descent. Its largest visible minorities are the First Nations and Métis, representing 9% of the population.

The second largest group, 3% of the population, is of Asian origin.

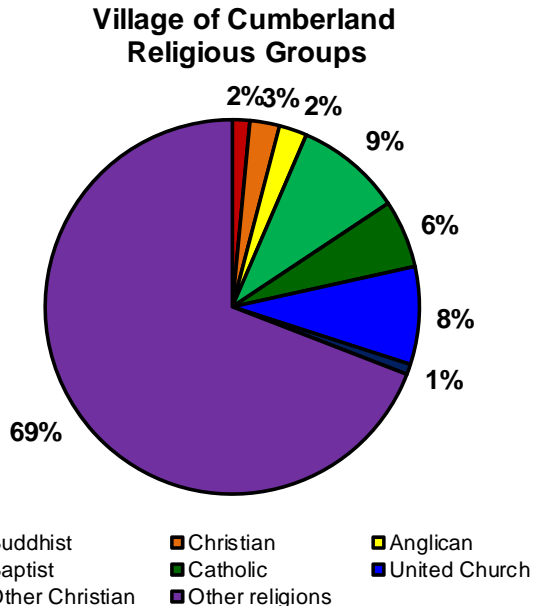


Figure 5: Cumberland Religious Profile,  
Source: 2011 National Household Survey

### AGE PROFILE

The Village's age distribution is characterized by a relatively younger population, with a smaller proportion of Baby Boomers than the rest of British Columbia.

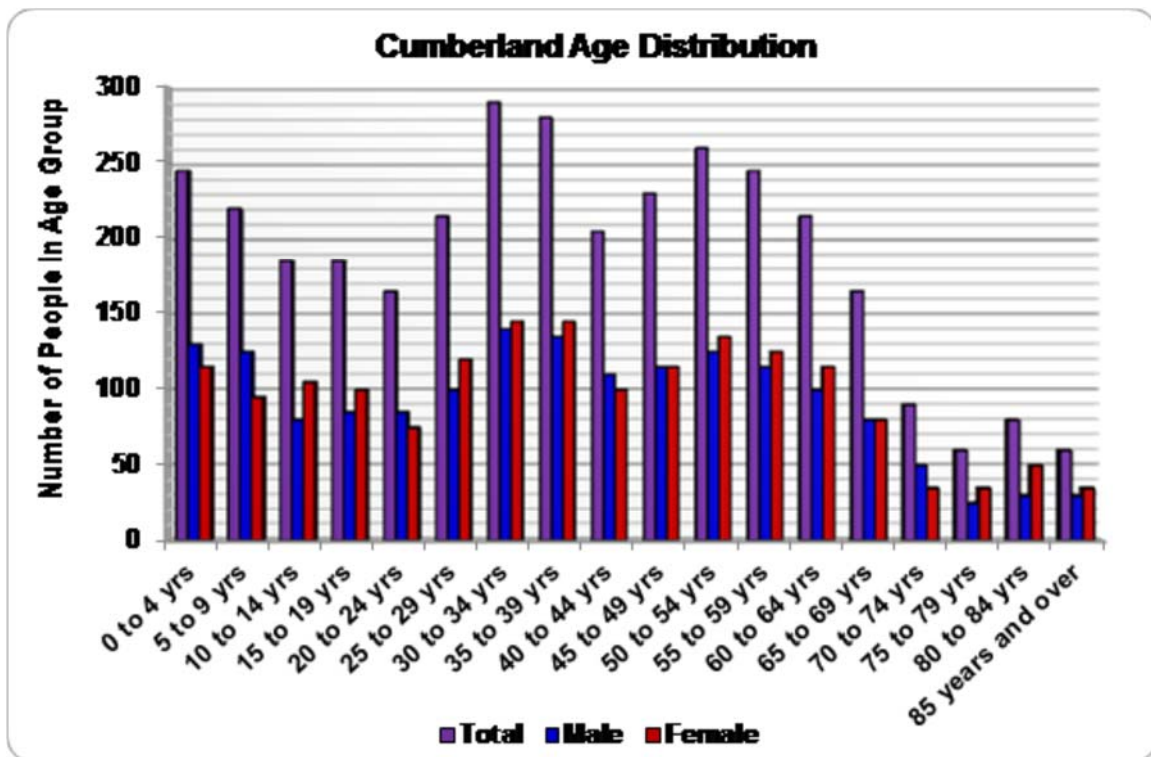


Figure 6: Age Distribution in the Village of Cumberland as of 2011,  
Source: Statistics Canada, LEES+Associates.

## APPENDIX E: DETAILED DISPOSITION TREND ANALYSIS

### CREMATION RATES

Canadian trends in disposition<sup>17</sup> indicate that cremation is becoming the preferred option nationwide. The adjacent figure shows cremation rates across Canada.

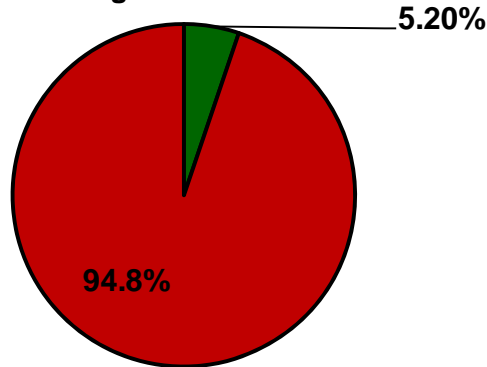
The average cremation rate for Canada has increased from 48.5% in 2002, to **68.5% in 2012**.

Over the last decade British Columbia's cremation rate has had the **highest** in Canada. The rate of cremation in the majority of Provinces is expected to continue gradually rising.

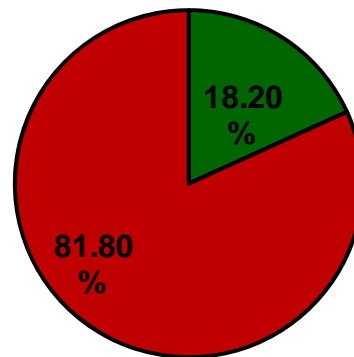
*Figure 7: National Rates of Cremation,  
Source: The Cremationist of North America 2013*

The average rate of cremation in British Columbia (BC) from 2003-2013 was 79.8%. In 2013, 81.8% of people in BC chose cremation and 18.2% chose traditional in-ground burial. The BC cremation rate is projected to rise to 83.8% by 2017.

**2013 Disposition Preferences - Village of Cumberland**



**2013 Disposition Preferences British Columbia, Canada**



■ Casket Market   ■ Cremation Market   ■ Casket Market   ■ Cremation Market

*Figure 8: 2013 Disposition Preferences in the Village of Cumberland and British Columbia,  
Source: BC Vital Statistics and LEES+Associates*

<sup>17</sup> Cremation or casket burial options.

In the Village of Cumberland and Courtenay LHA, the preference for cremation is significantly higher than the rest of the province, outweighing full-body burial by a ratio of about **15:1**.

Apart from "general preference," the main reasons given by Canadians for preferring cremation is the belief that cremation is "**more environmentally-friendly**," "**less expensive**" and "**more flexible**," as it allow people to choose what to do with remains over a longer period of time.

Over the past few decades, there has been a trend for North American families to spend less on funeral and cemetery products and services. Part of this trend is due to the growth in cremation, which is typically a much economical choice in terms of the final disposition. Cremated remains are also portable, so an increasing number of people are choosing to keep the cremated remains of loved ones at home, or scattering them in a place of personal significance. A small percentage of cremated remains are left unclaimed at the crematorium, or are used to create new mementos, such as a keepsake gemstone.

As cremation rates rise, it can be expected that the industry will respond by offering more cremation gardens, scattering gardens and related interment goods and services. As well, columbaria (above ground niches for cremated remains), ossuaries (vessels for interring urns or co-mingling cremated remains), and family vessels (a large urn for several cremated remains) are becoming more common in western cemeteries.

The challenge posed by the high cremation rate to the cemetery industry is that fewer people are choosing to inter remains in a cemetery. This is a significant issue for all cemeteries in North America. At the same time, there is evidence that scattering remains, or simply not interring them in a safe, controlled environment can leave families with a sense of loss, or incompleteness, as there is no one place that they can visit to reconnect spiritually with a loved one.

Industry professionals have noted that providing an attractive, reasonably priced place of interment, which offers families a range of options, can encourage families to inter remains in a cemetery. The longer term benefit is that cemeteries can serve to provide families with a link to their past, and can provide a tangible place to visit, pay respects and remember loved ones.

## APPENDIX F: HISTORIC CEMETERY MARKET

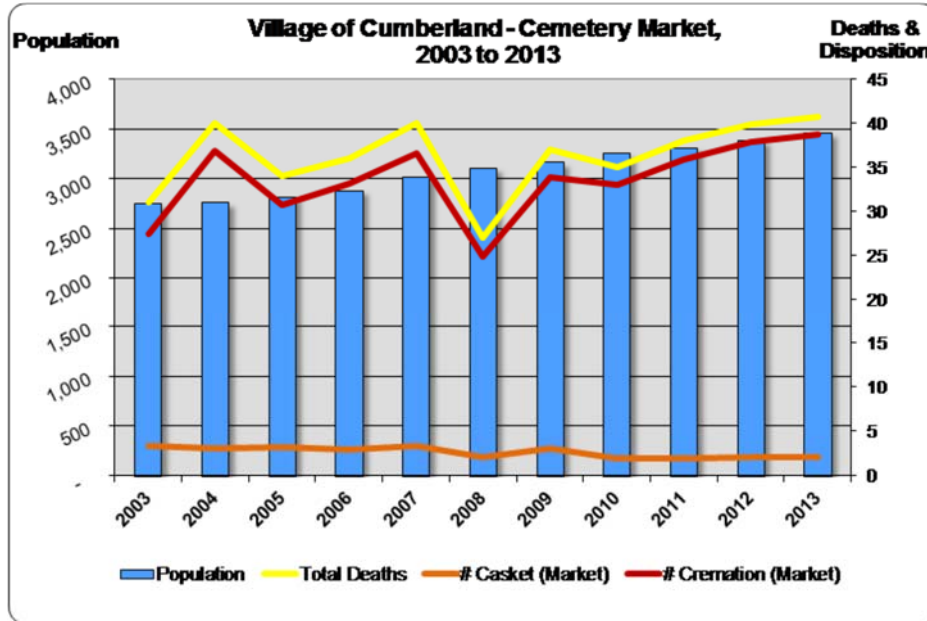


Figure 9: Village of Cumberland Cemetery Market - Population, Deaths and Dispositions 2003 to 2013, Source: BC Vital Statistics, Statistics Canada, LEES+Associates.

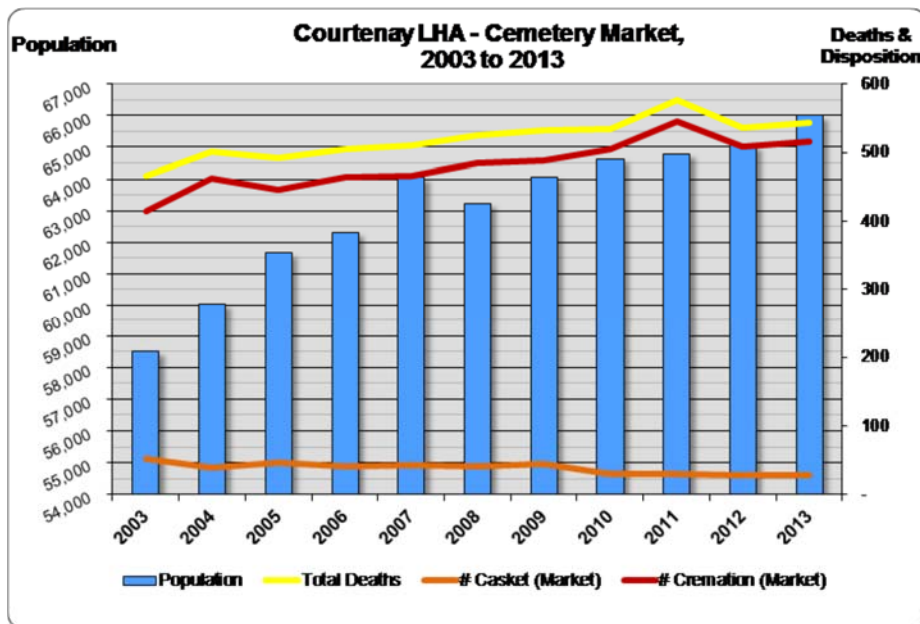


Figure 10: Courtenay Local Health Area Cemetery Market - Population, Deaths and Dispositions 2003 to 2013, Source: BC Vital Statistics, Statistics Canada, LEES+Associates.

## APPENDIX G: HISTORIC MARKET CAPTURE

The following graphs shows Cumberland Cemetery’s market capture of full body (casket market) and cremated remains (cremation market) from the Village of Cumberland and LHA markets.

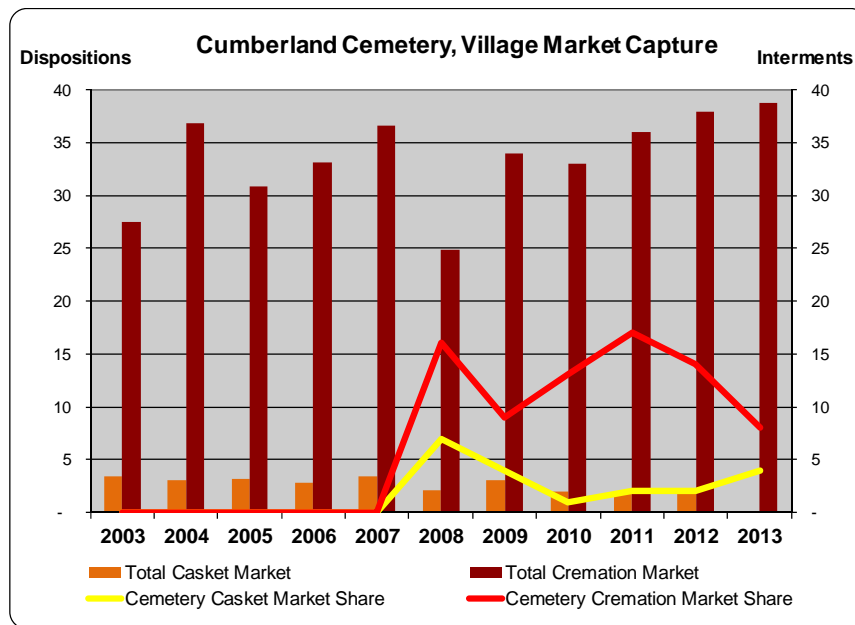


Figure 11: Village of Cumberland Cemetery Market Capture, 2003 to 2013, Source: BC Vital Statistics, Cumberland Interment Records and LEES+Associates.

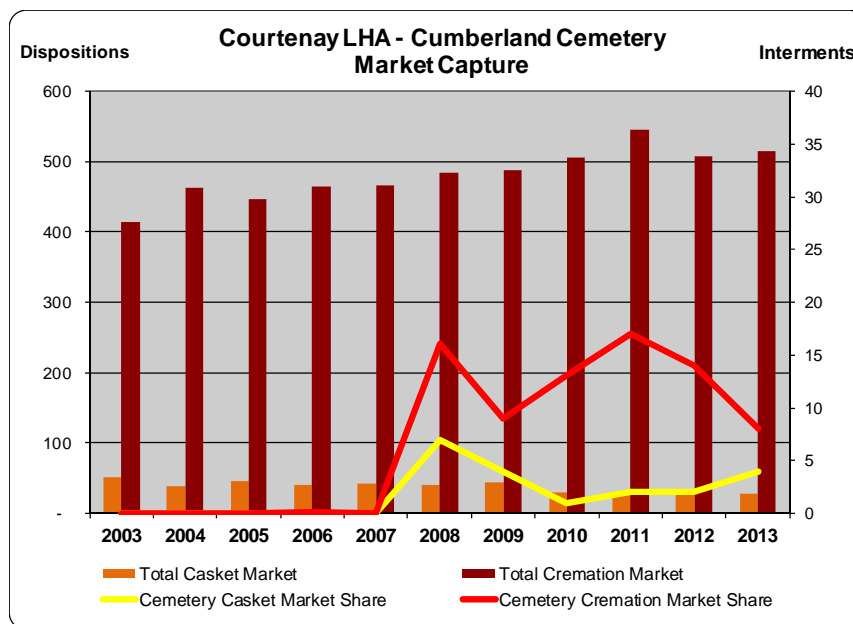


Figure 12: Courtenay Local Health Area, Cumberland Cemetery Market Capture, 2003 to 2013, Source: BC Vital Statistics, Cumberland Interment Records and LEES+Associates.

**MARKET CAPTURE PROFILE – RESIDENT + NON-RESIDENT INTERMENTS**

The following table provides an overview of resident and non-resident interment activity at Cumberland Cemeteries for the past six years.

Year	Resident Interments	Non-Resident Interments	Res %	Non-Res %	Resident Plots	Non-Resident Plots	Res %	Non-Res %
2008	11	12	48%	52%	0	7	0%	100%
2009	4	9	31%	69%	6	3	67%	33%
2010	5	9	36%	64%	5	8	41%	59%
2011	9	10	47%	53%	1	5	23%	77%
2012	9	7	56%	44%	7	6	57%	43%
2013	1	11	8%	92%	3	8	27%	73%
<b>Total</b>	<b>39</b>	<b>58</b>	<b>38%</b>	<b>62%</b>	<b>23</b>	<b>36</b>	<b>36%</b>	<b>64%</b>

*Table 4: Resident and Non-Resident Cumberland Cemetery Interment Activity,  
Source: LEES+Associates*

**MARKET CAPTURE PROFILE – AT-NEED + PRE-NEED INTERMENTS**

The following table provides an overview of at-need and pre-need lot sales activity at Cumberland Cemeteries for the past six years.

Year	Pre Need Lot Sales	At Need Lot Sales	Pre Need Lot Sales	At Need Lot Sales
2008	5	6	45%	55%
2009	9	4	69%	31%
2010	4	2	67%	33%
2011	2	11	15%	85%
2012	3	6	33%	67%
2013	1	6	14%	86%
<b>Total</b>	<b>24</b>	<b>35</b>	<b>41%</b>	<b>59%</b>

*Table 5: Pre-Need Lot Sales and At-Need Cumberland Cemetery Lot and Niche Sales,  
Source: LEES+Associates*

## **APPENDIX H: OPEN HOUSE MATERIALS & PRELIMINARY CONCEPTS**



# INTRODUCTION

## What this project is about:

- Establishing a vision for the Cumberland Village Cemeteries that meets the needs and wishes of the community.
- Developing a physical layout for the remaining unused area, identifying the types of interment to be offered, and determining the remaining lifespan of the Village Cemetery site.
- Reviewing the financial performance of Cumberland cemeteries and identifying areas for improvement.
- Delivering a conservation management plan to preserve the cemeteries' heritage features and landscapes
- Proposing a marketing plan to engage the community and promote the cemeteries as public amenities.

## Key Issues

- A view within the community that the Cumberland Village cemetery is not attractive or adequately maintained.
- Unsanctioned memorialization and abandonment of grave sites is an impact on maintenance efforts at the cemetery.
- The annual deficit for cemetery maintenance costs over revenues is on the rise from 44% in 2010 to 48% in 2012.
- Potential loss of heritage artefacts within the cemeteries due to both natural decay and external pressures associated with the development of adjacent lands.

## Questions

- What are the top 3 issues that you think the Village should address at the cemeteries?
- An additional option for full casket burial in a naturalized setting could be added at the Cumberland Village Cemetery. Would you consider Green Burial if it were made available?
- What qualities or amenities have you seen at other cemeteries that you would like to see at the Cumberland Village Cemetery?

## Regional Context

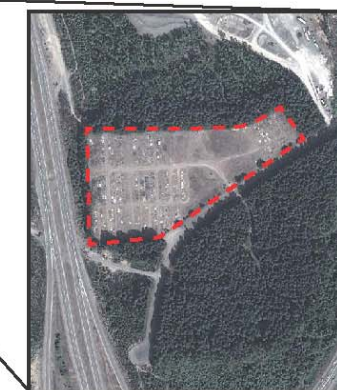


## Site Location Plan

### Chinese and Japanese Cemeteries



### Cumberland Village Cemetery



## Where are we in the process?



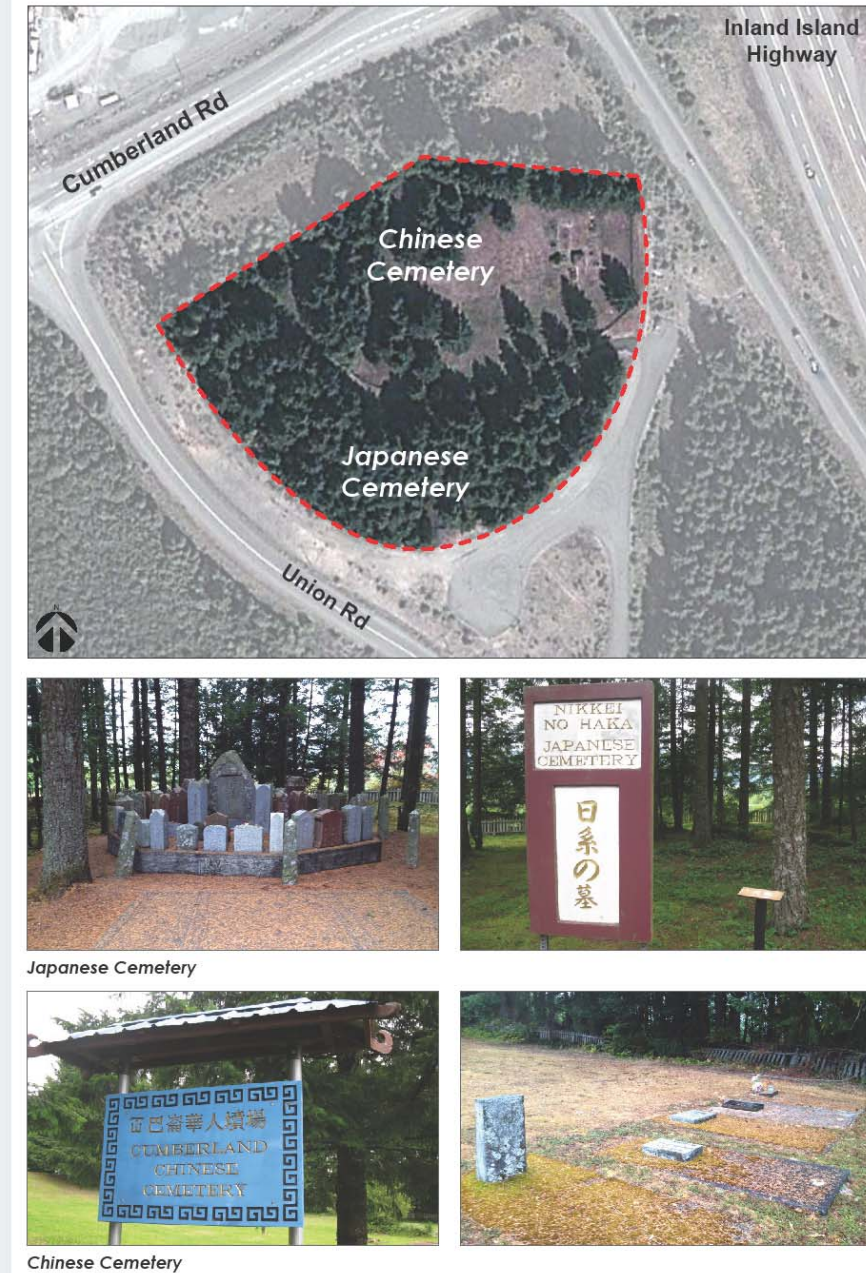


# EXISTING CEMETERY CONDITIONS

## Cumberland Village Cemetery | Active Cemetery



## Chinese and Japanese Cemeteries | Inactive Cemeteries



# SITE ANALYSIS - EXISTING CONDITIONS and PRECEDENTS



- Dumping and hang-out area
- Poorly defined woodland edges - Invites trespass and dumping
- Existing undeveloped areas (Typ.) - Capacity for new casket lots?
- Unscreened debris storage
- Poor quality front perimeter - Unattractive, ineffective fencing
- Existing entry area - Lacks information and way-finding features - Absence of amenity or a "sense of arrival and welcome."
- Existing Right-of-Way - Space and need for new evergreen trees to establish a vegetative or buffer from future development



**Debris / Bulk Storage**  
- Unsightly; needs containment and screening

**Interpretive Signage**  
- Poor location, easily overlooked

**Gravel Parking Lot**  
- Lacks edge definition or landscaping  
- No pedestrian connection to entry  
- Trail head opportunity: cemetery walking tour; pedestrian route to Maple Lake Park

-Gravelly Soil  
-Lack of water supply for fresh flowers and landscaping  
-Poorly defined pedestrian and vehicle circulation routes



Casket burial area with informal, low maintenance lawn



Grave sites maintained by families



Cremation Garden with columbaria and planted beds for scattering



Green burial area along the existing forest edge

# CONCEPT A - Maintain Existing



## Overall Cemetery Site Improvements

- Soil amendment/topsoil over proposed new lots and incrementally over existing lots where possible
- Non potable water (courtesy of Cumberland Sand + gravel) for irrigation purposes only
- Vehicle circulation routes demarcated with grading and top dressing with gravel

## Legend

- Existing Casket lots
- Proposed Casket lots
- Proposed Green burial lots
- Proposed Cremation lots
- Columbarium wall
- Existing trees
- Proposed deciduous tree
- Proposed evergreen trees
- Proposed shrub bed
- Boundary line
- Proposed fencing



# CONCEPT B - Introduce Alternatives



### Overall Cemetery Site Improvements

- Soil amendment/topsoil over proposed new lots and incrementally over existing lots where possible
- Non potable water (courtesy of Cumberland Sand + gravel) for irrigation purposes only
- Vehicle circulation routes demarcated with grading and top dressing with gravel

### Legend

- Existing Casket lots
- Proposed Casket lots
- Proposed Green burial lots
- Proposed Cremation lots
- Columbarium wall
- Existing trees
- Proposed deciduous tree
- Proposed evergreen trees
- Proposed shrub bed
- Boundary line
- Proposed fencing
- Proposed corridor

# **APPENDIX I: SUMMARY OF OPEN HOUSE FEEDBACK**



# WHAT WE HEARD:

June 25 2014

**VILLAGE OF CUMBERLAND CEMETERIES MASTER PLAN**

Responses to Feedback Form Questions: Open House March 12<sup>th</sup> 2014

**A total of 31 responses received - Green cells indicate key outcomes**

**1 What are the top 3 issues you think the Village should address at the cemeteries?**

Site Maintenance	8
Heritage/historic qualities	9
On-line info	1
Vandalism and Site Security	4
Visitor Amenities (benches, flowers, pathways)	4
Permitted monument types	10
Landscape improvements	3
Signage (informational/interpretive)	5
Promotion	1
Water	11
Grave-finding	1
Green burial	3
Memorial wall	1
Remaining space	1
Budget	3
Management committee	1
Individual grave maintenance	1
Dogs off-leash	1
Lighting	1
Unauthorized plantings	1
Gate and fencing	3
Burial costs	2
Preferential resident pricing	1
Scattering Garden	1
Consistency of rules/regulations	1

**2 Do you intend to inter cremated remains or reserve a space for cremated remains at a cemetery?**

Yes	14
No	16
At the Cumberland Cemetery	11
Do not know	3

**4 Intend to use one of the current interment options:**

Full casket burial in a standard grave	12
In-ground cremation burial in a cremation grave	1
In-ground cremation burial in a standard grave	7
Inurnment in a columbarium niche	4

**5 Would you consider Green Burial (burial in a naturalized setting) if it were available?**

Yes	16
No	12

**6 Would be interested in the following additional interment options:**

More than one urn/cremation grave or four urns/standard grave	14
A scattering garden for cremated remains	5
Above ground urns for cremated remains	2
An ossuary (a below-ground vessel for comingled cremated remains)	2
Family vessels (above-ground container for urns or comingled cremated remains)	1

**7 Would be interested in placing the name of a loved one on a memorial wall?**

Yes	14
No	14

**8 Have you visited the Chinese and Japanese Cemeteries?**

Yes	28
No	2

**Do you have any thoughts about the value of these sites to the community?**

*They are our heritage and we need them.*  
*I see very little of interest there. I would be nice to create more cultural gardens/installations*  
*They are to be treasured - similar to museums, they tell a story of our past.*  
*Very important for historic reasons - an indication of their acceptance into the community.*  
*Extremely valuable to our community's history - in both a good sense and to remind us of past discrimination*  
*Historically they are very important to our community.*

**History:**  
*They are very important to our community and its history.*  
*Heritage sites remembering these two groups of Cumberland pioneers*  
*They are a valued history for Cumberland and need to be protected and maintained*  
*They should be valued and respected, not ignored*  
*They are very valuable; bring the value out to the world.*  
*They need to be preserved and maintained*  
*History! Tourism! Dignity!*  
*"Lest we forget."*  
*They are historical. Chinese and Japanese should NOT allow any burials as where bodies are is unknown*  
*Should be preserved and protected as religious, cultural and historic sites*

**9 Have you visited other cemeteries in this area?**

Yes	17
No	

**10 Reasons for visiting?**

*Burial of family member; also for historic value.*  
*To honour those who have gone before, history, interest, quiet contemplation*  
*Burial of family member; also for historic value.*  
*Reflection; historic interest; curiosity; research.*  
*To look after family members' graves and to reflect.*  
*Visit loved ones.*  
*Family.*  
*Visit with loved ones.*  
*Visiting loved ones.*  
*Visit loved ones; clean and water graves.*  
*History study of the area.*  
*Family funerals and visits.*  
*Parent buried.*  
*Family on certain dates - just because.*  
*When there is a service.*  
*Relatives there.*  
*With visitors; for historic interest.*  
*Funerals.*

**12 Would you use online info about the Cumberland Cemetery if it were available?**

Yes	20
No	6

**13 Would you use a Smartphone App?**

Yes	3
No	24

**14 Items that should be considered as part of future plans for the cemetery:**

Trees, grass or other plantings	24
Upright headstones	19
Grave curbs/borders	12
On-site grave finding service	20
Cemeteries web page	18
New site signage/interpretive signage	9

**15 Additional comments:**

*This graveyard is really great and I personally visit it 2 times a week or at least 2 times a month.*  
*People could make a donation/drop box towards the scattering garden. Give the option to "sponsor" some plantings or allow a space for people to plant for their love ones.*  
*I prefer upright headstones - the pillow type would be preferred. More money towards beautifying the cemetery - flowering trees etc. It looks somewhat lonely and uncared for, an unwanted necessity and just left barren and treeless.*  
*Make niche accommodation large enough to hold regulation sized urns; space for 2 urns if a couple*  
*In winter when my wife died, poor ploughing to grave - half the family couldn't make it to the site for the service. Half the people were slipping on the ice. At least put sand or gravel down.*  
*Hire students for cleanup.*

*A green burial site with little or no maintenance. I represent the Green Burial Committee. In August 2012 we made a presentation to Cumberland Council requesting that they open a green burial section in the existing cemetery. They were receptive to the idea. I am available for info if required.*

*I think a columbarium is a wonderful idea - indoor building out of the weather - less maintenance.*  
*Not allowing vehicles to back onto adjoining property to cut firewood. Seniors need vehicle access due to mobility issues. No dogs allowed to run off-leash. People clean up the sites of loved ones.*

*Allow people to plant flowers or place items on part of the grave. Other cemeteries are filling up and many people in the Valley would buy into a green burial plot.*

*Make it easy for first time users to navigate the options. How do I deal with loved ones remains that I want to have in a columbarium niche here vs. near VS?*  
*Stop wasting money on consultants.*

*I have been away and so apparently missed the request for public information regarding the possible allocation of land for a Green Burial site. Just want to indicate my support and interest in this potential change. Just want to indicate my support and interest in this potential change. I do hope you follow up.*

July 22, 2014	
<b>VILLAGE OF CUMBERLAND CEMETERIES MASTER PLAN</b>	
Responses to Feedback Form Questions: Open House June 25th 2014	
Total of 6 responses received; blue cells indicate key outcomes	
	Totals
<p><b>1 What do you like/dislike about Concept A - Maintain existing?</b></p> <p><u>Positive</u>            it looks very good            Green burial is included            The path looks like a plan            I like the centrally located trees</p> <p><u>Negative</u>            There needs to be a Plaza area            More trees needed within the cemetery            include a pedestrian path            Less green burial space (than Concept B)            it is aesthetically less pleasing (than Concept B)            it will cost more to maintain over the years (than Concept B)</p>	
<p><b>2 What do you like/dislike about Concept B - Introduce Alternatives?</b></p> <p><u>Positive</u>            Green burial is included            I like the large number of Green burial lots            The Amen is a good idea            There is a center interpretive centre            More aesthetically pleasing (than Concept A)            Will cost less (than Concept A) in the long term, even though up/front costs are higher</p> <p><u>Negative</u>            More trees needed within the cemetery            More trees needed generally</p>	
<p><b>3 Do you have family or friends buried at Cumberland Cemetery?</b></p>	Yes 2 No 2
<p><b>4 Do you intend to be buried at Cumberland Cemetery</b></p>	Yes 3 No 1
<p><b>5 If you are considering interment at the Cumberland Cemetery, which options are/would you consider for yourself or others?</b></p>	<ul style="list-style-type: none"> <li>• Casket burial - burial in a traditional grave 1</li> <li>• Cremation: interment in an upright in a columbarium niche</li> <li>• Cremation: interment in a casket crypt</li> <li>• Cremation: interment in an existing family grave</li> <li>• Cremation: interment in an urnary vessel for combined remains</li> <li>• Cremation: scattering (scattering garden)</li> <li>• Cremation: scattering (at a location outside of a cemetery)</li> <li>• Green burial - burial in a grave in a naturalized setting 1</li> </ul>
<p><b>6 Do you have any additional comments, ideas or suggestions about the Cemeteries Master plan, or about what is presented on these two concepts?</b></p> <p>There needs to be communication with the Cumberland Chinatown Photo Pavilion Group, this would be respectful            there is no comparable group for the Japanese Cemetery, although advising as to the changes would be respectful            it would be good to purchase Green burial lots, as serious possible            Please include Royal Oak Cemetery for a presentation.</p>	

## APPENDIX J: NEW PRODUCT AND SERVICE OPTIONS

### BENCHMARK COMMUNITY OFFERINGS

In Cumberland, one casket interment and four sets of cremated remains may be interred in each casket lot and one urn in each cremation lot. Courtenay and Qualicum Beach also allow one casket and four sets of cremated remains in each grave. Courtenay permits two urns per cremation lot or niche. Qualicum Beach permits one urn per cremation lot but two urns per niche. It also permits up to six cremated remains per casket lot. Courtenay offers a scattering garden, though it is only moderately successful. Their niche wall has proven more popular.

### MEMORIALIZATION

Cumberland Cemetery does offer a means for people to memorializing individuals not interred at the cemetery, such on a memorial wall. As families are becoming more mobile and less likely to be interred together (or even in a cemetery environment), offering an attractive, affordable memorialization option such as a memorial wall could be an economically viable in the future. .

Memorial trees are sometimes planted at cemeteries but these can be difficult to maintain, especially on a dry, gravelly site like the Village Cemetery. Memorial benches are more suitable, and could also provide a needed site amenity as well as additional revenue. The Village has selected a durable, attractive exterior bench for its parks that is available from an established supplier and available with a memorial plaque recess. Such benches could be installed in the proposed Cremation Garden area. This type of bench is preferable to the stone benches marketed by monument companies, as they are usually expensive, uncomfortable and not compatible with their context.

It is important to note that any bench memorialization should be sold with a term and limitations on the Village's liability for replacement. Without this provision, establishing a program for what appears to be an attractive revenue-generator could end up as a financial liability.

### GREEN BURIAL

Green burial is emerging as a type of full body interment that is attracting increasing interest across North America. Also known as "natural burial," "country burial" or "woodland burial," this type of interment is still relatively uncommon in Canada. As of 2014, however, a new Green Burial Society of Canada has been established. Its role is to promote green burial standards, including cemetery participation in the (international) Green Burial Council's certification system. Green burial is defined as traditional earth burial with:

- No embalming;
- Burial directly in the ground;
- No use of grave liners or vaults;
- A fully biodegradable burial container (casket or shroud);
- Interment sites planted with only indigenous groundcover, and
- No individual grave markers.

Green burial has its roots in a desire felt by some to reconnect with the key events of life, including death, and to restore the personal meaning to the traditions that surround these events. Many who would otherwise choose cremation are attracted to green burial, especially as it better meets their environmental values by imposing a much smaller “environmental footprint.” Choosing green burial is for many an expression of their personal values. Since the people choosing green burial would typically not choose to be interred in a conventional cemetery, offering green burial could be a means of tapping into a market segment that is currently unavailable.

Most people have heard of green burial and are curious to learn more about it. The largest green burial area in a public cemetery in Canada is the “Woodlands” at Royal Oak Burial Park near Victoria, BC. This site opened in late 2008 and since then has sold over 70 at-need and 100 preneed lots. Offering green burial is advantageous in terms of its **marketing value**. Print, TV and radio media are very attuned to stories about green burial. Stephen Olson, the Executive Director of Royal Oak attests to the promotional value of green burial to his cemetery.<sup>18</sup>

There is an opportunity to offer green burial at the Village Cemetery. Green burial areas can be as space-efficient and economically feasible as traditional casket burial areas, and can yield the same profit margin as basic casket lots. Over the long term, the cost of maintenance is lower due to the minimal maintenance required (notably lawn care). Offering this type of interment would not require significant capital investment, and could attract those who have expressed an interest in this option but would otherwise not choose to be interred in Cumberland. Green burial lots would be suitable along the edge of the developed area of the cemetery, where each lot be identified by its GPS coordinates.

Green burial allows for slightly shallower excavations (1.2m/ 4’ depth) compared with the 1.8m/6’ depth of conventional burials. Excavated soils do not need to be removed, nor does the grave need to be replanted with turf grass. Families typically pay for the revegetation of graves with native plant materials, which gradually restores the area to a more natural condition.

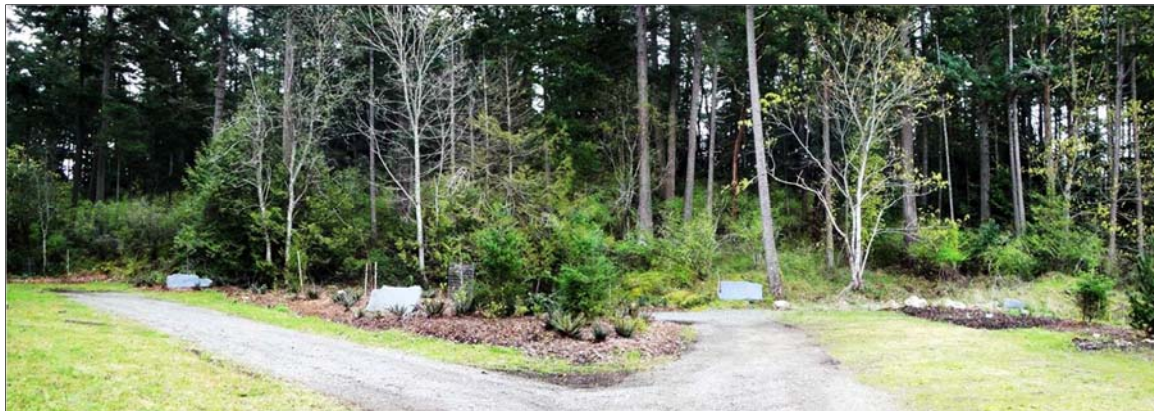


Figure 13: Green Burial Section-Royal Oak Burial Park, Source: LEES+Associates Projects & Photos.

<sup>18</sup> CTV News, ‘More people opting for ‘The Green Goodbye’, February 20, 2013  
(<http://bc.ctvnews.ca/more-people-opting-for-the-green-goodbye-1.1158345>)

It is unlikely that demand for green burial will surpass traditional burial (or cremation) over the foreseeable future; however, it should be seen as another means of meeting community needs and wishes.

There are several factors that the Village should consider in evaluating whether or not to expand the interment options at Cumberland Cemetery to include green burial:

1. Green burial **can generate sales revenues comparable to a conventional in-ground burial**. Many people are willing to pay full price—in some cases even pay a premium—for products that they believe reflect and convey their personal values. Green burial lots can be sold at the same price as conventional lots, but typically incur a lower development cost. .
2. Green burial has been shown to **attract those who would otherwise choose cremation**. Based on his experience at Royal Oak Burial Park's green burial area, Executive Director Stephen Olson has noted that 80% of the customers that have chosen burial at the Woodlands site had originally planned for cremation. If this translates to the larger market, offering green burial at a cemetery could have the effect of **reclaiming some of the market that is gradually being lost to the cemetery** by people choosing cremation but not choosing to inter remains in a cemetery environment.
3. Green burial **requires less maintenance**, including less fuel for power equipment. Lawn is the most labour and energy-intensive component of the traditional cemetery environment. Since burial sites are not planted with turf grass, they do not require the high level management traditional burial areas require. The impact of removing lawn care from a cemetery budget can be significant, especially over the long term.
4. Green burial **attracts public interest**, and offering this option may serve as good public relations for the Village's cemetery system. Based on the experience of Royal Oak, offering green burial has been proven to be very effective marketing for the cemetery, attracting widespread interest and a generally positive response from across North America.
5. Insofar as the Comox region is home to many people that value **nature and the rural lifestyle**, it seems likely that some of this cohort—many of whom are now reaching retirement age—would be receptive to the idea of green burial, should it be offered at Cumberland Cemetery. The value of green burial to many attracted to this option is that it helps restore the native landscape that they value and would like to see preserved.

# **APPENDIX K: CEMETERY FEES - PRICING COMPARISON**

Village of Cumberland - 2014 Rates Comparison												
Cemetery Plots + Niches Price Comparison												
Item	Cumberland Cemetery Resident	Cumberland Cemetery Non-Resident	Courtenay Cemetery Resident	Courtenay Cemetery Non-Resident	Campbell River Resident	Campbell River Non-Resident	Qualicum Beach Resident	Qualicum Beach Non-Resident	Grand Forks Resident	Grand Forks Non-Resident	Average Resident	Average Non-Resident
<b>Population - Census 2011</b>	<b>3,398</b>		<b>21,940</b>		<b>31,186</b>		<b>8,087</b>		<b>3,985</b>			
<b>Sale of Cemetery Lots</b>												
Adult Plot - Base	\$850	\$1,100	\$512	\$818	\$685	\$861	\$580	\$1,125	\$721	\$961	\$670	\$973
Adult - PCF	\$213	\$275	\$171	\$273	\$343	\$431	\$195	\$375	\$288	\$384	\$242	\$348
<b>Adult Plot - Average</b>	<b>\$1,063</b>	<b>\$1,375</b>	<b>\$682</b>	<b>\$1,090</b>	<b>\$1,028</b>	<b>\$1,292</b>	<b>\$775</b>	<b>\$1,500</b>	<b>\$1,009</b>	<b>\$1,345</b>	<b>\$911</b>	<b>\$1,320</b>
PCF %	25%	25%	33%	33%	25%	25%	34%	33%	40%	40%	36%	36%
Child Plot - Base	n/a	n/a	\$225	\$315	\$418	\$531	n/a	n/a	\$540	\$720	\$394	\$522
Child - PCF	n/a	n/a	\$75	\$105	\$209	\$265	n/a	n/a	\$216	\$288	\$167	\$219
<b>Child Plot</b>	<b>\$0</b>	<b>\$0</b>	<b>\$300</b>	<b>\$420</b>	<b>\$627</b>	<b>\$796</b>	<b>\$0</b>	<b>\$0</b>	<b>\$756</b>	<b>\$1,008</b>	<b>\$561</b>	<b>\$741</b>
PCF %	n/a	n/a	33%	33%	25%	25%	n/a	n/a	40%	40%	42%	42%
Infant Plot - Base	n/a	n/a	\$131	\$246	\$209	\$276	n/a	n/a	\$360	\$480	\$233	\$334
Infant - PCF	n/a	n/a	\$44	\$82	\$105	\$138	n/a	n/a	\$144	\$192	\$98	\$137
<b>Infant Plot</b>	<b>\$0</b>	<b>\$0</b>	<b>\$175</b>	<b>\$328</b>	<b>\$314</b>	<b>\$414</b>	<b>\$0</b>	<b>\$0</b>	<b>\$504</b>	<b>\$672</b>	<b>\$199</b>	<b>\$283</b>
PCF %	n/a	n/a	33%	33%	25%	25%	n/a	n/a	40%	40%	42%	41%
Cremated Remains - Base	\$300	\$400	\$225	\$315	\$209	\$276	\$245	\$450	\$320	\$427	\$260	\$374
Cremated Remains - PCF	\$75	\$100	\$75	\$105	\$105	\$138	\$80	\$150	\$128	\$171	\$93	\$133
<b>Cremated Remains Plot</b>	<b>\$375</b>	<b>\$500</b>	<b>\$300</b>	<b>\$420</b>	<b>\$314</b>	<b>\$414</b>	<b>\$325</b>	<b>\$600</b>	<b>\$448</b>	<b>\$598</b>	<b>\$352</b>	<b>\$506</b>
PCF %	25%	25%	33%	33%	25%	25%	33%	33%	40%	40%	36%	36%
Columbarium Niches - Base	\$600	\$700	\$810	\$1,530	\$0	\$0	\$900	\$1,275	n/a	n/a	\$770	\$1,168
Columbarium Niches - PCF	\$60	\$70	\$90	\$185	\$0	\$0	\$300	\$425	n/a	n/a	\$150	\$227
<b>Columbarium Niches - Average</b>	<b>\$660</b>	<b>\$770</b>	<b>\$900</b>	<b>\$1,715</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,200</b>	<b>\$1,700</b>	<b>n/a</b>	<b>n/a</b>	<b>\$920</b>	<b>\$1,395</b>
PCF %	10%	10%	11%	12%	n/a	n/a	33%	33%	n/a	n/a	10%	10%

Table 6: Benchmark Survey of Plots and Niche Cemetery Fees in Comparable Communities in British Columbia,  
Source: LEES+Associates + Municipality By-Laws and Cemetery Websites

Village of Cumberland - 2014 Rates Comparison												
Cemetery Services Price Comparison												
Item	Cumberland Resident	Cumberland Non-Resident	Courtenay Civic Cemetery Resident	Courtenay Civic Cemetery Non-Resident	Campbell River Resident	Campbell River Non-Resident	Qualicum Beach Resident	Qualicum Beach Non-Resident	Grand Forks Resident	Grand Forks Non-Resident	Average Resident	Average Non-Resident
<b>Population - Census 2011</b>	<b>3,398</b>		<b>21,940</b>		<b>31,186</b>		<b>8,087</b>		<b>3,985</b>			
<b>Opening and Closing</b>												
Adult Burial	\$850	\$850	\$1,215	\$1,215	\$1,123	\$1,123	\$725	\$900	\$896	\$896	\$962	\$997
Child Burial	n/a	n/a	\$700	\$700	\$543	\$543	n/a	n/a	\$845	\$845	\$696	\$696
Infant Burial	\$400	\$400	\$285	\$285	\$447	\$447	n/a	n/a	\$675	\$675	\$452	\$452
Cremated Remains Burial	\$180	\$180	\$285	\$285	\$301	\$301	\$225	\$225	\$225	\$225	\$243	\$243
Columbarium Inurnment	\$100	\$100	\$100	\$100	n/a	n/a	\$160	\$160	n/a	n/a	\$120	\$120
Scattering of Ashes/Ossuary	n/a	n/a	\$120	\$220	n/a	n/a	\$325	\$500	n/a	n/a	\$223	\$360
Exhumation - Adult	\$1,100	\$1,100	n/a	n/a	\$2,245	\$2,245	n/a	n/a	\$1,013	\$1,013	\$1,453	\$1,453
Exhumation - Child/Infant	\$600	\$600	n/a	n/a	\$1,018	\$1,018	n/a	n/a	\$845	\$845	\$821	\$821
Exhumation - Extra Deep	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$675	\$675	\$675	\$675
Exhumation - Cremated Remains	\$400	\$400	n/a	n/a	\$434	\$434	\$300	\$300	\$282	\$282	\$354	\$354
Exhumation - Columbarium	n/a	n/a	n/a	n/a	n/a	n/a	\$150	\$150	n/a	n/a	\$150	\$150
<b>Additional Services, Products and Fees</b>												
Extra Deep - Opening & Closing	n/a	n/a	n/a	n/a	\$524	\$524	n/a	n/a	n/a	n/a	\$524	\$524
Burials After Hrs. Weekdays extra	\$75	\$75	\$250	\$250	\$254	\$254	\$675	\$675	\$448	\$448	\$340	\$340
Burials Weekends & Holidays extra	\$500	\$500	\$285	\$285	\$1,028	\$1,028	\$675	\$675	\$845	\$845	\$667	\$667
Burials After Hrs. Weekdays (Infant)	n/a	n/a	n/a	n/a	\$254	\$254	n/a	n/a	\$338	\$338	\$296	\$296
Burials Weekends & Holidays (Infant)	n/a	n/a	n/a	n/a	\$1,028	\$1,028	n/a	n/a	\$675	\$675	\$852	\$852
Cremation Weekends & Holidays	\$250	\$250	\$142	\$142	\$514	\$514	\$150	\$150	\$169	\$169	\$245	\$245
Transfer of License	\$50	\$50	n/a	n/a	\$63	\$63	\$50	\$50	\$75	\$75	\$60	\$60
Marker Install	\$150	\$150	\$140	\$140	\$169	\$169	\$110	\$110	\$85	\$85	\$131	\$131
Marker PCF	\$10	\$10	\$10	\$10	n/a	n/a	\$40	\$40	\$34	\$34	\$24	\$24
<b>Installation of Markers Total</b>	<b>\$160</b>	<b>\$160</b>	<b>\$150</b>	<b>\$150</b>	<b>\$169</b>	<b>\$169</b>	<b>\$150</b>	<b>\$150</b>	<b>\$119</b>	<b>\$119</b>	<b>\$150</b>	<b>\$150</b>

Table 7: Benchmark Survey of Cemetery Service Fees in Comparable Communities in British Columbia,  
Source: LEES+Associates + Municipality By-Laws and Cemetery Websites

# APPENDIX L: FINANCIAL SCENARIO SENSITIVITY ANALYSES

## FINANCIAL PLAN BASE ASSUMPTIONS

All of the following assumptions are incorporated into the scenarios reviewed in this Master Plan:

- Cumberland Cemetery has capacity and will remain active over the next 50 years and will develop new inventory as needed to meet expected demand. This is reasonable because:
  - Market capture rates will not likely change significantly in the next 25 years.
  - Revenue increases do not historically occur on a regular basis to adjust for changes in the cost of living. The last price change was implemented in 2009. The status quo forecast assumes no further increases are implemented.
  - Annual cost increases are projected from the historical inflation rate of **3.0%**.
  - Cumberland Cemetery financial reporting policies and perpetual care fund contributions and interest rates, are expected to remain constant with historical practices.
  - The historic practice of allocating tax and government grant revenue will continue to fully meet or exceed the net balance, cost recovery gap.

## SCENARIO 1 - MAINTAINING THE STATUS QUO

The following graph is a “snapshot” in time, summarizing the financial position of the system 2008 - 2014, reflecting the Village’s financial reports to 2013 and the expected budget numbers for 2014.

*Figure 14: Status Quo Historic Financials Summary, 2009-2014 Cumberland Cemetery System, Source: Village of Cumberland Financial Reports and LEES+Associates.*

The Cumberland Cemetery System’s current financial position is relatively strong, largely due to its **above average pre-need sales**. Historically the subsidy from property tax, penalties and Interest revenues, as well as government grants has actually exceeded operating costs.

The following graph summarizes the projected financial position of the Cumberland Cemetery System over 50 years under status quo conditions. This status quo projection scenario only includes the base assumptions listed earlier for the Financial Plan.

*Figure 15: Maintain Status Quo, 50 Year Financial Forecast, Source: LEES+Associates.*

All financial forecasts for scenarios projected over the next 50 years, excludes extraordinary items and capital development costs. Therefore, “Total Expenses” reported for each forecast scenario only includes the expected operating cost for the Cumberland Cemetery System.

## SCENARIO 2 - ALTERNATE STRATEGY

This scenario does maintain all of the **assumptions** from the status quo scenario, and adds the following new conditions:

- The Village **increases cemetery fees by 3% per year**. This represents an annual increase of **1% greater** than the expected **cost of inflation** (currently estimated at 2%), with the intent of closing the gap in operating cost coverage.
- The Village will invest in and install new service offerings including, green burial, columbaria, and scattering gardens as proposed in this report's development plan.
- The Village will implement **one-time increases** to fees in 2015 and differential pricing for resident and non-resident interments, as recommended in the Product and Service Review.
  - The proposed changes to pricing are expected to increase casket interment revenue by 18% and cremation interment revenue by 53%.
- This scenario assumes a new **marketing and community engagement** investment of **\$2,500** in 2015 and **\$1,250** from 2016 forward.
  - New promotional efforts to communicate with the community, the upcoming development changes and improved quality of cemetery service are necessary to mitigate the potential market share losses from increasing cemetery rates
  - In addition, assertive and effective promotional efforts are actually expected to increase revenue by **10% in 2015** and by **5% in 2016** from Cumberland's enhanced connection with the community. These new sales levels are expected to be maintained moving forward, provided marketing efforts continue.

The following graph highlights the changes to revenue, expenses and net balance before tax subsidy under Scenario 2.

*Figure 16: Scenario 2, Alternate Strategy, 50 Year Financial Forecast, Source: LEES+Associates.*

The circle on the graph above identifies the break-even point for this scenario.

It is important to note that all scenarios projected does not include outflow for new capital expenditures required to acquire additional cemetery inventory, infrastructure, land or other development projects.

## APPENDIX M: PERPETUAL CARE FUND LEGISLATIVE REQUIREMENTS

Cemeteries are unique facilities and landscapes, due in part to their governance by the **British Columbia (BC) Cremation, Interment and Funeral Services Act (2004)**. This Act stipulates that cemetery owners must provide “care and maintenance” of their properties, and that they must do so in perpetuity. This obligation for maintenance begins at the time a cemetery is established, extends through the period during which they are active and generating revenue, and continues long after they are full and no longer generating revenue.

What exactly qualifies as care and maintenance is not stipulated by legislation, and as a result, the level of care and maintenance provided at cemeteries varies widely. While a cemetery is active, it is in the interests of its owner to maintain it so the site will attract families seeking a pleasant, respectful environment for the interment of their loved ones. Once a site is no longer active, there is understandably less incentive for a cemetery owner to invest in its care and maintenance.

Perpetual Care legislation in BC dates back to the 1950’s, although the implementation of a perpetual care fund was implemented at some provincial cemeteries by the 1930’s. The legislation applies to all cemeteries, public and private, denominational or nonsectarian. The intent of Perpetual Care legislation is to ensure that cemeteries will not be abandoned after they are full, or that the burden of paying for their care and maintenance will not fall—at least not entirely—onto the shoulders of tax payers. The legislation confirms society’s values that a maintained landscape conveys respect for the people interred there. It also establishes that this obligation belongs to the community rather than to the families of those buried at any given site.

Perpetual Care legislation ensures that closed cemeteries will receive ongoing maintenance, thereby protecting public health and safety as well as the value of adjacent properties. A closed cemetery that is reasonably maintained is also able to fulfill its role as a repository of local history and heritage. In many instances, such sites can also serve as valuable community open space, and eventually perform a valuable ecological function in the larger landscape.

It is considered to be an industry best practice for a portion of cemetery sales to be allocated to the long term planning of cemetery perpetual care. Endowment or perpetual care funds in British Columbia are protected by law and are very conservatively managed. Income from the fund can only be spent on cemetery care and maintenance and the principal of a cemetery care fund is protected by provincial legislation.

In British Columbia, Care Funds must be **managed in accordance** with the Cremation, Interment and Funeral Services Act, **Part 7**<sup>19</sup>.

### ***Establishment of care fund***

- 28** (1) *A director may order an operator of a place of interment to establish a care fund in respect of the place of interment on terms and conditions specified by the director.*
- (2) *A director may vary, by order, the terms and conditions in an order establishing a care fund.*

---

<sup>19</sup> Cremation, Interment and Funeral Services Act, [http://www.bclaws.ca/civix/document/id/complete/statreg/04035\\_01](http://www.bclaws.ca/civix/document/id/complete/statreg/04035_01)

(3) Subject to the regulations, if an operator of a place of interment has established a care fund for the place of interment, the operator, and all subsequent operators, must make deposits to the care fund in the prescribed amounts.

(4) If a director has ordered an operator to establish a care fund, all funds that the operator is required to place in the care fund must be kept separate and apart.

(5) If a director has ordered an operator of a place of interment to establish a care fund, the operator must establish and administer the care fund

(a) As a trust account with a savings institution in British Columbia,

(b) By entering into a trust agreement with the savings institution that includes the types of terms prescribed, and

(c) In accordance with the regulations.

(6) Subsection (5) (a) and (b) does not apply to a municipality, a regional district or an improvement district.

(7) A subsequent operator must maintain the care fund in accordance with this Act, the regulations and the terms and conditions related to the care of the fund imposed, from time to time, by order of a director.

#### **Requirements on trustee of care funds**

**29** (1) A savings institution is the trustee of a care fund established with it and must administer the care fund

(a) In accordance with the regulations, and

(b) Subject to paragraph (a), in accordance with the terms of a written trust agreement between the savings institution and the operator of the place of interment to which the care fund relates.

(2) A municipality, a regional district or an improvement district that administers its own care fund is deemed to be the trustee of the care fund established by it and must administer the care fund in accordance with the regulations.

(3) In addition to any requirements imposed under this Act, the trustee of a care fund must ensure that the care fund established with the trustee is invested and accounted for in accordance with the provisions of the Trustee Act.

(4) The trustee of a care fund must ensure that no part of the care fund is invested with a person or an organization that owns or operates a place of interment or crematorium, or carries on business as a funeral provider or memorial dealer.

(5) A trustee of a care fund must ensure that no part of the principal of the care fund is paid to the operator of the place of interment to which the care fund relates without the prior approval of a director.

(6) A trustee of a care fund may purchase and hold securities on behalf of the care fund only in the name of the care fund.

#### **Requirements for audit of care fund and maintenance of relevant records**

**30** (1) A director may

(a) Audit a care fund, or

*(b) Order an operator of a place of interment to have a care fund audited by a person within a class of persons prescribed by the Lieutenant Governor in Council.*

*(2) An operator of a place of interment must maintain records related to the maintenance of the care fund in a manner that is satisfactory to a director.*

**Transfer of care fund**

**31** *(1) An operator of a place of interment in respect of which a care fund has been established must ensure that the care fund is transferred to the subsequent operator before the subsequent operator takes control of the place of interment.*

*(2) Until the subsequent operator enters into a new trust agreement with a savings institution, a trust agreement between a savings institution and the operator of a place of interment with respect to a care fund applies, without any amendment to the trust agreement, to the subsequent operator, as if the subsequent operator were the operator who entered into the agreement.*

**Use of care funds**

**32** *(1) A savings institution may pay an operator interest and dividend income earned by the care fund, but only for the purpose of paying the operator's liabilities arising out of care and maintenance services provided by any person for the place of interment.*

*(2) An operator must use the funds provided under subsection (1) only for the purpose for which they were paid.*

**Seizure of care funds by creditors**

**33** *Subject to section 32 [use of care funds], but despite any other enactment, a care fund and any money held by an operator for deposit to a care fund*

*(a) Is not available to satisfy the liabilities of the operator of the care fund, and*

*(b) Is not subject to any process of garnishment, attachment, execution or seizure by a creditor.*

**Liability of savings institution for payments from care funds**

**34** *(1) Subject to subsection (2), a savings institution that holds and administers a care fund is not liable with respect to a payment from the care fund if the payment is made*

*(a) In accordance with this Act, the regulations and the terms and conditions of each applicable order referred to in section 28 [establishment of care fund], and*

*(b) In compliance with a statement of expenses of the operator received by the savings institution that shows the amount the operator spent for the care and maintenance of the place of interment to which the fund relates.*

*(2) Subsection (1) does not apply if the savings institution knew, or ought to have known, that the statement referred to in subsection (1) (b) was not accurate or complete.*

**Dealings with care funds if cemeteries abandoned or in financial difficulty**

**35** *(1) If a director considers that a place of interment is abandoned or is in financial difficulty, the director, by written notice to the operator and the savings institution holding and administering the care fund that relates to the place of interment, may order the savings institution to administer the care fund, in accordance with the directions of the director until the date the order is rescinded by the director.*

(2) *On the date that a savings institution receives a written notice under subsection (1), the director becomes the sole operator with respect to the care fund for the place of interment referred to in the order and from that date the director has all the powers, functions and duties of the operator with respect to the care fund.*

(3) *When an order referred to in subsection (1) is rescinded, the director ceases to have the authority referred in subsection (2) and the operator of the place of interment at the time of rescission has the powers, functions and duties of an operator under this Part.*

**Requirements for operators that do not have care fund**

**36** *If a director has not issued an order under section 28 [establishment of care fund] with respect to a place of interment, the operator of the place of interment must*

(a) *Provide a reasonable level of care and maintenance of the place of interment at the operator's own expense, and*

(b) *If requested by a director, submit to the director, within the time specified by the director, a report containing the information required by the regulations.*

The required Perpetual Care Fund **contributions** are delineated by **Part 2<sup>20</sup>** of the BC Cremation, Interment and Funeral Services Act, Services Regulation, as follows:

**Part 2 – Item 20**

**Required amount of contribution to care funds**

20 (1) *In subsections (2) and (3), "right of interment" does not include a right of interment of cremated remains or human remains in a columbarium niche or mausoleum crypt.*

(2) *Except as provided in subsection (3), an operator that has a care fund for a cemetery must, for each right of interment at the cemetery that is sold, make a deposit to that fund of not less than **25% of the selling price of the right of interment.***

(3) *An operator of a **place of interment** listed in Column 1 of Schedule 1 to this regulation must, for the type of right of interment set out opposite in Column 2 that is sold by the operator, make a deposit to the care fund of **not less than the percentage of the selling price of the right of interment** set out opposite in Column 3.*

(4) *Except as provided in subsection (3), an operator that has a care fund for a mausoleum or columbarium must make a deposit to the care fund of **not less than 10% of the selling price for each right of interment related to a mausoleum or columbarium.***

(5) *An operator that has a care fund for a place of interment must make a deposit to the care fund of not less than **\$10 for each memorial installed at the place of interment.***

In summary, legislation requires PCF contributions of **10%** for mausolea and columbaria and **25%** for in-ground graves, and **\$10** for each memorial installed. Some municipalities in BC have chosen to contribute more than this statutory requirement.

Perpetual Care is addressed in the **Cumberland Cemetery By-Law** under the subheading "Cemetery Care Fund", as follows

---

<sup>20</sup> *Cremation, Interment and Funeral Services Act, Services Regulation*  
[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/298\\_2004](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/298_2004)

**Cemetery Care Fund**

- 102** *A Care Fund for the future maintenance and care of the Cemetery and the Lots shall be established and maintained.*
- 103** *The Care Fund will be maintained at the Corporation's financial institution in a separate account designated as the Cemetery Care Fund.*
- 104** *The Financial Officer for the Corporation shall be responsible to ensure*
- a) That funds are collected and deposited as prescribed by the Act;*
  - b) That accounting records identify balances pertaining to each Cemetery;*
  - c) Any investment of monies in the Care Fund is permitted under the Act; and*
  - d) That the Care Fund is, at all times, maintained in accordance with the Act.*
- 105** *Income earned from investing the Care Fund, may be used for the upkeep and maintenance of the Cemetery in the year earned if included as a source of funds in the current five year financial plan of the Corporation.*
- 106** *Where the income earned from investing the Care Fund is not used in the year earned, income earned shall be retained in the Care Fund to increase the principal sum of the Fund.*
- 107** *The principal portion of the Care Fund shall not be reduced other than in accordance with an order from the Administrative Authority pursuant to the Act.*
- 108** *The Cemetery Manager may, on behalf of the Corporation, accept voluntary payments to the Care Fund from any person or organization.*

## APPENDIX N: PCF BEST PRACTICES + SENSITIVITY ANALYSIS

### BEST PRACTICES

A key factor in the viability of a cemetery is the adequacy of its Perpetual Care Fund (PCF). Canadian cemeteries are required by law to maintain a PCF, which is created by depositing a percentage of revenue from products and services sold. The principal deposited must be held intact, but the interest on the principal is available to pay for routine care and maintenance of the site. While a cemetery is active and generating revenues, interest may be withdrawn as needed. Once a cemetery is closed—typically once it reaches capacity and is no longer generating revenue—PCF interest becomes the only source of funding. If a PCF is not large enough to generate sufficient interest to pay for basic care, it requires a subsidy, typically from municipal taxes. Key variables for the strategic planning for cemetery perpetual care include:

- 1) Identifying and charging the appropriate % **contributions from sales** to the PCF Fund, and
- 2) Identifying and tracking the current **care and maintenance costs** for each cemetery site, which can then be forecast, based on the expected rate of inflation.
- 3) Effective investment practices to generate interest returns. The interest rate for municipalities across Canada currently ranges from about **2-5%**.

Identifying non-maintenance expenses such as sales and opening/closings costs is important as these expenses will no longer be incurred once the cemetery becomes inactive and reliant on perpetual care funds.

The standard of maintenance is normally reduced when a cemetery becomes inactive, therefore maintenance costs will substantially decrease to **approximately 50%** when it becomes inactive.

### INVESTMENT POLICIES + FUND BALANCE STATUS

Annual PCF contributions have historically consisted of a value worth **11%** of operating revenues. In addition, the Village currently plans to refund members of the community (decreasing the PCF balance) **\$2,288** for services that were historically overcharged in the past due. The following table summarizes the Perpetual Care Fund activity over the past five years.

PCF	2009	2010	2011	2012	2013	Post Refund
Starting Balance	\$34,418	\$38,771	\$40,144	\$41,880	\$43,414	\$44,937
Contributions	\$1,519	\$1,353	\$1,715	\$1,513	\$1,500	(\$2,288)
Interest	\$23	\$20	\$20.76	\$22	\$23	n/a
Ending Balance	\$38,771	\$40,144	\$41,880	\$43,414	\$44,937	<b>\$42,649</b>
<b>Rate of Return</b>	<b>0.05%</b>	<b>0.05%</b>	<b>0.05%</b>	<b>0.05%</b>	<b>0.05%</b>	n/a

Table 8: PCF Account Activity, 2008 to 2012, Source: Cumberland PCF Financial Reports.

### PCF BASE ASSUMPTIONS

In addition to the assumptions listed under the financial plan, additional assumptions have been applied to the PCF analysis for each financial scenario. These include the following:

- All scenarios assume the Village does **not draw upon** the PCF for further current cemetery site maintenance or headstone replacement.
- All scenarios retain the interest earned within the PCF, to allow **compounding** over time.
- Basic care and maintenance is expected at the cemetery once it becomes inactive (no longer offering interments), therefore only 50% of its previous care expense is expected at that time.

### SCENARIO 1 – PERPETUAL CARE - MAINTAINING THE STATUS QUO

From 2009 to 2013, the size of the PCF grew by **21%**. During this same period, total operating expenses grew by **61%** to \$19,651 and maintenance costs alone grew **89%** to \$15,948 by 2013.

The following graph summarizes the historical Perpetual Care Fund position for Cumberland Cemetery System from 2009 to 2013, as well as the Village budget numbers for 2014.

The following graph summarizes the expected changes to the PCF balance, interest income, operating expenses and maintenance costs, for the Cumberland Cemetery System over the next 50 years under status quo conditions.

### SCENARIO 2 – PERPETUAL CARE – RECOMMENDED FINANCIAL PLAN

Scenario 2 incorporates the same assumptions as those listed in the “**Appendix E: Financial Scenario Sensitivity Analyses.**” concerning prices increase, marketing investment and improved market share, as well as adds the following new conditions:

- The Village revisits its PCF portfolio with an investment specialist and is able to acquire a minimum new interest rate of 2% from 2015 forward. This is conservative end of the investment income spectrum for PCF returns across Canada)
- After the Village of Cumberland achieves break even (in 10 years), it will change its perpetual care fund rates and policies to increase annual contribution rates to 33% of lot sales.
  - This will align the Village with neighboring cemeteries assessed in the Product and Services review price benchmarking study. As can be seen in “**Appendix D: Cemetery Fees - Pricing Comparison**”, the many communities on Vancouver Island and mainland British Columbia exceed the minimally required PCF contribution rate, most frequently settling on a 33% contribution rate.

The following graph summarizes the expected changes to the PCF balance, interest income, operating expenses and maintenance costs for the Cumberland Cemetery System over the next expected under Scenario 2 conditions.

*Figure 17: Perpetual Care Fund, Scenario 2 – Alternate Strategy, 50 Year Financial Forecast, No Additional Subsidy before Inactive Status, Source: LEES+Associates.*

Unfortunately, it is expected that even with the proposed changes to PCF policy that the Village of Cumberland would still fall short of what it needs to ensure long term sustainability. At an interest rate of 2.0%, the Village would require approximately **\$1,000,000** in the PCF to ensure an annual interest of **\$20,000** which could cover the basic level maintenance on the cemetery site premises, 50 years from now.

**\$803,000** is achieved as a PCF end balance in Scenario 2 through the combined effect of increased prices, increased annual % of sales contribution in 10 years and the effect of compounded interest retained within the fund. Within 50 years, annual contributions reach more than \$20,000 per year and interest retained in the fund will reach \$15,000 per year, creating total annual growth of \$35,000 per year. Scenario 2 (without added subsidy) still results in a **\$197,000** PCF fund gap in 50 years.

However, if the Village were to **donate \$5,000 per year over the next 25 years**, then with the additional \$120,000 contribution during this period and the effect of greater compounded interest – the PCF would reach its target of \$1,000,000 by 2062. This additional subsidy would come from the usual funding source of property tax, penalties and interest revenues, and government grants sources, which is historically used to cover operating costs.

*Figure 18: Perpetual Care Fund, Scenario 2 – Alternate Strategy, 50 Year Financial Forecast, With 25 years of Additional Subsidy, Source: LEES+Associates.*

From 2009 to 2013, the Village has annually contributed a tax subsidy ranging from \$4,000 to \$12,000. Over time, less of this subsidy will be required for operations as the cemetery system moves towards break even. To that end, it is proposed that the Village reallocate this same pool of resources towards into the PCF, rather than present day operations.

**With an annual subsidy** of \$5,000 for 25 years into the PCF - from tax, penalty and interest revenue, government grants or other sources, then under the circumstances of Scenario 2, in 50 years, the Village can expect:

- To increase its Perpetual Care Fund to approximately **\$1,052,393**.

At the increased rate of 2%, the PCF would generate **\$20,224 interest** income in 50 years. This would achieve **complete cost coverage** of the basic cemetery maintenance costs expected in the future.

## APPENDIX O: GLOSSARY OF CEMETERY TERMS

*Source: Adapted from various sources by LEES+Associates*

AT-NEED	<ul style="list-style-type: none"><li>▪ At the time of, or immediately following, death.</li><li>▪ Usually refers to the time of purchase of funeral or cemetery services.</li></ul>
BOOK OF MEMORIES	<ul style="list-style-type: none"><li>▪ Plaque with list of names of the deceased who typically are located in areas not readily accessible.</li><li>▪ A type of memorial monument.</li></ul>
BURIAL	<ul style="list-style-type: none"><li>▪ One form of interment.</li><li>▪ The placement of human or cremated remains in a grave.</li></ul>
BURIAL LINER	<ul style="list-style-type: none"><li>▪ Similar to a burial vault, however, unlike a vault it only covers the top and sides of the casket</li></ul>
BURIAL PERMIT	<ul style="list-style-type: none"><li>▪ A legal document issued by a regulatory authority authorizing final disposition of human remains.</li></ul>
BURIAL VAULT	<ul style="list-style-type: none"><li>▪ A protective, sealable outer receptacle, into which a casket or urn is placed, designed to restrict the entrance of gravesite elements into the casket or urn.</li></ul>
BYLAWS	<ul style="list-style-type: none"><li>▪ The written regulations, rules or laws governing the organization, management and operation of a cemetery, mausoleum, columbarium or crematorium.</li></ul>
CARE FUND (also known as PERPETUAL CARE FUND or MAINTENANCE FUND)	<ul style="list-style-type: none"><li>▪ An irrevocable trust fund established, held and administered in accordance with applicable law, with the income from the fund to be used for the upkeep and repair of a cemetery, mausoleum or columbarium.</li></ul>

- CASKET
- A rigid container usually constructed of wood, metal or similar material, ornamented and lined with fabric, designed for the encasement of human remains.
- CASKET ENTOMBMENT
- When a casket is interred in a mausoleum.
- CEMETERY SERVICES
- The disposition of human remains by interment or cremation and includes the supply of goods incidental to the provision of such service, but does not include the sale of lots.
- COLUMBARIUM  
(plural: COLUMBARIA)
- A structure, building, an area in a structure or building that contains, as an integral part of the structure or building or as a freestanding sections, niches for the inurnment of cremated remains.
  - Can be “Individual”, “Family” or “Community”, based on the number of niches, and how they are sold.
- COMMEMORATION
- A ceremony, service or symbol of memory for a person/people or event
- COMMINGLING
- The mixing of the cremated remains of more than one deceased person.
- CONTAINER
- A self-contained receptacle or enclosure other than a casket, made of rigid cardboard, pressed wood or other similar material that is of sufficient strength to hold and conveniently transport human remains, but does not include a metal or fibre glass casket, or receptacle or enclosure made of plastic or similar substance, or a pouch or bag.
- CREMATED REMAINS
- The human bone fragments that remain after cremation that may also include the residue of any other materials cremated with the human remains.
- CREMATION
- The irreversible reduction of human remains to bone fragments through the application of flame and intense heat; in some jurisdictions this may include the repositioning or movement of the body during the process to complete the cremation; and the manual or mechanical reduction of the bone fragments after removal from the cremation chamber.

CREMATION LOT	<ul style="list-style-type: none"><li>▪ A space used, or intended to be used, specifically for the interment of cremated remains.</li><li>▪ Typically, a smaller than full-sized lot.</li></ul>
CREMATORIUM	<ul style="list-style-type: none"><li>▪ The building or part of a building that is fitted with approved appliances for the purpose of cremation human remains and includes everything incidental or ancillary to it.</li></ul>
CRIB GRAVE	<ul style="list-style-type: none"><li>▪ A grave lot surrounded by a small picket fence.</li></ul>
CRYPT	<ul style="list-style-type: none"><li>▪ One kind of lot.</li><li>▪ Typically, a space in a mausoleum used or intended to be used for the entombment of human remains.</li></ul>
DEATH CERTIFICATE	<ul style="list-style-type: none"><li>▪ A legal document certifying the vital statistics pertaining to the life and death of a deceased person.</li></ul>
DIRECT (or IMMEDIATE) DISPOSITION	<ul style="list-style-type: none"><li>▪ The final disposition of human remains without any formal viewing or visitation, ritual, rite, service or ceremony.</li></ul>
DISINTERMENT	<ul style="list-style-type: none"><li>▪ The removal of human remains, along with the casket or container or any remaining portion of the casket or container holding the remains, from the lot in which the remains had been interred.</li></ul>
DOUBLE DEPTH LOT	<ul style="list-style-type: none"><li>▪ A lot dug at extra depth at the time of the interment of the first casket to allow for the accommodation of a second interment at regular depth.</li></ul>
EASEMENT	<ul style="list-style-type: none"><li>▪ The right acquired, whether or not supported by a certificate, to interment in a lot.</li></ul>
ENTOMBMENT	<ul style="list-style-type: none"><li>▪ One form of interment.</li><li>▪ The placement of human remains in a mausoleum crypt.</li></ul>
FAMILY COLUMBARIUM	<ul style="list-style-type: none"><li>▪ See columbarium</li></ul>
FAMILY ESTATE LOTS	<ul style="list-style-type: none"><li>▪ A family estate lot contains 6-12 lots together.</li></ul>
FAMILY VESSEL	<ul style="list-style-type: none"><li>▪ A large urn for several cremated remains. Remains may be comingled or may be contained in smaller, individual urns, held within the larger vessel.</li></ul>
FLAT MARKER	<ul style="list-style-type: none"><li>▪ A grave marker set flush with the ground.</li></ul>

- FUNERAL SERVICES
- The arrangements, care and preparation of human remains for interment, cremation or other disposition and includes the supply of goods incidental to the arrangements, care and preparation, but does not include the sale of lots.
- GRAVE
- One kind of lot.
  - A portion of ground in a cemetery, used or intended to be used, for the burial of human remains or cremated remains.
- GRAVE LINER
- A fibreglass or concrete structure installed over a casket once it has been placed in the grave.
- GRAVE MARKER
- Can be in-ground (flat) or upright.
- GREEN BURIAL
- A more environmentally conscious alternative to “traditional burial.” Typically includes:
    - a. no embalming;
    - b. burial directly in the ground, without a grave liner or vault;
    - c. a fully biodegradable burial container (casket or shroud);
    - d. interment sites planted with indigenous ground cover, and
    - e. no individual grave markers.
- INTERMENT
- Disposition by:
    - f. burial of human remains or cremated remains in a grave;
    - g. entombment of human remains in a mausoleum, crypt, or;
    - h. inurnment of cremated remains in a columbarium niche.
- INURNMENT
- One form of cremated remains interment.
  - The process of placing cremated remains in a receptacle including, but not limited to, an urn and placing the urn into a niche.
- LAWN CRYPT
- A concrete or other durable and rigid outer receptacle installed in a grave prior to burial.

- LOT
- A space used, or intended to be used, for the interment of human remains or cremated remains under a right of interment and includes a grave, crypt, niche or plot.
- LOT HOLDER
- The person in whose name the right of interment in a lot is registered in the records of a cemetery and, where the interment has taken place, includes the person who has legally acquired ancillary rights to the lot.
- MAINTENANCE FUND  
(also known as CARE FUND  
or PERPETUAL CARE FUND)
- A fund established for the upkeep and repair of a cemetery, mausoleum or columbarium.
- MAUSOLEUM  
(plural: MAUSOLEA)
- A structure or building that contains interior or exterior crypts designed for the entombment of human remains.
- MAUSOLEUM CRYPT
- A chamber of a mausoleum or sufficient size for entombment of human remains.
- MEMORIAL
- A product, meeting the bylaw standard of a cemetery, used or intended to be used to identify a lot or to memorialize a deceased person interred or to be interred in a lot, including but not limited to:
    - a. a marker, headstone, tombstone monument, plaque, tablet or plate on a lot; or
    - b. a tablet inscription, lettering or ornamentation on a crypt or niche front, or
    - c. a tree, boulder or other feature so identified;
  - A ceremony, rite or ritual commemorating the life of a deceased individual without the human remains being present.
- NECESSARIUM
- Necessaria are stations located throughout a cemetery for filling vases and disposing of garbage. They often provide watering cans, flower vases, a rake and hand tools. They should be located within 60m from all graves.

- NICHE
- One kind of lot.
  - A space, usually within a columbarium, for placing a receptacle containing cremated remains.
- OSSUARY
- A vessel for the interment of two or more cremated remains.
  - Typically, the cremated remains are commingled
- OUTER CONTAINER
- A receptacle, which is designed for placement in a lot to accept the placement of a casket or urn.
- PERPETUAL CARE FUND  
(also known as  
CARE FUND or  
MAINTENANCE FUND)
- An irrevocable trust fund established, held and administered in accordance with applicable law, with the income from the fund to be used for the upkeep and repair of a cemetery, mausoleum or columbarium.
- PRE-NEED
- Any time prior to death.
  - Usually refers to the time of purchase of funeral or cemetery services.
  - “Pre-need planning” refers to the process of making arrangements and/or entering into contracts regarding future cemetery services for one or more persons who are still alive at the time.
- REGISTRAR
- The person responsible for the administration and enforcement of applicable laws and regulations relating to cemetery and funeral services. In British Columbia or Alberta, this person is known as the “Director of Cemeteries.”
- SCATTERING
- The irreversible dispersal of cremated remains over land or water, or commingling in a defined area in a cemetery.
- SCATTERING GARDEN
- An area within a cemetery, usually providing an attractive natural or ornamental setting, dedicated to the scattering of cremated remains.
- SPIRIT HOUSE
- A wooden shelter over a grave to house the spirit of the dead, typical of First Nations cemeteries.

UPRIGHT MARKER

- A grave marker that is not flush with the ground is mounted on a footing and intended to be visible over the surrounding finished grade.

URN

- A receptacle for holding cremated remains.
-





# BRITISH COLUMBIA ACHIEVEMENT FOUNDATION

Board of Directors

September 2, 2014

RECEIVED

SEP 14 2014  
Meyer/CR/CAO

Keith Mitchell, QC  
Chair

I am pleased to announce the 2015 British Columbia Community Achievement Awards. The awards celebrate the spirit, imagination and dedication of British Columbians who make a significant difference in their communities.

Hon. Christy Clark

Kathleen Bartels

Kevin Bent

Michael Bernier, MLA

We all know people who work tirelessly for the betterment of others either as committed volunteers or in the course of their work. These individuals bring strength to their communities and enrich our great province.

Christopher Gaze, OBC

Carol Henriquez, CM

Marvin Hunt, MLA

I invite you to reflect on those British Columbians who inspire us by their example, and to nominate them for an award this year.

Olga Ilich

Wendy John, OBC

Thank you for supporting the British Columbia Community Achievement Awards.

C.T. (Manny) Jules,  
OBC

Sincerely,

Ron Lou-Poy, QC



Scott McIntyre, CM

Hon. Coralee Oakes

Christy Clark  
Premier, Province of British Columbia  
Board Member, British Columbia Achievement Foundation

Michael Stevenson

Max Wyman, OC



# British Columbia Community Achievement Awards

NOMINATION DEADLINE: NOVEMBER 15

Celebrating the spirit, imagination,  
dedication, and outstanding contributions  
of British Columbians to their communities.

Nominate a deserving individual who raises  
the quality and character of your community for a  
*British Columbia Community Achievement Award.*

*“Give back to the people  
who give the most in  
your community.”*

British Columbia’s communities are shaped by the people who live in them, and especially by the contributions of extraordinary individuals.

The British Columbia Community Achievement Awards celebrate British Columbians who go above and beyond in their dedication and service to others and who devote time and energy to making their communities more caring, dynamic, beautiful, healthy, and unique. They inspire by their example.

The British Columbia Community Achievement Awards are presented by the British Columbia Achievement Foundation, a foundation established in 2003 by the Province of British Columbia to celebrate excellence in community service, enterprise, arts and the humanities.



*Cultural hero, spirited,  
undaunted, fearless, bold  
Raising our awareness to  
a higher understanding*

- Robert Davidson

## WHO IS ELIGIBLE?

British Columbians who have made a significant contribution to their communities in British Columbia are eligible for a BC Community Achievement Award. Nominees will have made a contribution in any area that provides a benefit to the community – either as a volunteer or in the course of their work. These include, but are not limited to, arts and culture, sports and recreation, multiculturalism, environment, healthcare, education, civic duty, business, community volunteerism, philanthropy, and youth or seniors’ leadership.

Self nominations will not be accepted. Federal or provincial elected representatives are not eligible for nominations while they hold office. Posthumous nominations will not be accepted.

## HOW IS SOMEONE NOMINATED FOR THIS AWARD?

Any individual or group may nominate a current or former long-term resident of British Columbia by completing the attached nomination form or the online form and submitting it with:

- A letter describing the contribution of the nominee;
- A brief personal history of the nominee;
- Two current letters of support for the nominee from individuals or organizations that describe the value and impact of the nominee’s contributions to his/her community.
- For an online nomination form, please visit [www.bcachievement.com/community/online](http://www.bcachievement.com/community/online).

## HOW ARE THE AWARD RECIPIENTS CHOSEN?

An Advisory Council of independent community leaders reviews the nominations and selects approximately 30 award recipients. The Council will consider the impact of the nominee’s contribution and commitment to the community.

## WHAT DO THE AWARD RECIPIENTS RECEIVE?

In the Spring, recipients will attend a formal ceremony at Government House in Victoria. The Lieutenant Governor and the Premier of British Columbia are invited to present the recipients with the British Columbia Community Achievement Medallion, a special commemorative medallion designed by renowned BC artist, Robert Davidson. Also, recipients will receive a lapel pin signifying their award.

BC Community Achievement Awards  
Tel: 604.261.9777 or Toll Free: 1.866.882.6088  
Email: [info@bcachievement.com](mailto:info@bcachievement.com) or Web: [www.bcachievement.com](http://www.bcachievement.com)

# BRITISH COLUMBIA COMMUNITY ACHIEVEMENT AWARDS NOMINATION FORM

Please complete all four sections:

**1 NOMINEE**  
NAME (MR./MRS./MS./MISS/DR.)  
HOME ADDRESS  
CITY/TOWN/PROVINCE/POSTAL CODE  
DAYTIME TELEPHONE | CELL PHONE  
EMAIL  
ORGANIZATION (IF APPLICABLE)  
ORGANIZATION ADDRESS (IF APPLICABLE) CITY / TOWN / PROVINCE / POSTAL CODE  
Is the nominee a current or former long-term resident of BC? Yes/No

**2 NOMINATOR**  
NAME (MR./MRS./MS./MISS/DR.)  
ADDRESS  
CITY/TOWN/PROVINCE/POSTAL CODE  
DAYTIME TELEPHONE | CELL PHONE  
EMAIL | ORGANIZATION (IF APPLICABLE)  
Please provide your relationship to the nominee and also indicate how long you have known the nominee.  
I have provided or made provision for all the nomination material required for a completed nomination package.  
SIGNATURE OF NOMINATOR | DATE

List the individuals who are providing a letter of support for the nomination.

**3 LETTER OF SUPPORT 1**  
NAME (MR./MRS./MS./MISS/DR.)  
TITLE AND ORGANIZATION (IF APPLICABLE)  
ADDRESS  
CITY/TOWN/PROVINCE/POSTAL CODE  
DAYTIME/CELL PHONE | EMAIL  
Please provide your relationship to the nominee and also indicate how long you have known the nominee.

**4 LETTER OF SUPPORT 2**  
NAME (MR./MRS./MS./MISS/DR.)  
TITLE AND ORGANIZATION (IF APPLICABLE)  
ADDRESS  
CITY/TOWN/PROVINCE/POSTAL CODE  
DAYTIME/CELL PHONE | EMAIL  
Please provide your relationship to the nominee and also indicate how long you have known the nominee.

Nomination deadline: November 15

YOUR COMPLETED NOMINATION PACKAGE MUST INCLUDE:

1. Completed nomination form
2. Three letters: (*maximum 500 words each*)
  - A letter from the nominator giving the reasons for nomination.
  - Two letters of support for the nominee from other individuals or organizations that describe the value and impact of the contributions of the individual.
3. Brief biographical overview of the nominee as it relates to the nomination.
4. Optional: Up to five pages of additional material about your nominee.
5. Please do not send submission packages in binders or folders.
6. You may visit [www.bccommunity.com/achievements](http://www.bccommunity.com/achievements) to complete an electronic nomination form.

FOR MORE INFORMATION:

Visit Frequently Asked Questions:

[www.bccommunity.com/achievements/faq](http://www.bccommunity.com/achievements/faq)

Contact:

Tel: 604.261.9777 or Toll Free: 1.866.882.6088

Email: [info@bccommunity.com](mailto:info@bccommunity.com)

Website: [www.bccommunity.com/achievements](http://www.bccommunity.com/achievements)

MAILING INFORMATION:

Mail or courier completed nomination package to:  
BC Community Achievement Awards  
c/o 6209 Angus Drive  
Vancouver, BC V6M 3P2

*Please note that it is the responsibility of the nominator to ensure that the nomination is complete, including the receipt of support letters by the deadline. All material received will be kept confidential.*

Privacy Policy

The British Columbia Achievement Foundation is committed to protecting the privacy of people through responsible management of information received. Nominations are confidential between the nominator and the Awards program.

*You may view the complete privacy policy at [www.bccommunity.com/achievements/privacy](http://www.bccommunity.com/achievements/privacy) or by calling the office for a copy.*



## British Columbia Community Achievement Awards

*“The British Columbia Community Achievement Awards celebrate British Columbians who enrich our great Province. I invite you to nominate people within your community whose spirit, imagination, dedication and commitment have truly made a difference.”*

Hon. Christy Clark  
Premier of British Columbia  
Board Member, BC Achievement Foundation

### BRITISH COLUMBIA ACHIEVEMENT FOUNDATION

The British Columbia Achievement Foundation is an independent foundation established and endowed by the Province of British Columbia to celebrate excellence in community service, enterprise, arts and humanities. The Foundation currently offers five awards:

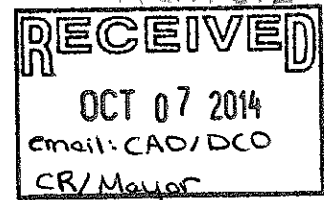
BC Community Achievement Awards  
BC National Award for Canadian Non-Fiction  
Carter Wosk BC Creative Achievement Awards  
BC Creative Achievement Awards for First Nations' Art  
BC Aboriginal Business Awards

For more information about the awards, please contact the BC Achievement Foundation.

Tel: 604.261.9777 or  
Toll-Free 1.866.882.6088  
Email: [info@bcachievement.com](mailto:info@bcachievement.com)  
Website: [www.bcachievement.com](http://www.bcachievement.com)



*2014 Community Achievement Award recipients with Her Honour, The Honourable Judith Guichon, OBC, Lieutenant Governor of British Columbia; Hon. Coralee Oakes, Minister of Community, Sport and Cultural Development; BC Achievement Foundation chair Keith Mitchell, QC and board member Ron Lou-Poy, QC.*



**From:** WWW ENVMail ENV:EX [mailto:env.mail@gov.bc.ca]  
**Sent:** Tuesday, October 07, 2014 9:19 AM  
**To:** mayor.baird  
**Cc:** Minister, ENV ENV:EX; Jessica Morneau  
**Subject:** RE: Correspondence Regarding Export of Raw Bitumen

Reference: 209119

File No. 0400-20

October 7, 2014

Her Worship Mayor Leslie Baird  
and Council  
Village of Cumberland  
Email: [Mayor.Baird@cumberlandbc.net](mailto:Mayor.Baird@cumberlandbc.net)

Dear Mayor Baird and Councillors:

On behalf of the Honourable Mary Polak, Minister of Environment, thank you for your letter of August 5, 2014, regarding the export of raw bitumen on the coast of British Columbia (BC). I am pleased to have this opportunity to respond.

We recognize the unique challenges faced by local governments and understand your particular concerns as they relate to the transportation of raw bitumen and especially in ensuring a collaborative approach to spill prevention, preparedness and response as well as effective and efficient rules for restoration of the environment following a spill.

The BC Government strongly believes in economic development, particularly natural resource development, as a way to sustain and further our prosperity. As with most economic development opportunities, while there are fiscal benefits that accrue to individuals, companies and governments, there are environmental risks to assess, manage and mitigate. The Province must balance economic benefits with environmental concerns. BC's communities face direct risks and costs as a result of a spill incident. We are working hard to ensure that new regulations are effective and practical in addressing these unique challenges.

Government has released a technical analysis related to proposed heavy oil pipelines in BC. The report, *Requirements for British Columbia to Consider Support for Heavy Oil Pipelines*, can be accessed at [http://www.env.gov.bc.ca/main/docs/2012/TechnicalAnalysis-HeavyOilPipeline\\_120723.pdf](http://www.env.gov.bc.ca/main/docs/2012/TechnicalAnalysis-HeavyOilPipeline_120723.pdf). The report included five principles that must be addressed if we are to consider support for such pipeline developments in our province:

1. Successful completion of the formal environmental review process with approval by the Joint Review Panel.
2. World-leading marine oil spill response, prevention and recovery systems for British Columbia.
3. World-leading practices for land-based spill prevention, response and recovery systems for British Columbia.
4. Legal requirements regarding Aboriginal and treaty rights must be addressed and First Nations be provided with the opportunities to benefit from these projects.

5. British Columbia receives a fair share of the fiscal and economic benefits of proposed heavy oil projects that reflect the risk borne by the province.

Regarding the development of world-class standards for marine and terrestrial spill response, significant work is underway to define the elements of world-class regimes. In Canada, the federal government, through Transport Canada, holds the lead role for setting legislated standards for on-water marine spill response. The Province hired a third-party consultant to conduct a series of reviews including the current state of the marine spill regime on the west coast of Canada, a vessel traffic study of existing and proposed traffic, and the elements required to establish a world-class regime. These reports are now available on our website at <http://www.env.gov.bc.ca/main/west-coast-spill-response-study/>.

The Province has also made a submission to the federal government's Tanker Safety Expert Panel that is reviewing the regime on behalf of the federal government and will be making recommendations for improvements. BC will continue to work with the federal government on this issue to ensure the Province's requirement for a world-class marine spill regime is in place as a condition of support for any new heavy oil pipelines through British Columbia.

Simultaneously, we are well into a review of the terrestrial spill regime, where the Province has the ability to introduce additional legal requirements. This review has included the release of two Intentions Papers for public review and comment and the hosting of a symposium on world-leading practices in spill prevention, preparedness, response and recovery. The Province is now in the process of reviewing the feedback received and then will make final determinations on the need for new legislation to implement a world-class terrestrial spill regime.

Thank you again for taking the time to write.

Sincerely,

W.H. (Wes) SHOEMAKER  
Deputy Minister

cc: Honourable Mary Polak, Minister of Environment

# OFFICE OF THE MAYOR



File No. 400-01

August 5, 2014

BC Minister of Environment  
Honourable Mary Polak  
PO BOX 9047 STN PROV GOVT  
VICTORIA BC V8W 9E2

Sent via email: [env.minister@gov.bc.ca](mailto:env.minister@gov.bc.ca)

Dear Honourable Minister Polak,

**Re: Objection to the Export of Raw Bitumen on our Coast**

---

Please be advised that Council of the Village of Cumberland, at their meeting of July 28, 2014 passed the following resolution that had been suggested by the Dogwood Initiative, regarding the export of raw bitumen on our BC Coast.

*"WHEREAS proposed bitumen export pipelines present unacceptable risk to this region's maritime based economy, its unique ecosystems, and the sustainable jobs in aquaculture, fisheries, tourism and recreation; and*

*WHEREAS the threat of a spill from the dramatic increase in tanker traffic resulting from these proposed pipelines threatens the social and cultural identification with the coastal environment and way of life.*

*AND WHEREAS exporting raw natural resources reduces the total number of jobs available to citizens in this community who choose to work in the oilfields:*

*BE IT RESOLVED that the Village of Cumberland express its opposition to the Bitumen Export Pipeline proposals that would lead to the expansion of oil tanker traffic through B.C.'s coastal waters;*

*BE IT FURTHER RESOLVED that the Village of Cumberland supports its citizens who are oilfield workers and acknowledges that it is unwise to export an*

PO Box 340, 2673 Dunsmuir Avenue, Cumberland, B.C. V0R 1S0 Tel (250) 336-2291 Fax (250) 336-2321  
mayor.baird@cumberland.ca cumberland.ca

*unrefined product at an unsustainable rate thereby reducing the future job opportunities for these workers, and future generations of our residents who may wish to seek employment in the oil fields;*

*AND BE IT FURTHER RESOLVED that the Village of Cumberland urge the Provincial and Federal governments and Comox Valley Local Governments to use whatever means are available to stop the expansion of crude oil tanker traffic on our coast, encourage them to develop the oil sands for domestic benefit, encourage them to refine this natural resource in Canada to enhance job creation and tax revenue, and to notify Provincial and Federal government representatives and officials of this resolution."*

In sending you this letter, we urge you to also commit to the same.

Yours sincerely,



Leslie Baird  
Mayor of Cumberland



Item 5.3  
**RECEIVED**  
OCT 08 2014

# THE ROYAL CANADIAN LEGION

BRANCH No. 28

P.O. BOX 361, CUMBERLAND, B.C. V0R 1S0

File No. 0230-01  
4520-70-20

October 7, 2014  
Mayor Baird and Council  
Village of Cumberland  
Box 340  
Cumberland, BC V0R 1S0

Dear Mayor and Council,

The Cumberland Legion is once again requesting the following for our November 11, 2014

Remembrance Day Parade and Service:

1. The Cumberland Legion would like to request the date of October 31, 2014 as Tag Day for our Poppy campaign;
2. As in the past we are requesting that the street be blocked off from 10:30 To 11:30 with safety barriers on November 11, 2014 for the parade from The Old Post Office to the Legion
3. In the case of severe weather conditions we would request the Use of the CRI Hall for the service.

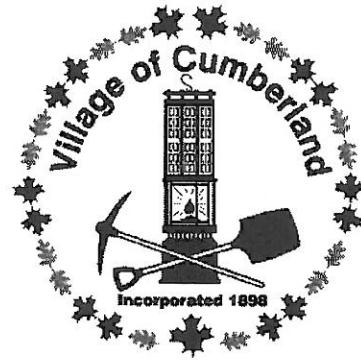
Both the out door and CRI service has been well attended in the past. The Legion would like to invite you to attend our Day of Remembrance.

Thank you

Ward Harrison  
Br 28 President

Joe Rodger  
Poppy Chairperson

# COUNCIL REPORT



REPORT DATE: October 8<sup>th</sup>, 2014  
MEETING DATE: October 14<sup>th</sup>, 2014

TO: Mayor and Councillors  
FROM: Kevin McPhedran, Parks and Outdoor Recreation Coordinator  
SUBJECT: Cumberland Lake Park: 2015 Park Operations

---

## RECOMMENDATION

- i. THAT Council receive the *Cumberland Lake Park: 2015 Park Operations* report.
- ii. THAT Council direct staff to await the completion of the ongoing Cumberland Lake Park Master Planning process prior to determining the preferred operating model for 2015 Park operations and beyond.

## SUMMARY

The existing contract for Cumberland Lake Park operations expires on December 31, 2014 and the current contractor has expressed an interest in having the contract extended for the 2015 season. Concurrently, staff have received an unsolicited expression of interest from another party interested in taking on park operations for the 2015 season. The Cumberland Lake Master Planning process is also ongoing at this time and is expected to be completed in mid-late November 2014. This master planning process is expected to contain information on the preferred operating model for the park in the future.

## BACKGROUND

The provision of services, operation, and management of Cumberland Lake Park is currently contracted out by the Village to John E. Jones. The term of this Contract is March 13, 2012 to December 31<sup>st</sup>, 2014, and as such, the Village needs to determine the operation of the park for the 2015 season and beyond. Mr. Jones has written to the Village and formally requested that his current contract be renewed for an additional "two or three year extension" and is awaiting a response from the Village. As Mr. Jones is seeking to begin preparations for the 2015 season (including taking reservations) he has requested that the Village respond to his inquiry as soon as possible.

The tendering process for previous park operations – and best practices – suggest that opening this opportunity to competition through a Request for Proposal or similar process is the preferred method of acquiring the best available park operator.

Meanwhile, staff have received an unsolicited letter from another party expressing interest in operating the park in 2015 and possibly beyond. The receipt of such a letter demonstrates that

there are others in the community that are interested operating the park and campground, although a tendering process is necessary in order to better gauge the market's ability or desire to meet the Village's need, and to be sure to receive comparable bids.

Also at this time, the Village is working with Golder Associates to complete a master plan for Cumberland Lake Park and have received significant input from the public regarding the park and its facilities, operations, management, and future vision as part of this process. The Plan is currently in its draft stage (final draft is scheduled to be presented to Council at their November 10<sup>th</sup> 2014 meeting) and staff are expecting that the final master plan will provide direction on the preferred park operating model, including camping, day use, boat launch and food services.

As the master plan is being developed with significant input from the community, should the Village choose to contract out future park operations, the completed master plan would form the basis for evaluating submitted proposals – i.e. evaluate proposals based on their alignment with the community's interests.

In light of the request from the current contractor, and recognizing the required (and lengthy) procedural timelines for implementing an operating model for the 2015 season – either through an RFP process or another service model – staff are seeking direction from Council on 2015 park operations. The advantages of direct awarding the 2015 operating contract to John Jones based on the terms and conditions of the existing contract is that the Village will have certainty as to how the operations in 2015 will proceed, knowing the contractor's skills, capabilities and knowledge of existing park systems and infrastructure. The disadvantages of proceeding in this manner are that the Village will be limited in its ability to implement the master plan in the short term, would not be honouring the competitive process, and may not receive the best value and services for Village residents.

Another direct-award alternative may exist whereby the Village enters into negotiations with Mr. Jones to amend the existing contract to align with the master plan; however, this option contains many uncertainties and requires further consideration as to the terms and conditions of a new contract. Also, should the Village choose to amend the contract it may be deemed preferable to open the opportunity for competition.

The benefits of awaiting the completion of the Cumberland Lake Park Master Planning process prior to determining the 2015 operating model is that this option would best set up the Village to immediately begin implementing the recommendations contained in the master plan. However, the disadvantage to this option is the level of risk and uncertainty, particular as they pertain to timelines and the possible tendering process (should the master plan recommend continuing to contract out operations.) This uncertainty may result in operational challenges in 2015.

## **FINANCIAL IMPLICATIONS**

Should the Cumberland Lake Park Operations contract for 2015 be direct awarded based on the terms and conditions in the Village's existing contract with John Jones, the Village would continue to receive 10% of Park gross revenue and 5% gross of concession revenue. In 2013, this amounted to the Village receiving \$14,864.56 in revenue, and 2014 revenues are on track to be similar or slightly higher. Entering into direct negotiations with Mr. Jones for an amended contract in 2015, to better align with the park goals and vision contained in the yet-to-be-completed master plan,

requires further consideration as to what the changes to the contract's terms and conditions should be.

While the master plan will not contain a comprehensive business plan, it will consider financial implications of various operating models, and possibly variations within these options. With this information available, the preferred options for 2015 park operations, in conjunction with the recommended improvements to the parks and its facilities, may be best evaluated.

**STRATEGIC OBJECTIVE**

Ongoing projects are in line with *Goal J: Develop ecotourism plan* of the 2013 Corporate Strategic Priorities.

**ATTACHMENTS**

None.

**CONCURRENCE**

None.

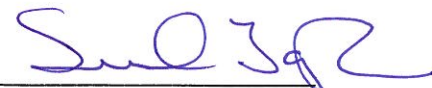
**OPTIONS**

1. THAT Council direct staff to await the completion of the ongoing Cumberland Lake Park Master Planning process prior to determining the preferred operating model for the Park's 2015 operations and beyond;
2. THAT Council direct staff to direct award the Lake Park operating contract to John Jones for the 2015 season, based on the existing terms and conditions in the contract between the Village and Mr. Jones;
3. THAT Council direct staff to enter into contract negotiations with Mr. Jones for a new one year contract that is aligned with the yet to be completed Master Plan; or
4. Any other action deemed appropriate by Council.

Respectfully submitted,



Kevin McPhedran  
Parks and Outdoor Recreation Coordinator



Sundance Topham  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: October 6, 2014  
MEETING DATE: October 14, 2014

TO: Mayor and Councillors  
FROM: Joanne Rees, Planner  
RE: Application for Development Variance Permit – 2738 Maryport Avenue

FILE: 2014-04-DV

OWNER: Daniel Caley

FOLIO No.: 516 00117.000 PID: 003-346-153

LEGAL DESCRIPTION: Lot 1, District Lot 21, Nelson District, Plan 522A

CIVIC ADDRESS: 2738 Maryport Avenue

OCP DESIGNATION Residential Infill ZONE: Residential One (R-1)

VARIANCE REQUESTED:	PERMITTED BY BYLAW:	REQUESTED VARIANCE
Setback to rear lot line	4.5metres (14.8feet)	3.0metres (10.0feet)

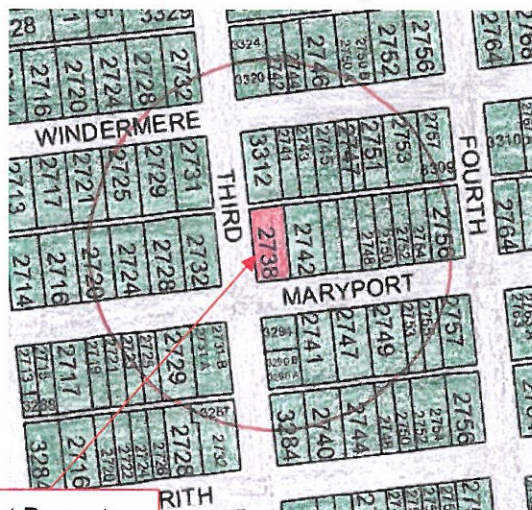
## RECOMMENDATION

- i) THAT Council receive the report “Application for Development Variance Permit – 2738 Maryport Avenue.’
- ii) THAT Council grant the Development Variance Permit (File 2014-04-DV) for property legally described as Lot 1, District Lot 21, Nelson District, Plan 522A (2738 Maryport Avenue) to vary Section 5.1(3)(b) Siting of Principal Buildings and Structures the required rear yard setback shall be no closer than 3.0metres (10.0feet) for the construction of a two storey garage/suite in accordance with the drawing attached to the Development Variance Permit as Schedule A.

## SUMMARY

The applicant wishes to construct a garage/suite to the existing single family dwelling via a breezeway and due to the location of a telephone switch box (in the road right-of-way) is requesting a 1.5metre (4.9feet) variance to the rear yard setback.

The requested variance is outlined in the chart above and illustrated in the drawing which is attached as Schedule A to the Development Permit.



Subject Property

**BACKGROUND**

The Applicant wishes to have a garage and the suite as accommodation for his father-in-law. Suites are permitted in this zone as part of a single family dwelling so the new addition must be attached to the existing dwelling. At the present time, there are no regulations pertaining to the length or construction of a "breezeway" to attach buildings. Notably, if this was only a garage, the rear yard setback would be 1.5metres.

The Variance to the rear yard setback has been requested for the proposed two-storey addition (attached by a breezeway) to the single family dwelling because of the location of a telephone switch box on Third Street. If the building would be moved forward to comply with the Bylaw, the driveway (off of Third Street) into the garage would be almost impossible.

Given this information staff recommends that the Variance be granted as requested.

Staff further recommends to the Applicant that care be taken to not compress the root system by parking or storing heavy vehicles within the drip line of the large mature Balsam tree along the rear lot line. Compression of root systems can cause the death of the tree. During construction the drip line should be protected by temporary fencing such as snowfencing.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

Pursuant to the requirements of the *Local Government Act*, notice of Council consideration of a Development Variance Permit must be mailed or otherwise delivered to owners of adjacent properties a minimum of 10 days before the Council considers the application. The required notice was mailed to the neighboring properties within 75.0metres of the subject property and at the time of writing this report, no comments had been received.

**FINANCIAL IMPLICATIONS**

None


**STRATEGIC OBJECTIVE**

None

**ATTACHMENTS**

Copy of the Development Variance Permit

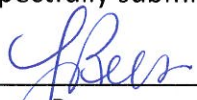
**CONCURRENCE**

Rob Crisfield, Manager of Operations 

**OPTIONS**

- i) Grant the Variance requested.
- ii) Any other action deemed appropriate by Council.

Respectfully submitted,

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

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



TO: Daniel Caley

OF: PO Box 1185, Cumberland, BC V0R 1S0

1. This Development Variance Permit (2014-04-DV) 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 construction of a two storey garage/suite attached to the single family dwelling by a breezeway.

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

**Legal Description:** Lot 1, District Lot 21, Block E, Nelson District, Plan 522A

**Folio:** 516 00117.000 **PID:** 003-346-153

**Civic Address:** 2738 Maryport Avenue

3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit. The 'Corporation of the Village of Cumberland Zoning Bylaw No. 717, 1997' is varied as follows:

i) Section 5.1(3)(b) Siting of Principal Buildings and Structures the required rear yard setback shall be no closer than 3.0metres (10.0feet)

in accordance with the site drawing attached as Schedule A.

4. **Security**

None Required

5. **Expiry**

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

6. **Timing and Sequencing of Development**

None

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

Site drawing of the proposed layout of the development.

8. **Contaminated Sites Regulation**

This permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Owner has completed a "Site Declaration" for the subject property.

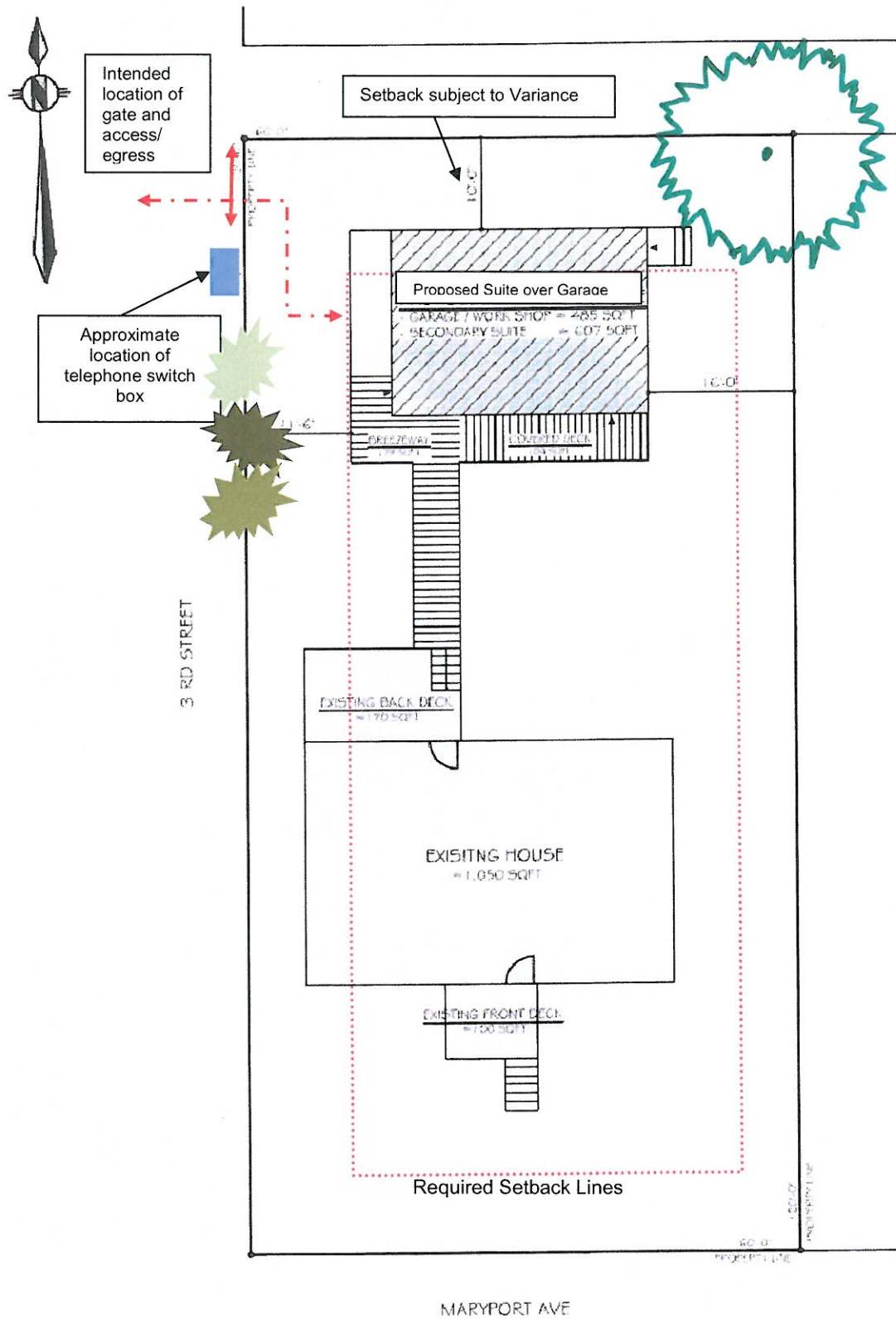
9. This Permit is **not** a Building Permit.

**CERTIFIED** as the **DEVELOPMENT VARIANCE PERMIT** granted by resolution of the Council of the Corporation of the Village of Cumberland on the \_\_\_\_ day of \_\_\_\_\_, 2014.

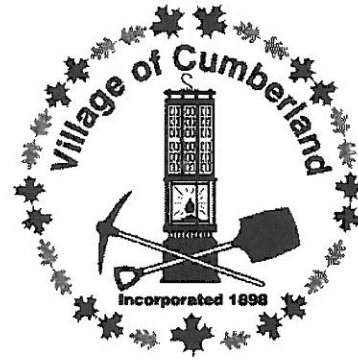
---

Corporate Officer

# Schedule A



# COUNCIL REPORT



REPORT DATE: October 8, 2014  
MEETING DATE: October 14, 2014

TO: Mayor and Councillors  
FROM: Judith Walker, Senior Planner  
SUBJECT: Village of Cumberland Highway Entrance Sign Status Report

---

## RECOMMENDATION

- i) THAT Council receive the Village of Cumberland Highway Entrance Sign Status Report for information, and
- ii) THAT Council defer the project to 2015 for budget consideration.

## SUMMARY

Further to Council and staff discussion with Ministry of Highways and Infrastructure (MoTI) staff, the Village has been given approval in principle to proceed with a proposal for an entrance sign for the Village of Cumberland to be installed on the Inland Island Highway.

## BACKGROUND

MoTI staff previously said the Village couldn't have our own sign but after further discussion they have given the Village approval in principle to place a sign on the Inland Island Highway.

The Village has received direction from MoTI to provide details regarding proposed location, sign size, wording and materials before approving such a sign on the highway.

Council has proposed a location on the south side of the Royston Road overpass abutment, on the highway heading north. Staff proposes that a sign company who has experience with design and construction of large highway signs be retained to provide preliminary design services to include two to three options with recommended wording, layout, materials and rough cost estimates.

Staff will return to Council with these preliminary design options at a future Council meeting. When Council approves a design option, staff will send to MoTI staff for comment.

If MoTI approves the option and proposed location, staff will request that the sign company complete the design and provide working drawings. Staff will develop a Request for Proposals (RFP) for a professional sign company to provide quotes for the construction and installation. Staff will select the successful proponent and report to Council.

## FINANCIAL IMPLICATIONS

There are no financial implications to this report. However there are significant costs for such an entrance sign. A budget up to \$1,000 is required for the preliminary design phase. By phasing the

project in this way, the Village can determine MoTI's approval prior to significant outlay for any signage. With Council's and MoTI's approval, future budgets can include the cost of working drawings, construction and installation. Highway signage, such as the Parksville entrance sign, is in the order of \$50,000-\$150,000.

The original proposal for an entrance sign within the Village of Cumberland was proposed by Council to be funded from the remaining Slegg community amenity fund of \$35,000. The Memorandum of Understanding between Slegg Construction Ltd. and the Village of Cumberland states in the "Terms and Conditions" that of the total \$150,000 from Slegg, \$30,000 was for the preparation of a plan for the improvement of the Village downtown area (*Cumberland Enhancement Study, 2008*) and \$120,000 "for improvements to or new infrastructure in the Village Downtown Area". Staff's opinion is that use of the remaining funds for a sign on the Inland Island Highway is not within the terms and conditions in the MOU.

There are general Developer Amenity Funds available, such as from Coal Valley Estates which have less restrictive conditions for their use.

#### CONCURRENCE

Michelle Mason, Chief Finance Officer

Rob Crisfield, Manager of Operations

#### OPTIONS

- i) THAT Council receive the Village of Cumberland Highway Entrance Sign Status Report for information, and
- ii) THAT Council direct staff to proceed with preliminary design of entrance sign, with funds from general Developer Amenity Funds, or
- iii) THAT Council defer the project to 2015 for budget consideration, or
- iv) Any other action deemed appropriate by Council.

Respectfully submitted,

Judith Walker  
Senior Planner

Sundance Topham  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: October 7, 2014  
MEETING DATE: October 14, 2014

File No. 5360-06

TO: Mayor and Councillors  
FROM: Rachel Parker, Deputy Corporate Officer  
SUBJECT: Litter Collection Program Update

---

## RECOMMENDATION

THAT Council receive the Litter Collection Program Update report.

AND THAT Council consider the expansion of the litter collection program to other arterial and collector roads, and trails.

## SUMMARY

At its budget meeting in March 2014, the Committee of the Whole directed staff to allocate \$20,000 to solid waste landfill corridor garbage collection.

Staff has prepared a preliminary program outline and is seeking direction from Council whether to limit the program to the Bevan Road/Cumberland Road corridor and reduce the annual budget, or to expand the program into other areas of the community.

## BACKGROUND

With the future expansion of the Comox Valley Waste Management Centre and the resulting host community agreement, Council identified the need for a litter collection program in order to keep the Bevan Road/Cumberland Road corridor clear from debris coming from vehicles travelling to and from the waste management centre. Council allocated \$20,000 to establish a program with the intent to contract with community not-for-profit organizations to undertake this service.

This report reviews some program options for council's consideration.

### Corridor Service Area

Council directed that this program be established for the Bevan/Cumberland Road corridor. If the program proceeded for this area only, the Village would seek out a contract with a not-for-profit organization this fall to commence the work.

The contractor would be required to provide its own vehicle, equipment, and supplies, and collect litter along the corridor monthly. The appropriate insurance and indemnity would be

required, including extended third party liability insurance for any vehicles. The rate of \$800 per month/collection is recommended considering the volume and nature of litter along the corridor, for a total of \$9,600 per year.

### **Service Area Expansion**

The amount of \$20,000 has been budgeted annually in the five year financial plan for the program. At the rate proposed, the cost of the Bevan Road/Cumberland Road program would be well within the budget.

Therefore, Council may consider expanding the service to two additional areas:

1. Arterial roads. This area would encompass Cumberland Road from Bevan Road to the Peace Park, and Royston Road from Village Park to the municipal boundary near the Highway 19 overpass. A proposed rate of \$400 per month/collection would result in additional annual expenditure of \$4,800.
2. Parks and Trails. The Village could offer another contract for collection in Egremont Park and the north and south Wellington Colliery Trails four times a year. A proposed rate of \$400 per quarter/collection would result in additional annual expenditure of \$1,600.

If these additional service areas were approved by Council, the total expenditure would be \$16,000 per year, which would leave some funds available for signage, adjustments and any unforeseen costs.

### **FINANCIAL IMPLICATIONS**

Council has established an initial budget of \$20,000. If neither expansion area is approved by Council, it is recommended that the annual budget be reduced to \$10,000.

### **STRATEGIC OBJECTIVE**


- Examining all solid waste management options

### **ATTACHMENTS**

None

### **CONCURRENCE**

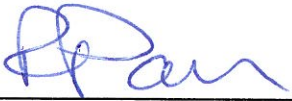
Michelle Mason, Financial Officer 

Rob Crisfield, Manager of Operations 

**OPTIONS**

1. THAT Council consider the expansion of the litter collection program to other arterial and collector roads, and to residential areas and trails.
2. Any other action deemed appropriate by Council.

Respectfully submitted,



---

Rachel Parker  
Deputy Corporate Officer  
Village of Cumberland



---

Sundance Topham  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: October 7, 2014  
MEETING DATE: October 14, 2014

File No. 4520-20

TO: Mayor and Councillors  
FROM: Rachel Parker, Deputy Corporate Officer  
SUBJECT: Road Closure for Fire Chief McClure Service

---

## RECOMMENDATION

THAT Council receive the Road Closure for Fire Chief McClure Service report.

AND THAT Council approve the closure of Dunsmuir Avenue between First Street and Egremont Road on October 18, 2014 from 10 a.m. to 11 a.m., and from noon to 12:30 p.m. for the funeral service of Fire Chief Ken McClure.

## SUMMARY

On Saturday, October 18, 2014 a memorial service will be held at Cumberland Recreation for former Cumberland Fire Chief Ken McClure. The Fire Department is requesting that Council approve the closure of Dunsmuir Avenue during certain portions of the service to accommodate the moving of fire apparatus and the honour guard.

## BACKGROUND

Chief McClure joined the Cumberland Fire Department in 1985 and was chief from 2004 to 2011. Chief McClure passed away in Golden, BC on Saturday, September 20, 2014.

## FINANCIAL IMPLICATIONS

None

## STRATEGIC OBJECTIVE

None

## ATTACHMENTS

None

**CONCURRENCE**

Mike Williamson, Manager of Protective Services

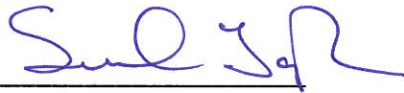
**OPTIONS**

1. THAT Council approve the closure of Dunsmuir Avenue between First Street and Egremont Road on October 18, 2014 from 10 a.m. to 11 a.m., and from noon to 12:30 p.m. for the funeral service of Fire Chief Ken McClure.
2. Any other action deemed appropriate by Council.

Respectfully submitted,

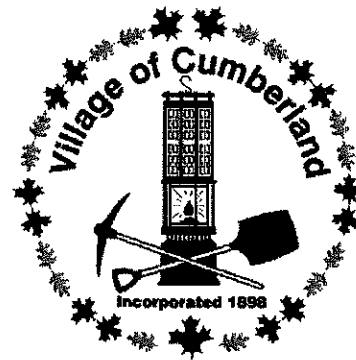


Rachel Parker  
Deputy Corporate Officer  
Village of Cumberland



Sundance Topham  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: October 3, 2014  
 MEETING DATE: October 14, 2014

TO: Mayor and Council

FROM: Rob Crisfield, Manager of Operations

SUBJECT: Cumberland Creek Dam #2 Design Work

---

## RECOMMENDATION

THAT Council receive the Cumberland Creek Dam #2 Design Work report;  
 AND THAT Council approve the engagement of Tetra Tech (EBA) for the pre-design work and detailed design of the Cumberland Creek Dam #2 for the seismic stability upgrade.

## SUMMARY

As with the current upgrades to Stevens Lake Dam, Cumberland Creek Dam #2 is also needing to be redesigned and upgraded as a result of its consequence rating and potential downstream impact should a significant seismic event occur. Money has been identified in the five year capital plan for the design and upgrade starting with design funds in the amount of \$50,000 for 2014. Staff wishes to proceed with the design and are seeking Councils approval to sole source and award this work to Tetra Tech (EBA).

## BACKGROUND

For many decades the Village of Cumberland has relied on its domestic water supply to come from the surface water supply created through a series of reservoirs created from damming areas of the watershed. Unfortunately some of the dams have failed in the past as they were not constructed to a proper standard. Current regulations require dam safety reviews and consequence ratings. The Cumberland Creek Dam #2 is a 'very high' rated consequence dam, meaning should the dam fail there is significant risk to loss of life and damage to infrastructure. This was recently confirmed through the Dam Inundation Study that was completed by Tetra Tech (EBA). Money has been committed within the five year capital plan for a design that would bring the dam up to required standards including seismic stability. Recently Tetra Tech (EBA), through a Request for Proposal process, completed the design on the Stevens Lake Dam. They have also been engaged in the past to complete dam inspections and assessments for the Village.

Because of their experience with our dams more recently and in the past, and their intimate knowledge of the dams and our surface water supply system, staff is seeking Council approval to sole source the design of the Cumberland Creek #2 dam to Tetra Tech (EBA), and forgo a costly

and time consuming RFP process. While the purchasing policy requires a 'competitive bid' process for awarding design work, there are also exemptions to this requirement within the Purchasing Policy in section 1.4.11 (x) where it reads:

"Where previous work of a supplier or contractor has resulted in that supplier or contractor having a unique understanding and knowledge of local systems and circumstances; and where the awarding of a contractor to another supplier or contractor would cause the Village to incur additional expense because of their lack of this understanding and knowledge; the locally experienced and knowledgeable supplier or contractor may be used as the sole supplier of related goods and services upon the approval of Council."

### **FINANCIAL IMPLICATIONS**

Currently \$50,000 has been budgeted for in the 2014 budget for the design of the dam. It's anticipated that the design work, similar to the Stevens Lake dam, will be divided into two phases. Phase one would provide options for the stabilization of the dam with higher level costing, while Phase two would roll the selected option into a detailed design. At this point the level of detail and effort is unknown in relation to the detailed design, but it is anticipated costs may be higher than the current budget based on the design work undertaken for the Stevens Lake dam project.

### **STRATEGIC OBJECTIVE**

Improving the reliability of the surface water supply through seismic improvements to the dam directly ties in with the strategic objective to:

"Establish an adequate and high quality source of water for the current and future residents of the Village"

### **ATTACHMENTS**

None

### **CONCURRENCE**

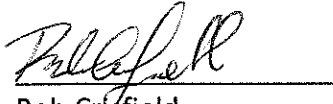
Michelle Mason, Financial Officer



### **OPTIONS**

1. THAT Council approve the engagement of Tetra Tech (EBA) for the pre-design work and detailed design of the Cumberland Creek Dam #2 for the seismic stability.
2. Any other action deemed appropriate by Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rob Crisfield", written over a horizontal line.

Rob Crisfield  
Manager of Operations  
Village of Cumberland

A handwritten signature in black ink, appearing to read "Sundance Topham", written over a horizontal line.

Sundance Topham  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: October 6, 2014  
MEETING DATE: October 14, 2014

TO: Mayor and Councillors  
FROM: Michelle Mason, Financial Officer  
SUBJECT: Municipal Auditor Appointment for the 2014-2016 Year-ends

---

## **RECOMMENDATION**

THAT Council receive the Municipal Auditor Appointment for the 2014-2016 Year-ends report;  
AND THAT Council appoints the audit firm of BDO Canada LLP for the 2014-2016 financial years.

## **SUMMARY**

The Village of Cumberland needs to appoint a municipal auditor and staff is recommending that Council appoint BDO Canada LLP for the 2014-2016 year-ends to allow for continuity in those years. The all inclusive audit fee committed to by BDO Canada for 2014 is \$21,275, 2015 is \$22,380 and 2016 is \$23,485. The audit fee, administration costs and corporate tax return for 2013 was \$27,800.

## **BACKGROUND**

Pursuant to Section 169 of the Community Charter, Council is required to appoint a Municipal auditor.

In previous years, staff has requested annually that Council appoint an auditor; however, staff issued a "Request for Proposals" for the 2014-2016 year-ends and based on best practices is requesting that Council appoint the year-end auditor for the 2014-2016 year-ends inclusive with the possibility of a two-year extension.

Five proposals were received, including from BDO Canada LLP, Chan Nowasad Boates, SmytheRatcliffe, McGorman MacLean, and MNP. Each proposal was evaluated by Village staff based on the following criteria:

- Qualifications, experience and references
- Audit implementation
- Additional services offered
- Audit fee

All of the audit fees for the proposals received were less than previous years due to an increase in the number of firms competing for local government audits and all of the new audit firms proposals did not charged for the extra hours for the transition to a new firm. At this point, with limited resources, the Village is not in a position to choose solely on fees. Once some of the smaller firms who submitted proposals become more experienced with local government audits, staff expects that if their prices continue to be lower than the bigger audit firms, that the overall value of those firms will allow the Village to choose them as an audit firm in the future. At this point though staff agrees that the proposal submitted by BDO Canada provides the Village with the best overall value and best meets the Village's requirements for the year-end audit. BDO has the greatest amount of current local government audit experience and provides the most value added services among the firms that submitted proposals. Included in those additional services are free webinars, free Public Sector Accounting handbook training and Public Perception Audits which is included in their year-end audit approach.

BDO's proposed schedule anticipates the interim audit to take place in November or early December and staff expects the 2014 year-end audit field work to be scheduled later in February 2015.

#### **FINANCIAL IMPLICATIONS**

The audit fee proposals ranged from \$17,000, from the least experienced firm with very few hours budgeted, to \$24,000 per year. The all inclusive audit fee committed to by BDO Canada for 2014 is \$21,275, 2015 is \$22,380 and 2016 is \$23,485. The audit fee, administration costs and corporate tax return for 2013 was \$27,800. BDO will work on our behalf with Canada Revenue Agency (CRA) to eliminate the need for the Village of Cumberland to file a corporate tax return based on other municipality's requirements and recent changes in CRA's practices.

#### **STRATEGIC OBJECTIVE**

None.

#### **ATTACHMENTS**

None.

**CONCURRENCE**

None.

**OPTIONS**

1. Receive this report for information and appoint BDO Canada LLP as the municipal auditors for the 2014, 2015 and 2016 year-end.
2. Any other action deemed appropriate by Council.

Respectfully submitted,



---

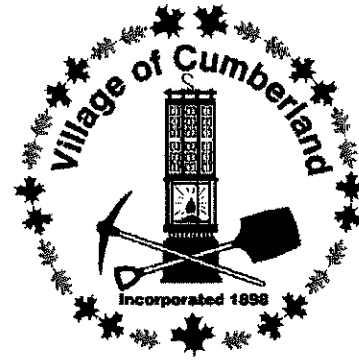
Michelle Mason  
Financial Officer



---

Sundance Topham  
Chief Administrative Officer

# COUNCIL REPORT



REPORT DATE: October 2, 2014  
 MEETING DATE: October 14, 2014

TO: Mayor and Councillors

FROM: Sundance Topham, Chief Administrative Officer

SUBJECT: Fortis Gas Operating Agreement – New Operating Fees

---

## RECOMMENDATION

- i. THAT Council receive the Fortis BC Gas Operating Agreement – New Operating Fees report
- ii. THAT Council endorse the AVICC recommended Gas Operating Agreement in the format as attached.

## SUMMARY

For the past four years, the Association of Vancouver Island Coastal Communities (AVICC) has been engaged in a joint process with Fortis BC to correct the historic situation whereby municipal taxpayers within AVICC were denied the opportunity to recover the costs of gas distribution lines placed within municipal streets.

This inequity occurred over 25 years ago, when the government of the day unilaterally imposed a prohibition under the *Vancouver Island Gas Pipeline Act* to assist in project construction financing to bring natural gas to Vancouver Island. Municipal taxpayers were not consulted about this decision, but were required to forgo literally tens of millions of dollars in fees and to subsidize gas provision in a manner not required of other taxpayers outside of Metro Vancouver.

To help support this process the Village of Cumberland passed the following motion at the October 11<sup>th</sup>, 2011 regular Council meeting:

*That the Council of the Corporation of the Village of Cumberland:*

1. *Approves FortisBC to make a request to BC Utilities Commission for an extension on the operating agreement between FortisBC and the Corporation of the Village of Cumberland; and*
2. *Directs Council to request from the Association of Vancouver Island Coastal Communities lobbying on our behalf as a municipality for the removal of the prohibition of operating fee payments by FortisBC; and*
3. *Directs staff to proceed in negotiating a new stronger operating agreement with FortisBC as a collective group with the Vancouver Island municipalities.*

## **BACKGROUND**

In 2011, AVICC and its member municipalities, in cooperation with Fortis BC, embarked upon a three-phase strategy to reinstate the ability to recoup annual operating fees.

The strategy involved:

1. Reaching agreement on a new “Made in AVICC” model operating agreement with Fortis BC.
2. Fortis BC bringing in a new “postage rate” structure for gas rates: resulting in significant reductions for gas customers within AVICC, which has now been approved by the BC Utilities Commission (BCUC).
3. The Province adopting new legislation removing the legislative prohibition on operating fees within AVICC.

After extensive work, two of these conditions precedent have now been achieved. In the case of the legislation, introduction is expected to occur shortly in the fall sitting of the legislature – Note: The agreement includes a clause that makes the agreement null and void should the legislation change not occur.

As a result, municipal taxpayers are in a position to have Fortis BC start collecting the three percent operating fee structure based on gas volumes utilized in 2015 with the first payment to be received in March 2016.

In order to benefit from this new revenue stream, individual municipalities served by gas must now agree to enter into a new formal agreement with Fortis BC based upon the AVICC crafted model agreement by the end of October 2014 (Agreement attached as Appendix B).

This very aggressive timetable is necessary in order to obtain BCUC approvals and for billing preparations to be made to begin to collect fees by March 2015 for payment a year following.

The AVICC has endorsed a model Operating Agreement in the form attached. This agreement was developed in partnership with Fortis BC by a working group of municipal engineering staff working over the past four years, and has been fully vetted by *Stewart McDannold Stuart* with the special assistance of the City of Nanaimo and the District of Saanich.

AVICC is formally recommending this agreement to its members at this time. The desire is that each municipality will authorize the signing of its agreement without delay and that; preferably, the BCUC can be presented with the complete suite of AVICC municipal Operating Agreements as a package. This is expected to help to expedite implementation and ensure that no further available revenues are lost to local taxpayers.

## **FINANCIAL IMPLICATIONS**

Common rates phasing over the next several years will lower gas rates within AVICC in progressive steps beginning Jan 01, 2015. Because of this progressive reduction in the cost of gas, the 3% fee on gas rates will not significantly affect the very significant overall reduction in gas rates projected for residential and business customers in the future. Gas rates will drop in excess of 20% after four years for residential customers, and in excess of 30% for most small commercial customers, after including the application of the 3% fee.

At the same time, the three percent fee will have a significant positive impact for local property taxpayers. The total amount of operating fees collected within AVICC has been estimated at up to \$3.5 million per year, and in the case of Cumberland, the annual estimate of new found revenue is approximately \$23,000 per year.

Although operating fees paid to municipalities are charged directly to the natural gas ratepayers, they provide an offset to the municipality's costs with regards to the works undertaken by the municipalities around gas lines that have become part of our linear infrastructure.

The Village of Cumberland incurs annual costs associated with Fortis BC in relation to the review and location of existing gas lines infrastructure whenever infrastructure works take place on our streets, time spent reviewing and assisting with new gas line installations and through the implementation of WorkSafeBC procedures required in order to safely work around gas lines.


### **STRATEGIC OBJECTIVE**


None

### **ATTACHMENTS**

1. Village of Cumberland Letter of Support
2. FortisBC Model Operating Agreement

### **CONCURRENCE**

Rob Crisfield, Manager of Operations 

Michelle Mason, Financial Officer 

### **OPTIONS**

1. Endorse the AVICC Agreement as requested. (Signed agreements will be presented to the BCUC as a package for approvals, and collection of fees will commence on March 01, 2015).
2. Decline to approve the agreement and enter into individual discussions with Fortis towards another form of Agreement exclusive to the Municipality. (This is a decision to decline to receive operating fees - Operating Fees are only available under the AVICC Model Agreement).
3. Any other action deemed appropriate by Council.

Respectfully submitted,



Sundance Topham  
Chief Administrative Officer  
Village of Cumberland



## The Corporation of the Village of Cumberland

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

January 12, 2012

Association of Vancouver Island Coastal Communities  
Local Government House  
525 Government Street  
Victoria, BC V8V 0A8

To Whom It May Concern:

**Re: Natural Gas Operating Agreement Renewal Process**

At the October 11<sup>th</sup>, 2011 regular meeting of Council, the following motion was passed:

That the Council of the Corporation of the Village of Cumberland:

1. approves FortisBC to make a request to BC Utilities Commission for an extension on the operating agreement between FortisBC and the Corporation of the Village of Cumberland; and
2. directs Council to request from the Association of Vancouver Island Coastal Communities lobbying on our behalf as a municipality for the removal of the prohibition of operating fee payments by FortisBC; and
3. directs staff to proceed in negotiating a new stronger operating agreement with FortisBC as a collective group with the Vancouver Island municipalities.

For many years, Fortis' predecessor companies have established operating agreements with British Columbia municipalities. Many of those operating agreements are different. For instance, Vancouver Island municipalities are prevented from collecting an operating fee from Fortis customers due to the terms of the Vancouver Island Natural Gas Pipeline Act; whereas, in the interior, 3% operating fees are paid to municipalities in exchange for streamlined construction and operating practices.

Operating fees collected from Fortis, would contribute to those costs associated when the municipalities undertake work on infrastructure around gas lines.

In order to establish a new operating agreement, Vancouver Island municipalities intend to lobby the Provincial Government, Ministry of Energy for the removal of the prohibition of operating fee payments by FortisBC.

Council of The Corporation of the Village of Cumberland is requesting that the Association of Vancouver Island Coastal Communities lobby collectively on behalf of all Vancouver Island municipalities.

Yours truly,

Leslie Baird, Mayor

### OPERATING AGREEMENT

**THIS OPERATING AGREEMENT** (the "Agreement") made this \_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_.

**BETWEEN:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(hereinafter called the "**Municipality**")

**OF THE FIRST PART**

**AND:**

**FORTISBC ENERGY (VANCOUVER ISLAND) INC.**, a body corporate duly incorporated under the laws of the Province of British Columbia, and having its registered office in the City of Vancouver, in the Province of British Columbia

(hereinafter called "**FortisBC**")

**OF THE SECOND PART**

**RECITALS:**

- A. Whereas by a certificate of public convenience and necessity (CPCN), FortisBC (formerly Terasen Gas (Vancouver Island) Inc.) was granted the right to construct and operate gas distribution facilities within the Municipality;
- B. And whereas pursuant to the Community Charter, S.B.C. 2003, a Municipal council may, by resolution adopt and enter into a licensing and operating agreement;
- C. And whereas FortisBC and the Municipality are the parties to a Franchise or Operating Agreement dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ which has or will expire on \_\_\_\_\_;
- D. And whereas FortisBC and the Municipality wish to enter into this Agreement to clarify and settle the terms and conditions under which FortisBC shall exercise its rights to use Public Places in conducting its business of distributing Gas within the Municipality;

**NOW THEREFORE THIS AGREEMENT WITNESSES** that the parties covenant and agree as follows:

## **1. DEFINITIONS**

### **1.1 For the purposes of this Agreement:**

- (a) “Boundary Limits” means the boundary limits of the Municipality as they exist from time to time and that determine the area over which the Municipality has control and authority;
- (b) “BCUC” means the British Columbia Utilities Commission or successor having regulatory jurisdiction over natural gas distribution utilities in British Columbia;
- (c) “CPCN” means a Certificate of Public Convenience and Necessity granted by the BCUC which allows FortisBC to operate, maintain and install Company Facilities for the distribution of Gas within the Municipality;
- (d) “Company Facilities” means FortisBC’s facilities, including pipes (live and abandoned), buildings, structures, valves, signage, storage facilities, machinery, vehicles and other equipment used to maintain, operate, renew, repair, construct and monitor a natural Gas Distribution and transmission system;
- (e) “Costs” has the meaning ascribed to it in Section 15.1;
- (f) “Distribution Pipelines” means pipelines operating at a pressure less than 2071 kilopascals (300 psi);
- (g) “Emergency Work” means any work that, in its reasonable opinion, each party carrying out the work believes is urgently required to preserve public safety or health or to preserve the safety of Company Facilities or Municipal Facilities, as the case may be, or other property;
- (h) “FortisBC Employees” means personnel employed by or engaged by FortisBC including officers, employees, directors, contractors, and agents;
- (i) “Gas” means natural gas, propane, methane, synthetic gas, liquefied petroleum in a gaseous form or any mixture thereof;
- (j) “Gas Distribution” means fixed equipment, structures, plastic and metal lines and pipe, valves, fittings, appliances and related facilities used or intended for the purpose of conveying, testing, monitoring, distributing, mixing, storing, measuring and delivering Gas and making it available for use within the Municipality;
- (k) “Impact Service Work” means Service Line Work that:
  - (i) requires cutting of asphalted or concrete surfaces

- (ii) impact to trees, or requires working in or near wetlands, water bodies or other areas of special environmental sensitivity,
  - (iii) requires working on a site known to have archeological significance, including those designated by the Province of British Columbia or by the Municipality as heritage sites; or
  - (iv) impacts existing Municipal or third party underground Facilities.
- (l) “Mains” means pipes used by FortisBC to carry gas for general or collective use for the purposes of Gas Distribution;
  - (m) “Municipal Employees” means personnel employed by or engaged by the municipality, including officers, employees, directors, contractors and agents;
  - (n) “Municipal Facilities” means any facilities, including highways, sidewalks, conduits, manholes, equipment, machinery, pipes, wires, valves, buildings, structures, signage, bridges, viaducts and other equipment within the Public Places used by the Municipality for the purposes of its public works or municipal operations;
  - (o) “Municipal Supervisor” means the Municipal Engineer or other such person designated by the Municipality to receive notices and issue approval as set out in this Agreement;
  - (p) “New Work” means any installation, construction, repair, maintenance, alteration, extension or removal work of the Company Facilities in Public Places except:
    - (i) routine maintenance and repair of the Company Facilities that does not require any cutting of asphalted or concrete surface;
    - (ii) Service Line Work or Impact Service Work; or
    - (iii) Emergency Work;
  - (q) “Park” means land dedicated, held, managed or operated by the Municipality as a public park;
  - (r) “Pipeline Markers” means post, signage or any similar means of identification used to show the general location of Transmission Pipelines and distribution pipelines or FortisBC Rights of Way;
  - (s) “Planned Facilities” means those facilities not yet constructed but which have been identified by way of documented plans for Utilities, for works of third parties, where such works are identified by documented plans permitted by the Municipality;
  - (t) “Public Places” means any public thoroughfare, highway, road, street, lane, alley, trail, square, bridge, right of way, viaduct, subway,

watercourse or other public place in the Municipality but does not mean Parks;

- (u) “Service Line Work” means installation, construction, repair, maintenance, alteration, extension or removal work of that portion of FortisBC’s gas distribution system extending from a Main to the inlet of a meter set and, for the purposes of this Agreement, includes a service header and service stubs;
- (v) “Transmission Pipeline” means a pipeline of FortisBC having an operating pressure in excess of 2071 kilopascals (300 psi); and
- (w) “Utilities” means the facilities or operations of any water, waste water, sewer, telecommunications, energy, cable service or similar service provider located in Public Places within the Municipality.

## **2. INTERPRETATION**

### **2.1 For the purposes of interpreting this Agreement:**

- (a) the headings are for convenience only and are not intended as a guide to interpretation of this Agreement;
- (b) words in the singular include the plural, words importing a corporate entity include individuals, and vice versa;
- (c) in calculating time where the agreement refers to “at least” or “not less than” a number of days, weeks, months or years, the first and last days must be excluded and where the agreement refers to “at least” or “not less than” a number of days, Saturdays, Sundays and holidays must be excluded;
- (d) the word “including”, when following any general term or statement, is not to be construed as limiting the general term or statement to the specific items or matters, but rather as permitting the general term or statement to refer to all other items or matters that could reasonably fall within the broadest possible scope of the general term or statement.

## **3. OBLIGATION TO ACT IN GOOD FAITH**

**3.1** FortisBC and the Municipality acknowledge and agree that they will act in good faith, in carrying out the terms and conditions of this Agreement and within reasonable time frames, carry out the obligations under this Agreement.

**3.2** FortisBC and the Municipality will at all times carry out all work and operations with the due care and attention that is necessary to safeguard the interests of the public, their own employees, and the other party’s employees.

#### **4. FORTISBC RIGHTS TO ACCESS & USE PUBLIC PLACES**

##### **4.1 Use of Public Places**

The Municipality hereby acknowledges FortisBC's rights to:

- (a) develop, construct, install, maintain or remove Company Facilities on, over, in and under Public Places in the Municipality;
- (b) enter on Public Places from time to time as may be reasonably necessary for the purpose of maintaining, repairing, or operating Company Facilities; and
- (c) place pipeline identification markers within Public Places where a Transmission Pipeline or Distribution Pipeline crosses or is otherwise within a Public Place;

subject to terms and conditions defined in this Agreement.

##### **4.2 Use of Parks**

- (a) The Municipality may authorize Fortis BC to use Parks for the Company Facilities. The Municipality shall not unreasonably withhold permission in circumstances where Utilities owned by third parties are already placed within the Park and the Municipality does not consider that the use of the Park by Fortis BC will materially affect the public's use of the Park or existing Utilities. Where such permission has been granted to Fortis BC, the Municipality shall grant FortisBC:
  - (i) a right of way in registerable form; or
  - (ii) in the case of a dedicated Park or other Park for which there is no registered title, a license or permit;

allowing FortisBC to use the Park for the Company Facilities and Fortis BC shall pay to the Municipality compensation for the fair market value of the right-of-way, the license or permit as the case may be. Fair market value shall be as agreed by the Municipality and Fortis BC based on compensation by Fortis BC or other public utilities or other municipalities in the Province of British Columbia for similar rights-of-way, licenses or permits, as the case may be, granted with respect to similar public lands in other municipalities. Failing agreement between Fortis BC and the Municipality as to the fair market value of any right-of-way, license or permit, compensation shall be determined in accordance with the *Expropriation Act*, RSBC 1996, c125, as amended or replaced from time to time.

## **5. GRANDFATHERING FOR EXISTING USE OF PARKS**

**5.1** The Municipality acknowledges that Company Facilities may have been installed in Parks. Where FortisBC has existing Company Facilities in a Park, FortisBC may maintain, replace or remove such Company Facilities and enter such park from time to time as may be reasonably necessary for the same purposes, subject to the same terms and conditions defined in this Agreement with respect to FortisBC's use of Public Places, as reasonably applicable.

## **6. FORTISBC COMPLIANCE WITH STANDARDS FOR USE OF PUBLIC PLACES**

### **6.1 Non-discriminatory Standards for FortisBC**

In its use of Public Places, FortisBC shall comply with all Federal and Provincial laws, regulations and codes and shall comply with all Municipal bylaws, standards and policies except that FortisBC shall not have to comply with such Municipal bylaws, standards and policies that:

- (a) conflict with terms of this Agreement or limit any rights or concessions granted to FortisBC by the Municipality under this Agreement; or
- (b) conflict with other legislation governing FortisBC.

Further, where the Municipality has established requirements and standards for work in Public Places, the Municipality shall apply them in a fair, reasonable and non-discriminatory manner consistent with the manner that the Municipality establishes requirements on other Utilities.

### **6.2 Depth of Cover**

Subject to Section 6.1 above, FortisBC shall comply with Municipal standards that establish a minimum depth of cover for the installation of Company Facilities to a maximum of 75cm depth of cover. Notwithstanding the foregoing, the Municipality may require a greater depth of cover for the installation of Company Facilities where such cover is required to accommodate Planned Facilities.

### **6.3 Provide emergency contacts.**

FortisBC will provide the Municipality with a 24 hour emergency contact number which the Municipality will use to notify FortisBC of emergencies including; gas leaks, third party accidents around work sites, ruptures of gas lines, and other potentially hazardous situations.

### **6.4 Assist with facility locates**

FortisBC will, at no cost to the Municipality, provide locations of its Company Facilities within a time frame as may be reasonably requested by the Municipality unless the reason for the request is the result of an emergency; in which case the information shall be

provided forthwith. FortisBC shall provide gas locations from FortisBC records. FortisBC shall perform on site facility locates in accordance with the *Safety Standards Act – Gas Safety Regulations*, section 39.

## **7. FORTISBC WORK OBLIGATIONS:**

### **7.1 New Work**

#### **7.1.1. Application for New Work**

For New Work, FortisBC shall submit an application to the Municipal Supervisor for a permit when it intends to perform New Work. The application shall include:

- (a) a plan and specifications showing:
  - (i) the size and dimensions of all New Works, their proposed depth below the surface of the ground and their proposed locations related to property lines;
  - (ii) profiles for gas applications for gas mains 114 mm or greater that may impact Planned Facilities, if requested by the Municipality;
  - (iii) the edge of hard surfaces of affected roads, streets or highways or other Public Places;
  - (iv) the proposed location and/or clearances of the New Works where the New Works cross existing Utilities provided that all such locations and elevations are made available to FortisBC by the Municipality or the owner of such Utilities; and
  - (v) boundaries and legal descriptions of any private lands affected or within 1.5 meters of the proposed centre line of the New Work;
- (b) FortisBC's plans for the restoration of the Public Place affected by the New Work if FortisBC's restoration plans are different from those set out in Section 7.6.4 of this Agreement;
- (c) the name of a FortisBC representative who may be contacted for more information;
- (d) projected commencement and completion dates; and
- (e) such other information relevant to the New Work as the Municipality may reasonably require from time to time.

#### **7.1.2. Exception for Emergency**

Where FortisBC is required to carry out Emergency Work, FortisBC shall not be required to give prior notice but shall do so as soon as possible thereafter.

### **7.1.3. Municipal Permits for New Work**

The Municipality shall use its best efforts to issue a permit for New Work within fifteen (15) days of receipt by the Municipality of an application containing all the information required under Section 7.1.1, or a time extension if large and complex. The Municipality may refuse to issue a permit for the New Work on the following grounds:

- (a) the proposed location of the New Work conflicts with existing Municipal Facilities, existing third party facilities or Planned Facilities, trees, wetlands, water bodies or other areas of special environmental sensitivity, or areas that are of archeological significance, including areas designated by the Province of British Columbia or by the Municipality as heritage sites; or
- (b) the proposed location or design of the New Work is likely to compromise public safety or does not conform with Municipal bylaws, standards or policies; or
- (c) in instances where FortisBC can delay the New Work without compromising the supply, capacity or safety of its Gas Distribution System or its customers' need for gas service and the Municipality intends within the next three (3) months to undertake work in the same location and wishes to co-ordinate both work; or
- (d) FortisBC has not provided the Municipality with the information required by Section 7.1.1;

and shall provide FortisBC with grounds for its refusal to grant the permit, provided such grounds are reasonable, no more than fifteen (15) days after receiving FortisBC's permit application for New Work, except that in the case of work that is large or complex, the Municipality may extend the time for response by a maximum of ten (10) additional days.

### **7.1.4. Conditions of Permit**

Notwithstanding Section 7.1.3 above, the Municipality may include conditions in its permit for the New Work to address the matters set out in Subsections 7.1.3(a) and 7.1.3(b). In addition, the Municipality may require FortisBC to provide the public with notice of the New Work. Any additional terms or conditions contained in a permit for the New Work shall be of no force and effect except to the extent that such terms or conditions are consistent with the terms of this Operating Agreement.

### **7.1.5. Work Not to Proceed**

If the Municipality

- (a) fails to provide FortisBC with a permit within fifteen (15) days of FortisBC's application of New Work or, in the case of large and complex New Work, within such extended time as may be set out in the Municipality's notice to FortisBC; or
- (b) notifies FortisBC of its objections to the New Work;

FortisBC may refer the matter to dispute resolution in accordance with Section 18. FortisBC shall not proceed with the New Work until the Municipality provides FortisBC with a permit for such work including a permit issued as a result of the resolution of a dispute by the parties.

## **7.2 Impact Service Work**

### **7.2.1. Application for Impact Service Work**

For Impact Service Work, FortisBC shall submit an application to the Municipal Supervisor for a permit when it intends to perform Impact Service Work. The application shall be in the form attached as Schedule A to this Agreement and shall include a sketch showing:

- (a) property lines and street addresses;
- (b) existing gas main and proposed service location offset to property;
- (c) all hard surfaces, trees, archeological or environmental areas impacted by the new service installation; and
- (d) buried utilities identified in the planning stages to be impacted by the proposed service.

### **7.2.2. Municipal Permits for Impact Service Work**

The Municipality shall use its best efforts to issue a permit for Impact Service Work within five (5) days of receipt by the Municipality of an application containing all the information required under Section 7.2.1. The Municipality may refuse to issue a permit for the Impact Service Work on the following grounds:

- (a) the proposed location of the Impact Service Work conflicts with existing Municipal Facilities, existing third party facilities or Planned Facilities, trees, wetlands, water bodies or other areas of special environmental sensitivity, or areas that are of archaeological significance, including areas designated by the Province of British Columbia or by the Municipality as heritage sites; or
- (b) FortisBC has not provided the Municipality with the information required by Section 7.2.1;

and shall provide FortisBC with the grounds for its refusal to grant the permit, provided such grounds are reasonable, no more than ten (10) days after receiving FortisBC's permit application for Impact Service Work.

### **7.2.3. Conditions of Permit**

Notwithstanding Section 7.2.2 above, the Municipality may include conditions in its permit for the Impact Service Work to address the matters set out in Subsection 7.2.1(a). Any additional terms or conditions contained in a permit for the Impact Service Work shall be of no force and effect except to the extent that such terms or conditions are consistent with the terms of this Operating Agreement.

### **7.2.4. Work Not to Proceed**

If the Municipality

- (a) fails to provide FortisBC with a permit within ten (10) days of FortisBC's application of Impact Service Work; or
- (b) notifies FortisBC of its objections to the Impact Service Work;

FortisBC may refer the matter to dispute resolution in accordance with Section 18. FortisBC shall not proceed with the Impact Service Work until the Municipality provides FortisBC with a permit for such work including a permit issued as a result of a resolution of a dispute between the Parties.

## **7.3 Notices of Service Line Work**

### **7.3.1 Notice**

FortisBC shall provide the Municipality with notice of its intent to undertake Service Line Work. When it intends to undertake Service Line Work, FortisBC shall provide such notice in the form attached as Schedule A to this Agreement.

### **7.3.2 Objections**

The Municipality may object to Service Line Work on the grounds set out in Subsections 7.2.2(a) and (b) above, by providing FortisBC with notice of its objections within five (5) days of receiving FortisBC's notice. If the Municipality does not provide such notice of its objections to FortisBC within five (5) days of receiving FortisBC's notice, the Municipality shall be deemed to have granted its approval of the Service Line Work.

### **7.3.3 Resolving Objections**

If the Municipality has objections to the planned Service Line Work and if the Municipality and FortisBC are unable to agree on a resolution, then either party may refer the matter to dispute resolution in accordance with Section 18. The Municipality shall not otherwise withhold or delay its approval.

#### **7.4 Expiry of Permit or Approval After Twelve Months**

A permit or deemed approval will expire in the event that FortisBC does not carry out New Work, or Service Line Work within twelve months of the date of the permit or deemed approval.

#### **7.5 FortisBC to Obtain Locate Information**

Prior to conducting any New Work, FortisBC shall locate other Utilities and satisfy itself that it is clear to proceed.

#### **7.6 Work Standards**

##### **7.6.1. Engineering Practices**

All work carried out by FortisBC shall be carried out in accordance with sound engineering practices.

##### **7.6.2. Specific Work Requirements to Remove Materials**

FortisBC shall keep its work sites clean and tidy. FortisBC shall remove all rubbish and surplus material from Public Places upon completion of its work.

##### **7.6.3. No Nuisance**

Fortis BC shall not leave any part of its gas system in such a state as to constitute a nuisance or a danger to the public through neglect, non-use and want or repair.

##### **7.6.4. Restore Surface and Subsurface**

Where FortisBC has performed any operations, Service Line Work or New Work in a Public Place, FortisBC shall restore without unreasonable delay and return such Public Place, as much as reasonably practical, to the condition and use which existed prior to such activity. The restoration will be in accordance with the specifications set out by the Municipality. Such specifications may include the degree and nature of compaction, subsurface structure, surface finish and landscaping required.

Where FortisBC is required to cut pavement on a Public Place such cuts and restoration will be limited to less than 1.5 meters in width unless at the discretion of FortisBC a larger excavation is warranted due to the depth or size of the pipe or requirements of the Workers' Compensation Board or other relevant Provincial or Federal regulations. FortisBC will be responsible for any repairs and maintenance of the surface repair for a period of five (5) years. However, where pavement restoration has been conducted by the Municipality, whether or not such work was undertaken to repair cuts on FortisBC's behalf, FortisBC shall not be responsible for the repairs or maintenance of the surface repair.

#### **7.6.5. Repair Damage to Municipal Facilities**

To the extent that any of the work being done by FortisBC results in damage to Municipal Facilities or Public Places, other than the usual physical disruption to Public Places caused by the installation of Company Facilities that FortisBC shall restore in accordance with Section 7.6.4 above, FortisBC will, as soon as reasonably possible, report such damage and reimburse the Municipality for its Costs arising from such damage calculated in accordance with Section 15.1 below. Where such damage results directly from inaccurate or incomplete information supplied by Municipality, and FortisBC has complied with all applicable laws and regulations, and with instructions supplied by the Municipality, then the cost of repairing damaged Municipal Facilities or Public Places will be at the expense of the Municipality.

#### **7.6.6. Restoration Audit**

FortisBC may retain a third party, at FortisBC's expense, to carry out audits of FortisBC's repairs or restoration of Municipal Facilities, and the number and frequency of such audits shall be determined in consultation with, and with the agreement of the Municipality. The audit shall take into account different road classification, the results of previous audits and other criteria agreed upon by FortisBC and the Municipality. Notwithstanding the foregoing, the extent and the frequency of the audits will be results based and therefore, the results of any audits will determine whether the frequency and the extent of any audits should be increased or decreased. This system of audits shall replace any testing required by the Municipality under its bylaws.

### **7.7 Conformity Requirement**

The New Work and Service Line Work must be carried out in conformity with Municipal Permits or approved notices for New Work or Service Line Work, as the case may be, except that FortisBC may make in-field design changes when carrying out the New Work or Service Line Work to accommodate field conditions which could not have been reasonably foreseen by FortisBC. If such in-field conditions materially impact FortisBC's plans for restoration or materially change the impact of FortisBC's work on Municipal Facilities, other than in respect of projected commencement and completion dates, FortisBC shall notify the Municipality of the changes and the reasons for them prior to continuing the work.

### **7.8 Non-Compliance**

If Company Facilities located in Public Places are later found not to be located in compliance with FortisBC's notice of New Work or Service Line Work provided in accordance with Sections 7.1 and 7.3, then any alteration or upgrading required to bring them into compliance with such notice will be at the expense of FortisBC provided that the work has not been altered, damaged or modified by the Municipality or a third party.

## **7.9 Prime Contractor**

Where FortisBC performs any work in a Public Place, FortisBC shall act as the prime contractor or designate in writing its contractor to act as the prime contractor, within the meaning of Section 118 of the Workers Compensation Act (British Columbia) unless otherwise designated in writing by the Municipality or a third party working in such Public Place.

## **8. CLOSURE OR EXPROPRIATION OF PUBLIC PLACES**

### **8.1 Closure of Public Places**

Before any Public Places containing Company Facilities may be legally closed or alienated by the Municipality, the Municipality shall as soon as reasonably possible notify FortisBC of its intent to close or alienate such Public Places and either:

- (a) grant FortisBC a registered statutory right of way in a form satisfactory to FortisBC so as to maintain FortisBC's right to use the land; or
- (b) request FortisBC to remove and (if possible and practicable) relocate those Company Facilities affected by such closure or alienation at the sole cost of the Municipality.

### **8.2 Expropriation of Public Places**

If the Public Places are expropriated by an expropriating authority and FortisBC is required to remove the Company Facilities then the Municipality shall as soon as reasonably possible notify FortisBC of the expropriation. This Section 8.2 is applicable when the Municipality receives official notice of expropriation or otherwise becomes aware of expropriation through communications with the expropriating authority.

## **9. FACILITY CHANGES REQUIRED**

### **9.1 By FortisBC**

FortisBC may provide Notice to the Municipality that it requires Municipal Facilities to be altered, changed or relocated to accommodate its requirements. The Municipality will comply with FortisBC's requests to the extent it is reasonably able to do so and with reasonable speed and dispatch after receipt of written request. FortisBC agrees to pay for all of the Costs for changes to the affected Municipal Facilities. The Municipality shall provide estimates and invoices to FortisBC in respect of such work in accordance with Section 15 of this Agreement.

### **9.2 By the Municipality**

The Municipality may provide Notice to FortisBC that it requires Company Facilities to be altered, changed, temporarily shut-down, temporarily by-passed, or relocated to accommodate its requirements. FortisBC will comply with the Municipality's requests to

the extent it is reasonably able to do so and with reasonable speed and dispatch after receipt of written request. The Municipality agrees to pay for all of the Costs for changes to the affected Company Facilities except where such Company Facilities were not installed in conformity with Section 7.7 of this Agreement. FortisBC shall provide estimates and invoices to the Municipality in respect of such work in accordance with Section 15 of this Agreement.

This Section 9.2 is an agreement between the Municipality and FortisBC for the purpose of section 76(1)(c) of the *Oil and Gas Activities Act*.

## **10. JOINT PLANNING, COOPERATION AND COORDINATION**

### **10.1 Conduct of Construction and Maintenance Activities**

The Municipality and FortisBC agree to use reasonable efforts in carrying out their construction and maintenance activities in a manner that is responsive to the effect that it may have on the other party, as well as other users of Public Places. Such reasonable efforts include attending the planning meetings described in Section 10.2 below and reducing as much as is practical, the obstruction of access to Public Places, and interference with the facilities and activities of others in Public Places.

### **10.2 Communication and Coordination Activities**

At the initiation of the Municipality, representatives of the Municipality, FortisBC and other affected Utilities and third parties will meet each year, prior to the construction season, to discuss the parties' anticipated construction activities for that year and to review Planned Facilities. Such discussions will include

- (a) safe working practices;
- (b) the use of common trenching, common utility access facilities and such other common facilities as may be commercially reasonable and comply with operating and safety standards; and
- (c) the consolidation of planned New Work, Impact Service Work and maintenance work especially where pavement must be cut in order to avoid multiple excavations.

### **10.3 Municipal Planning Lead**

During such annual planning meetings, the Municipality shall lead the planning process for all Utilities and third parties with Planned Facilities in Public Places.

### **10.4 Mapping Information**

#### **10.4.1. Municipal Information**

The Municipality shall supply to FortisBC at no cost all record drawings and information it has for Municipal Facilities.

#### **10.4.2. FortisBC Information**

FortisBC shall supply to the Municipality at no cost all record drawings and information it has for Company Facilities within the Municipality, including abandoned mains.

#### **10.4.3. Co-Operation**

FortisBC and the Municipality shall co-operate to improve their mapping systems so they are compatible, provide the necessary information and are easily accessible to both parties.

### **11. MUTUAL INDEMNITY**

#### **11.1 Indemnity by FortisBC**

**11.1.1.** FortisBC indemnifies and protects and saves the Municipality harmless from and against all claims by third parties in respect to loss of life, personal injury (including, in all cases, personal discomfort and illness), loss or damage to property caused by FortisBC in:

- (a) placing, constructing, renewing, altering, repairing, maintaining, removing, extending, operating or using the Company's Facilities on or under any Public Places; and
- (b) any breach of this Agreement by FortisBC;

except to the extent contributed by negligence or default of the Municipality or the Municipal Employees.

**11.1.2.** This indemnity expressly extends to all acts and omissions of FortisBC Employees.

#### **11.2 Indemnity by the Municipality**

**11.2.1.** The Municipality indemnifies and protects and saves FortisBC harmless from and against all claims by third parties in respect to loss of life, personal injury (including, in all cases, personal discomfort and illness), loss or damage to property to the extent caused by the Municipality in:

- (a) placing, constructing, renewing, altering, repairing, maintaining, removing, extending, operating or using the Municipal Facilities on or under any Public Places;
- (b) any breach of this Agreement by the Municipality;

except to the extent contributed by the negligence or default of FortisBC or FortisBC Employees.

**11.2.2.** This indemnity expressly extends to all acts and omissions of Municipal Employees.

### **11.3 Limitations on Municipality's Liability**

All property of FortisBC kept or stored on the Public Places will be kept or stored at the risk of FortisBC. For further certainty, FortisBC acknowledges that the Municipality has made no representations or warranties as to the state of repair or the suitability of the Public Places for any business, activity or purpose whatsoever. FortisBC accepts its use of Public Places on an "as is" basis.

### **11.4 No Liability for Approval of Drawings and Plans**

The Municipality shall not be liable to FortisBC as a result only of the Municipality's approval of drawings and plans in connection with notices or applications for permits provided by FortisBC to the Municipality pursuant to this Agreement.

## **12. OPERATING FEE**

### **12.1 Fee Calculation**

**12.1.1.** FortisBC agrees to pay to the Municipality a fee of three percent (3%) (the "Operating Fee") of the gross revenues (excluding taxes) received by FortisBC for provision and distribution of all gas consumed within the Boundary Limits of the Municipality, other than gas consumed by customers from whom the BCUC has not allowed FortisBC to collect the Operating Fee, provided that the Municipality is permitted by law to charge such a fee. Such amount will not include any amount received by FortisBC for gas supplied or sold for resale.

**12.1.2.** The Municipality will provide FortisBC with thirty (30) days prior written notice of any boundary expansion so that existing and new customers in the expanded area can be included as a part of the annual payment fee.

**12.1.3.** FortisBC will be responsible for adding those existing and new customers within the new Municipal boundary upon receipt of such notice from the Municipality and the revised calculation of the fee will commence effective the date that is the later of the date of actual boundary change or thirty (30) days after the notification under section 12.1.2.

### **12.2 Payment Date and Period**

Payments by FortisBC to the Municipality will be made on the first day of March of each year of the Agreement in respect of the amount received by FortisBC during that portion of the term of this Agreement which is in the immediately preceding calendar year. By way of example only, payment made on March 1, 2015 will be the amount received during the 2014 calendar year.

### **12.3 BCUC Decision or Provincial Legislation**

In the event that a decision by the BCUC, other than periodic rate changes as a result of commodity, delivery or margin increases or decreases, or new legislation by the Provincial Government, impacts the operating fee being paid to the Municipality so as to increase it or decrease it by more than 5% annually at the time of the decision or in subsequent years, the parties shall negotiate a new operating fee formula which best reflects the revenue stream received by the Municipality under this Agreement. For greater certainty, the parties acknowledge that a change to the BCUC's decision that FortisBC shall provide the agency billing and collections service for marketers on a mandatory basis, as set out in the "Business Rules for Commodity Unbundling", dated June 5, 2003 as set out in Appendix A to Letter No. L-25-03, may impact the operating fee being paid to the Municipality.

### **13. OTHER APPROVALS, PERMITS OR LICENSES**

Except as specifically provided in this Agreement, the Municipality will not require FortisBC to seek or obtain approvals, permits or licenses related to FortisBC's use of the Public Places as contemplated in this Agreement. The Municipality will not charge or levy against FortisBC any approval, license, inspection or permit fee, or charge of any other type, that in any manner is related to or associated with FortisBC constructing, installing, renewing, altering, repairing, maintaining or operating Company Facilities on any Public Places or in any manner related to or associated with FortisBC exercising the powers and rights granted to it by this Agreement (other than for repair of damage to the Municipal Facilities or Public Places in accordance with Section 15) .

If the Municipality does charge or levy fees or costs against FortisBC (other than for repair of damage to the Municipal Facilities or Public Places in accordance with Section 15) then FortisBC may reduce the annual operating fee payable to the Municipality under Section 12 by an amount equal to such charges, fees or costs or in the event no annual operating fee is payable, FortisBC will not be required to pay such charges or fees or costs.

### **14. MUNICIPAL OBLIGATIONS**

#### **14.1 Municipal Work**

**14.1.1.** Before the Municipality undertakes routine maintenance and repair that is likely to affect Company Facilities, it must give FortisBC as much notice as it can but not less than fifteen (15) days before commencing such construction or maintenance activity.

**14.1.2.** Where the Municipality is required to carry out Emergency Work, the Municipality shall not be required to give prior notice but shall do so as soon as possible thereafter.

**14.1.3.** FortisBC will be entitled to appoint at its cost a representative to inspect any construction or maintenance activity undertaken by the Municipality. The provisions of this section do not relieve the Municipality of its responsibilities under the *Gas Safety Act*, *Oil and Gas Activities Act*, and successor legislation, regulations thereunder, or the requirements of the BC Workers' Compensation Board.

**14.1.4.** In addition, the Municipality shall provide Notice to FortisBC of any work planned that will be adjacent to, across, over or under a Transmission Pipeline or within a right-of-way for a Transmission Pipeline. To the extent that FortisBC requires that permit be issued for construction or other activities within a Transmission Pipeline right-of-way, the Municipality will submit an application for such a permit in sufficient time for the application to be reviewed and approved by FortisBC prior to the commencement of the construction or other activity.

**14.1.5.** The Municipality shall assist FortisBC in FortisBC's efforts to reduce instances of residences being built over gas lines and other similarly unsafe building practices by third parties.

**14.1.6.** The Municipality shall not interfere with Transmission Pipeline markers.

**14.1.7.** The Municipality shall provide notice to FortisBC of any damage caused by the Municipality to Company Facilities or Transmission Pipeline Markers as soon as reasonably possible. To the extent that any of the work being done by the Municipality results in damage to the Company Facilities, the Municipality will report such damage and pay FortisBC its Costs arising from such damage in accordance with Section 15.1 below. Where such damage results directly from inaccurate or incomplete information supplied by FortisBC, and the Municipality has complied with all applicable laws and regulations, and with instructions supplied by FortisBC, then the cost of repairing the damaged Company Facilities will be at the expense of FortisBC.

**14.1.8.** The Municipality shall notify FortisBC of any new bylaws, standards or policies adopted or passed by the Municipality that are likely to affect FortisBC's operations in Public Places.

## **15. COSTS AND PAYMENT PROCEDURES**

### **15.1 Definition of Costs**

Wherever one party is required to pay the other party Costs as a result of damage caused by one party to the other's property or for facility changes required in accordance with Section 9 of this Agreement, the Costs shall be:

- (a) all direct expenses and disbursements incurred to restore such property to as good a state of repair as had existed prior to the damage;

- (b) reasonable administration and overhead charges on labour, equipment and materials;
- (c) such taxes as may be required in the appropriate jurisdiction;
- (d) the cost of the lost commodity as determined by the claiming party;
- (e) the cost for additional work related to the damage (for example, gas relights, flushing water mains); and
- (f) cost of supplying alternate or temporary service until the repair of the property is made.

## **15.2 Cost Claim Procedures**

**15.2.1.** Wherever one party is claiming Costs of the other party in regard to any work or issue arising under this Agreement the claiming party shall:

- (a) Notify the other party of the loss no later than two (2) months after incurring costs and provide an invoice to the other party no later than one year after incurring Costs;
- (b) provide detailed descriptions of the cost items, provided that claiming party may require the other party to keep sensitive business information, including third party information, confidential;
- (c) provide the time period the invoice covers;
- (d) provide a minimum of twenty-one (21) day terms for payment of the invoice; and
- (e) provide for late payment interest at the rate consistent with the party's policy for charging for late payments, which rate must be reasonable.

**15.2.2.** The party claiming Costs shall have no right of set off for these invoices against any amounts otherwise payable to the other party, except to the extent so approved in writing by the other party.

## **15.3 Cost Verification Procedures**

**15.3.1.** Wherever either party is the recipient of or is claiming Costs and or fees that party may at its own discretion request from the other party:

- (a) Certification by an officer or designated representative verifying the calculations and computations of the Costs and or fees; or
- (b) An internal review or audit of the calculations and computations of the Costs and or fees, with the internal review or audit to be carried

out by a person appointed by the party being asked to provide the review; or

- (c) An independent external audit of the calculations and computations of the costs and fees, with the independent external auditor being a Chartered or a Certified General Accountant in British Columbia appointed by the party requesting the external audit.

**15.3.2.** The costs of this cost verification process shall be borne by the party who is required to supply the information except as otherwise specified providing the frequency of such requests does not exceed once per calendar year. For all future cases which occur in that calendar year, the costs of such further verifications shall be at the expense of the requester.

Where the independent external audit finds and establishes errors representing a variance greater than two (2%) percent of the originally calculated value in favour of the party claiming Costs, the costs shall be at the expense of the party supplying the information. Once an error has been verified, payment or refund of the amount found to be in error will be made within twenty-one (21) days.

## **16. START, TERMINATION AND CONTINUITY**

### **16.1 Municipal Authority to Enter into Agreement**

Prior to entering into this Agreement the Municipality will complete all procedures, obtain all consents and enact and bring into force all resolutions required under the *Community Charter*, and amendments thereto, and all other applicable legislation, to approve and authorize this Agreement.

### **16.2 Agreement Not Binding Until Conditions Met**

This Agreement will not come into effect and does not bind the parties until:

- (a) FortisBC has obtained such approvals of this Agreement, or its terms, as may be required under the *Utilities Commission Act*; and
- (b) The Municipality has obtained authority permitting it to charge the operating fee set out in Section 12.1 this Agreement.

Upon executing this Agreement FortisBC shall make reasonable efforts to fulfill the condition under paragraph (a) and the Municipality shall make reasonable efforts to fulfill the condition under paragraph (b). If these conditions is not fulfilled or waived within one (1) year of the date of execution of this Agreement, then the obligation on FortisBC or the Municipality, as the case may be, to make reasonable efforts to fulfill the condition will terminate, and neither party will have any further obligation to the other under this Agreement.

### **16.3 Termination of Franchise Agreement**

If not already terminated or expired, any franchise and operating agreement between the Municipality and FortisBC is terminated upon the effective date of this Agreement as referred to in Section 16.2 of this Agreement.

### **16.4 Term of Agreement**

This Agreement will have a term of twenty (20) years from the date that it comes into effect and after the initial term shall continue indefinitely unless terminated in accordance with Section 16.5 below.

### **16.5 Termination of Agreement**

**16.5.1.** This Agreement may be terminated by the Municipality upon the occurrence of any of the following events:

- (a) FortisBC admits its inability to pay its debts generally as they become due or otherwise acknowledges its insolvency;
- (b) FortisBC starts proceedings or takes any action to commence or executes an agreement to authorize its participation in any proceeding:
  - (i) seeking to adjudicate it bankrupt or insolvent;
  - (ii) seeking liquidation, reorganization, arrangement, protection, relief or composition of it or any of its property or debt or making a proposal with respect to it under any law relating to bankruptcy, insolvency, reorganization or compromise of debts or other similar laws; or
  - (iii) seeking the appointment of a receiver, trustee, agent, custodian or other similar official for it or for any substantial part of its assets or if a creditor seeks the appointment of a receiver, trustee, agent, custodian or other similar official for any substantial part of its assets; and such proceeding is not dismissed, discharged, stayed or restrained within twenty (20) days of the Municipality becoming aware of it.

**16.5.2.** Either party may terminate if other breaches any term, provision, obligation hereunder and such breach, is a material major breach, and has not been cured within sixty (60) days of receipt of Notice of such breach. A Party will not be considered to be in default if such matter is in dispute or has been referred to commercial arbitration, the outcome of which is pending, or is being resolved in good faith compliance with the dispute resolution and arbitration processes of this Agreement.

**16.5.3.** After the initial twenty (20) year term of this Agreement, either party may terminate this Agreement by giving the other not less than one (1) year's notice of termination.

## **16.6 Amendments and Waivers**

This Agreement may be amended only by an agreement in writing signed by the parties. No waiver of any provision nor consent to any exception to the terms of this Agreement shall be effective unless in writing and signed by the parties to be bound, and then only to the specific purpose, extent and instance so provided. No waiver, delay or failure to exercise any rights under this Agreement shall be construed as a continuing waiver of such right or as a waiver of any other right under this Agreement.

The parties agree to meet to discuss the operations of the Agreement within thirty (30) days of either party making the request. Such a meeting will determine whether any amendments are required to this Agreement and the parties shall discuss any proposed amendments with a view to maximizing the benefit of the relationship.

## **16.7 Negotiations on Termination or Expiry of this Agreement**

Upon one party giving Notice to the other of termination of this Agreement, the parties shall negotiate in good faith to enter into a new agreement with respect to the terms and conditions under which FortisBC may use the Public Places. In the event that such negotiations break down and in the opinion of one or other of the parties acting in good faith that settlement is unlikely, either party may give Notice to the other of its intention to apply to the BCUC to seek resolution of the terms and conditions applicable to FortisBC's continued operations and construction activities within the Municipality.

## **16.8 Continuity In The Event No Agreement Is Settled**

Upon the expiry or termination of this Agreement, if a new agreement has not been ratified or if the BCUC has not imposed the terms and conditions under which FortisBC may use the Public Places, the following provisions will apply:

- (a) The Company Facilities within the boundary limits of the Municipality both before and after the date of this Agreement shall remain FortisBC's property and shall remain in the Public Places.
- (b) The Company Facilities may continue to be used by FortisBC for the purposes of its business, or removed from Public Places in whole or in part at FortisBC's sole discretion.
- (c) FortisBC may continue to use Public Places within the Municipality for the purposes of its business. FortisBC's employees, may enter upon all the Public Places within the Boundary Limits of the Municipality to maintain, operate, install, construct, renew, alter, or place Company Facilities; provided that FortisBC continues to operate in a manner consistent with the terms and conditions of this Agreement as if the term had been extended except with respect to the payment of the operating fee.

- (d) FortisBC will with the support of the Municipality take such steps necessary to seek BCUC approvals of the extension of terms and conditions including payment of the operating fee under the terminated agreement during negotiations of a new agreement.
- (e) Should FortisBC no longer be authorized or required to pay the operating fee under this or any other Agreement between it and the Municipality or by any order of the BCUC, the Municipality shall be free to apply such approval, permit and licence fees, charges and levies it is legally entitled to collect.

## **17. ACCOMMODATION OF FUTURE CHANGES**

### **17.1 Outsourcing of Infrastructure Management**

In the event that the Municipality assigns the task of infrastructure management to a third party:

- (a) the Municipality will ensure that its contracts for such infrastructure management contain provisions that will allow the Municipality to meet its obligations under and to comply with the terms and conditions of, this Agreement; and
- (b) FortisBC will accept the appointment of such third party as the Municipality's agent or subcontractor to enable such third party to deal directly with FortisBC so as to enable the Municipality to comply with the terms, obligations and conditions of this Agreement.

### **17.2 Changes to the Community Charter**

In the event that the provisions of the *Community Charter* or other legislation affecting the rights and powers of municipalities change in such a way as to materially, in the opinion of the Municipality, affect municipal powers in respect to matters dealt with in this Agreement,

- (a) the Municipality may within one year of the change coming into effect propose new agreement terms with respect to only those specific changes and FortisBC agrees to negotiate such terms; and
- (b) failing satisfactory resolution of the terms of the Agreement either of the parties may seek resolution through the Dispute Resolution Process, Section 18.

### **17.3 Changes to the Utilities Commission Act**

In the event that the provisions of the *Utilities Commission Act* or other legislation affecting the rights and powers of regulated Utilities change in such a way as to

materially, in FortisBC's opinion, affect FortisBC's powers in respect to matters dealt with in this Agreement,

- (a) FortisBC may within one year of the change coming into effect propose new agreement terms with respect to only those specific changes and the Municipality agrees to negotiate such terms; and
- (b) failing satisfactory resolution either of the parties will seek resolution through the Dispute Resolution Process, Section 18.

## **18. DISPUTE RESOLUTION**

### **18.1 Mediation**

Where any dispute arises out of or in connection with this Agreement, including failure of the parties to reach agreement on any matter arising in connection with this Agreement, the parties agree to try to resolve the dispute by participating in a structured mediation conference with a mediator under the Rules of Procedure for Commercial Mediation of The Canadian Foundation for Dispute Resolution.

### **18.2 Referral to the BCUC or Arbitration**

If the parties fail to resolve the dispute through mediation, the unresolved dispute shall be referred to the BCUC if within its jurisdiction. If the matter is not within the jurisdiction of the BCUC, such unresolved dispute shall be referred to, and finally resolved or determined by arbitration under the Rules of Procedure for Commercial Arbitration of The Canadian Foundation for Dispute Resolution. Unless the parties agree otherwise the arbitration will be conducted by a single arbitrator.

### **18.3 Additional Rules of Arbitration**

The arbitrator shall issue a written award that sets forth the essential findings and conclusions on which the award is based. The arbitrator will allow discovery as required by the *Arbitration Act* of British Columbia in arbitration proceedings.

### **18.4 Appointment of Arbitrator**

If the arbitrator fails to render a decision within thirty (30) days following the final hearing of the arbitration, any party to the arbitration may terminate the appointment of the arbitrator and a new arbitrator shall be appointed in accordance with these provisions. If the parties are unable to agree on an arbitrator or if the appointment of an arbitrator is terminated in the manner provided for above, then any party to Agreement shall be entitled to apply to a judge of the British Columbia Supreme Court to appoint an arbitrator and the arbitrator so appointed shall proceed to determine the matter *mutatis mutandis* in accordance with the provisions of this Section.

### **18.5 Award of Arbitrator**

The arbitrator shall have the authority to award:

- (a) money damages;
- (b) interest on unpaid amounts from the date due;
- (c) specific performance; and
- (d) permanent relief.

#### **18.6 Cost of Arbitration**

The costs and expenses of the arbitration, but not those incurred by the parties, shall be shared equally, unless the arbitrator determines that a specific party prevailed. In such a case, the non-prevailing party shall pay all costs and expenses of the arbitration, but not those of the prevailing party.

#### **18.7 Continuation of Obligations**

The parties will continue to fulfill their respective obligations pursuant to this Agreement during the resolution of any dispute in accordance with this Section 18, provided that, neither party shall proceed with any work or activity or take any further action which is the subject matter of the dispute.

#### **18.8 Matters Not subject to Arbitration**

For certainty the conditions precedent referred to in Section 16.2 shall not be subject to arbitration.

### **19. GENERAL TERMS & CONDITIONS**

#### **19.1 No Liens**

FortisBC will do its best to not allow, suffer or permit any liens to be registered against the Company Facilities located in Public Places as a result of the conduct of FortisBC. If any such liens are registered, FortisBC will start action to clear any lien so registered to the Public Place within ten (10) days of being made aware such lien has been registered. FortisBC will keep the Municipality advised as to the status of the lien on a regular basis. In the event that such liens are not removed within ninety (90) days of the registration of such lien, FortisBC will pay them in full or post sufficient security to ensure they are discharged from title.

#### **19.2 Corporate Authority**

FortisBC now warrants, represents and acknowledges that:

- (a) it has the full right, power and authority to enter into this Agreement; and

- (b) it is a corporation, duly organized, legally existing and in good standing under the laws of its jurisdiction of incorporation or continuance and is lawfully registered and licensed to do business in British Columbia.

### **19.3 Representations**

Nothing in this Agreement shall be deemed in any way or for any purpose to constitute either party as the legal representative, agent, partner or joint venturer of the other, nor shall either party have the right or authority to assume, create or incur any liability or any obligation of any kind, express or implied, against, in the name of, or on behalf of the other party.

### **19.4 Assignments and Enurement**

This Agreement and any rights or obligations under it are not assignable by either party, without the prior written consent of the other party hereto, such consent not to be unreasonably withheld. This Agreement shall be binding upon, enure to the benefit of, and be enforceable by, the successors and permitted assigns of the parties hereto.

### **19.5 Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.

### **19.6 General**

This Agreement is subject to the laws of Province of British Columbia and the applicable laws of Canada, and nothing in this Agreement will be deemed to exclude the application of the provisions of such laws, or regulations thereunder.

### **19.7 Entire Agreement**

This Agreement constitutes the entire agreement and understanding of the parties with respect to the subject matter herein contained and supersedes all prior agreements and undertakings with respect thereto.

### **19.8 Severability**

If any provision of this Agreement is held invalid by any court, governmental agency or regulatory body, the other provisions to the extent permitted by law shall remain in full force and effect. To the extent permitted by applicable law, the parties hereby waive any provision of law that renders any provision hereof prohibitive or unenforceable in any respect.

### **19.9 Force Majeure**

Neither party shall be liable to the other for temporary failure to perform hereunder, if such failure is caused by reason of an Act of God, labour dispute, strike, temporary breakdown of facilities, fire, flood, government order or regulations, civil disturbance,

non-delivery by program suppliers or others, or any other cause beyond the parties' respective control.

**19.10 Notice**

Any notice or other written communication required, or permitted to be made or given pursuant to this Agreement (the "Notice") shall be in writing and shall be deemed to have been validly given if delivered in person or transmitted electronically and acknowledged by the respective parties as follows:

(A) If to the Municipality:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(B) If to FortisBC:

FORTISBC ENERGY (VANCOUVER ISLAND) INC.  
16705 Fraser Highway  
Surrey, B.C. V4N 0E8  
Attention: Director, Regulatory Affairs

**CITY OF** \_\_\_\_\_  
by its authorized signatories

\_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
Authorized Signatory

**FORTISBC ENERGY (VANCOUVER ISLAND) INC.**  
by its authorized signatories

\_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
Authorized Signatory

**Gas Service Line Work  
Permit Request  
Vancouver Island Municipalities**

**SCHEDULE A**



To Municipality:	Fax/email:	Date (Yr/ Mth/ Day) / /
------------------	------------	----------------------------

FortisBC Energy (Vancouver Island) Inc. hereby gives notice of its intention to perform work on a natural gas service to the following listed addresses, and that excavations within a public place will occur at each location

Project number	Fortis Contact	Address	Service location	Impacts involved	Permit#

**Instructions:**

- Email is preferred
- Describe service location relative to facing front of property, i.e. Front/Left, Centre or Right: Back/Right Centre or Right
- Brief description of impact;
  - Impacts are:**
    - Public pavement
    - Public trees, wetlands or other such environmentally sensitive areas
    - Archeologically significant areas
    - Existing municipal or third party facilities

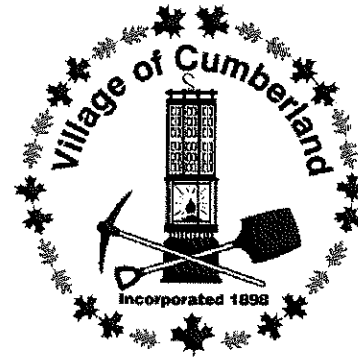
**General Conditions:**

As contained in the operating agreement between the Municipality and FortisBC Energy (Vancouver Island) Inc.

**Reply to:**

Pre-Requisite Desk FortisBC Energy (Vancouver Island) Inc. 16705 Fraser Highway, Surrey, BC V4N 0E8 E-mail: Pre-RequisiteDesk@FortisBC.com Toll free tel: 1-866-771-7337 Toll free fax: 1-877-413-1152
---

# COUNCIL REPORT



REPORT DATE: October 7, 2014  
 MEETING DATE: October 14, 2014  
 TO: Mayor and Councilors  
 FROM: Leah Knutson  
 Manager of Recreation  
 SUBJECT: September 2014 Recreation Department Report

---

## RECOMMENDATION

That Council receives the September 2014 Recreation Department Report for information.

### Administration

- Recreation Managers from the Comox Valley met regarding joint marketing on September 17<sup>th</sup>. As a result the Village Recreation Department will have a one page ad in the Comox Valley Rec Reporter for the winter 2015 brochure and has committed to having content for the main body of the brochure for spring 2015.
- The Recreation Review survey was launched September 30, 2014.
- Registration procedures have been evaluated and refined to ensure better tracking of participant information.
- The Recreation Department now has a Facebook Page, Cumberland Parks and Recreation. This page will be used to promote information and programs that are happening in the Village of Cumberland parks and recreation facilities.

### Facilities

- The HVAC unit contract for the Fitness Studio has been awarded; we are just working on timing for the installation so there is minimal shutdown time in the weight room.
- A preliminary meeting was held with Rob Crisfield, Manager of Operations, to discuss the Facility Review. This portion of the strategic plan will get underway in October.

### Programs and Events

- The RecEd kids program which ran for the duration of the teachers strike (Sept 2 – Sept 19) was a success with an average attendance of 15 kids per day.
- The first day of School (Sept 22) was half day, so the CRI ran a drop in program from 11:45 – 3:30pm. It had 22 kids attend.
- A number of the CRI recreation program start dates have been adjusted so that they started late September and early October. Registrant numbers were too low to run the classes in

early September, this low interest is thought to be a result of the teachers strike combined with the nice weather. This slow start to fall programming has been documented throughout the Valley in other recreation departments. All of the managers noted that there has been a slow increase in registrations since the strike ended.

- The Recreation Department and Cumberland Community Schools are partnering to offer an afterschool program in the Cultural Centre on Mondays as well as a ProD day program in October.

#### **Parks**

*See attached Memorandum from the Parks and Recreation Coordinator.*

#### **FINANCIAL IMPLICATIONS**

None

#### **STRATEGIC OBJECTIVE**

None

#### **ATTACHMENTS**

None

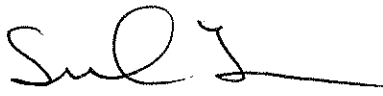
#### **OPTIONS**

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

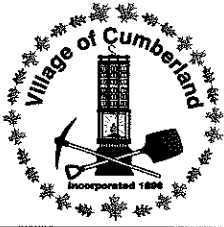
Respectfully submitted,



Leah Knutson  
Manager of Recreation  
Village of Cumberland



Sundance Topham  
Chief Administrative Officer



# Corporation of the Village of Cumberland

## Memorandum

**DATE:** October 6, 2014  
**TO:** Leah Knutson, Manager of Recreation  
**FROM:** Kevin McPhedran, Parks and Outdoor Recreation Coordinator  
**SUBJECT:** September 2014 Parks and Outdoor Recreation Report

---

### BACKGROUND

This report provides a synopsis of the major ongoing projects and tasks relating to parks and outdoor recreation in Cumberland.

### PROJECTS

1. Work in Partnership with the United Riders of Cumberland:
  - a. Land access agreement initiative: staff continues to support UROC on access agreement proposals submitted to major landowners and hosted a very successful meeting with TimberWest staff in September.
  - b. Jump Park: staff are finalizing an agreement with UROC to work together on the park design over the fall and winter, with construction tentatively planned for spring 2015. A project update report will be brought forward to Council later this fall.
  - c. Ongoing monitoring of trail counters.
  - d. Staff are expecting to hear back soon on the joint application (Village - UROC) submitted to the National Trails Coalition grant for federal funds to assist with Cumberland Trail Network improvements.
2. Skatepark Project: responses to the Request for Proposal for the conceptual and technical design of the skatepark and adjacent hard court play areas were evaluated in September in conjunction with the CCSS Skatepark Committee. The project was awarded to Outlook Land Design who have partnered with Spectrum Skateparks. The first of two community open houses/design workshops will be scheduled for early-mid November.
3. Park Use Permits: ongoing processing of Park Use Permit applications for events and commercial use of Village parks in 2014.
4. Coal Creek Historic Park: staff continue to work with the Coal Creek Historic Park Advisory Committee and the Cumberland Museum and Archives on improvements to the Chinatown Walking Tour signage.
5. Invasive plants: Coastal Invasive Species Committee (CISC) contractors completed treatments of knotweed and other priority invasive plants on Village lands during September.

6. Lake Park Master Plan: Conceptual Park plans were presented to the community at the September 17<sup>th</sup> Open House and were well received. Based on these conceptual plans, Golder Associates is now working on the draft Plan and will present this to the community at the October 23<sup>rd</sup> Open House.
7. 2015 Lake Park Operations: as the existing contract with the Lake Park operator expires on December 31, 2014, staff are evaluating options for future park operations.
8. 2014 Capital Projects:
  - a. Dog Park Kiosk installation contract has been finalized and work will proceed in October.
  - b. Coordination of other upgrades in Village Park, including irrigation improvements and the planting of trees, are also ongoing.
9. Cumberland Community Forest Society: staff met with the contractor responsible for monitoring the Comox Valley Land Trust-held covenant to discuss management of the Cumberland Community Forest.
10. Grant in Aid program: staff completed a review of the park and recreation facility rental Grant in Aid program and reported to Council on future options for the program.

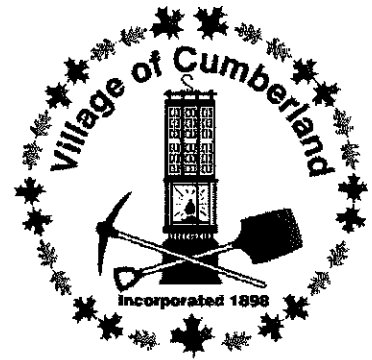
Respectfully submitted,



Kevin McPhedran

Parks and Outdoor Recreation Coordinator

# COUNCIL REPORT



REPORT DATE: September 30, 2014

MEETING DATE: October 14, 2014

File No. 7200-02

TO: Mayor and Councilors

FROM: Mike Williamson, Fire Chief / Manager of Protective Services

SUBJECT: Protective Services Report, September 2014

---

## RECOMMENDATION

THAT Council receive the September 2014 Protective Services Report.

## SUMMARY

Incidents for September 2014

Response Type	September
Fire	3
Rescue	0
First Responder	10
Motor Vehicle Incident	7
Duty Officer	8
Total Monthly:	28
Total 2014:	148

## BACKGROUND

The Fire Department was very busy in September with 28 responses including a few major MVIs out on the highway and a major house fire on Kendal Avenue.

On the fire, the crews undertook a defensive attack as crews arrived on scene and the fire had all ready spread up the entire DELTA wall and into the attic space. The natural gas meter had already burnt off its connection and the fire was burning intensely up the same wall. Members worked diligently to protect the adjacent house which was very close to also being fully involved. Crews managed to control the fire outside and protect the adjacent house while still

battling the original blaze which reached the unprotected attic space. It took about 40 minutes to get it all totally under control.

MVIs were up this month with a few on the highway and couple in town. However, no serious injuries were reported but the frequency seems to be up a little. The Duty Officer's calls are up a little with the start of backyard recreational fires and calls.

The yard waste fire period begins on October 15 with a permit and also land clearing and forestry burning piles will be permitted as weather permits. We work closely on these larger burns try and mitigate smoke and ash problems by working with permit holders to control the size of the fire. Burn plans are developed and permit holders must work with the Venting Index.

We had a great summer in regards to bush fires and really a quiet summer with few complaints and generally everyone did a good job. Even with the fire ban on we had one major complaint on Kentwood road burning against regulation.

We had a loss of long time honorary life member of Cumberland Fire Rescue. Former Fire Chief Ken McClure passed away of a heart attack in Golden B.C. where he was an active fire chief there for the last three and a half years. Ken had 25 years with Cumberland Fire. Cumberland Fire will be holding an honorary parade and service for him on October 18 starting 11am in the CRI hall.

Work has been done purchasing budgeted items and trying to get the best deal for our money.

The cougar problem in the Village has seemed to have backed off. There is still the odd report of them around but not anything aggressive has been reported that we are aware of. They have seemed to move back into the woods. Bear sightings are up with a few bears in the Village looking for food. Hopefully people are keeping close eye on their garbage making sure it is secured so the bears stay out and picking their fruit. These things will bring bears around as they are actively looking to find winter food.

I am working closely with the new Bylaw Officer and things are working out good. He has been a nice smooth fit into our program which has been good.

Always looking at doing more prevention work, with a recent article was published in the Currently Cumberland paper.

## **Membership**

Regular Members	24
Junior Members:	2
Probationary Members:	8
Pending Applications:	1
<b>Total</b>	<b>34</b>

## **Training**

With the low water supply in the Village, the Department has stopped flowing water for a few weeks now at practices. We have started to turn our practices inside and do some first aid training and more book related sessions like traffic control and first responder, but will continue to do outside work. We also visit Comox training ground do some live fire practice, some auto extrication session to get ready for the winter roads and highway related calls. We know from past years the MVI calls will increase as we get into colder weather.

## **FINANCIAL IMPLICATIONS**

None

## **STRATEGIC OBJECTIVE**

None

## **ATTACHMENTS**

None

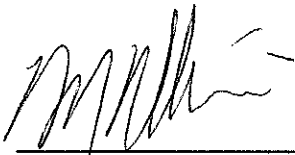
## **CONCURRENCE**

None

## **OPTIONS**

1. THAT Council receive the September 2014 Protective Services Report.
2. Any other action deemed appropriate by Council.

Respectfully submitted,



Mike Williamson  
Fire Chief/ Manager of Protective Services



Sundance Topham  
Chief Administrative Officer



# The Corporation of the Village of Cumberland

## *Bylaw Enforcement Report*

**Date:** October 6, 2014  
**To:** Mike Williamson, Manager of Protective Services  
**From:** TJ Moore, Bylaw Enforcement Officer  
**Re:** September 2014 Bylaw Enforcement Summary Report

---

Please find below a summary of complaints and issues handled in September 2014 by Village Bylaw Enforcement.

### Animal Control

Proactive patrols have reduced dogs off leash along with dogs at large. Over the month of September, no Village dogs were impounded. Education rather than enforcement has been the approach thus far and appears to be having a positive effect. There is a new manager at the SPCA and I have met with and already began building a strong relationship to further help our animal control needs. We now have afterhours access to the kennels when required.

Another topic that is beginning to rise up again is chickens. I have received minimal complaints but the question about allowing it has become almost a daily occurrence now. Our zoning bylaw requires an update to reflect the OCP and to limit the “grey” areas created.

### Traffic/Parking

Parking on Kendal Ave and Egremont Road areas continue to be a problem area. Proactive enforcement at varying hours has greatly reduced violators parking on the wrong side of the road, unsafely parking in front of stop signs and vehicles parking on the sidewalk. A new spot of concern is the top of the hill at First Street and Rydal Ave. Parking on this corner has lead to close calls and I have received four complaints in one week regarding concerns for safety with parking on both sides on the Rydal Ave hill near First Street.

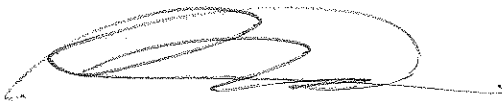
### Noise

There has been a decrease in the number of dog related noise complaints. Most complaints have been mitigated through education rather than enforcement. There are no ongoing open noise complaint files at this time.

Garbage

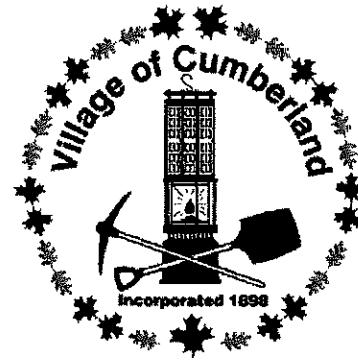
Garbage still continues to be a complaint generator. We continue to observe garbage being taken from residences by bears and strewn about neighboring property. We are actively investigating each garbage complaint received and delivering written warning notices to residents in contravention of our Solid Waste Bylaw.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TJ Moore', with a horizontal line underneath.

TJ Moore  
Bylaw Enforcement Officer  
Village of Cumberland

# COUNCIL REPORT



REPORT DATE: October 7, 2014  
MEETING DATE: October 14, 2014

TO: Mayor and Council  
FROM: Rob Crisfield, Manager of Operations  
SUBJECT: September 2014 – Operations Department Report

---

## RECOMMENDATION

THAT Council receive the September 2014 – Operations Department Report for information.

## SUMMARY

September 2014 – Operations Department Report

## BACKGROUND

Staff Report on Recent Activities undertaken by the Planning Department, Public Works Department and by the Manager of Operations.

### Manager of Operations Activities

#### ***Stevens Lake Dam***

All earthworks on this project are now complete including the work on the dam, the clearing and grubbing of the auxiliary spillway, and the installation of a new intake screen on the low level outlet under the concrete spillway. Work still remains on the installation of the steel walkway over the spillway.

#### ***Cumberland & Bevan Roads Design Work***

Gearing up to kick this project off with a startup meeting in the next week or two with the main consultant and sub consultants.

#### ***2014 Capital Road and Utility Work***

Work is well underway on these projects with a focus right now on finishing Maryport Avenue so asphalt can be laid before the asphalt plant close down for the winter season. The watermain has been installed on Allen/Second with services and a new fire hydrant still to be completed. The Upland crew is also working in the Lane N. of Maryport.

### ***Comox Lake Road Stabilization***

Following direction from Council to proceeding with the project, staff is now putting together a lump sum contract with GIS International. Work is anticipated to commence late December or within the first three months of 2015.

### ***Dam Safety Review***

Staff met with the Dam Safety Officer and need to complete some additional items that include incorporation of the findings from the study into our Emergency Response Plan.

### ***Carlisle Lane Subdivision***

A substantial complete inspection was conducted on September 8<sup>th</sup>. Staff continues to work with the developer and their engineer on some final requirements prior to registration of the phase one lots.

### ***Other Work***

- Cumberland School Campus site development,
- Work continues on the Utilities Replacement Plan as time permits.
- Concept plan for future parking improvements along Sixth Street immediately adjacent to Village Park.
- Water & Sewer GIS Mapping through the CVRD.
- Council Camber entrance improvements.
- GIS mapping and electronic service cards.
- Cumberland Creek #2 Dam design.
- Fourth Street @ Ulverston x-walk.
- Comox Lake Road watermain – have received approval for the upgrade from the Public Health Engineer.

## **FINANCIAL IMPLICATIONS**

None

## **STRATEGIC OBJECTIVE**

None

## **ATTACHMENTS**

1. Planning Report for September 2014
2. Public Works Report for September 2014

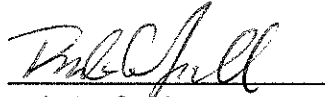
## **CONCURRENCE**

None

**OPTIONS**

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

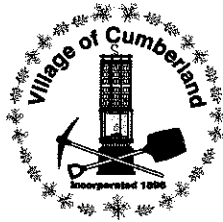
Respectfully submitted,



Rob Crisfield  
Manager of Operations



Sundance Topham  
Chief Administrative Officer



# Corporation of the Village of Cumberland

## Memorandum

**DATE:** October 6, 2014, 2014  
**TO:** Rob Crisfield, Manager of Operations  
**FROM:** Judith Walker, Senior Planner  
**SUBJECT:** Planning Report for September 2014

---

### OCP/ZONING AMENDMENTS

1. none
- 

### DEVELOPMENT PERMITS

1. **2013-01-DP Edwards, 4640 Cumberland Road:** Construction underway. Permit expires April 7, 2016.
  2. **2013-02-DP Carlisle Lane** – Construction underway. Permit expires March 27, 2016.
- 

### DEVELOPMENT VARIANCE PERMITS

1. **2013-01-DV 3249 First Street:** Variance to permit lot line change. In process.
  2. **2013-02-DV Trilogy Lot 9a:** Variance to permit initial subdivision without servicing. To be presented to Council when additional details are available.
  3. **2014-04-DV 2738 Maryport Avenue:** Variance request to reduce the rear yard setback from 4.5metres to 3.0metres in order to construct a garage/suite to the existing single family dwelling via a breezeway.
- 

### SUBDIVISION

1. **3339 Third Street:** **PLR expires January 8, 2015**  
Application for one lot subdivision. Design Stage Approval has been approved. Construction will be carried out by the Village as soon as time permits.
  2. **Initial Trilogy Subdivisions:** **PLR expires June 27, 2015.**  
Lots 3a, 3b, 3c, 4, 6, 7, 8a, 8b, 9a, 9b, 10a, 10b, 11.
  3. **3249 First Street:** Village initiated application to complete a lot line change for private property within the Village Works Yard. Surveyor completed drawings late July. Staff is working on Land Agreement and DVP.
  4. **Carlisle Lane:** **PLR expires August 14, 2015.**  
First phase of 8 lots. Construction has been approved and is underway.
  5. **Ulverston School Campus:** **PLR expires May 20, 2015.**  
Construction drawings have been approved.
-

**BUSINESS LICENSING:**

New for September	Non-Resident Business	None
	Home Occupation	None
	Resident Business	2779 Dunsmuir Avenue - Narutor Korean Cuisine 2719 Dunsmuir Avenue - Silk Fantasy Soap Company
	InterCommunity	None

**BUILDING PERMITS**

Provided advice/information on-Building/Plumbing Permits, prepared and kept forms and statistics, and processed Building/Plumbing Permit applications for review by Building Inspector.

New for September	New Residential	Residential Reno & Additions	Residential Accessory (new or reno)	Industrial, Commercial, or Institutional	Demolition
	2	1	0	1	0

Significant time has been spent on investigating the outstanding Building Permit damage deposits (to public infrastructure) which go back to 2004. A list has now been compiled, letters will be sent and as appropriate, refund cheques will follow.

**OTHER**

1. Provided verbal and written responses to enquiries regarding OCP and Zoning bylaw interpretation and potential land use and development proposals. Meet with public to confirm conformity of land use with Village bylaws.
2. Trees on public property: dealing with public's concerns for potential hazardous trees; coordinating arborist reports, pruning /removal, liaison with adjacent owners.

**BYLAWS IN PROCESS**

1.	Water Service Connection, Use, Extension, & Fees No. 952, 2014	In final draft, staff review in process, Council consideration Fall of 2014
2.	Storm Sewer Connection, Use, Extension, & Fees No. 953, 2014	
3.	Sanitary Sewer Connection, Use, Extension, & Fees No. 954, 2014	
4.	Manufactured Home Park Bylaw No. 971, 2013 (Repeals Bylaw 498, 1981)	Rewrite of Bylaw which regulates the establishment, extension, design & servicing of MHP. Proceed to Council consideration when Bylaws 952, 953, & 954 are completed.
5.	Tree Management Bylaw No. 947, 2011	Revisions to bylaw in process.
6.	Pesticide Use Control Bylaw No. ____, 2012 <i>Repeals Bylaw 838</i>	Amendment to clarify what pesticides are included, and its use for invasive plants on public lands. In progress
7.	Business License Bylaw No. 991, 2013	Amendment to require license fee at time of application. In progress.
8.	Parks & Greenways Bylaw No. 998, 2014	1 <sup>st</sup> reading 29Sep14. Amend at 2 <sup>nd</sup> reading anticipated 14Oct14.

---

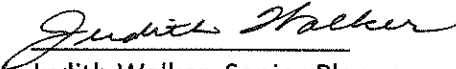
## **PROJECTS**

1. **Highway Entrance Signage:** Council has directed staff to investigate a directional entrance sign on the Inland Island Highway, north of Royston Road. Status report on 14Oct14 Council meeting.
  2. **Heritage Commission:** Meeting 6Oct14 and "walkabout" on Dunsmuir Avenue. Tanis Schulte has resigned from the HC (moved).
- 

## **PARKS PLANNING**

1. *For other parks activities, please refer to report by Parks & Outdoor Recreation Coordinator.*
- 

Respectfully submitted,

  
Judith Walker, Senior Planner

Year	New Residential		Residential Reno & Additions		Foundation / Relocated Homes		Residential Accessory (new or reno)		Industrial, Commercial, or Institutional		Demolition		Totals	
	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction
2014	20	\$3,794,305	8	\$254,200	Discontinued category included as new residential or renovations		5	\$118,300	4	\$520,000	0	\$0	37	\$4,86,805
2013	8	\$1,551,000	20	\$303,700			4	\$109,000	2	\$310,000	4	\$20,000	38	\$2,293,700
2012	10	\$2,104,000	18	\$286,850			3	\$122,000	6	\$873,000	0	\$0	37	\$3,385,580
2011	20	\$3,905,000	17	\$480,000			1	\$10,000	7	\$1,623,000	0	\$0	45	\$6,018,000
2010	29	\$5,260,000	27	\$754,340			3	\$63,000	6	\$3,408,300	0	\$0	65	\$9,485,640
2009	15	\$3,164,400	20	\$394,700			3	\$24,600	3	\$73,000	2	\$10,000	43	\$3,666,700
2008	69	\$11,932,080	18	\$365,220	22	\$1,154,000	7	\$105,640	2	\$101,000	0	\$0	118	\$13,657,940
2007	67	\$9,640,000	14	\$219,000	1	\$1,000	4	\$43,000	9	\$4,723,000	0	\$0	95	\$14,626,000
2006	60	\$7,177,625	18	\$315,500	2	\$38,000	5	\$24,920	5	\$1,045,000	0	\$0	90	\$8,601,045
2005	34	\$4,320,630	17	\$193,300	5	\$36,500	2	\$9,000	8	\$1,363,000	0	\$0	66	\$5,922,430
2004	13	\$1,508,675	6	\$87,000	1	\$4,500	5	\$28,000	2	\$2,103,675	0	\$0	27	\$3,731,850
2003	2	\$200,000	2	\$59,000	4	\$35,000	6	\$30,883	2	\$120,000	0	\$0	16	\$444,883
2002	5	\$470,000	18	\$362,500	2	\$30,000	3	\$9,600	5	\$59,000	0	\$0	33	\$931,100
2001	2	\$190,000	7	\$114,430	0	\$0	1	\$5,000	5	\$371,000	0	\$0	15	\$680,430
2000	No data		15	\$171,250	1	\$75,000	3	\$20,000	6	\$69,045	0	\$0	25	\$335,295
<b>Totals</b>	<b>354</b>	<b>\$55,217,715</b>	<b>225</b>	<b>\$4,360,720</b>	<b>38</b>	<b>\$1,374,000</b>	<b>55</b>	<b>\$722,943</b>	<b>72</b>	<b>\$16,762,020</b>	<b>6</b>	<b>\$30,000</b>	<b>748</b>	<b>\$78,417,398</b>



# Corporation of the Village of Cumberland

Memorandum

DATE: 06/10/2014  
TO: Rob Crisfield, Manager of Operations  
FROM: Kevin Fitzgerald, Public Works Foreman  
SUBJECT: Public Works– Monthly Report for the period ending 30/09/2014

---

**Water:** Stevens Lake Dam stability project is near completion. The hand rail and railings are the only things left. The water level is now about 1 foot above the new outlet screen.

Allen Lake is maintaining a level of 14'9". This is about 12" lower than 2013, but still fine for this time of year. All the other dams are at normal levels for this time of year. The valves have been set for the winter months.

The new water line on Maryport Avenue is complete. The one on Allen is in progress.

A number of leaks on Comox Lake Road near Jumbo's Cabin. This line will be replaced in October.

The well has been taken off line due to a mechanical part failure. The new part (flow meter) is ordered and should be arriving within 2 weeks.

**Sewer & Storm:** The Sewer Lagoon maintenance has been completed.

General maintenance, locates and sewer inquiry requests.

**Roads** The center line painting and brushing of road edges has been completed.

Patching and miscellaneous repairs as time permits.

Crack sealing should be starting in early October.

**Buildings:** Remodeling entrance to council chambers is in progress.

Minor repairs to all buildings.

**Parks** The parks have all been winterized.

General maintenance and repairs.

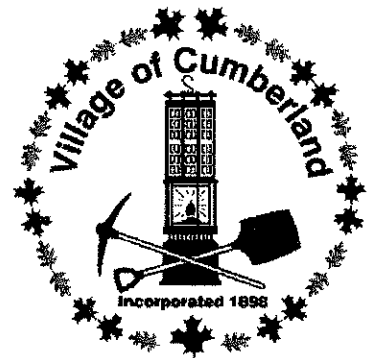
Lake Park is closed for the season.

Respectfully submitted,

---

Kevin Fitzgerald  
Public Works

# COUNCIL REPORT



REPORT DATE: October 9, 2014  
MEETING DATE: October 14, 2014

TO: Mayor and Councillors  
FROM: Michelle Mason, Financial Officer  
SUBJECT: September 2014 Administration Department Report

---

## **RECOMMENDATION**

THAT Council receive the September 2014 Administration Department report for information.

## **SUMMARY**

The following provides Council with a summary of the activities that took place during September in the administration department.

## **BACKGROUND**

In September, the Department continued to cycle through annual vacations and continued to provide financial and administrative support to all departments. Staff are in various stages of completing finance and administration projects that have been approved for 2014. Staff issued a "Request for Proposal" in September for the year-end external audit and reviewed the proposals early October. A report to Council with recommendations for the appointment of BDO Canada LLP as municipal auditor appears in this agenda.

Staff discovered that all WorkSafe rates for local governments are increasing by 19.8% which could have a \$5,000 impact on the Village in 2015, so staff has made note of this to take this increase into account during the budgeting process.

Management reports are prepared monthly which provide financial information for budget managers about their departments costs against budget. All departments are on track and progress has been made on approved projects. Staff is reviewing all accounts in preparation for September close and third quarter financial reports which are due for next Council meeting.

The final grant claim that was made for the OCP gas tax grant has been paid to the Village now that the OCP bylaw has been adopted. Staff analyzed cash flows and was able to re-invest the term deposits that matured in September for another year.

The water meters have now been read for the third quarter and staff is in the process of preparing the utility levy that will be issued during the week of October 14<sup>th</sup>. Any third quarter levies that are outstanding as of 30 days from the billing date will receive a 10% penalty. Water meter training and procedure development for finance staff have now been completed.

The Permissive Tax Exemption 2015 bylaw was prepared in September and appears later for adoption. Considerable work was undertaken to avert a tax sale this year which included letters informing property owners regarding delinquency and phone calls. There were no properties sold at tax sale this year under the Local Government Act; however a lien was registered for one property as per the Manufactured Home Act. As an added customer service, each year, staff issues letters to all property owners who have taxes and utilities in arrears, not just the delinquent tax sale properties. This has resulted in a number of people either paying down their balances or working with staff to come up with alternative payment options such as post dated cheques.

In September, Corporate Administration continued with projects, tasks and correspondence as directed by Council. Staff provided support to other departments with bylaws, special events, communications, and projects, such as reviewing burial options at the Chinese cemetery and various website updates. Other projects underway include election advertising, election worker review, and candidate info package preparation, drafting an updated streets and traffic bylaw, and reviewing Village records management procedures.

#### **FINANCIAL IMPLICATIONS**

None.

#### **STRATEGIC OBJECTIVE**

None.

#### **ATTACHMENTS**

None.

**CONCURRENCE**

Rachel Parker, Deputy Corporate Officer

**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

# COUNCIL REPORT



REPORT DATE: October 7, 2014  
MEETING DATE: October 13, 2014

TO: Mayor and Councillors  
FROM: Sundance Topham, Chief Administrative Officer  
SUBJECT: September 2014 Chief Administrative Officer Report

---

## RECOMMENDATION

THAT Council receive the September 2014 Chief Administrative Officer Report for information.

## SUMMARY

September was a busy month, with the continuation of a number of ongoing projects and attendance at the annual UBCM Convention.

## BACKGROUND

The following is a synopsis of the items that I spent time working on in September:

### Development

#### *Carlisle Lane:*

Worked with Carlisle Lane representatives in regards to their residential development in Cumberland, including clarifying trail layout and design requirements.

#### *School District 71:*

Finalized the road closure of Ulverston Avenue and subdivision of the School District lands, along with the subsequent land exchange with the Village of Cumberland.

### Regional Initiatives

#### *Proposed South Regional Sewer System:*

Attended a South Regional Sewer System Advisory meeting with Comox Valley Regional District and Ministry of Community, Sport and Cultural Development representatives.

### Miscellaneous

- Attended the September Village Hall meeting.
- Worked with staff and the consultant on the creation of a Lake Park Masterplan.

- Attended the Comox Valley Emergency Program administrator's meeting.
- Worked with Council on reviewing potential locations for a new fire hall.
- Worked with staff in the review of the Skate Park design Request for Proposals.

**FINANCIAL IMPLICATIONS**

None

**STRATEGIC OBJECTIVE**

None

**ATTACHMENTS**

None

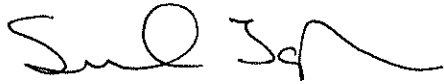
**CONCURRENCE**

None

**OPTIONS**

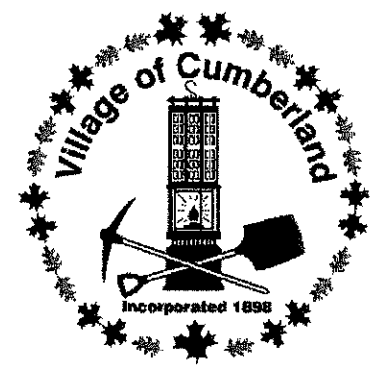
1. Receive this report for information.
2. Any other action deemed appropriate by Council.

Respectfully submitted,



Sundance Topham  
Chief Administrative Officer  
Village of Cumberland

# COUNCIL MEMBER REPORT



DATE: October 8, 2014  
 TO: Mayor and Councillors  
 FROM: Mayor Leslie Baird  
 SUBJECT: Monthly Report September 2014

Date	Event	Details
3 <sup>rd</sup>	Presentation	Mayor John Douglas invited me to his Mayors Breakfast in Port Alberni to give a presentation on Cumberland.
9 <sup>th</sup>	CVEDS	A discussion on board representation from municipalities and the Regional District. Staff will compile information for a future decision.
11 <sup>th</sup>	Meeting	Parliamentary Secretary Jordan Sturdy and his staff to discuss community transportation. Topics included the north connector, cycling on roads, bridges in Courtenay. I had the opportunity to discuss the signage that Cumberland is requesting on the island highway within our boundaries. Staff took the information and asked that I contact staff to discuss further. I passed the information onto our staff for follow up.
12 <sup>th</sup>	Meeting	Clarice Coty of Building Links to discuss development in Cumberland and the Comox Valley and an update on the service they provide through their North Island Construction Report.
13 <sup>th</sup>	Open House	Cumberland Rotary organized "Meet Your Community". A number of groups had displays informing the public on the services they offered.
13 <sup>th</sup>	Race	UROC held on Dunsmuir Ave. Starting at the Riding Fool Hostel and going through the Waverly Hotel.
14 <sup>th</sup>	Race	Cumberland Coal Cross Bike race held at the Village Park including the BMX track.
17 <sup>th</sup>	Open House	Lake Park Master Plan.
19 <sup>th</sup>	Meeting	Jane Murphy to discuss health care services in Cumberland and future directions.
19 <sup>th</sup>	Meeting	Maple Lake committee meeting to discuss further process.
20 <sup>th</sup>	Celebration	Comox Valley Ground Search and Rescue Open House to celebrate 40 years of service in the Comox Valley.
20 <sup>th</sup>	Dinner	"Dodge City Comedy Showdown" held by the Royston Cumberland Lions in the Recreation Hall as a fundraiser for the Child

		Development Centers Sensory Room.
22 <sup>nd</sup> - 26 <sup>th</sup>	UBCM Conference	<p>• <b>Workshop on Managing Catastrophic Events</b> A major event will affect the entire province, with Vancouver and Victoria area receiving the first response as they are the hub of BC.</p> <p>Social media will play a very important role in providing information to residents during an event.</p> <p>1st - Emergence warning and alert system are in the process of being updated, they are hiring 6 new staff. 2nd - Enhance public education. 3rd - Logistics team is being formed with the hiring of 4 new staff.</p> <p>Municipal Insurance is looking at earthquake coverage for communities for infrastructure which will include pipes, buildings, and roads.</p> <p>Remind people they will be on their own for at least 72 hours after a major event.</p> <p>• <b>Mayors Caucus</b> Discussion on forming four sub-committees, these are outstanding issues that they would like to work on:</p> <ul style="list-style-type: none"> <li>- Ad-Hoc Granting Process</li> <li>- Municipal Auditor General</li> <li>- Aging Infrastructure Roundtable</li> <li>- Ambulance Service Delivery Review</li> </ul> <p>These committees will meet by teleconference. They will receive enough support to continue working on these four topics.</p> <p>I put my name forward to sit on the “Developing a Coordinated Approach to How Social Services are Delivered to a Community” committee. This will be the same process as above.</p> <p>I also learned that communities in northern BC have what is called a “Fair Share Agreement” with the province (it is an agreement to pay communities for natural resources sold in their areas) and I have asked Joe Stanhope from AVICC to look into this for the island. Why have we never had one?</p> <p>Discussions also on BC Public Sector Compensation Review, Mental Health and Policing, BC Ambulance.</p>

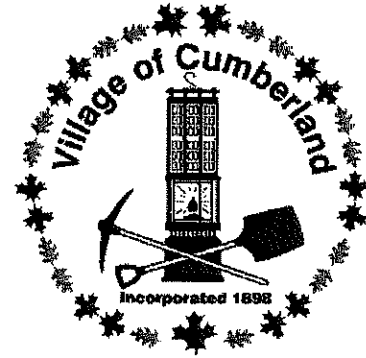
		<ul style="list-style-type: none"> <li>• <b>Breakfast Discussion on Mining in BC</b></li>   <li>• <b>Mid-Sized Communities Forum on Economic Development in BC</b></li>   <li>• <b>Municipal Insurance Annual General Meeting and reception.</b></li>   <li>• <b>Truck Loggers Association Mayors Dinner</b>        In discussion with the board chair I spoke about the land we own (approximately 500 acres). They would like to send a Forester to Cumberland to assess the property and suggest how best to maintain the trees on the land. I have forward this onto staff to contact.</li>   <li>• <b>Opening Session UBCM President Rhona Martin.</b>        Keynote Address, Rex Murphy - A writer and reporter for CBC The National and Host Cross Country Checkup.</li>   <li>• <b>Panel on Strong Communities</b> <ul style="list-style-type: none"> <li>- Honourable Terry Lake, Minister of Health.</li> <li>- Honourable Stephanie Cadieux, Minister of Children and Family Development.</li> <li>- Honourable Don McRae, Minister of Social Development and Social Innovation.</li> <li>- Honourable Peter Frassbender, Minister of Education.</li> <li>- Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development.</li> <li>- Honourable Suzanne Anton, Minister of Justice and the Attorney General.</li> </ul> </li>   <li>• <b>Meeting with Minister of Environment, the Honourable Mary Pollack</b>        To update the Minister on the South Sewer Project.</li>   <li>• <b>UBCM Awards Breakfast</b>        For past winners and the announcement of this year's awards.</li>   <li>• <b>Meeting with Minister of Forests, Lands and Natural Resource Operations</b>        To discuss Private Managed Forests and subsequent land use. The Honourable Don McRae attended this meeting.</li> </ul>
--	--	---

		<ul style="list-style-type: none"><li>• <b>Meeting with Honourable Terry Lake, Minister of Health</b> To discuss the Cumberland Health Centre and the need to keep the facility open with the services provided. If we had a major event, we could be the only health care provider on this side of the bridges. The other topic discussed was the work we are doing with the School District to provide public health and mental health services in Cumberland. The Honourable Don McRae also attended this meeting.</li> <li>• <b>Reception for the Consulate General of the People`s Republic of China</b> Invited her back to Cumberland. She is asking her assistant to set up a date.</li> <li>• <b>Met Lorne Mayencourt Director of Outreach for the BC Liberal Caucus</b> Invited him to Cumberland.</li></ul>
--	--	--

Sincerely

Mayor Leslie Baird

# COUNCIL MEMBER REPORT



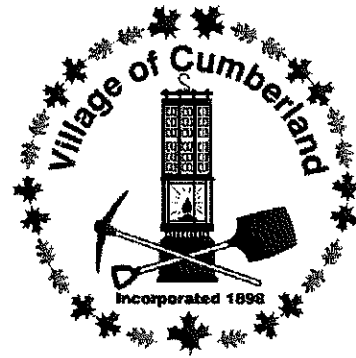
DATE: October 1, 2014  
 TO: Mayor and Councillors  
 FROM: Councillor Roger Kishi  
 SUBJECT: Councillor Report – September 2014

As well as regular Council business/ meetings, I attended the following:

Date	Event	Comments
Sep. 13	Cumberland Rotary "Meet Your Community" event	
Sep. 15	Village Hall meeting	Chaired meeting
Sep. 17	Cumberland Lake Park Master Plan	Information meeting
Sep. 18	Comox Strathcona Solid Waste Management	Loan Authorization Bylaw, Host Community financing
	Comox Strathcona Regional Hospital District	NI Hospital Project update(s)

I have received a Certificate of Local Government Leadership- Level 1, from the Local Government Leadership Academy. (LGLA)

# COUNCIL MEMBER REPORT



DATE: October 7th, 2014  
TO: Mayor and Councillors  
FROM: Councillor Gwyn Sproule  
SUBJECT: Councillor Report – September 2014

---

- 3<sup>rd</sup> - CVRD Special Meeting
- 15<sup>th</sup> - Village Hall Meeting
- 16<sup>th</sup> - CVRD COTW
- 17<sup>th</sup> - Cumberland Lake Park Master Plan Open
- 23<sup>rd</sup> to 26<sup>th</sup> - UBCM Whistler
- 30<sup>th</sup> - CVRD Board

# COUNCIL REPORT



REPORT DATE: October 8, 2014

MEETING DATE: October 14, 2014

TO: Mayor and Councillors

FROM: Michelle Mason, Financial Officer

SUBJECT: Water Rates Amendment Bylaw No. 1011, 2014 and  
Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014

## RECOMMENDATION

THAT Council receive the "Water Rates Amendment Bylaw No. 1011, 2014" and "Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014" report for information.

THAT Council give first and second reading to "Water Rates Amendment Bylaw No. 1011, 2014" and to "Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014".

## SUMMARY

The "Water Rates Amendment Bylaw No. 1011, 2014" and the "Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014" are attached for Council's consideration. Both bylaws amend the sections for rates, and the water bylaw has an amendment to the leak adjustment section. Staff does not recommend a change in solid waste flat rates at this time.

## BACKGROUND

The Village needs to update its water and sewer rates bylaws for 2015 by December 31, 2014. Due to the solid waste rate stabilization reserve, staff does not recommend a solid waste rate change in 2015.

Water and sewer rates provide revenue to cover all expenditures needed to operate the service which includes the annual allocation of resources for infrastructure replacement. Dam stability and ultraviolet UV sterilization projects require borrowing and the associated debt costs are estimated to impact the water fund in 2016. In 2012 Council chose to fully fund the water and sewer every year and to also smooth the increase required for the debt needed to fund the water supply projects over the years 2013 to 2016. In 2013 the water rates consultant, Econics, presented a recommendation to Council for rates that would achieve Council's required income for the years 2014 to 2018. Council approved the 2014 water rates for consumption based billing that was recommended by Econics. Staff has attached the analysis of the option that Council chose in 2012 with the five year scheduled water rates that were recommended by Econics for residential, multifamily and commercial added.

Staff analyzed the water consumption and revenue for the first, second and third quarters of 2014 and saw a 10% decrease in rate payer water consumption. The consultant estimated that over the next few years we could see a total decrease of approximately 15% and this was built into the recommended rates. Based on this, staff does not recommend any changes to the water rates other than those recommended by Econics for the 2015 year. Staff would need to analyze the water consumption data along with the revenue requirements for water, sewer and solid waste again for the 2016 year and bring back recommendations at that time.

In the attached 2015 water and sewer rates amendment bylaws, staff changed the rates schedule (as per the 2015 year in the attached Council chosen options and consultant recommendations). Staff also proposes changes to the wording in section 19 (b) for water leak adjustment. During the second quarter readings, staff had the opportunity to put the leak adjustment policy into practice and it appears that if the customer has a leak and must be responsible for 50% of the additional water consumed plus a \$20 administration fee, the bylaw is punitive in nature as the leak has to be quite large to give any relief. A leak, if fixed, should not be punitive for the rate payer as the ideal goal is to have the leak fixed as soon as possible and future leaks avoided by the consumer but not to increase the revenue for that leak. Based on this, staff recommends an amendment to the leak adjustment wording in section 19 as follows:

If the Financial Officer approves a leak adjustment, the customer must assume responsibility for:

- (a) the average amount of water consumed, estimated as per section 21, at the applicable water charge set out in Schedule A to this bylaw.
- (b) 50% 20% of the water consumed as a result of the leak at the applicable water charge set out in Schedule A to this bylaw to a maximum amount of \$1000,

and the Village of Cumberland shall absorb the remainder of the cost of water consumption.

A final housekeeping amendment is proposed to section 17 (e) as follows:

The Financial Officer is authorized to make an adjustment to a water bill in the case of abnormal water consumption caused by a leak in situations where:

- (e) the customer provides proof that the abnormal water consumption was caused by leaks originating on the customer's side of the ~~meter box or curb stop~~ property line,

## **FINANCIAL IMPLICATIONS**

Based on the option chosen by Council for the years 2013 to 2017 and the rates recommended by the consultant Econics in order to fully fund the operations, the 2015 single-family residential water increase required is 5 cents per cubic metre and \$2.50 fixed fee per quarter for the median household which works out to approximately \$17 annually. The 2015 quarterly residential flat sewer increase required is \$1.25 which works out to \$5 annually. The recommended commercial water rate increase is from 68 cents to 74 cents per cubic metre and the commercial sewer flat rates is proposed to increase by 1%, with the increases varying by categories.

It's important to note that all of the rates recommended by Econics is part of an entire rate structure, so if Council wishes to adjust any of the recommended rates, that adjustment would change the other rates within the structures as well. In this case, staff would need to come back at a different Council meeting to provide Council with the implications to the rate structure for any changes.


### **STRATEGIC OBJECTIVE**

Utility rates provide a source of funding for the water and sewer strategic objectives.

### **ATTACHMENTS**

1. 2013 – 2017 Utilities Financial Forecast Fully Funded Utilities (2013 chosen option)
2. Water Rates Amendment Bylaw No. 1011, 2014
3. Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014

### **CONCURRENCE**

Rob Crisfield, Manager of Operations 

### **OPTIONS**

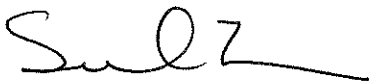
1. Council receive the Water Rates Amendment Bylaw No. 1011, 2014 and Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014 report for information.
2. Council give first and second reading of Water Rates Amendment Bylaw No. 1011, 2014 and Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014.
3. Any other action deemed appropriate by Council.

Respectfully submitted,



---

Michelle Mason  
Financial Officer



---

Sundance Topham  
Chief Administrative Officer

**The Corporation of the Village of Cumberland**  
**2013 - 2017 Utilities Financial Forecast**  
**Fully Funded Utilities (Option Three) Chosen December 2012**

<b>WATER</b>					
	<b>BUDGET</b>				
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Other Operating Revenue	\$ (238,810)	\$ (238,810)	\$ (238,810)	\$ (238,810)	\$ (238,810)
Operating Costs	408,520	416,690	425,024	433,525	442,195
Capital Funded By Operating	80,000	60,000	60,000	60,000	60,000
Reserve Funds for future capital replacements	16,000	36,000	36,000	36,000	36,000
Reserve Fund for future debt costs	3,000	33,000	50,000	-	-
Dam Reconstruction Design Funded By Operating	40,000	-	-	-	-
UV Sterilization Design Funded By Operating	-	15,000	-	-	-
Debt Service Costs	14,060	22,980	37,283	107,060	107,060
	322,770	344,860	369,497	397,775	406,445
<b>Revenue Required</b>	<b>\$ 322,770</b>	<b>\$ 344,860</b>	<b>\$ 369,497</b>	<b>\$ 397,775</b>	<b>\$ 406,445</b>
Quarterly Flat Residential Rates (annual 2013) (applicable to meter refusal customers at 2 x Rate)	\$ 187.00	\$ 50.50	\$ 54.75	\$ 59.50	\$ 61.00
<b>Quarterly Consumption Based Rates Recommended by Consultant:</b>					
Single Family Residential Fixed Rates		\$ 31.00	\$ 33.50	\$ 36.00	\$ 36.50
Single Family Residential Variable Rates per cubic metre		\$ 0.42	\$ 0.47	\$ 0.52	\$ 0.54
Multi Family Fixed Rates		\$ 27.00	\$ 28.00	\$ 29.00	\$ 29.00
Multi Family Residential Variable Rates per cubic metre		\$ 0.44	\$ 0.47	\$ 0.50	\$ 0.52
Industrial, Commercial, Institutional Fixed Rates (per meter size)		\$24 to \$230	\$24 to \$230	\$24 to \$230	\$24 to \$230
Industrial, Commercial, Institutional Variable Rates per cubic metre		\$ 0.68	\$ 0.74	\$ 0.79	\$ 0.80
<b>SEWER &amp; STORM</b>					
	<b>BUDGET</b>				
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Other Operating Revenue	\$ (105,540)	\$ (105,540)	\$ (105,540)	\$ (105,540)	\$ (105,540)
Operating Costs	349,610	356,602	363,734	371,009	378,429
Capital Funded By Operating (DCC projects)	1,000	1,000	1,000	1,000	1,000
Reserve Funds for future capital replacements	51,000	51,000	51,000	51,000	51,000
Debt Service Costs	172,190	172,190	172,190	172,190	172,190
	468,260	475,252	482,384	489,659	497,079
<b>Revenue Required</b>	<b>\$ 468,260</b>	<b>\$ 475,252</b>	<b>\$ 482,384</b>	<b>\$ 489,659</b>	<b>\$ 497,079</b>
Quarterly Flat Residential Rates (annual 2013)	\$ 281.00	\$ 71.25	\$ 72.50	\$ 73.75	\$ 75.00
Quarterly Flat Commercial Rates (annual 2013)	\$233 to \$27,772	\$58.75 to \$7,012	+ 1% increase	+ 1% increase	+ 1% increase

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 1011**

**A bylaw to amend the Water Rates Bylaw.**

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

1. This Bylaw may be cited as ‘Water Rates Amendment Bylaw No. 1011, 2014.’
2. “Water Rates Bylaw No. 1002, 2014” is amended as follows:
  - (a) in subsection 17(e) by striking out “meter box or curb stop” and substituting “property line”,
  - (b) in subsection 19(b) by striking out “50%” and substituting “20%”, and
  - (c) by repealing Schedule A to the Bylaw in its entirety and substituting Schedule A to this Bylaw.

<b>READ A FIRST TIME THIS</b>	<b>DAY OF</b>	<b>2014.</b>
<b>READ A SECOND TIME THIS</b>	<b>DAY OF</b>	<b>2014.</b>
<b>READ A THIRD TIME THIS</b>	<b>DAY OF</b>	<b>2014.</b>
<b>ADOPTED THIS</b>	<b>DAY OF</b>	<b>2014.</b>

---

Mayor

---

Corporate Officer

Schedule A

**Water Charges**

1. Water System Service Fees:

(a) Fees effective January 1, 2014:

Parcel Classification	Fixed Charge	Water Consumption Charge Rate
Residential:	\$31 per quarter	\$0.42 per cubic meter
Duplex Dwelling Unit:	\$31 per quarter	\$0.42 per cubic meter
Multi-Family:	\$27 per unit per quarter	\$0.44 per cubic meter
ICI:	Based on the meter size shown in section 3 of this schedule	\$0.68 per cubic meter

(b) Fees effective January 1, 2015:

Parcel Classification	Fixed Charge	Water Consumption Charge Rate
Residential:	\$33.50 per quarter	\$0.47 per cubic meter
Duplex Dwelling Unit:	\$33.50 per quarter	\$0.47 per cubic meter
Multi-Family:	\$28 per unit per quarter	\$0.47 per cubic meter
ICI:	Based on the meter size shown in section 3 of this schedule	\$0.74 per cubic meter

**ICI Fixed Charge**

2. The fixed charge for ICI parcel classification is effective January 1, 2014 and is based on the meter size of the service connection to the property as follows:

Meter size:	5/8"	3/4"	1"	1.25"	1.5"	2"	3"	4"	6"
Quarterly charge:	\$24.00	\$29.18	\$38.40	\$49.15	\$58.37	\$76.80	\$115.20	\$153.60	\$230.40

3. Flat Rate Fees:

	<b>Use of Land or Real Property</b>	<b>Water Flat Charge effective January 1, 2014</b>	<b>Water Flat Charge effective January 1, 2015</b>
(a)	For each dwelling unit:	\$50.50 per quarter	\$54.75 per quarter
(b)	For a motel, hotel, or non-profit seniors' housing (per room/unit):	\$30.25 per quarter	\$30.55 per quarter
(c)	For a lodging house or hostel (per bed):	\$12.75 per quarter	\$12.90 per quarter
(d)	For a school (per classroom):	\$33.25 per quarter	\$33.60 per quarter
(e)	For a church or a recreation hall:	\$39.00 per quarter	\$39.40 per quarter
(f)	For a medical clinic:	\$112.50 per quarter	\$113.60 per quarter
(g)	For a restaurant, pub, or bar:	\$112.50 per quarter	\$113.60 per quarter
(h)	For a coffee shop or take out:	\$75.50 per quarter	\$76.25 per quarter
(i)	For a business, store, or office (per suite):	\$39.00 per quarter	\$39.40 per quarter
(j)	For a beauty parlour, medical office, or veterinarian (per suite):	\$75.50 per quarter	\$76.25 per quarter
(k)	For a laundromat:	\$183.50 per quarter	\$185.30 per quarter
(l)	For a service station:	\$93.50 per quarter	\$94.45 per quarter
(m)	For a car wash:	\$183.50 per quarter	\$185.30 per quarter
(n)	For regional hospital laundry:	\$5,179.50 per quarter	\$5231.303 per quarter
(o)	For any use not identified in this table (per washroom):	\$39.00 per quarter	\$39.40 per quarter

**Administration Charge**

4. Leak adjustment administration fee: \$20.00

**Bulk Water**

5. Charges for bulk water are imposed as determined pursuant to an agreement for the purchase and sale of bulk water.

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 1012**

**A bylaw to amend the Sewer Rates Bylaw.**

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

1. This bylaw may be cited as 'Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014.'
2. "Corporation of the Village of Cumberland Sanitary Sewer Rates Bylaw No. 862, 2007", as amended, is amended by repealing Schedule "A" to the Bylaw in its entirety and substituting Schedule "A" to this Bylaw.

<b>READ A FIRST TIME THIS</b>	<b>DAY OF</b>	<b>2014.</b>
<b>READ A SECOND TIME THIS</b>	<b>DAY OF</b>	<b>2014.</b>
<b>READ A THIRD TIME THIS</b>	<b>DAY OF</b>	<b>2014.</b>
<b>ADOPTED THIS</b>	<b>DAY OF</b>	<b>2014.</b>

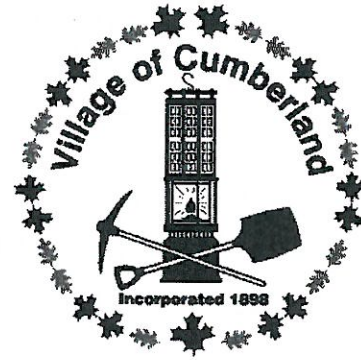
\_\_\_\_\_  
Mayor

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

Schedule "A"  
 Sanitary Sewer Rates

	<b>Use of Land or Real Property</b>	<b>Sanitary Sewer Rate Charge</b> Effective January 1, 2014	<b>Sanitary Sewer Rate Charge</b> Effective January 1, 2015
1	For each residential unit:	\$71.25 per quarter	\$72.50 per quarter
2	For a motel, hotel, or non-profit seniors' housing (per room/unit):	\$40.75 per quarter	\$41.15 per quarter
3	For a lodging house or hostel (per bed):	\$18.00 per quarter	\$18.20 per quarter
4	For a school (per classroom):	\$50.50 per quarter	\$51.00 per quarter
5	For a church or a recreation hall:	\$58.75 per quarter	\$59.35 per quarter
6	For a medical clinic:	\$167.00 per quarter	\$168.70 per quarter
7	For a restaurant, pub, or bar:	\$167.00 per quarter	\$168.70 per quarter
8	For a coffee shop or take out:	\$58.75 per quarter	\$59.35 per quarter
9	For a business, store, or office (per suite):	\$58.75 per quarter	\$59.35 per quarter
10	For a beauty parlour, medical office, or veterinarian (per suite):	\$69.75 per quarter	\$70.45 per quarter
11	For a laundromat:	\$229.50 per quarter	\$231.80 per quarter
12	For a service station:	\$69.75 per quarter	\$70.45 per quarter
13	For a car wash:	\$229.50 per quarter	\$231.80 per quarter
14	For regional hospital laundry:	\$7,012.50 per quarter	\$7,082.60 per quarter
15	For any use not identified in this table (per washroom):	\$58.75 per quarter	\$59.35 per quarter

# COUNCIL REPORT



REPORT DATE: October 8, 2014  
MEETING DATE: October 14, 2014

TO: Mayor and Councillors  
FROM: Judith Walker, Senior Planner  
SUBJECT: Bylaw No. 998, 2014 – Parks & Greenways Master Plan Bylaw

## RECOMMENDATION

- i) THAT Council receive the Bylaw No. 998, 2014 – Parks & Greenways Master Plan Bylaw Report; and
- ii) THAT Council give second and third reading to Bylaw No. 998.

## SUMMARY

With the current OCP now adopted, the existing parks and greenways master plan bylaw has been updated to align with the revised OCP and with the current state of parks and greenways in the Village. The master plan was recently revised based on feedback from the September 29<sup>th</sup> Council meeting and is presented to Council for consideration of second and third reading.

## BACKGROUND

The changes proposed, including Sept. 29<sup>th</sup> revisions (highlighted), are included in the following table:

Proposed changes	Detail
1) Update the preface	To reflect the new OCP
2) New definitions	To be consistent with the definitions in the new OCP
3) Update the status of proposed parks that are now parks	E.g. off leash dog park, Orchard Park, Camp Road Greenway are no longer "proposed".
4) Add new section on "Naming of Parks"	Section 3 b) p.10 by developer/owner and by approval of Council

Proposed changes	Detail
5) Mapping updated to provide clarity and to reflect current parks status	<p>Remove environmental information (Sensitive Ecosystem Inventory) that is now included in the Environmental Protection DPA #1 in the OCP</p> <p>Remove watershed boundaries, keep as watershed map, with the SEI layer</p> <p>Remove Provincial Crown land designation outside of Village boundaries</p> <p>Add Crown Provincial designation to land adjacent to Comox Land Corporation property.</p> <p>Change status of proposed parks to existing parks.</p> <p>Remove watercourse buffer as it is included in the EP DPA #1</p> <p>Clarify status of proposed parks with graphics</p> <p>Remove Ecological Reserve Comox Lake Bluffs</p>
6) Corrections to numbers in "Analysis of Parkland"	With new parks now included in the inventory, the totals for types of parks were recalculated.
7) Add "Master plan" in "Restrictions/Affiliations/Master Plan column in 3c) Park Inventory	Included Village Park and Coal Creek Historic Park master plans
8) Change names of parks	"Mini-storage Park" to "Hope Park" and "Jaro Park to "Carlisle Park "(until Council approves Developer-chosen name).
9) Under "Development of Parkland", information was updated to reflect current status of parks and to extend the plan term to 2025.	Village Park and Coal Creek Historic Park now have completed master plans. Village Park is in the implementation phase. Cumberland Lake Park master plan process has been initiated
10) Section e) iv) Proposed Protection Areas is deleted, including reference to Comprehensive Planning Areas	The "Proposed Protection Areas" are included in the Environmental Protection Area DPA #1 of the OCP which is a stronger protection tool
11) Standards of Development	Reference BC Parks Facility trail standards to provide more detail for trail standards for Village Parks
12) Correct clerical and grammatical errors.	Correct punctuation, reword to provide clarity and consistency, correct tenses, correct names- Chinatown Wetlands, Comox Valley Nature Society, remove "Trilogy" from Interchange Lands

## FINANCIAL IMPLICATIONS

There are no financial implications of the updating of the Parks & Greenways Master Plan to bring it into consistency with the OCP.

## STRATEGIC OBJECTIVE

2014 Corporate Priorities: Completing the review of the Official Community Plan

## CONCURRENCE

Rob Crisfield, Manager of Operations *RC*

## OPTIONS

1. THAT Council receive the Bylaw No. 998, 2014 – Parks & Greenways Master Plan Bylaw Report; and
2. THAT Council give second and third reading to Bylaw No. 998 or
3. Any other action deemed appropriate by Council.

Respectfully submitted,



Judith Walker, Senior Planner



Sundance Topham, Chief Administrative Officer

TITLE: Village of Cumberland Parks & Greenways Parks Master Plan Bylaw No. 998, 2014

APPLICANT: Village of Cumberland

PURPOSE: To create an updated Parks & Greenways Master Plan.



COUNCIL: **Date:** September 29, 2014  
**Decision:** 1<sup>st</sup> reading

COUNCIL: **Date:** October 14, 2014  
**Decision:**

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

**VILLAGE OF CUMBERLAND**

**BYLAW NO. 998**

**A BYLAW TO ADOPT A  
PARKS & GREENWAYS MASTER PLAN FOR THE VILLAGE.**

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

1. This bylaw may be cited for all purposes as the 'Village of Cumberland Parks and Greenways Master Plan Bylaw No. 998, 2014'.
2. The Parks and Greenways Master Plan attached as Schedules A and A-1 are made part of this Bylaw, and is designated and adopted as the Parks and Greenways Master Plan for the entire area within the jurisdiction boundaries of the Village of Cumberland.

<b>READ A FIRST TIME this</b>	<b>29<sup>th</sup></b>	<b>day of</b>	<b>September</b>	<b>2014.</b>
<b>READ A SECOND TIME this</b>		<b>day of</b>		<b>2014.</b>
<b>READ A THIRD TIME this</b>		<b>day of</b>		<b>2014.</b>
<b>ADOPTED this</b>		<b>day of</b>		<b>2014.</b>

---

Mayor

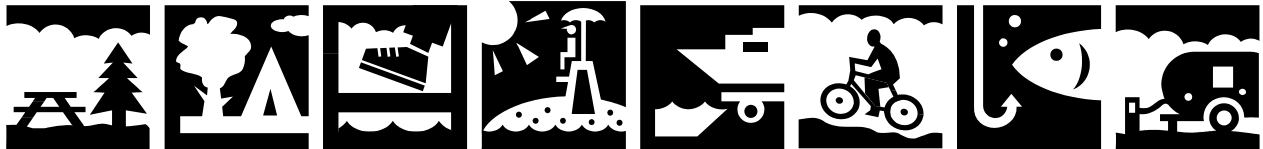
---

Corporate Officer



Corporation of the  
Village of Cumberland

# Parks and Greenways Master Plan 2014



	<b>Page</b>
<b>Preface</b> .....	<b>1</b>
<b>Schedule C</b>	
<b>1. Introduction</b> .....	<b>2</b>
a) Purpose & Scope .....	<b>2</b>
b) Definitions .....	<b>2</b>
c) Planning Process .....	<b>3</b>
<b>2. Context</b> .....	<b>3</b>
a) Cumberland History.....	<b>3</b>
b) Community Trends .....	<b>3</b>
c) Wildlife .....	<b>4</b>
d) Parks, Greenways & Sustainable Communities .....	<b>4</b>
e) Legislation.....	<b>5</b>
f) Climate Change .....	<b>6</b>
<b>3. Parks &amp; Greenways System: Existing &amp; Proposed</b> .....	<b>6</b>
a) Park Classification.....	<b>6</b>
b) Naming of Parks .....	<b>10</b>
c) Park Inventory.....	<b>11</b>
d) Analysis of Parkland.....	<b>14</b>
e) Parks & Greenways Gaps .....	<b>16</b>
<b>4. Tools for Acquiring Parkland</b> .....	<b>18</b>
a) Planning Tools.....	<b>18</b>
b) Acquisition Fund.....	<b>19</b>
c) Municipal Operations .....	<b>19</b>
d) Donations & Partnerships .....	<b>19</b>
<b>5. Parks &amp; Greenways Priorities</b> .....	<b>20</b>
a) Criteria for Acquisitions .....	<b>20</b>
b) Acquisition Policies .....	<b>23</b>
<b>6. Implementation Strategy</b> .....	<b>24</b>
a) Funding Strategies.....	<b>24</b>
b) Acquisition Priorities.....	<b>24</b>
c) Management Policies .....	<b>25</b>
d) Development of Parkland.....	<b>29</b>
i) Existing parks .....	<b>29</b>
ii) Proposed Parks Priority A.....	<b>29</b>
iii) Proposed Parks Priority B.....	<b>32</b>
Appendix A: Standards of Development.....	<b>34</b>
<b>Sched A-1</b> Parks & Greenways Master Plan Map .....	<b>36</b>

# Village of Cumberland Parks and Greenways Master Plan

## Preface

The Village of Cumberland Parks and Greenways Master Plan is consistent with the goals, objectives and policies of the “Village of Cumberland Official Community Plan Bylaw No. 990, 2014.”

Please note that where recreational trails are shown on Map Schedule A-1, they represent conceptual locations only and may not align with existing informal trails. As the private properties develop, trails and connections will form part of the requirements of the development applications.



# Parks and Greenways Master Plan, 2014

## 1.0 INTRODUCTION

The Village of Cumberland is often called the “Village in the Forest”. Most of these surrounding forest lands are owned by private timber companies that have permitted public access for many years, but the tenure is not secure. This makes it very important to plan for parks and greenways permanently in the public realm to retain the recreational and natural areas that are so valued by the community.



Village Park (G. Sproule)

### a) Purpose & Scope

The purpose of the Parks and Greenways Master Plan (the “Parks Plan”) is to provide a framework to guide the Village of Cumberland towards the identification, preservation, restoration, acquisition and management of significant parks, open spaces, and green corridors over the next 10 to 15 years. The Parks Plan examines the types, distribution, improvements and management of existing parkland and becomes the blueprint for the acquisition of future parks through many means, including development applications.

### b) Definitions

**Parks** are defined as usable public spaces that are dedicated as parks or other publicly owned, publicly managed, or publicly accessible land, which serves a recreational function, or has the primary purpose of enhancement of landscape character, or protection of environmental resources.



Maple Creek Wetlands (S. MacDonnell)

**Open Space:** means all open space of public value, including not just land, but also inland bodies of water such as rivers, lakes and reservoirs which offer important opportunities for sport, environmental protection, education and passive and active outdoor recreation, as well as acting as a visual amenity.

Open Space may be owned by the Village or may be private. Open space is often provided for three principal reasons:

- i) To accommodate non-recreational, passive pursuits but may permit leisure opportunities;
- ii) For aesthetics and to protect natural areas, which may include buffers; and
- iii) To accommodate active pursuits, designed to meet the recreation needs of the community. Open Space includes abandoned industrial sites, strips along highways, farmlands and forested lands, natural areas, and protected areas. Open Space is not typically developed with the

exception of natural trails or landscaping and if developed, would be reclassified as Parks. An example of Open Space is the roadside of Comox Lake Road, and the wetlands adjacent to Cumberland and Union Roads.

**Greenways** In general, "Greenway" means a corridor of open space that: (1) may protect natural resources, preserve scenic landscapes and historical resources or offer opportunities for recreation or non-motorized transportation, (2) may connect existing protected areas and provide access to the outdoors, (3) may be located along a defining natural feature, such as a waterway, along a man-made corridor, including an unused right-of-way, traditional trail routes or historic industrial activities (former rail lines or equivalent), and/or (4) may be a green space along a highway or around the Village.



Ulverston Station Trail  
(G. Sproule)

Without trails, greenways provide buffers between land uses and may provide habitat and wildlife corridors to link to parks and open space.

Along with trails, greenways are the pedestrian linkages between parks and open space and to other Village services and amenities.

### c) Planning Process

The Parks Plan was developed based on other municipal park plans and *National Recreation and Park Association (NRPA)* standards, as well as incorporating the previous input from the public. The Parks Plan and accompanying map were presented to Council in October 2007 and to the public at two open houses in December 2007 and at two Town Hall meetings in June and September 2008. Based on the discussions,

revisions were made to the plan. A survey was prepared and made available at the open houses (December 2007) and was mailed to all residents of the Village in order to gather additional input from the community. The Parks Plan was adopted as part of the Official Community Plan in July 2011.

Following the adoption of the 2014 OCP, the Parks Plan was separated from OCP and updated for consistency and compliance with the OCP.

## 2.0 CONTEXT

### a) Cumberland History

The Village of Cumberland developed in the late 1800's when James Dunsmuir designated 40 hectares east of the coal mining settlement of "Union", as the new townsite. It was named for the English county famed for its coal mines and many of the street names reflect those origins. The original village was laid out in a traditional grid including lanes, with Dunsmuir Avenue as the main commercial street. The lanes provided the service access to the rear of the buildings and yards.

Today Dunsmuir Avenue still forms the downtown core with the main commercial area extending from Village Park to the Cumberland Recreation Institute near Egremont Street. Parks include the main community park, Village Park, and smaller Village-owned properties that have been developed as parks. Some of the small Village-owned properties remain undeveloped.

### b) Community Trends

The Village attracts new residents due to the appealing attributes of a small community surrounded by an area of high recreational opportunities and natural amenities. Current trends in recreation show an increased demand for low-cost outdoor recreation opportunities, especially for young families. Since walking and bicycling are two of the fastest growing leisure activities amongst BC residents (*BC Recreation and Parks Association 2006*), there is a strong

demand for trails and greenways. The Parks Survey results in 2007 included requests for more bike and pedestrian trails, similar to the Galloping Goose trail in Victoria. The Village is a destination for mountain bike riders, with extensive trails in public lands and private forestry lands surrounding the Village.

With new development and increasing population, it is even more important to balance the provision of adequate parks and greenways for current and new residents.

### c) Wildlife

The residential core of the Village is surrounded by public and private forest lands, including many wetlands and watercourses. This environment is home to a variety of mammals, amphibians, and birds.

Mammals include black bear, white-tail deer, cougar, wolves, racoons, beavers, mink, squirrels and chipmunks. The larger Parks are adjacent to undeveloped forest lands causing a higher probability of human/animal interaction. Black bears are regular visitors to the residential areas of the Village due to the presence of food sources, particularly fruit trees. All park users need to be aware of and know what to do in the event of encounters with large mammals.

Amphibians include salamander, alligator lizard (rare) and native frogs including the Pacific tree frog and red-legged frog. The introduced



Black Bear (G. Shilling)

species of bullfrog, *Rana catesbiana*, is a threat to all native frog species and can quickly colonize wetland areas. There are local efforts to remove the non-native bullfrog.

The Village's wetlands and surrounding forests provide biodiversity corridors and are important habitat for a large number of resident and non-resident bird species. The area is well-known destination for bird watchers and is considered by the **Comox Valley Nature Society** as a "priority" viewing area.

### d) Parks, Greenways and Sustainable Communities

Parks and greenways are an integral part of sustainable communities. They provide many valuable benefits to communities including environmental, social, health and economic benefits:

Environmental Benefits: Protection of drinking water, controlling flooding, cleaning air, regulating local climates, preserving biological diversity.

Social & Health Benefits: Physical activity and health benefits including stress reduction, creating a "sense of place", aesthetics.

Economic Benefits: Increased property values, expenditures by residents and visitors, commercial activity, corporate relocation, reduction of public infrastructure costs (e.g. stormwater management).

The Village joined other Comox Valley local governments to initiate the *Comox Valley Sustainability Strategy* (CVSS, 2010). Council passed a resolution to use it as a guide to consider sustainability in future actions. CVSS actions for the four local governments include:

- i) Coordinating parks and greenways planning, land acquisition and other issues;
- ii) Where applicable, requiring new developments to include greenways that connect to a regional greenways network; and

- iii) Pursuing opportunities to jointly acquire land with land trusts, service groups or societies to meet park needs in municipal and electoral areas.

In 2014 Nature Without Borders, 2<sup>nd</sup> edition (Comox Valley Conservation Strategy) was endorsed by Council, as a tool for environmental planning, including the protection of biodiversity corridors, sensitive ecosystems and recreational greenway trails.

#### e) Legislation

The Village has the following legislative tools for park and greenway planning.

##### Regional Growth Strategy (RGS)

The RGS provides a broad vision for the region with goals and policies for managing growth and provides a land use framework that positions regional conservation as an integral component of growth management. The Village's OCP must be brought into compliance with the RGS which includes regional policies on protecting ecosystems, natural areas and parks. *Objectives for Ecosystems, Natural Areas and Parks* of the RGS include:

- i) Identify and map areas for conservation;
- ii) Frame environmental protection and policies around the principles of precaution, connectivity and restoration;
- iii) Promote environmental best practices in Agricultural and Resource Areas; and
- iv) Ensure access to parks and recreation areas.

##### Official Community Plan (OCP)

The OCP provides long term goals and policies, including environmental preservation and a Village greenway system. The OCP designates areas as *Environmental Protection Area - Development Permit* (EPA DP#1) for the purpose of protecting environmentally significant areas, such as the Village's extensive wetland system and watercourses.

##### Zoning Bylaw

Zoning conditions can establish setbacks, densities and permitted uses to protect sensitive habitats.

##### Conservation Covenants

Conservation covenants are a voluntary tool for landowners to protect specific land areas or features. A covenant is registered on the title of the property and the conditions of the covenant are tied to the land permanently



Peace Park (S. MacDonnell)

unless removed by the Covenant holders. The Village may partner with a conservation organization and stewardship groups to be signatories to the covenants. Covenants can be requested by the Village for rezoning, subdivision, and development permit applications.

##### Community Charter & Local Government Act (LGA)

Parts 2(27) and (29) of the *Community Charter* permits municipalities to exchange and dispose of parkland, and to require dedication of parkland. Section 941 of the *LGA* gives the Village the authority to require 5% parkland dedication or cash-in-lieu at the time of subdivision (within some parameters). The cash-in-lieu funds can only be used to purchase land for park purposes.

### Development Cost Charges (DCC's)

DCC's are fees that municipalities and regional districts choose to collect from new development to help pay the cost of off-site infrastructure services that are needed to accommodate growth. The Village's DCC bylaw includes parkland DCC's for low, medium, and high density residential development.

Eligible parkland improvements are limited to fencing, landscaping drainage and irrigation, trails, restrooms, changing rooms, playground equipment, and playing field equipment.

DCC funds cannot be used for parkland acquisition to make up past deficiencies in older areas of the Village. This funding must come from general revenue or other sources.

### **f) Climate Change**

In an effort to reduce greenhouse gas emissions, the Village, along with many of BC's local governments, have signed the BC Climate Action Charter, pledging to become carbon-neutral. To meet both the targets from the RGS and the CVSS, the Village will seek to reduce greenhouse gas emissions in the building sector, the transportation sector and the solid waste sector.

The Village may also seek to reduce GHG emissions created by deforestation by promotion of conservation of forested areas. Management strategies for parks and greenways will need to consider the potential effects of climate change on the plant and animal communities.

## **3.0 EXISTING PARKS AND GREENWAYS SYSTEMS**

### **a) Park Classification**

*Suggested ratios are based on National Recreation & Parks Association (NRPA) USA Standards*

#### **i) Pocket Park**

The pocket park classification describes the smallest parks that serve limited, isolated and/or unique needs where providing a typical

neighbourhood park may be impractical. Pocket parks provide open space and meet some recreational needs in populated urban neighbourhoods. Development should have a strong emphasis on passive uses such as picnic areas and sitting areas, readily visible from adjoining streets to provide for a more secure environment. They are usually reached without crossing major roads. The use can be active such as a small playground. Pocket parks often protect heritage structures or landscape remnants, and may include historical signage. Garden areas may be maintained by resident volunteers and areas may include security and safety lighting.

The suggested ratio of pocket parks is: 0.12hectares per 1,000 people. Sizes of these types of parks can range from 90.0metres<sup>2</sup> to 0.4hectare. Example: Peace Park (0.23ha).

A pocket park that is highly developed within a more central urban area, and functions as a venue for festivals and special events may be described as a *Plaza or Square*.



Village Square (G. Sproule)

Most feature intensive hardscape or softscape type of development and are usually accessed by foot, cycle, or public transit. Facilities may include monuments, public art, decorative site furnishings, small stage area and shade structures. Example: Village Square (0.10hectares).

## ii) Neighbourhood Park

The neighbourhood park is the basic unit of the park system and should serve as the focus of a neighbourhood predominantly comprised of single or multi-family residential units and serving residents within a radius of 800 to 1,000metres. Playgrounds, trails and useable open spaces are often high priorities. A balance of active (sports fields, game courts) and passive (sitting, picnicking) should exist. Active recreational facilities intended for programmed activities that attract users from outside the neighbourhood and/or encourage overuse or create noise, glare, parking problems or street congestion, are not appropriate.



No. 6 Mine Heritage Park (R. Bannerman)

All areas of the park should be visible from streets to provide a secure environment. Frontage is best on at least two collector and/or local streets, and should have access to water, sanitary and storm sewer, and electrical services. It is preferred that residents face onto the park rather than back on to it, to provide the security of “eyes” on the park. Lighting is intended for security and safety and should not cause glare to adjacent residents. Street or curbside parking is usually adequate.

The suggested ratio of neighbourhood parks is 1.0hectares per 1,000 people and the optimum size for a neighbourhood park is 2.0hectares, but can range in size from 0.4hectares to 4.0hectares.

Examples: No. 6 Mine Heritage Park (0.5ha), Derwent Park (1.4ha), Egremont Park (0.9ha), Ulverston Station Park (3.0ha), Orchard Park (0.73ha).

## iii) Community Park

The community park classification describes the type of large park typically seen within a large population centre. These intensively developed parks serve large numbers of people and provide a wide range of facilities including trail networks, picnic tables, and sports fields and are typically used by locals and the larger community. They may include highly-used recreational facilities such as programmed athletic sports fields, swimming pools, and recreation centres. Community parks may also contain large passive open space areas or preserve unique landscapes and should be planned with 25-50% of the area as undeveloped greenspace.



Village Water Park (S. MacDonnell)

The suggested ratio of community parks is 2.0hectares per 1,000 people and the preferred minimum size is 10.0hectares.

Examples: Village Park (including BMX track) (10.5ha)

#### iv) Cumberland Regional Parks

Regional parks supplement neighbourhood and community parks by serving broader based recreation needs, specific recreational pursuits (hiking, mountain biking) and/or significant historical and environmental features. Regional parks should include sizeable areas of undeveloped land with natural vegetation and/or water features.

There are no recommended standards of area per 1,000 residents and size for municipal regional parks.



View to Lake Park across Comox Lake (G. Sproule)

Examples: Lake Park (23.8ha) (swimming, boating, camping, trails, day use etc.), Cumberland Community Forest (70ha) (mountain biking, hiking, forest lands) and Coal Creek Historic Park (40ha) site of historic Chinatown and No. 1 Japanese Townsite.



Chinatown Wetlands (G. Sproule)

#### v) Greenways

In general, "Greenway" means a corridor of open space that may:

1. protect natural resources, preserve scenic landscapes and historical resources or offer opportunities for recreation or non-motorized transportation,
2. connect existing protected areas and provide access to the outdoors,
3. be located along a defining natural feature, such as a waterway, along a man-made corridor, including an unused right-of-way, traditional trail routes or historic industrial activities (former rail lines or equivalent), or
4. be a green space along a highway or around the village.

Greenways are systems, and are defined as networks of linked green space that provide wildlife habitat and recreational opportunities. Some

greenways include trails; others do not provide public access. On the ground, greenways are created as part of an integrated approach to land planning, balancing the needs

of human communities and natural systems. A Detailed description of greenways can be found in Nature without Borders 2<sup>nd</sup> Edition, 2013.

Greenway widths may vary depending on use and location. A suggested general minimum width is 15.0metres for the construction of trails and landscape in undeveloped, natural



No. 1 Japanese Town Site (G. Sproule)

areas in order to provide for buffer, wildlife corridors, retention of vegetation and root protection, water drainage and watercourse protection (those watercourses not protected under the provincial *Riparian Area Regulations*).



Ulverston Station walkway  
(G. Sproule)

For retention of existing vegetation, the health of the retained trees should be assessed by an Arborist certified by the International Society of Arborists (ISA) or National Society of Arboriculture (NSA) prior to determining an appropriate width. Urban and developed areas may be reduced to a suggested minimum width of 2.5metres, with a 5.0metre width standard. Again, retention of existing vegetation requires assessment of the vegetation prior to determination of the greenway width.

A suggested ratio of trails is 2.5hectares per 1,000 people.



Wellington Colliery Railway Trail (G. Sproule)

All developed trails within the Village are considered part of the Parks and Greenways Plan. The trail category includes:

*Connector trails:* pedestrian walkways with a focus on transportation within and around the community. Trails are usually short and may connect two roads or connect a road to a school. Examples are the short walkways from Rydal Avenue to Kendal Avenue in Coal Valley Estates and from Bruce Street to Ulverston Avenue in Ulverston Station.

*Park Trails:* focus on recreation value and are built for walking, mountain biking and nature walks. The trails in the Cumberland Community Forest are examples of park trails.

*Bike Routes:* are currently planned along some existing roads and through future developments. An example of a planned bike route is from Hope Road to the Cumberland Interchange on Cumberland Road.



Cumberland Community Forest trail (G. Sproule)

*Greenways with Trails:* The Ulverston Station Greenway connects through the Park from Lagoon Road to Hope Street, Wellington Colliery Railway Trail from Village Park, west to Second Street.

**vi) Natural Resource Areas**

Natural Resource Areas are natural areas, wildlife preserves and other park reserves intended for both conservation and public enjoyment/education. Access to environmentally sensitive areas may be restricted due to steep slopes, ravines, or other unique characteristics or to protect vegetation or wildlife habitat. Site development is limited and strictly passive.

Motorized vehicular and bicycle traffic is often prohibited with these areas. This classification includes major utility easements, very steep land, wetlands, reservoirs and watersheds.

There is no minimum area considered as a standard based on population. In the Village of Cumberland most of the natural resource areas are in private ownership.

Example: Maple Lake and surrounding wetlands.

**vii) Schools**

Although the Village has no role in the management of school property, they are included as Open Space because they may provide playing fields, tennis courts, playgrounds, and other park type features. Public use is restricted to non-school hours and through special arrangements such as with community groups. Schools may act as connectors by providing public space as a link between streets or greenways.

**viii) Provincial or  
Comox Valley Regional District Parks**

The increased size of these parks permits large-scale development of both passive and active facilities providing a wide range of recreational pursuits. Regional parks should include sizeable areas of undeveloped land with natural vegetation and/or water features. Where it is

possible, major roads should be routed around regional parks rather than through the parks. The park should be accessed by public transit or designated bikeway. One or more parking lots may be necessary depending on the activities within the park. Typical development includes: large playground, passive recreational open spaces, sports complexes, concession building, multi-use courts (e.g. basketball), trails, picnic pavilions, support facilities (bike racks, waste receptacles, signage etc.). These parks may also include tennis courts, swimming pool, multi-purpose municipal centre etc.

There are currently no provincial or Comox Valley Regional District parks within the boundaries of the Village of Cumberland. The *Rural Comox Valley Parks and Greenways Strategic Plan 2011-2030* locates the Royston to Cumberland trail along the continuation of the Wellington Colliery Railway.

**b) Naming of Parks**

Parkland dedicated as a result of subdivision (LGA s.941), may be named by the developer/owner, subject to the approval of Council. Names for parkland owned or purchased by the Village will be considered and approved by Council.

**c) Park Inventory**

*Note: Many of these parks have been temporarily named based on their location so as to identify them and do not reflect an official name: e.g. Derwent Avenue Park*

Park	Location	Roll No & PID	Legal Description	Size (ha)	Restriction/Affiliation /Master Plan	Classification	Amenities
<i>Camp Road Greenway</i>	Above Dunsmuir Avenue	0667.039 None	Dedicated as Plan EPP17313, District Lot 24, Nelson District	3.7	Amenity & Sec941 LGA	Greenway	Trail
<i>Coal Creek Historic Park</i>	Comox Lake Road	00820.700 025-477-366	Lot 1, Section 3, District Lot 24, Nelson District, Plan VIP74169	40.05	Restrictive covenant; wetlands; Coal Creek Historic Park Committee, Master plan	Cumberland Regional	Picnic shelter, trails, signage
		00720.010 002-232-090	Lot 6, District Lots 21&24, Nelson District, Plan VIP27906	0.11			
		00720.012 002-232-251	Lot 7, District Lots 21&24, Nelson District, Plan VIP27906	0.09			
		00720.014 002-232-499	Lot 8, District Lots 21&24, Nelson District, Plan VIP27906	0.16			
<i>Cumberland Community Forest #1</i>	Comox Lake Road	02400.004 026-173-255	Lot 1, Section 3, Nelson District, Plan VIP78238	43.28	Covenant; CCFS	Cumberland Regional	Trails
<i>Cumberland Community Forest #2</i>	Comox Lake Road	02500.004 026-523-558	Lot A, Section 3, Nelson District, Plan VIP80099	27.12	Covenant; CCFS	Cumberland Regional	Trails
<i>Derwent Avenue Park</i>	Derwent Avenue	00394.632 000-174-734	Lot A, District Lot 24, Nelson District, Plan 32692	1.43	None	Neighbourhood	None
<i>Egremont Park</i>	Egremont Road	00721.166 001-297-546	Lot 83, District Lot 24, Nelson District, Plan 30033,	0.88	None	Neighbourhood	Trails
<i>Carlisle Trail</i>	Carlise Lane	None	Dedicated as Part of EPP39735 District Lot 24, Nelson District	0.39	Amenity & Sec941 LGA	Trails	Trails
<i>Carlisle Park</i>		None yet	Lot 9, District Lot 24, Nelson District, Plan EPP39735	0.40		Pocket	None

Schedule A

Park	Location	Roll No & PID	Legal Description	Size (ha)	Restriction/Affiliation /Master Plan	Classification	Amenities
<i>Hope Park</i>		00526.000 None	Dedicated as Plan EPP12798, District Lot 24, Nelson District	8.04	Dedication	Greenway	Biodiversity corridor, wetlands
<i>Lagoon/ Wetlands</i>	Between Cumberland Road and Ulverston Avenue	00394.765 024-915-084	Lot 1, District Lot 24, Nelson District, Plan VIP71673	7.04	Ecogift	Open space	None
		00526.264 023-888-512	Lot C, Section 25, Comox District, Plan VIP65968	35.09	Ecogift	Open space	None
		00526.165 003-278-425	Lot A, Section 25, District Lot 24, Nelson District, Plan VIP23092	5.14	Sewer Lagoon	Area not included	Sewage treatment facility
<i>Lake Park</i>	Lake Road	04962.000 009-941-584	Plan 140R, Block 239, Comox District	23.84	Short Term Contract	Cumberland Regional	Camping, boat launch, picnic area, beach, washrooms, parking
<i>Maple Lake Wetlands</i>	Cumberland Road	00526.270 025-094-629	Lot A Plan VIP72564 Section 25, Comox District	6.43	Ecogift	Open Space	None
<i>North Trail (Wellington Colliery Railway)</i>	Kendal Avenue	None	Road Right of way	0.16	Dedication	Trail	Trail
<i>No 6 Mine Heritage Park</i>	Derwent Avenue	00720.008 002-231-913	Lot 5 District Lots 21&24, Nelson District, Plan VIP27906	0.12	No. 6 Mine Heritage Park Committee	Neighbourhood (Historic)	Picnic tables, play equipment, benches, garden, pavilion, mining artifacts
<i>Orchard Park</i>	Dunsmuir Avenue	00667.039 None	Dedicated as Plan EPP17313, District Lot 24, Nelson District	0.73	Dedication	Neighbourhood	Fruit trees, benches, picnic table

Schedule A

Park	Location	Roll No & PID	Legal Description	Size (ha)	Restriction/Affiliation /Master Plan	Classification	Amenities
<i>Peace Park</i>	Third Street & Cumberland Road	00395.000 006-243-771	Plan 3268, Block 29, District Lot 24, Nelson District	0.24	Dedication	Pocket	Entrance sign, garden maintained by volunteers
<i>South Trail (Wellington Colliery Railway)</i>	WC through Village Park	00392.550 005-024-692	Plan 21RW, District Lot 21, Nelson District	8.24	Ecogift	Trail	Trail
	Portion of WC ROW	02400.002 005-024-315	Plan 21RW, Section 3, Nelson District	0.33	Ecogift	Greenway	None
<i>Ulverston Station</i>	Coniston Crescent	None	Parks dedicated as part of Plan VIP77088	3.04	Amenity & Sec941 LGA	Neighbourhood	Trail
<i>Ulverston &amp; Mill</i>	Corner of	None		0.02		Pocket	None
<i>Unnamed Creek Greenway</i>	CVE Phase 5	00667.041 None	Dedication as Plan EPP18534, District Lot 24, Nelson District	2.14	Amenity & Sec941 LGA	Greenway	None
<i>Village Square</i>	2743 Dunsmuir	00184.000 008-963-452	Lot 10, Block 11, District Lot 21, Nelson District, Plan 522A	0.10	Contaminated site (gas station)	Pocket (Square)	Picnic area, garden, lawn, benches, murals, paved area, power.
<i>Village Park</i>	Dunsmuir Avenue	00392.500 006-665-306	Remainder DL 21, Nelson District	5.70	Ecogift	Community (part of Village Park)	None
		00392.575 024-894-826	Lot A, District Lot 21, Nelson District, Plan VIP71591	1.68	Ecogift; Coal Hills BMX Assoc, Master plan		BMX track, storage building w/washroom, lighting, irrigation, parking

Schedule A

Park	Location	Roll No & PID	Legal Description	Size (ha)	Restriction/Affiliation /Master Plan	Classification	Amenities
<i>Village Park</i>	Dunsmuir Avenue	00379.000 008-936-005 008-935-840 008-935-866 008-935-891 008-935-904 008-935-912 008-935-921 008-935-947 008-935-939 008-935-955 008-935-971 008-935-980 010-450-815	Lots 1- 12, Block 28, District Lot 21, Nelson District, Plan 522C  That part lying South and East of Part in Block 28, Plan 522C	4.24 + ROW 0.56	Master plan	Community	Ball diamonds, washrooms, children's water park, horseshoe pitch, concession, multi-use playfields, play structure, off-leash dog park, hiking trail connection., multi-use courts, lighting, power, parking.
<b>Total Area</b>				<b>232.34</b>			

**d) Analysis of Parkland**

*Official Community Plan:* The Official Community Plan (OCP) includes recreation, parks and greenways objectives and policies. The OCP encourages the provision of a natural treed and vegetated buffer surrounding the built-up areas of Cumberland and includes the following visioning statement:

***The Village Setting***

Our commitment to preserving the natural surroundings of forests and wetlands ensures that our Village will continue to offer outdoor recreational opportunities for all, as well as demonstrate a community wide stewardship of the land, including the maintenance of excellent air quality and clean water for residents and visitors alike.

The Village Council considers neighbourhood parks and recreation facilities to be critical to the functional integrity of the neighbourhoods within the Village. It is the policy of Council to:

- i) Ensure that neighbourhood park areas, park lands or money in lieu of park land dedication, be acquired by the Village at the time of development or subdivision;
- ii) Restrict the alienation of public lands from the general use of the public by adjacent property owners (e.g. encroachment into lanes and parks);
- iii) Support the Comox Valley Regional District parks plan (*Rural Comox Valley Parks and Greenways Strategic Plan 2011-2030*) in the pursuit, recognition and protection of significant trail corridors on adjacent private forest land properties; and
- iv) Continue to pursue the establishment of the Wellington Colliery Railway right-of-way as a linear parkway for non-vehicular public recreational use.

The OCP does not include goals of park land and open space area per capita. If school playing fields are included in the parks and open space areas, the Village has 7.9% total open space or

237.1hectares of the total area within the current municipal boundaries. This equals 0.07hectares per capita (approximate population 3,300 in 2014)

	Hectares	%
Total area within the municipal boundary	2,995.0	100.0%
Total existing open space & park area	230.49	7.7
Total school area	6.6	0.22%
<b>Total park, open space &amp; school area</b>	<b>237.1</b>	<b>7.9%</b>

A standard measure used to determine the total area of parks and open space per capita (*National Recreation & Park Association (NRPA)*) is 5.0ha/1,000 residents. Based on the numbers presented, the Village has 70ha/1,000 residents (0.07ha/person x 1,000), or 14 times the standard measure for parks & open space area. It is important to note that the gross area per capita is by itself incomplete, as it does not address the quality of a park and open space system, the distribution of open space, its connectivity or local priorities.

Although the gross area of existing parks and open space appears to be significantly more than adequate as a standard, the distribution of the various types of parks is not adequate. While passive recreational forested land constitutes a major portion of the total park lands (30.5%), there are very limited pocket, neighbourhood and community parks, and few amenities within those parks. Each of the parks support different activities and need to be distributed around the Village in suitable locations to serve the whole community. Also seasonally there are increases in population and the Village can expect additional demands on parks and open spaces through recreation tourism. The recommended park areas for the Village are relatively small due to the population and the method of calculating park space based on area per 1,000 residents. Note that parks do not always have singular features to define park classification, but features may overlap.

Adding all the standard recommended areas for all park types results in a goal of 5.62ha/1,000 people\*. For simplicity, 6.0ha/1,000 people are used with population projections as follows:

Year	Population Estimates	Village parks and open space needed (total in hectares)
2014	3,300**	19.8
2020	3,918***	23.5
2025	4,433***	26.6

Following is a table of the existing and projected needs for park types (refer to Park Inventory). This does not differentiate between developed (useable) and undeveloped parks.

Year	Estimated Population	Pocket Park 0.12ha/1,000 people	
		Actual	Recommended NRPA
2014	3,300	0.36	0.40
2020	3,918	-	0.47
2025	4,433	-	0.53

Year	Estimated Population	Neighbourhood Park 1.0ha/1,000 people	
		Actual	Recommended NRPA
2014	3,300	6.2	3.3
2020	3,918	-	3.9
2025	4,433	-	4.4

Year	Estimated Population	Community Park 2.0ha/1,000 people	
		Actual	Recommended NRPA
2014	3,300	6.5	6.6
2020	3,918	-	7.8
2025	4,433	-	8.9

Year	Estimated Population	Trails 2.5ha/1,000 people	
		Actual	Recommended NRPA
2014	3,300	8.8	8.3
2020	3,918	1.0	9.8
2025	4,433	-	11.1

\*  $Pocket + neighbourhood + community + trails = 0.12+1.0+2.0+2.5=5.62/1000$

\*\* Population based on municipal data

\*\*\* Population estimates are based on the CVRD Bylaw 120, Comox Valley Regional Growth Strategy. The Village's growth rate used in this plan is 3.12%. Estimates have not been compounded.



No. 5 Mine Fan House (G. Sproule)

#### e) Parks and Greenways Gaps

The Park Inventory (Schedule A, Part 3.0(b)) documents all the parks owned by the Village. If only developed and useable parks are considered, neighbourhood parks are the only category to meet the standards criteria. Due to the current lack of Village staff dedicated and trained to maintain parks, the maintenance of these spaces often depends on residents and volunteers.

**i) Pocket Parks**

The Village has three parks that can be classified as “pocket parks”. Of the three, Village Square provides the most useable public space.

Year	Estimated Population	Pocket 0.12ha/1,000 people	
		Useable	Recommended
2014	3,300	0.10ha	0.4ha

It is recommended that pocket parks should be acquired in specific locations as part of the *Local Government Act* 5% parkland dedication requirement at subdivision, especially in areas of redevelopment close to the Village core and within proposed residential developments. Proposed pocket parks can be used to protect historical artifacts within a developing neighbourhood, provide linkages and act as an entrance to a greenway trail system, or provide a small public treed or natural space in a new subdivision or developed urban core.

At a minimum, the small parks could provide an access point to trails to encourage pedestrian travel through the neighbourhoods, even though the pocket park may be too small to provide any trails as a recreational opportunity.

*Peace Park* is a pocket park that is “land locked” with roadways on all sides. It is proposed to be redeveloped (*Roads Master Plan, 2007*) to provide better vehicle circulation at a problematic intersection. Redevelopment of the park would also improve pedestrian connections and create a more useable open space.

If a parks plan does not exist, the *Local Government Act* (Section 941) states that the owner has the option of providing land for park use or cash-in-lieu at the time of subdivision. The land area must not exceed 5% of the land (by average market value) being proposed for subdivision. This provision has historically, in other jurisdictions, resulted in small pocket or neighbourhood parks that are not developable due to environmental constraints (wetland), an

odd unusable shape (no road frontage) or has no easy access. Therefore it is important to assess the proposed dedication with the parks plan so as to acquire valuable links and habitat.

**ii) Neighbourhood Parks**

The Village has five parks classified as “neighbourhood parks”. These park types usually serve their immediate neighbours but Ulverston Station Park may develop into a more widely used pedestrian route and No. 6 Mine Site Park includes historic mine artifacts which provide for destination interest. Orchard Park contains historic fruit trees and functions more as a corridor while two parks are undeveloped except for informal paths and have encroachment issues (Egremont Park and Derwent Avenue Park).

Year	Estimated Population	Neighbourhood 1.0ha/1,000 people	
		Useable	Recommended
2014	3,300	3.89ha	3.3ha

**iii) Community Parks**

Village Park is the only park within Cumberland that can be classified as a “community park”. Although smaller in area than standard community parks, Village Park includes active and passive recreation facilities and areas.

Facilities include tennis courts, ball diamonds, a concession stand, horseshoe pitch, children’s’ water park and play structure, and an off-leash dog park. Adjacent Village-owned land has ecogift status (*Environment Canada*) which carries restrictions on use and is not included in the useable space calculations.

Year	Estimated Population	Community 2.0ha/1,000 people	
		Useable	Recommended
2014	3,300	4.2ha	6.6ha

#### iv) Cumberland Regional Parks

Cumberland Lake Park, Cumberland Community Forest, and Coal Creek Historic Park are classified as regionally-significant parks. As these parks attract a broader interest than only the local community, they are included as regionally important parks.

Cumberland Community Forest and Coal Creek Historic Park have restrictive covenants on title that place conditions on use and development within the parks.



The coal hills in Coal Creek Historic Park  
(G. Sproule)

#### vi Greenways & Trails

Many of the active trails are previous logging roads within the Village and are on private land owned by forestry companies.



Entrance to Cumberland Community Forest  
(G. Sproule)

#### vii) Natural Resource Areas

Existing areas that can be considered as Natural Resource Areas in the Village are owned by the Village (e.g. Maple Creek lagoons and wetlands) and by private forestry companies (e.g. most of the Village's watershed, and lands surrounding Maple Lake). The Village continues to work with the private forestry companies to acquire priority lands and/or access agreements for the private lands.

#### 4.0 TOOLS FOR ACQUIRING PARKLAND

##### a) Planning Tools

Land noted as "Acquisition" on the Parks and Greenways Master Plan map (Schedule A-1) may be acquired under the *Local Government Act* land dedication requirement through subdivision, development cost charges (DCC), amenities as part of OCP or zoning amendments, direct purchase, donation, and/or some combination.

Inclusive zoning for parks: As per the Zoning Bylaw, public parks or playgrounds, and pedestrian or bicycle paths are permitted uses in any zone.

Park Dedication: As per the *Local Government Act* 941(4) landowners applying for subdivision approval may be required to transfer land or provide cash-in-lieu for the acquisition of parkland. An example is Ulverston Station Park.

Development Cost Charges (DCC's): The purpose of DCC's for parks is to ensure that new residential development assists in the provision of parkland and park improvements to meet its own needs. The DCC bylaw includes park DCC's for all residential development including single family, duplex, and multi-family units. Funds collected must be used for acquisition or development of parkland.

Amenity Negotiations: This generally occurs at an OCP or zoning amendment application process, to provide for a community amenity such as parkland, trails and bicycle paths.

**b) Parks and Greenways Acquisition Funds**

The Village acquires parkland funds collected through the cash-in-lieu option at the time of subdivision. An example is the funds collected for subdivision of some of the phases of Coal Valley Estates. The funds could also be acquired through a separate parcel tax dedicated specifically to parkland acquisition. Municipalities may go to the electorate to ask for support for a special tax levy to go into a parkland acquisition fund. This provides an opportunity for the community to consider supporting a specific purchase of land for park. Currently the Village does not have a parcel tax or tax levy for parks acquisition.

**c) Municipal Operations**

Disposal of Surplus Parkland: The Village may have the ability to sell some parkland property that does not meet the goals of the Park Master Plan or does not meet the priorities expressed in the OCP. The funds raised from the sale could purchase park or greenway identified as priorities for acquisition.

Retention of Public Interest Portion of Land Purchased: The Village may purchase land which has public interest value, and subdivide the portion of interest (such as a trail corridor) and re-sell the remainder of the property.

Agreements with Private Landowners: The Village may register agreements with private landowners for access over private lands for park purposes. Land may be leased from private property owners to complete an important trail connection or provide access to a park.

**d) Donations and Partnerships**

A donation of land is described as a voluntary transfer of title from the donor to the recipient during the donor's lifetime. A bequest is a gift of land made in a will. In either case, the donor can attach conditions to the transfer of title. Cumberland Community Forest is an example of a donation of property, with a Section 219 (*Land Title Act*) Restrictive Covenant, to the Village. Other partnerships include:

- i) Trails on private forestry company lands may be possible through agreements and partnerships between the forestry company, community groups and the Village. The Village is actively pursuing this option. Although the trails may need to relocate to accommodate harvesting plans, the agreements could protect long term access to popular recreation areas.
- ii) Conservation covenant is a legal agreement between a landowner, and authorized land trust and/or a local government. The agreement remains attached to the title of the property in perpetuity and defines allowable and restricted uses for the property. Under Section 219 of the *Land Title Act*, private property owners can place conservation covenants on the land or portion of the land. This is a viable method for protection of land without taking ownership. Another option is the purchase of valuable environmentally sensitive lands, place a conservation covenant on the land and then sell the land with the protection in place. Examples of existing conservation covenants on public land are Cumberland Community Forest and Coal Creek Historic Park.



Coal Hills at No. 4 Mine (G. Sproule)

- iii) First Nations may have areas of interest that overlap with the Village's Parks and Greenways Plan. These areas of interest will be identified through the treaty process and that outcome of the process will influence what the Village might pursue for parkland. In areas where interests overlap the Village may explore possible partnerships.

### 5.0 PARKS AND GREENWAYS PRIORITIES

Land for park acquisition is located throughout the Village, based on Regional Growth Strategy policies, OCP designated future residential development, existing and proposed development.

Based on the OCP, recommendations for land acquisitions and/or protection include:

- i) areas of considerable environmental significance such as Maple Lake, Maple Lake wetlands, and the Comox Lake waterfront,
- ii) areas of significant interconnected forest, being the land to east and west of Cumberland Community Forest,



1930's Aerial Photograph of Village of Cumberland  
Note extensive agriculture fields in current wetlands

- iii) connections to promote the development of a trail and/or habitat network as part of the Village greenways system (wetland strip north of Cumberland Community Forest) and Wellington Colliery Railway trail; and

- iv) significant historical sites and/or artifacts such as No. 4 Mine site, No. 5 Japanese Town site.

#### a) Criteria for Parkland Acquisition

Land acquisitions for parks should be prioritized given that there are limited funds available. The following guidelines provide a framework of park design criteria, to assist in the redevelopment of existing and new parks servicing the needs of the residents of the Village.



Jumbo's cabin (S. MacDonnell)

In general, parkland serving the needs of the residents of the Village should:

- i) be central to the population it serves;
- ii) be compatible with adjoining land uses;
- iii) utilize existing school grounds, where appropriate, through joint use agreements;
- iv) be sensitive to the environment;
- v) be safe and accessible;
- vi) ensure the topography suits the intended use;
- vii) have flexible programming;
- viii) be responsive to the neighbourhood use group;
- ix) be designed with input from the community; and
- x) protect significant historical artifacts and heritage landscapes.

The heritage value of the artifacts and landscapes can be additionally assessed through the following considerations:

- 1) Uniqueness;
- 2) Continued productivity;
- 3) Diversity;
- 4) Sacredness;
- 5) Representativeness;
- 6) Symbolic importance;
- 7) Special associations;
- 8) Aesthetic quality;
- 9) Relative age;
- 10) Spirit of place.

These criteria weigh the relative importance of the artifacts and landscapes with the Village's history and the future value to the community.

To expand on the objectives and policies of the OCP (Refer to 3(c) Analysis of Parkland), the following criteria have been developed in order to further assess potential lands for acquisition.

Category	Criteria
<b>General</b>	
<i>Level of Threat</i>	Are there imminent development plans for the property? If so, can the conservation or recreation values be protected through planning tools?
<i>Future Site Potential</i>	Does the site have future recreation or conservation potential if restored?
<b>Conservation</b>	
<i>Ecological Values</i>	Is there a known or potential wildlife corridor, supports rare and endangered species, threatened nesting/roosting/feeding sites?
<i>Connectivity</i>	Does the site provide for a connection to other parks or protected areas?

Category	Criteria
<b>General (cont')</b>	
<i>Ecosystem Representation</i>	Does the site represent an ecosystem that is threatened, rare and/or underrepresented in the region?
<i>Fisheries &amp; Riparian Values</i>	Does the site protect an important fish-bearing stream or riparian area that cannot be protected through other means?
<i>Buffer</i>	Can the site provide a buffer to an already protected or environmentally sensitive area?
<i>Limited Access</i>	Is the site easy to protect for conservation due to limited human access?
<b>Recreation</b>	
<i>Unique Feature</i>	Does the site have any unique recreational features: swimming hole, beach, rock climbing area etc.
<i>Access</i>	Does the site protect access to a popular recreation area?
<i>Multi use</i>	Does the site serve a wide range of user groups and the public?
<i>Popularity</i>	Does the site support a popular recreation resource that is rare and/or threatened if development proceeds?
<b>Community Values</b>	
<i>Heritage Values</i>	Does the site have an important link to the past?
<i>Access</i>	Is the site easy for people of varying abilities to access?
<i>Educational</i>	Does the site provide educational and interpretive opportunities?

Schedule A

Category	Criteria
<b>Community Values (cont'd)</b>	
Stewardship	Is there potential for community partnerships/stewardship agreement to help manage the site?
<b>Financial</b>	
Owner Support	Is the owner willing to sell, donate the land, and/or enter into a legal access agreement or conservation covenant?
Affordability	If purchased, is the site affordable? Would it require fundraising, short term debt, participation of other partners?
Development & Operating Costs	Can the Village afford and does it have sufficient resources for the ongoing maintenance?

(Criteria chart modified from the November 2009 draft of the *Comox Valley Regional District Background Report for the Comox Valley Parks and Greenways Strategic Plan 2011-2020*)

**b) Acquisition Policies**

The following policies for acquisition are derived from the parks space analysis. Key policies include direction to:

- i) Acquire more areas of parkland but aim for larger parcels to include neighbourhood and community parks, spread throughout the community, and pocket parks in areas of higher residential density.
- ii) Aim for a Parks per capita rate of 10.0 hectares per 1,000 people (including trails) to meet the need for more diversity in park types and to maintain the OCP vision. This reflects the fact that the Village has ample park space, according to the numbers, but does not have the diversity and distribution of desired park space.

- iii) Acquire connections and links to connect parks within residential areas and destinations, and connect to proposed larger parks in currently undeveloped areas.
- iv) Acquire lands that are worthy of park status so that they become focal points and that the maintenance can be either justified by the Village or that a local stewardship group will form to “adopt” them.
- v) Acquire/protect environmentally sensitive lands to protect habitat values, water quality and rainwater management functions.
- vi) Consider Village-owned land that may not be currently developed as parks (e.g. Derwent Avenue Park) in determining park and open space resources available, starting with the easiest first.
- vii) Improve existing parks by establishing local partnerships with existing or new community volunteer groups.
- viii) Design and implement a street tree program to create greenways in the public realm.
- ix) A number of areas for potential parks and greenways were identified in a 2007 survey, in the comment sheets, and from input by community groups and staff. Further areas will continue to be identified in the future. Areas of interest are:
  - 1) Wellington Colliery Railway bridge (Perseverance Creek) and trail section to Comox Lake and No. 4 mine site (private land issues);
  - 2) No. 5 Mine site including the fan house, greenway, neighbourhood park and a wildlife and bird sanctuary in adjacent wetlands (Bevan Road Wetlands);
  - 3) Coal Valley Estates: Fan house park, neighbourhood park, greenways;

- 4) Maple Street Wetland Entrance Park;
- 5) Maple Lake;
- 6) Maple Creek & lagoon: Trail system with boardwalk around the sewage lagoon and wetland area, connection to cemeteries walk, & wildlife corridor to Trent River;
- 7) Wellington Colliery Railway connection and entrance to Ulverston Park (off Ulverston Road);
- 8) Property additions to Cumberland Community Forest;
- 9) Trilogy Lands Parks plan: pocket, neighbourhood parks, greenways, trails and bicycle paths for interchange lands including Area 9b; and
- 10) Trail connections around the residential perimeter of the historic core of the Village.

The Village does not presently have the resources to acquire, improve, operate and maintain all of the areas of interest. More details of development of these areas is included in section 6(e) "Development of Parkland".

Other facilities were identified as lacking in the community parks inventory, and may be accommodated through master plans for individual parks. These may include: mini-golf, fitness run, tennis backboard, and wash station and change room for mountain bikers.



Maple Lake

## 6.0 IMPLEMENTATION STRATEGY

### a) Funding Strategies

The parks system is not funded through any separate parks function. At this time the only funds for basic maintenance of some of the public lands comes from general taxation. Most land for new parks is acquired through the 5% parkland dedication requirement at time of subdivision. The Village does have a reserve fund for the cash-in-lieu collected at the time of subdivision but no regular annual contributions are made to that fund. Due to the relatively small amount of cash collected, the ability to purchase parkland is limited.

Development Cost Charges (DCC's) are collected for parks for new development but the parks must be part of the DCC bylaw which specifies what and where the funds can be used. The DCC's ensure that new residential development assists in the provision of new park areas for new residents.

To achieve the vision of an expanded parks and greenways system and to manage and maintain that system requires that the Village utilize a number of other funding tools. A possibility which may have public support is to establish a parkland acquisition fund based on parcel tax. Land can also be made available for park and greenway use through donations, leases, statutory right-of-way or conservation covenants, which do not require outright purchase by the Village. However there are maintenance and management costs associated with all these arrangements, which requires annual budget allocation, as even gifted land is not free of costs to the Village.

### **b) Acquisition Priorities**

Land for potential park acquisition is located throughout the Village.

Pocket Parks should serve a sub-neighbourhood of approximately 400metre radius and Neighbourhood Parks a sub area of a walking distance of 800 to 1,000metres. If neighbourhood parks are unique, it may attract from the larger community (e.g. No. 6 Mine Heritage Park). Community playfields should be within biking distance for the best community use.

As part of the parkland dedication at subdivision, the land may take the form of a trail or greenway. Opportunities should be sought that connect developments, through neighbourhoods and to the downtown; as well as trail connections to natural areas and to other greenways systems in the Comox Valley. During subdivision the Village can ask for these connections as statutory rights-of-way, and/or easements. There are missing links to existing public trails which may be considered during development approvals. In order to meet the objective of a network, it is important that these links be acquired even if the funds may not be available for development at the time of acquisition.

In addition to the community input already received regarding land acquisitions, the following are recommended for consideration as land acquisitions based on the OCP goals and objectives:

- i) Lands with considerable environmental significance;
- ii) Areas of significant interconnected forest; and/or
- iii) Land connections to promote the development of a trail and/or biodiversity corridors.

### **b) Management Policies**

Acquiring land is only the first step in developing a parks system. Policies must be developed to guide development, operation,

and management. Management plans which include park maintenance need to be developed for all existing and proposed parks. Short term priorities for individual park plans (Refer to (e) (i)):

- i) Cumberland Lake Park;
- ii) No. 6 Mine Heritage Park;
- iii) Ulverston Station Park; and
- iv) Egremont Park.

To date, Village parks have developed on an ad hoc basis, driven by user groups, available grants and subsidized by community donations and volunteer labour. Maintenance is accomplished through the annual budget allocation which competes with other Village priorities for funds and staff time.

The Parks and Greenways Master Plan is only the beginning of a parks system for the Village. In 2013, a new staff position, "Outdoor Recreation & Parks Coordinator" was created to bridge the gap of recreation and parks. A Parks Department should be developed with trained and knowledgeable staff and a budget committed to the design, management, and maintenance of public land, including parks, street trees and boulevards, in order to realize acquisition and maintenance of all parkland.

### **Development of Parkland**

Prior to future review of the *Parks and Greenways Master Plan*, individual park plans, outlining the development and maintenance regime for each park, should be completed and approved by Council.

Individual park plans will identify missing connections which include the need for well-vegetated pedestrian greenways or shared cycling/walking access at the side of a roadway. Many of the Village's much-loved trails are on private land owned by forestry companies and do not have approved use as greenways or trails. The Village is working with the private companies on access agreements in order to ensure the trail connections are documented so that if and when those properties are

developed, the important connections, if not the actual trail, can be maintained. Providing parks and open space in already urbanized areas is more challenging.

Design plays a key role in creating safe park environments. Poorly configured park sites with inadequate street frontage and inappropriate locations, increases the opportunity for risk, injury, damage, and crime. With better exposure to adjoining streets, security is enhanced and the park becomes a more visible and appreciated asset to the community. It is important to review all park acquisition and development plans with the goal of providing barrier-free access to public spaces. While it may not be practical in all circumstances to reach total barrier-free access, major trails and park space should provide for people with varying abilities.

Open space can provide valuable greenspace but does not necessarily need to function for people. If for habitat only, the small isolated islands should be linked by corridors to larger habitat areas. The Village has negotiated for cash-in-lieu of parkland dedication and has acquired actual parkland as part of subdivision requirements. The Village, rather than the developer, may determine whether the developer must provide land or money. The option to accept cash-in-lieu for the required dedication may be considered by Council under one or more of the following circumstances:

- No part of the parcel would complement the park, greenway or trail system;
- No part of the parcel represents an environmentally sensitive habitat that could be protected with tools other than acquisition; and
- No local park land needs are identified in the *Parks and Greenways Master Plan, 2014*.

Having an adopted Parks Plan provides the Village with the ability to request land, if desired, rather than receive cash. As land historically continues to increase in value, it is

often financially prudent to acquire the land, even if funding for improvements is not immediately available. In some cases, development of the park may be funded by the developer as a requirement of a regulatory approvals process.

Parkland development can proceed through the following processes:

- Achieve more efficient use of existing parks and publicly-owned land by developing them into useable, connected spaces (e.g. Derwent Avenue Park and Orchard Park-provide connection from residential area to Coal Creek Historic Park.
- Develop Village core parks into usable public spaces by increasing the range of uses such as multi-use sports fields, level trails, seating area, plantings, public washrooms and drinking fountains, games area like bocce, outdoor chess, picnic area, or a community garden.
- Encourage residents of the neighbourhoods to provide input on the park proposals.
- Encourage “Friends of the Park” groups to provide for maintenance and observation.
- Encourage “Friends of the Park” to identify opportunities for donations towards park facilities, such as benches, interpretive signs and picnic shelters.

It makes sense to start improving existing parks owned by the Village and look for manageable opportunities for implementation of the Parks Plan.

Trespass or encroachment of private use into publicly-owned land, such as parks and rights-of-way, is not legally permitted. Currently in the Village, encroachment is common in lanes, road rights-of-way, and in public parks. Often the property line is not evident and will require a survey to determine the actual boundary. In many cases, residents have chosen to incorporate public land within their control to use for accessory buildings, gardens, parking space, storage etc. In the past enforcement has

not occurred except by notification to the adjacent owners of their illegal use of public lands and a request for compliance (e.g. Egremont Park). In the future, the Village will be more actively pursuing enforcement in order to return land to the public realm.

#### *Pocket Parks*

Pocket parks have proven to be expensive to maintain in other jurisdictions and often become subject to vandalism due to lack of “ownership”. Sometimes they become integrated into adjacent properties and therefore lost to the public realm (encroachment). This is often the case for unopened road rights-of-way or road ends rather than actual parks but encroachment occurs within the Village in all these cases.

Pocket parks could function as neighbourhood parks if provided with some amenities or features that allows more flexible use of the space, such as grassed open space, bench with trees or interpretive signage at the beginning of a trail. The Village Square enhancement is a good example of creating a flexible urban public space.

#### *Neighbourhood Parks*

More neighbourhood parks will be required as population increases. Improvements are needed for existing neighbourhood parks to update and maintain existing furniture and structures, and add amenities such as animal-resistant garbage receptacles and dog waste bag dispensers. The Parks Plan outlines proposed neighbourhood parks in areas of future development and in areas of historical significance. The locations are flexible to accommodate the best layout, connections to the development and to the other parks and greenways, and for protection of habitat and biodiversity corridors.

For neighbourhood parks with historically significant artifacts such as the No. 5 Mine site fan house remnant, the location is determined by the remnant. Relocation is not supported for historical artifacts.

For all parks regardless of their size, all historical remnants should be identified as part of the development plans on any land. Historical mining remnants such as the fan house and hydroelectric generation infrastructure will be required to be surveyed and mapped and may be considered as the focus of the park on the particular property. The remnants are not to be moved or altered in any way unless preapproved by Council. The signage and development of the historical aspects of the park will be reviewed by the senior planning staff, and approved by Council.

#### *Community Parks*

A community facilities needs assessment should be completed to determine the recreational facilities required. The Parks Plan addresses the future need for an additional community park within the Village and shows a potential future location between Comox Lake and the historic core of the Village. This location may permit lighted, outdoor, all-weather sports fields, tennis courts, and other events that if located in a dense residential area might produce some conflicts. As this proposed location is tied to the timelines for future development, an alternate location may be considered, closer to the downtown core or a previously developed site.

This or other such community and regional facilities may best be achieved as a joint regional facility for the Comox Valley, as discussed in the *Rural Comox Valley Parks and Greenways Strategic Plan 2011-2030*.

#### *Cumberland Regional Parks*

These parks will only increase in importance for both the local community and for visitors. A management plan for the Cumberland Community Forest lands has been completed to meet the criteria of the conservation covenant held by the Village, The Land Conservancy and the Comox Valley Land Trust. The lands are managed by the Cumberland Community Forest Society in partnership with the Village.

Lake Park has been managed through short term management agreements and is currently undergoing a master plan process.

Coal Creek Historic Park Master Plan was approved by the Coal Creek Historic Park Advisory Committee and Council in July 2014.

These and all the individual park plans for Village parks will guide future phased planning and development of the parks and the trail and bicycle connections to link them.



Entrance to Coal Creek Historic Park  
(S. MacDonnell)

**e) Development of Parkland**

i) Existing Parks

(Note: although this is considered a 10 year plan, the implementation of some projects goes beyond that time frame. It is expected that the plan will be reviewed in 5 years and projects will be reassessed).

Action Schedule: Short: 2014-2019 ★ Medium: 2020-2024 ★ Long: 2025+

Park Name	Goals	Term
<i>BMX Track</i>	May be relocated as part of Area 9b (Trilogy) development	Unknown
<i>Camp Road Greenway</i>	Deal with encroachments	Medium
<i>Carlisle Park</i>	Developed as phases proceed	Medium
<i>Coal Creek Historic Park: No. 1 Japanese Town</i>	Design & build entrance features	Medium
	Develop entrance road & parking	Short
	Develop signage & historical storyboards	Short
	Build & repair trails	Short
<i>Coal Creek Historic Park: Chinatown</i>	Block off vehicles (all parks)	Ongoing
	Walking tour brochure	Short
	Develop signage & historical storyboards	Medium
<i>Cumberland Community Forest #1</i>	Signage	Short
	Trail & bridge repairs	Short
<i>Cumberland Community Forest #2</i>	Block off vehicle access	Short
	Walking tour brochure	Short
	Develop signage	Medium
	Develop historical storyboards	Medium
	Build new & repair & close existing trails	Medium
<i>Cumberland Lake Park</i>	Develop master plan for park.	Short
	Implementation plan	Medium-Long
<i>Derwent Avenue</i>	Management and maintenance plan	Medium
	Linear parkways: connect via lanes from Derwent Avenue through to Camp Road to lands to the north and through the Orchard Park to the entrance to Coal Creek Historic Park	Medium
<i>Egremont Park</i>	Management & maintenance plan	Short
	Develop and implement a strategy to eliminate encroachments	Short
	Develop casual trail system to connect neighbourhood	Medium
<i>Hope Park</i>	Management and maintenance plan	Long

Park Name	Goals	Term
<i>No 6 Mine Heritage Park</i>	Park plan including maintenance	Short
	Storm drainage	Short
<i>Orchard Park</i>	Park plan, including maintenance	Medium
	Maintenance plan for trees	Short
<i>Peace Park</i>	May be part of DCC Road improvement project ( <i>Roads Master Plan 2007</i> ) due to traffic issue. Important gateway to the Village. Open space should be linked to Wellington Colliery Railway trail, i.e. the entrance to WC trail	Long
<i>Ulverston Station</i>	Park plan, including maintenance	Short
<i>Unnamed Creek Greenway</i>	Park plan, including maintenance	Long
<i>Village Park</i>	Master parks implementation	Medium
	Improve Wellington Colliery Railway trail system	Medium
	Proposed links to Trilogy Lot 9 (when developed for residential use)	Unknown
<i>Village Square</i>	Park furniture, replace trees, maintenance	Short
<i>Wellington Colliery Railway No. 5 Mine Trail</i>	Coal Valley Estates Phase 1 & 2: part of Wellington Colliery Railway trail, important to future development- improve trails, vegetate trail verge	Medium

**ii) Proposed Parks: Priority A**

Note: These areas are rated as “Priority A” due to public input, pending development, sensitive ecosystems and/or historical significance and meet the criteria for acquisition (refer to chart). These areas may constitute a park requirement and/or level of protection through development or flag important considerations in future plans and activities.

Proposed Park	Action	Park Classification	Proposed Area
Chinatown Wetlands (south of Comox Lake Road)	Wetlands adjacent to Cumberland Community Forest and Comox Lake Road	Greenway	5.4ha
Coal Valley Estates Phase 5 Neighbourhood Park	Park to be acquired at subdivision, location in CVE concept plan as approved in registered covenant	Neighbourhood	0.7-2.0 ha
Cumberland Community Forest #3	Partner with CCFS for acquisition of land east and south of existing parkland	Cumberland Regional	22.3 ha
Interchange Lands	Refer to Trilogy Conceptual Master Plan: Trail & Linkages to Village (June 2006) for all greenways/trail/cycling connections to connect to Village greenways/trail/cycling network. To be developed at subdivision and permit stages as outlined in the registered covenant.	Neighbourhood, pocket, trails, greenways.	Refer to Parks Plan map: Schedule ‘A-1’

Proposed Park	Action	Park Classification	Proposed Area
Lot 9B (Interchange lands)	Neighbourhood, pocket parks and greenways	Neighbourhood, pocket & trails	
Maple Lake Greenway	Connections to Maple Lake Park and wetlands with connections to the Wellington Colliery Railway trail	Trails	±4km of trails
Maple Lake Park	Acquire lake and surrounding buffer as parkland; 100 metre (approx.) buffer plus wetlands	Cumberland Regional	40ha
Maple Lake Wetlands	Wetlands adjacent to proposed Maple Lake Park, integral part of Maple Lake and Maple Creek hydrologic system; 2 areas	Cumberland Regional	11ha total
No. 4 Mine Site Heritage Park	Locate historical artifacts	Cumberland Regional	5.0ha
	Contingency plan if contaminated site		
	Acquire park site		
	Prepare park plan with greenway links		
No. 5 Mine Site Neighbourhood Parks	Locate historical artifacts	Neighbourhood	Min 2.0ha each
	Contingency plan if contaminated site		
	Acquire park site		
	Prepare park plan with greenway links		
No. 5 Fan House Park	Park in Coal Valley Estates (Phase 5)	Pocket	0.2ha
Sewer Lagoon - Treatment Wetland	Linked to Ulverston Station park and greenway system to Maple Lake, important biodiversity area	Ecogift: potential trails	±4km of trails
South Wellington Colliery Railway Wetlands	Adjacent wetland and stream protection area south of existing Village-owned trail	Trails, greenway	3.4ha
Village Park Addition	Acquire additional lands to meet Village Park community needs	Community	7.0ha
Wellington Colliery Railway Entrance Park: Carlisle/Ulverston	Important connection and entrance to Wellington Colliery Railway trail and greenway/wetlands north to Maple Lake	Pocket & Trails	0.4ha
Wellington Colliery Railway - No. 5 Mine Site	Greenway link, including Wellington Colliery Railway trail, in No. 5 Mine neighbourhood to larger trail network	Trails	5.0ha
Wellington Colliery Railway Trail & Bridge	Repair bridge to Comox Lake and to No. 4 Mine site	Trails	3.0ha
	Important link to trail system: from existing trail to Comox Lake		

Note: Sizes of proposed parks were estimated based on the average area of the type of park, as documented in the NRPA Standards, and related to the geography or significant artifact. "N" in a hatched circle denotes neighbourhood park whose location will be determined prior to development of the property.

**iii) Proposed Parks: Priority B**

Note: These areas are rated as Priority B due to lack of pending development pressure and/or public support at this time. These areas may become Priority A should a development application or pending project come forward.

<b>Proposed Park:</b>	<b>Action</b>	<b>Park Classification</b>	<b>Proposed Area</b>
Cemeteries trail	Trail connecting to historic site from other greenway/trail system; signage	Trails	±320m
Coal Creek Historic Park Additions	Wetlands and riparian areas of Perseverance Creek watershed; adjacent and integral to the wetland system in Coal Creek Historic Park; two areas	Cumberland Regional	24ha total
Maple St. Wetlands Entrance Park	Park entrance to Wellington Colliery Railway trail	Pocket	0.4ha
Perseverance Creek areas	Riparian area for Perseverance Creek; two areas	Cumberland Regional	8.5ha
School Campus Park	Park area in addition to campus greenspace	Neighbourhood	Not specified
Wellington Colliery Railway section from No. 4 Mine Site to Comox Lake	Trail connecting to remaining section of Wellington Colliery Railway	Trails, greenways.	Refer to Parks Plan Schedule 'A-1'

## Parks and Greenways Standards of Development

To date development of trails in Village parks has largely been a result of volunteer efforts and fund raising, with some limited planning documentation. Planning for the individual parks will continue, in alignment with the adopted 2014 OCP. The individual plans, with community involvement, can best provide the details to meet the goals of the OCP and the Parks & Greenways Master Plan.

In 2010, with the completion of Village Square, street furniture was installed to become the standard for the downtown core. In 2011, matching bicycle racks were donated by the Cumberland Centennial Rotary Club. In more remote parks another furniture standard may be appropriate. In 2014 Parks & Trails Signage Guidelines were developed to set standards for signage in Village parks and trails.

### Recommended Trail Standards

There are various design and construction considerations based on use, existing topography, soils and maintenance. It is important to retain or gain the access, or acquire the land. In some cases the trails may be later upgraded when increased population and informal use dictates improvements and when additional funding is available. Some very general design standards are suggested here. For more complete details please refer to the latest edition of *BC Parks Facility Standards* for trails.

#### Standards:

Urban Hard Surface Trails: Corridors that are intended for bicycling, walking, jogging, strollers, rollerblade, wheelchair and hiking use by local residents should be developed with the following requirements:

Tread Width:	3.0-4.0metres
Tread Surface:	Concrete or asphalt
Trail Clearing:	1.0metre on either side of trail
Gradient:	Max 3% sustained grade (5% for 30m; 10% for 15m or less); 2% cross slope

Examples: None currently in the Village. Portions of the Wellington Colliery Railway trail could be constructed or retrofitted to provide an urban hard surface trail.

Urban Soft Surface Trails: Corridors that are intended for bicycling, walking, jogging, strollers, and hiking use by local residents should be developed with the following requirements:

Tread Width:	2.0-4.0metres
Tread Surface:	Crush gravel
Trail Clearing:	1.0metre on either side of trail
Gradient:	Max 3% sustained grade (5% for 30m; 10% for 15m or less); 2% cross slope; may have some stairs

Example: Ulverston Park trail

## Appendix A

**Connector Trails:** These are intended as level links between local parks, school sites and playgrounds, internal and external to each subdivision. Within a subdivision, at least one trail opportunity should be universally accessible.

Tread Width:	2.0metres average
Tread Surface:	Compacted stone fines, asphalt, concrete or unit concrete pavers, or to match surface of nearby trails and park
Trail Clearing:	0.5metres minimum
Gradient Maximum:	10% optimum maximum (30% max); 2% cross slope

**Example:** Ulverston Road to Bruce Street; Rydal Avenue to Kendal Avenue.

**Bikeways:** These are intended to serve two primary purposes: recreational riding and commuting. Where possible, a cycling lane should be incorporated into each connector road right-of-way to facilitate commuting. Also included in bikeways are cycling paths and cycling routes. An Active Transportation Plan, including bicycle paths, is in the 2014 Corporate Strategic Priorities.

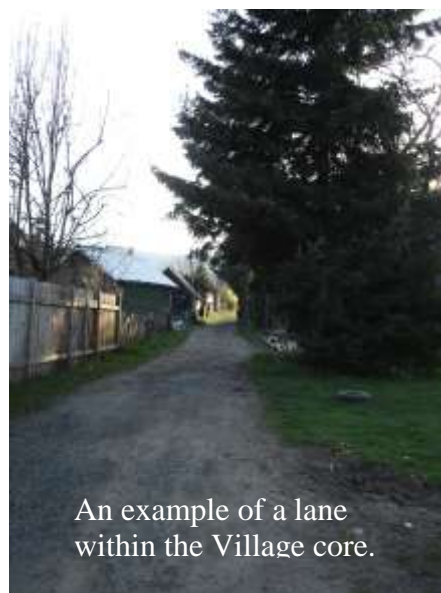
**Example:** Comox Valley Parkway from the Interchange to Cumberland Road intersection has a paved shoulder separated from the vehicles by a painted line.

**Nature Trails:** These are established in natural settings, and used by hikers, joggers, mountain bikers and for wildlife viewing/bird watching.

Clearing Width:	2.0metres average
Tread Width:	0.5metres minimum
Tread Surface:	Native soil with crush at higher use points
Grades:	Optimum maximum of 10-30%; 2% cross slope.

**Examples:** Mama Bear’s Trail in Cumberland Community Forest

**Lanes:** These form an integral part of the overall urban pedestrian and cycling system within the Village of Cumberland. It is recommended that the Village retain all public rights of way unless liability issues, lack of connection to parks and other walkways and lack of public interest prove otherwise. Lanes are often unappreciated, unmaintained, and subject to encroachment, while at the same time offer a unique opportunity for pedestrian-friendly travel. Lanes provide for restricted vehicle access due to generally narrow travel ways. Drainage, surface condition and vegetation can be issues due to limited resources for maintenance. The Village does not currently maintain lanes on a regular basis. A strategy for lanes should be developed as part of individual park plans and greenways/trails plans.



An example of a lane within the Village core.



## Parks & Greenways Master Plan Schedule 'A-1'

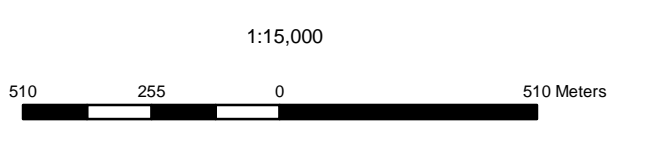
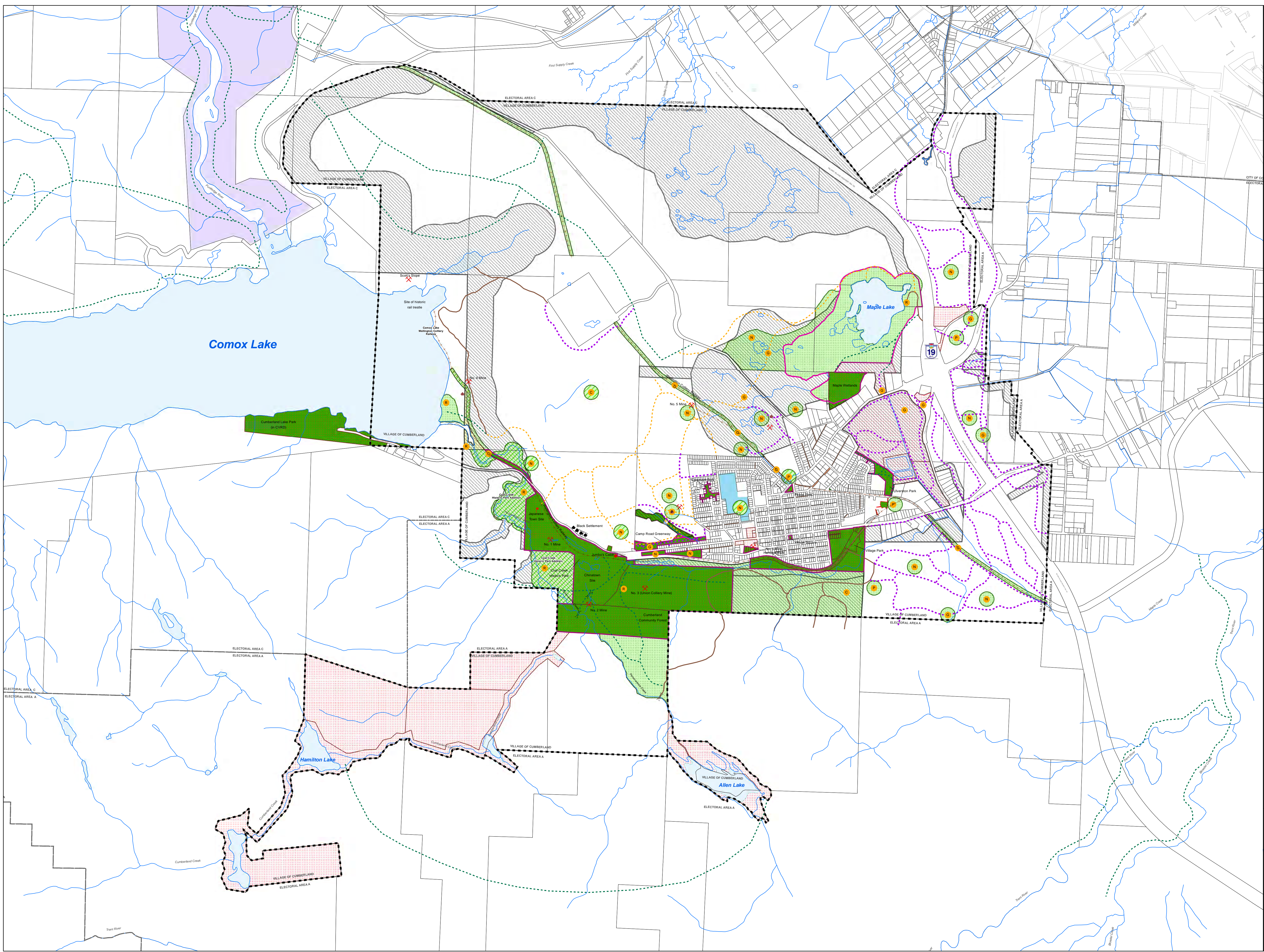
### LEGEND

- Park Features:**
- Park Classification:**
- Greenway
  - Pocket Park
  - Neighbourhood Park
  - Community Park
  - Cumberland Regional Park
  - Proposed Municipal Park/Greenway Priority Level A
  - Proposed Municipal Park/Greenway Priority Level B
  - Parks (Municipal, existing)
- Other Designations:**
- OCP Park Designation
  - OCP Greenway Designation
  - Existing Public Lanes/Walkways
- Note: Boundaries are approximate and in concept only. They are not a legal boundary & do not formally exist.
- Note: OCP designations are for information purposes only. See Bylaw 980 for current OCP designations.
- Note: Proposed Maple Lake Park shows conceptual boundaries; subject to change.

- Historic Sites:**
- Black Settlement
  - Fan House
  - Japanese Town Site
  - Jumbo's Cabin
  - Mine

- Transportation Features:**
- Gravel Road
  - Trail (excludes Comox Valley Tourism Data)
  - Proposed Trails & Connections
  - Informal Trails
  - Bridge
  - Historic Railway
- Locations to be studied and construction will occur at development stage (subdivision, O.P. etc.)
- May be on private land. Location only approximate. Other trailing roads. These trails are included as background information only. This is not a complete representation of regional trails.

- Other Features:**
- Village of Cumberland Boundary
  - Village of Cumberland Properties
  - Crown Provincial
  - School District 471 Properties
  - BC Hydro Properties



Source: Historic railway and historic site layers provided by Robert Baron at mapmaker@shaw.ca

Other trail information also acquired based on map provided by Comox Valley Mountain Trail Bikes. www.cvmtb.com

This map was prepared by the CVRD for planning purposes only and is not a legal document. This map is a composite of different data sets that were developed from different methods and dates. This map should be used with caution. The CVRD is not responsible for any damages resulting from any omissions, deletions or errors.

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND****BYLAW NO. 1010**

**A bylaw to exempt from taxation certain lands and improvements for the 2015 taxation year.**

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

- 1 This Bylaw may be cited as "Permissive Tax Exemption 2015 Bylaw No. 1010, 2014".
- 2 The following land or improvements, or both, are exempted from taxation for the 2015 taxation year as follows:
  - (a) the following land or improvements, or both, 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 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
    - (ii) that portion of Lot B, Plan 29219, District Lot 21 & 24, Nelson Land District, PID 001-418-041, occupied by the Cumberland Old Age Pensioners Organization, Branch 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 2015 taxation year.

<b>READ A FIRST TIME THIS</b>	<b>8<sup>TH</sup></b>	<b>DAY OF</b>	<b>SEPTEMBER</b>	<b>2014.</b>
<b>READ A SECOND TIME THIS</b>	<b>29<sup>TH</sup></b>	<b>DAY OF</b>	<b>SEPTEMBER</b>	<b>2014.</b>
<b>READ A THIRD TIME THIS</b>	<b>29<sup>TH</sup></b>	<b>DAY OF</b>	<b>SEPTEMBER</b>	<b>2014.</b>
<b>ADOPTED THIS</b>		<b>DAY OF</b>		<b>2014.</b>

---

Mayor

---

Corporate Officer