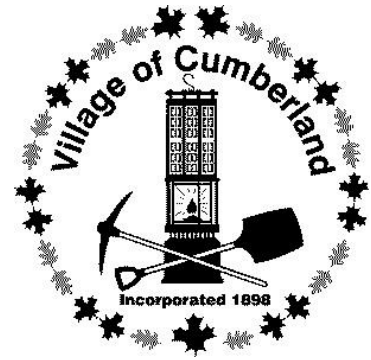


REGULAR AGENDA

27/2018/R



**The Corporation of the Village of Cumberland
Regular Council Meeting
October 9, 2018 at 5:30 p.m.
Village Council Chambers**

*We are honoured to gather on the unceded traditional territory
of the K'ómoks First Nation.*

1. Approval of Agenda

- 1.1 Agenda for regular Council meeting, October 9, 2018
***Recommend THAT Council approve the agenda for the regular
Council meeting, October 9, 2018.***

2. Adoption of Minutes

- 2.1 Minutes of the Council meeting held September 24, 2018 1
***Recommend THAT Council approve the minutes of the Council
meeting held September 24, 2018.***
- 2.2 Receipt of Committee Minutes 8
Recommend THAT Council receive the minutes of the:
• ***Heritage Commission held September 10, 2018***

3. Delegations

4. Unfinished Business

- 4.1 Andrew McGifford, Senior Manager Comox Strathcona Waste 11
Management Services, Comox Valley Regional District
• Comox Valley Waste Management Centre – Operational Updates
***Recommend THAT Council provide a letter of support for the
change in elevation from 185 to 190 metres of the historical
landfill cell to provide the required space and time to transition to
Cell 1 at the Comox Valley Waste Management Centre.***

5. Correspondence

- 5.1 Cresslyn Fay, Director, Cumberland Hotel, 2714 Dunsmuir Avenue 14
- Temporary extension of hours
 - i) ***Recommend THAT Council receive the correspondence from Cresslyn Fay, Director, Cumberland Hotel, 2714 Dunsmuir Avenue re: Temporary extension of hours.***
 - ii) ***Recommend THAT Council indicate if it has an objection or no objection to the application for a temporary change to hours of sale for the liquor licence for the Cumberland Hotel at 2714 Dunsmuir Avenue and indicate whether it has any comments to the Liquor and Cannabis Regulation Branch.***

6. Reports

- 6.1 Bylaw contravention notice – 2613 Dunsmuir Avenue 21
Prepared by Ken Rogers, Manager of Development Services
- i) ***Recommend THAT Council receive the Bylaw contravention notice report; and***
 - ii) ***Recommend THAT Council authorize the Corporate Officer to file a notice in the Land Title Office against the title of the property located at 2613 Dunsmuir Avenue, PID Number 000-927-074, in accordance with Section 57 of the Community Charter, to provide notification to the public of the deficiencies noted in this report; and***
 - iii) ***Recommend THAT the Mayor and Corporate Officer be authorized to execute all documents related to this matter.***
- 6.2 Bear Hazard Assessment Report 26
Prepared by Cali Barton, WildSafeBC Community Coordinator
- i) ***Recommend THAT Council receive the Bear Hazard Assessment Report.***
 - ii) ***Recommend THAT Council approve the Bear Hazard Assessment for the Village of Cumberland September 2018.***
 - iii) ***Recommend THAT Council consider proceeding with the next steps required in the Bear Smart Community Status application process, which is to write a Bear Conflict Management Plan.***
- 6.3 Development Permit - 2018-08-DP - 3190 Royston Road 128
Prepared by Joanne Rees, Planner
- i) ***Recommend THAT Council receive the Development Permit - 2018-08-DP - 3190 Royston Road report dated September 28, 2018; and***

- ii) Recommend THAT Council approve Development Permit 2018-08-DP for the property described as Lot A, Section 30, Township 11, Nelson District, Plan VIP69479 (3190 Royston Road) substantially in compliance with the Development Permit dated October 9, 2018.**
- 6.4 CVRD Regional Growth Strategy Bylaw No. 120, Amendment 1 Referral 146
Prepared by Cleo Corbett, Senior Planner
- i) Recommend THAT Council receive the CVRD Regional Growth Strategy Bylaw No. 120, Amendment 1 Referral Report dated October 2, 2018;**
- ii) Recommend THAT Council accept the Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, Amendment 1, as presented.**
- 6.5 Age Friendly Assessment and Action Plan 156
Prepared by Ken Rogers, Manager of Development Services
- i) Recommend THAT Council receive the Age Friendly Assessment and Action Plan Report;**
- ii) Recommend THAT Council support the submission of an Age-friendly Assessment and Action Plan grant application through the Ministry of Health Age-friendly Communities Program for an amount of \$25,000,**
- iii) AND Recommend THAT Council support the proposed activities included in the grant application and commit to provide overall grant management.**
- 6.6 Road Name Request on Beaumont Crescent 169
Prepared by Ken Rogers, Manager of Development Services
- i) Recommend THAT Council receive the Road Name Request on Beaumont Crescent**
- ii) Recommend THAT Council support the request for the Road Name Request on Beaumont Crescent to Kehler Crescent.**
- 6.7 Temporary Street Closure, Halloween Parade 176
Prepared by Rachel Parker, Deputy Corporate Officer
- i) Recommend THAT Council receive the Temporary Street Closure, Halloween Parade report.**
- ii) Recommend THAT Council approve the closure of Dunsmuir Avenue from First Street to Fourth Street on October 31, 2018 from 3:50 pm to 6 pm for the Halloween Parade.**

- 6.8 Temporary Street Closure, Remembrance Day Service 179
Prepared by Rachel Parker, Deputy Corporate Officer
i) Recommend THAT Council receive the Temporary Street Closure, Remembrance Day Service report.
ii) Recommend THAT Council approve the closure of Dunsmuir Avenue from Third Street to Fifth Street on November 11, 2018 from 10:30 to 11:30 am for the Remembrance Day service, and approve the use of \$310 from Community Event Services for public works in kind services.
iii) Recommend THAT Council approve the period of October 31, 2018 to November 11, 2018 for the Legion Poppy Campaign.
- 6.9 Appointment of Corporate Officer and Deputy Chief Administrative Officer 182
Prepared by Sundance Topham, Chief Administrative Officer
i) Recommend THAT Council receive the Appointment of Corporate Officer and Deputy Chief Administrative Officer report.
ii) Recommend THAT Council appoint Rachel Parker as Corporate Officer for the Village of Cumberland.
iii) Recommend THAT Council appoint Michelle Mason as Deputy Chief Administrative Officer for the Village of Cumberland.
- 6.10 August & September 2018 - Recreation Department Report 196
Prepared by Ryan Coltura, Manager of Recreation
• Recreation Programming Report 199
• Parks and Outdoor Recreation Report 202
Recommend THAT Council receive the August & September 2018 - Recreation Department Report for information.
- 6.11 Protective Services Report, August and September 2018 205
Prepared by Mike Williamson, Fire Chief / Manager of Protective Services
• Bylaw Enforcement reports 208
• Wildsafe BC reports 212
Recommend THAT Council receive the August and September 2018 Protective Services Report.

6.12	August/September 2018 – Operations Department Report Prepared by Rob Crisfield, Manager of Operations	216
	• Public Works report	219
	<i>Recommend THAT Council receive the August/September 2018 – Operations Department Report for information.</i>	
6.13	August 2018 and September 2018 - Development Services Department Reports Prepared by Ken Rogers, Manager of Development Services	222
	• Planning Report for August 2018	224
	• Planning Report for September 2018	231
	<i>i) Recommend THAT Council receive the August 2018 – Development Services Department Report for information.</i>	
	<i>ii) Recommend THAT Council receive the September 2018 – Development Services Department Report for information.</i>	
6.14	August/September 2018 - Economic Development Report Prepared by Kaelin Chambers, Economic Development Coordinator	235
	<i>Recommend THAT Council receive the August/September 2018 – Economic Development Report for information.</i>	
6.15	August and September 2018 Finance and Administration Report Prepared by Michelle Mason, Financial Officer and Rachel Parker, Deputy Corporate Officer	238
	<i>Recommend THAT Council receive the August and September 2018 Finance and Administration Report for information.</i>	
6.16	August-September 2018 Chief Administrative Officer Report Prepared by Sundance Topham, Chief Administrative Officer	243
	<i>Recommend THAT Council receive the August-September 2018 Chief Administrative Officer Report for information.</i>	
6.17	Council Reports	
6.17.1	Mayor Leslie Baird	246
6.17.2	Councillor Jesse Ketler	249
6.17.3	Councillor Roger Kishi	251
6.17.4	Councillor Gwyn Sproule	257
6.17.5	Councillor Sean Sullivan – verbal report	
	<i>Recommend THAT the Council reports be received.</i>	

7. Bylaws

- 7.1 Permissive Tax Exemption 2019 Bylaw No. 1090, 2018 259
Recommend THAT Council adopt Permissive Tax Exemption 2019 Bylaw No. 1090, 2018.

- 7.2 Solid Fuel Burning Appliances Bylaw No. 1091, 2018 261
Prepared by Joanne Rees, Planner
i) Recommend THAT Council receive the Solid Fuel Burning Appliances Bylaw No. 1091, 2018 report dated October 1, 2018.
ii) Recommend THAT Council give second and third reading to the Solid Fuel Burning Appliance Bylaw No. 1091, 2018.

8. 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.

- Advance voting, October 10 and 13, 8 am to 8 pm in Council Chambers
- Accessibility Committee meeting, October 15 at 6 pm
- General voting day, October 20 from 8 am to 8 pm in Buchanan Hall (first floor of the Cultural Centre)
- Inaugural Council meeting, November 5 at 5:30 pm
- Heritage Commission meeting, November 6 at 5:45 pm

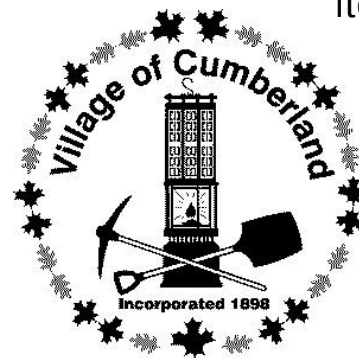
11. Question Period

A member of the public may only inquire about items included on the agenda for that meeting during a question period.

12. Adjournment

REGULAR MINUTES

25/2018/R



**The Corporation of the Village of Cumberland
Regular Council Meeting
September 24, 2018 at 5:30 p.m.
Village Council Chambers**

Council Present:

Mayor Leslie Baird
Councillor Jesse Ketler
Councillor Roger Kishi
Councillor Gwyn Sproule
Councillor Sean Sullivan

Staff Present:

Sundance Topham, Chief Administrative Officer
Michelle Mason, Financial Officer
Rob Crisfield, Manager of Operations
Ken Rogers, Manager of Development Services
Rachel Parker, Deputy Corporate Officer

Mayor Baird called the meeting to order at 5:30 pm.

1. Approval of Agenda

1.1 Agenda for regular Council meeting, September 24, 2018

Motion 18-509

Ketler/Sproule

THAT Council approve the agenda for the regular Council meeting, September 24, 2018.

Carried Unanimously

2. Adoption of Minutes

2.1 Minutes of the Council meeting held September 4, 2018

Motion 18-510

Sullivan/Sproule

THAT Council approve the minutes of the Council meeting held September 4, 2018.

Carried Unanimously

2.2 Receipt of Committee Minutes

Motion 18-511

Sullivan/Ketler

THAT Council receive the minutes of the:

Wastewater Advisory Committee held May 17, 2018

- Accessibility Committee held June 18, 2018
- Advisory Planning Commission held June 19, 2018
- Heritage Commission held August 7, 2018
- Accessibility Committee held Sept 5, 2018

Carried Unanimously

3. Delegations

3.1 Andrew McGifford, Senior Manager Comox Strathcona Waste Management Services, Comox Valley Regional District

- Comox Valley Waste Management Centre – Operational Updates
Motion 18-512

Kishi/Ketler

THAT Council receive the delegation of Andrew McGifford, Senior Manager Comox Strathcona Waste Management Services, Comox Valley Regional District re: Comox Valley Waste Management Centre – Operational Updates.

Carried Unanimously

3.2 Steve Morgan, Resident

- Cumberland Wetlands data and proposed symposium
Motion 18-513

Kishi/Ketler

THAT Council receive the delegation of Steve Morgan, Resident, re: Cumberland Wetlands data and proposed symposium.

Carried Unanimously

4. Unfinished Business

4.1 Bruce Gibbons, Merville Water Guardians, Founder

- Protecting Groundwater in the Comox Valley Aquifer
Motion 18-514

Sproule/Sullivan

THAT Council direct the correspondence and request that the Village take the necessary steps implement a prohibition of water bottling in the zoning bylaw to protect the Comox Valley aquifer from Bruce Gibbons, Merville Water Guardians, to staff and come back with a report to Council.

Carried Unanimously

5. Correspondence

None

6. Reports

- 6.1 Development Variance Permit Application – 2817 Wellington Street
Motion 18-515

Ketler/Sproule

THAT Council receive the report “Development Variance Permit Application – 2817 Wellington Street” dated September 17, 2018.

Carried Unanimously

Motion 18-516

Sullivan/Kishi

THAT Council approve the issuance of a Development Variance Permit for a property legally described as Lot 14, Block 1, Section 25, Township 10, Nelson District, Plan 4222 (2817 Wellington Street) to allow an Accessory Dwelling Unit to be in the front yard of the subject property.

Carried Unanimously

- 6.2 2018 Capital Project Update
Motion 18-517

Ketler/Sproule

THAT Council receive the 2018 Capital Project Update report for information.

Carried Unanimously

- 6.3 Coal Valley Booster Station Update Report
Motion 18-518

Ketler/Sproule

THAT receive the Coal Valley Booster Station Update report.

Carried Unanimously

Motion 18-519

Sullivan/Sproule

THAT Council direct staff to use natural concrete with a clear coat for graffiti protection and red trim for the building colours for the exterior of the Coal Valley water booster station building at the Cumberland Recreation parking lot.

Carried Unanimously

6.4 Fire Hall Overhead Door Renovation

Motion 18-520

Sullivan/Ketler

THAT Council receive the Fire Hall Overhead Door Renovation report.

Carried Unanimously

Motion 18-521

Kishi/Sproule

THAT Council approve the additional expenditure of up to \$20,000, to be funded through host amenity funds, for the Fire Hall Overhead Door Renovation project, and THAT Council direct staff to bring forward an amendment to the adopted 2018-2022 Financial Plan Bylaw to reflect this expenditure; AND THAT based on the timing of the project schedule and a unique understanding of the project, Council approve the sole sourcing of the contract for this project to be awarded to Lacasse Construction, as per section 5.9(x) of the Purchasing Management Services policy.

Carried Unanimously

6.5 Electronic Funds and Cheque Register, July 2018 and August 2018

Motion 18-522

Kishi/Sproule

THAT Council receive the Electronic Funds and Cheque Register for July 2018 and August 2018.

Carried Unanimously

6.6 Outstanding Action Items

Motion 18-523

Ketler/Sproule

THAT Council receive the Outstanding Action Items report.

Carried Unanimously

7. Bylaws

7.1 Zoning Amendment Bylaw No. 1085, 2018

Motion 18-524

Sproule/Kishi

THAT Council adopt Zoning Amendment Bylaw No. 1085, 2018.

Carried Unanimously

7.2 Business Licence Amendment Bylaw No. 1086, 2018

Motion 18-525

Kishi/Sullivan

THAT Council adopt Business Licence Amendment Bylaw No. 1086, 2018.

Carried Unanimously

- 7.3 Permissive Tax Exemption 2019 Bylaw No. 1090, 2018
Motion 18-526

Sproule/Ketler

THAT Council give second and third readings to Permissive Tax Exemption 2019 Bylaw No. 1090, 2018.

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 Minister Selina Robinson, Ministry of Municipal Affairs and Housing
- *Local Government Grants Act* – No.2 Dam Pre-Design grant approval
- 8.2 Shane Simpson, Minister of Social Development and Poverty Reduction
- Financial Assistance for Residential Treatment Programs

Motion 18-527

Kishi/Sproule

THAT Council receive the consent calendar.

Carried Unanimously

9. New Business

- 9.1 Councillor Kishi re: School District 71 Board Policy Manual Policy Manual – Section 4 – Community Education and Community Schools Policy

Motion 18-528

Kishi/Ketler

THAT Council receive the new business from Councillor Kishi, re: School District 71 Board Policy Manual Policy Manual – Section 4 – Community Education and Community Schools Policy.

Carried Unanimously

Motion 18-529

Kishi/Sproule

THAT Council invite representatives from School District 71 Board & staff to a Council meeting to present and discuss future partnerships/

collaborations in light of System Direction 4-6, Community Education and Community Schools Policy.

Carried Unanimously

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.

- Heritage Commission meeting, October 1 at 5:30 pm
- Advisory Planning Commission meeting, October 2 at 11 am
- Economic Development Steering Committee meeting, October 3 at 6:00 pm
- Advance Voting October 10 and 13, 2018, 8 am to 8 pm in Council Chambers
- All Candidates meeting October 4, 2018 at 6:30pm at Cultural Centre
- Wastewater Upgrade open house on October 2, 2018 from 3 to 4:30 pm, and 6 to 7:30 pm, and a Town Hall from 7:30 to 9pm at Cultural Centre
- Red Dress Campaign and Installation ceremony, September 29, 2018 at noon

11. Question Period

Questions were received on the following matters:

- Re-use of new door for the fire hall
- Trees on the Wellington Street development variance property
- use of red colour for the colour scheme for the booster station

12. Closed Portion

Motion 18-530

Sproule/Kishi

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

- Labour relations or other employee relations;
- Law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried Unanimously

13. Adjournment

Motion 18-531

Sproule/Ketler

THAT Council adjourn to the closed portion of the meeting at 6:40 pm.

Carried Unanimously

Certified Correct:

Mayor

Corporate Officer



Corporation of the Village of Cumberland

Heritage Commission Meeting Minutes

Minutes of the Heritage Commission held on Monday, September 10, 2018 in Council Chambers at 2675 Dunsmuir Avenue, Cumberland, BC.

PRESENT:	Paul Laronde	Acting Chair
	Gillian Brooks	
	Karen Webber	
ABSENT:	Meaghan Cursons	
	Mike Tymchuk	
	Gwyn Sproule	
STAFF	Judith Walker, Senior Planner	Secretary
	Ken Rogers, Manager of Development Services	

1. Call to Order 5:35 pm.

2. Approval of Agenda

Webber/Brooks: THAT the agenda be approved.

CARRIED

3. Approval of the Minutes

Deferred to October 1, 2018 meeting: requires two members from the August 7, 2018 meeting.

Note: Chair decided to proceed with the SOS Project as the applicants for the rezoning were delayed.

4. Statements of Significance (SOS Project): Five final documents from consultants

Webber/Brooks: THAT due to only three members being present, that the final review be deferred to October 1, 2018 meeting.

CARRIED

Staff comment: All members to review the documents for any final edits and bring comments to the meeting.

5. **Referrals from Council:** 2018-01 RZ (2771 Dunsmuir Avenue) & 2018-02 RZ (2773 Dunsmuir Avenue)

Brooks/Webber: THAT the Heritage Commission recommends to Council that Vacation Rentals be considered as a permitted principal use for the property described as That Part of Lot 11, Block 16, District Lot 21, Nelson District, Plan522-A, Lying to the East of a Straight Boundary Joining the Points of Bisection of the Northerly and Southerly Boundaries of said Lot 11 (2771 Dunsmuir Avenue).

CARRIED

Webber/Brooks: THAT the Heritage Commission recommends to Council that Vacation Rentals be considered as a permitted principal use for the property described as The Easterly ½ of Lot 10, Block 16, Nelson District, Plan 552A (2773 Dunsmuir Avenue).

CARRIED

6. **Next Meeting: Monday October 1, 2018** in Council chambers at 5:30pm.

7. **Termination:**

Webber: THAT the meeting terminate.

Time: 5:50pm.

Certified Correct:

Chair

Deputy Corporate Officer

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
 Tel: 250-334-6000 Fax: 250-334-4358
 Toll free: 1-800-331-6007
 www.comoxvalleyrd.ca



File: 5360-20/CV

April 19, 2018

Sent via email only: stopham@cumberlandbc.net

Sundance Topham
 Village of Cumberland
 PO Box #340
 2673 Dunsmuir Avenue
 Cumberland, BC V0R 1S0

Dear Sundance:

Re: Comox Valley Waste Management Centre – Operational updates

The Comox Valley Regional District (CVRD) and Village of Cumberland (the Village) have committed to a partnership that is integral to the overall success of delivering an efficient and effective solid waste service within the Comox Strathcona Waste Management (CSWM) Service area, specifically at the Comox Valley Waste Management Centre (CVWMC). The CVRD and the Village have structured communication through the Solid Waste Joint Resources (SWJR) committee and have recently reviewed the historical landfill final closure elevation and site masterplan impacts related to the Village. Recently the parties conducted an onsite meeting to review the visual impact associated with the landfilling activity at the CVWMC.

Historical Landfill

The Village continues to see residential development towards the CVWMC and the CVRD understands the desire for reduced visual impact.

The SWJR committee met on March 8, 2017 at which time the Village was advised that the historical landfill was estimated to reach capacity in May 2017 and the landfill engineer was working on an overfill plan to be submitted to the Ministry of Environment and Climate Change Strategy. The overfill plan was required in order to provide additional air space for operations while transitioning to the new cell 1. The overfill plan was submitted and will bring the historical landfill to 190 metres, up from the 185 metres communicated to the Village in past correspondence.

Village staff have asked to investigate planting of trees on the closed cell, CVRD staff will review this as an option for closure and report back to the Village however concerns identified with planting trees on the closed cell include uprooting failures due to wind events and the penetration of roots into the liner. Both of which could impact the integrity of the sealed landfill and lead to possible environmental impacts. The current design calls for the planting of grasses on the closed cell.

Moving from the original height of 185 metres to 190 metres has a minor visual impact from the distance observed on March 6, 2018. As the historical landfill cell is closed over the next two years the finished surface will be planted with grass to provide a stable surface, limit erosion and provide for a pleasant

viewscape. Planting trees along the property line to create a long term viewscape buffer was mentioned by Village staff to address possible concerns in the newly developed subdivision in Cumberland.

Masterplan

The SWJR committee was provided the masterplan for the CVWMC property, this was completed by AECOM. The masterplan was designed to provide potential placement for all capital projects identified in the 2012 Comox Strathcona – Solid Waste Management Plan (SWMP), and to provide possible options for the future use of the CVWMC property. The masterplan identifies the space and locations for planned and existing infrastructure (including additional landfill cells) for up to 60 years, depending on how quickly diversion targets are achieved.

The SWJR committee met on January 24, 2018 to review and discuss the Masterplan. View scape concerns associated with the new cells 1 – 5 were identified as currently there are trees that provide a visual buffer however upon development of the future cells the trees would be removed. In order to maintain this visual buffer planning will be undertaken to ensure the continued health of other standing trees on the CVWMC site, as development of the site proceeds. The further planting of trees will also be investigated to ensure long term view scape buffers are maintained and enhanced into the future.

The CSWM board provided feedback to the Masterplan at its March 8, 2018 meeting. The board sited concerns associated with the potential siting of waste to energy and regional composting facilities at the CVWMC. The masterplan includes various infrastructure siting options for the CVWMC site based on the project needs identified in the 2012 SWMP and CVRD staff assured the board that the masterplan was a higher level guiding document intended to provide options for the site. As future development is planned and undertaken at the CVWMC staff will bring back the requirements for approval and ensure consultation is completed with stakeholders.

At this time, the CVRD is seeking a letter of support from the Village for the overfill plan change in final elevation of the historical landfill cell, from 185 m to 190 m to provide the required space and time to transition over to cell 1.

Sincerely,

R. Dyson

Russell Dyson
Chief Administrative Officer

cc: Marc Rutten, General Manager of Engineering Services Branch, Comox Valley Regional District
Andrew McGifford, Senior Manager of CSWM Services, Comox Valley Regional District

\sv

CVRD request

- Seeking a letter of support
- “For the change in evaluation from 185 to 190 metres to provide the required space and time to transition to Cell 1 at the CVWMC”



Sept 28, 2018

Dear Mayor and Council,

I hope you will support my application for a temporary extension to my hours for Sunday, November 4, 2018 for the Cumberland Hotel.

Currently we are licensed until Midnight on Sundays and on Sunday November 4, 2018 we would like to stay open until 2am to support the Volunteer Party for the Woodstove Festival.

We will have adequate staffing, security and food available that evening. We will do our best to ensure that there is little to no disruption to the neighbourhood.

Thank you for your time and consideration.

Cheers,

Cresslynn Fay

Director

Cumberland Hotel



Liquor and Cannabis Regulation Branch
400-645 Tye Road, Victoria, BC V9A 6X5
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
Phone: 1 866 209-2111 Fax: 250-952-7066

TEMPORARY CHANGE TO A LIQUOR LICENCE FOOD PRIMARY, LIQUOR PRIMARY, LIQUOR PRIMARY CLUBS & MANUFACTURERS ENDORSEMENTS

Liquor and Cannabis Regulation Form LCRB023

Instructions:

Complete all applicable fields and then submit with payment as outlined in Part 11 of this application form. You may complete this form online and then print. If you have any questions about this application, call the Liquor and Cannabis Regulation Branch (LCRB) toll-free at: 1 866 209-2111. A complete application including the supporting documents must be submitted a minimum of three (3) weeks in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees.

Applications requesting discretion to policy (see Part 9) must be submitted a minimum of two (2) months prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees. LCRB forms and supporting materials referred to in this document can be found at: www.gov.bc.ca/liquorregulationandlicensing

Licensee Information

Office use only

Licence number: 101823

Job No. (C3-LIC)

Type: ☐ Food Primary ☒ Liquor Primary ☐ Liquor Primary Club ☐ Winery

Licensee name (as shown on licence): Cumberland Hotel

Establishment name (as shown on licence): Cumberland Hotel

Establishment Address: 2714 Dunsmuir Ave

Cumberland

BC

V0R 1S0

Street

City

Province

Postal Code

Contact Name: Cresslynn Fay (Hall)

Title/Position: Director

(last / first / middle)

Business Tel with area code: 250-336-8844

Business Fax with area code:

Business e-mail: cumberlandhotel123@gmail.com

Business Mail address: Box 1245

Cumberland

BC

V0R 1S0

(if different from above):

Street

City

Province

Postal Code

Note: An authorized signing authority of a licensee can appoint a representative to interact with the branch on their behalf by completing form LCRB101 Add, Change or Remove Licensee Representative

Part 1: Temporary Change Requested

Please check the appropriate boxes below. You may complete more than one change section on this form as long as the changes are for the same licence number. **Note:** Categories noted by an asterisk (*) require local government/First Nations comment.

Type of change requested

Complete Sections

☒ Temporary change to hours of sale

- Liquor-Primary and Liquor-Primary Club licences, and manufacturer lounge or special event endorsements – any hours changes*
- Food-Primary licences – requests for hours of sale later than midnight*
- Food-Primary licences – requests for hours of sale before midnight

1, 2, 3, 10, 11, 12

1, 2, 3, 10, 11, 12

1, 2, 3, 10, 11

☐ Temporary patron participation entertainment endorsement*

Food-Primary licences only

1, 2, 4, 10, 11, 12

☐ Temporary extension of licensed area

Food-Primary licences only

1, 2, 5, 10, 11

☐ Temporary extension of licensed area*

Liquor-Primary and Liquor-Primary Club licences, and manufacturer lounge or special event endorsements.

1, 2, 6, 10, 11, 12

☐ Temporary location change*

Liquor-Primary and Liquor-Primary Club licences only (no increase in patron or person capacity)

1, 2, 7, 10, 11, 12

☐ Temporary location change

Food-Primary licences only (no increase in patron or person capacity)

1, 2, 8, 10, 11

☐ Other

Applies to all change requests other than these listed above

1, 2, 9, 10, 11

Part 2: Reason Temporary Change is Requested

Describe event details including who is holding the event, the hours of the event and its purpose:

We are hoping to stay open late to accommodate our local Woodstove Festival for their volunteer party on Sunday Nov 4, 2018.

As it is a Sunday our license is only good until midnight and we would like to stay open until 2am that night.

We will have full staff, security and food available for that evening.

Date(s) from: (mm/dd/yy) To: (mm/dd/yy) (inclusive)

Part 3: Temporary Change to Hours of Sale

Fee: \$330

Liquor-Primary and Liquor-Primary Club licences, and manufacturer lounge or special event endorsements – any hours changes*

Fee: \$330

Food-Primary licences – requests for hours of sale later than midnight*

Fee: \$110

Food-Primary licences – requests for hours of sale before midnight (local government/First Nations comment not required)

***Note:** These categories (*) require local government/First Nation comment.

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.

See Part 12 for more information on obtaining local government/First Nations comment.

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11am	11am	11am	11am	11am	11am	11am
Closed	1am	1am	1am	1am	1am	1am	12am

Requested hours of sale: (Maximum hours permitted by regulation are between 9:00 am to 4:00 am of the same business day)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11am	11am	11am	11am	11am	11am	11am
Closed	1am	1am	1am	1am	1am	1am	2am

Part 4: Temporary Patron Participation Entertainment Endorsement

Fee: \$330

(Food-Primary licences only)

Licensees may apply for a patron participation entertainment endorsement for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.

Note: This application process requires comment from your local government/First Nation. See Part 12 for more information on this process.

Describe the type of entertainment you are requesting:

Patron participation must end by midnight unless approved by LCRB and local government/First Nations. There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, please consult with licensing staff at LCRB in Victoria (see contact information in Part 11).

Part 5: Temporary Extension of Licensed Area (food-primary licences only)

Fee: \$110

This change enables licensees to apply for a temporary extension of their establishment's licensed areas for a limited period, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate only at the capacity on the face of their current licence plus the capacity of the extension area. If in doubt, consult with licensing staff at LCRB in Victoria (see Part 11 for contact info). This application process does not require comment from your local government/First Nation.

Please provide the following information and documents:

- ☐ Current total capacity, including patios (as shown on licence);
- ☐ Identify the area (person/patron as shown on licence) to be extended;
- ☐ Floor plan of the extended area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas:
 - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate) where the extension is indoors or within a permanent structure.
 - Provide proposed capacity of extended area if extension is outside; and
- ☐ Where the extension area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

Part 6: Temporary Extension of Licensed Area

Fee: \$330

(liquor-primary, liquor-primary club licence and manufacturer lounge and special events endorsements only)

Licensees may apply for a temporary extension of their licensed areas for a limited period, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate at the capacity on the face of their current licence plus the capacity of the extension area.

Note: This application process requires comment from your local government/First Nation. See Part 12 for more information on this process.

Please provide the following information and documents:

- ☐ Current total capacity, including patios (as shown on licence);
- ☐ Identify the area(s) to be extended;
- ☐ Floor plan of the extended area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas:
 - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate) where the extension is indoors or within a permanent structure.
 - Provide proposed person capacity of extended area(s) if extension is outside; and
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

Part 7: Temporary Location Change (liquor-primary and liquor-primary club licences only)

Fee: \$330

(no increase in patron or person capacity)

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

Note: This application process requires comment from your local government/First Nation. See Part 12 for more information on this process.

Current area capacities, as shown on licence:

Area #1 Area #2 Area #3 Area #4 Patio #1 Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1 Area #2 Area #3 Area #4 Patio #1 Patio #2

Please attach the following documents:

- ☐ Floor plan of the proposed area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
 - Floor plan must have occupant load marked/stamped on the plans by provincial fire or building authority (or designate), where the extension is indoors or within a permanent structure.
 - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

Part 8: Temporary Location Change (food-primary licences only)

Fee: \$110

(no increase in patron or person capacity)

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

Note: This application process does not require comment from your local government/First Nation.

Current area capacities, as shown on licence:

Area #1 Area #2 Area #3 Area #4 Interior lounge

Patio #1 Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1 Area #2 Area #3 Area #4 Interior lounge

Patio #1 Patio #2

Please attach the following documents:

For food-primary licences:

- ☐ Floor plan of the proposed area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
 - Floor plan must have occupant load marked/stamped on the plans by provincial building or fire authority (or designate), where the extension is indoors or within a permanent structure.
 - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

Part 9: Other

Fee: \$110 for each request

Complete this section if you are requesting a change other than those listed in Part 1, page 1.

Describe your request in detail, using additional pages if required.

If your request requires an exercise of discretion: provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. For more information see your licence specific terms and conditions. Requests for discretion should be submitted at least two months prior to the proposed event.

Date(s) from: To: (inclusive) Time(s):
(mm/dd/yy) (mm/dd/yy)

Part 10: Declaration

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: 
Authorized signatory of the licensee

Name: Position: Date:
(last / first / middle) (if not an individual) (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative* form (LCRB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.

Part 11: Application Fees - Payment OptionsTotal Fee Submitted: \$

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check ☒ one):

☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)

☐ Money order, payable to Minister of Finance

☐ Credit card: ☐ VISA ☐ MasterCard ☐ AMEX

☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

LCRB023

5 of 6

Temporary Change to a Liquor Licence

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number: Expiry date: /
(Month) (Year)

Signature: _____

Part 12: Local Government/First Nation Comments☐ Objection☐ No objection

Comments:

Name of Municipality/Regional District/First Nations:

Name (print) _____ Phone: _____

Title: _____ E-mail: _____

Signature: _____ Date: _____

Part 13: What Happens Next?

The temporary change application process:

1. If the requested temporary change(s) require local government/First Nation comment, the applicant must take the completed application form and all required documents to their local government/First Nation and request that the local government/First Nation complete and sign Part 12.

2. The applicant will submit the signed application, all required documents and application fee to the Victoria Head Office (LCRB).

Note: Applicants must ensure they submit their completed application a minimum of three (3) weeks (or two (2) months, if it's a request for discretion - see Part 9) before the proposed change. Otherwise, your application will not be accepted and will be returned to you.

3. The LCRB licensing staff will review the application package and advise the applicant by phone, mail or fax, of any information or documents required before the application can be processed.

4. LCRB licensing staff will request comments from the local liquor inspector.

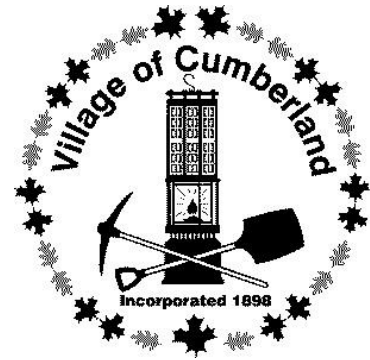
5. If required, the local liquor inspector will work with the applicant on security and related issues.

6. LCRB licensing staff will review the comments from the local government/First Nation (if applicable) and local liquor inspector.

7. LCRB staff will contact the applicant by, fax or mail to let them know whether or not the change has been approved. The applicant will receive LCRB's decision in writing.

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the *Liquor Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

COUNCIL REPORT



REPORT DATE: September 25, 2018
 MEETING DATE: October 9, 2018
 TO: Mayor & Council
 FROM: Ken Rogers, Manager of Development Services
 SUBJECT: Bylaw contravention notice

RECOMMENDATION

- i) THAT Council receive the Bylaw contravention notice report; and
- ii) THAT Council authorize the Corporate Officer to file a notice in the Land Title Office against the title of the property located at 2613 Dunsmuir Avenue, PID Number 000-927-074, in accordance with Section 57 of the Community Charter, to provide notification to the public of the deficiencies noted in this report; and
- iii) THAT the Mayor and Corporate Officer be authorized to execute all documents related to this matter.

SUMMARY

Section 57 of the Community Charter allows local governments to file a notice in the Land Title Office when a Building Official observes construction or safety concerns related to a building or structure; or discovers work without the required permit or inspection.

The current owner, Brett Ferdinandi took ownership on the property in 2006. Mr. Ferdinandi started, without a permit, a substantial addition to the existing single-family dwelling shortly after taking possession of the property. The Village compelled Mr. Ferdinandi to take out a building permit for the addition/alterations to the house. A permit was issued September 7, 2017 under B-2753 and reasonable progress towards completion has taken place. The last progress inspection on the house under building permit B-2753 was September 25, 2018.

A second permit is required for the property to address the retaining structure at the rear of 2613 Dunsmuir Avenue. A series of tire retaining structures of varying heights were noted on the property in 2015. The retaining structures were constructed without a permit. The Building Bylaw requires a building permit for a retaining structure where any portion of said structure is greater than 1.2metres (3'11 ¼") in height measured on the most exposed side. The Village received an application for a building permit for the tire retaining structures on February 19, 2018, however, the submissions by the engineer were incomplete. The permit application from February remains incomplete and little progress has been made towards issuing that permit due to lack of required information from the applicant. Although the Building Inspectors have

been on site for activity under building permit B-2753, no inspections have occurred on the tire retaining structure in conjunction with building permit B-2753. The outstanding permit requirement for the tire retaining structure is the building regulation contravention.

BACKGROUND

The BC Building Code applies to construction within the entire province and is adopted by municipalities pursuant to the Local Government Act. General principles of liability apply to construction. Developers, General Contractors, subcontractors, suppliers, architects, engineers and other design professionals may all be held liable for building deficiencies and failure to meet Building Code requirements in contract and/or tort and in some circumstances, for a breach of fiduciary duty. When it is determined that a note against land title for the contravention of building regulations has occurred, such a notice is filed in the Land Title Office and persons having an interest in the property, such as a potential purchaser, are alerted of the matter by performing a title search at the Land Title Office. Property owners are given a minimum of five business days written notice of their opportunity to be heard, when the Building Inspector recommends that a notice be filed on title.

Community Charter Section 57

Note against land title that building regulations contravened

57 *(1)A building inspector may recommend to the council that it consider a resolution under subsection (3) if, during the course of carrying out duties, the building inspector*

(a)observes a condition, with respect to land or a building or other structure, that the inspector considers

(i)results from the contravention of, or is in contravention of,

(A)a municipal bylaw,

(B)a Provincial building regulation, or

(C)any other enactment

that relates to the construction or safety of buildings or other structures, and

(ii)that, as a result of the condition, a building or other structure is unsafe or is unlikely to be usable for its expected purpose during its normal lifetime, or

(b)discovers that

(i)something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (i), and

(ii)the permit was not obtained or the inspection not satisfactorily completed.

(2)A recommendation under subsection (1) must be given in writing to the corporate officer, who must

(a)give notice to the registered owner of the land to which the recommendation relates, and

(b)after notice under paragraph (a), place the matter before the council.

(3)After providing the building inspector and the owner an opportunity to be heard, the council may confirm the recommendations of the building inspector and pass a resolution directing the corporate officer to file a notice in the land title office stating that

(a)a resolution relating to that land has been made under this section, and

(b)further information about it may be inspected at the municipal hall.

(4)The corporate officer must ensure that all records are available for the purpose of subsection (3) (b).

(5)If the registrar of land titles receives a notice under subsection (3) and payment of the prescribed fee, the registrar must make a note of the filing against the title to the land that is affected by the notice.

(6)The note of a filing of a notice under this section is extinguished when a new title to the land is issued as a result of the deposit of a plan of subdivision or a strata plan.

(7)In the event of any omission, mistake or misfeasance by the registrar or an employee of the registrar in relation to the making of a note of the filing under subsection (5), or a cancellation under section 58, after the notice is received by the land title office,

(a)the registrar is not liable and neither the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,

(a.1)the assurance fund or the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the [Land Title Act](#), and

(b)the assurance fund or the minister charged with the administration of the [Land Title Act](#) as a nominal defendant is not liable under Part 20 of the [Land Title Act](#).

(8)Neither the building inspector nor the municipality is liable for damage of any kind for the doing of anything, or the failure to do anything, under this section or section 58 that would have, but for this subsection, constituted a breach of duty to any person.

(9)The authority under this section is in addition to any other action that a building inspector is authorized to take in respect of a matter referred to in subsection (1).

FINANCIAL IMPLICATIONS

The cost of registering a notice on title is less than \$100.00 and that fee is recovered from the owner when the notice is rescinded.

OPERATIONAL IMPLICATIONS

Administrative and follow up to reach compliance of the property.

STRATEGIC OBJECTIVE

None

ATTACHMENTS

Staff Memo dated July 31, 2018, From Dan Reynolds, Building Inspector, regarding 2613 Dunsmuir Avenue, construction without a permit.

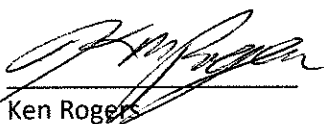
CONCURRENCE

None

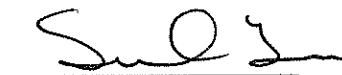
OPTIONS

- i) Register a notice on title pursuant to the retaining structures constructed without a building permit.
- ii) Pursue a court injunction to remove the retaining structures and remediate the lot.
- iii) No action at this time.

Respectfully submitted,

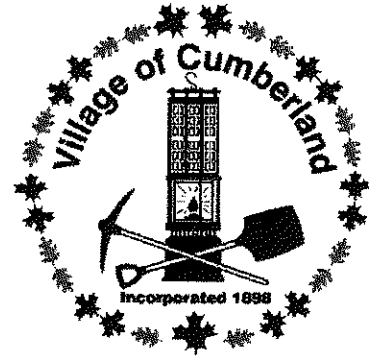


Ken Rogers
Manager of Development Services



Sundance Topham
Chief Administrative Officer

STAFF Memo



REPORT DATE: July 31,2018

TO: Ken Rogers

FROM: Dan Reynolds

SUBJECT: 2613 Dunsmuir Ave.; Construction with a Building Permit

FILE:	B2898		
OWNER:	Brett Fredinandi		
AGENT:			
PID:	000-927-074	FOLIO:	00624.000
LEGAL DESCRIPTION:	Lot 37, District Lot 24, Nelson Land District, Plan 13640		
ZONE:		OCP DESIGNATION:	

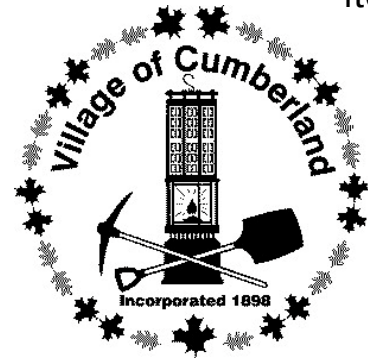
CONSTRUCTION WITHOUT A PERMIT

A series of tire retaining structures of varying heights were noted at the rear and side of the property at 2613 Dunsmuir in 2015. The retaining structures were constructed without a permit. The Building Bylaw requires a building permit for a retaining structure where any portion of said structure is greater than 1.2metres (3.9feet) in height measured on the most exposed side. The Village received an application for a building permit for the tire retaining structures on February 19, 2018. The permit submissions by the engineer were incomplete. In spite of a site meeting several phone conversations with the owner and an in person conversation with the design engineer no progress has been made towards issuing that permit.

Respectfully submitted,

Dan Reynolds
Building Inspector

COUNCIL REPORT



REPORT DATE: September 30, 2018

MEETING DATE: October 9, 2018

File No. 4020-20

TO: Mayor and Councillors

FROM: Cali Barton, WildSafeBC Community Coordinator Village of Cumberland

SUBJECT: Bear Hazard Assessment Report

RECOMMENDATION

- i. THAT Council receive the Bear Hazard Assessment Report.
- ii. THAT Council approve the *Bear Hazard Assessment for the Village of Cumberland September 2018*.
- iii. THAT Council consider proceeding with the next steps required in the Bear Smart Community Status application process, which is to write a Bear Conflict Management Plan.

SUMMARY

Last fall 2017, the Village of Cumberland moved to explore the steps required to move towards achieving Bear Smart Community Status, including the creation of a Bear Smart Hazard Assessment. The Bear Smart Program was developed by The Ministry of Environment and Climate Change Strategy in partnership with the British Columbia Conservation Foundation and the Union of British Columbia Municipalities. The Bear Hazard Assessment report to be presented to Council is phase one of the application process towards achieving Bear Smart Community Status: "Complete a Bear Smart Hazard Assessment" and is now complete to be received by Council.

BACKGROUND

The purpose of the Bear Hazard Assessment (BHA) is to provide a general assessment and understanding of the current and historic levels of bear activity and conflict in the Village of Cumberland, to identify high activity areas or areas at risk for high activity and conflict, as well as identify risk factors which affect activity and conflict such as attractants (natural and non-natural food sources), greenways and wildlife corridors, geography, land use, socio-cultural factors, etc.

The findings of the BHA will be used to inform Phase 2 of the Bear Smart Community Status process, the Bear Conflict Management Plan (BCMP), should Council decide to move forward

with this process. The purpose of the BCMP will be to outline recommendations to reduce and prevent conflict within the community and build on bear smart policies and practices.

FINANCIAL IMPLICATIONS

There are no financial implications to receiving the Bear Hazard Assessment report, but if Council decides to move forward with the next step towards Bear Smart Community Status, write a Bear Conflict Management Plan, they will need to allocate a budget to write the BCMP based on the information provided by the Bear Hazard Assessment (BHA).

The cost of the Bear Conflict Management Plan is variable depending on who writes the plan. If Council decides to move forward staff will research options and present the project during the budgeting process.

OPERATIONAL IMPLICATIONS

No current foreseen operational implications to receiving or approving this report. If the Village moves ahead with a Bear Conflict Management Plan there will be input required from numerous Village Departments.

STRATEGIC OBJECTIVE

This report relates directly towards the Strategic Objective of Explore BearSmart Program.

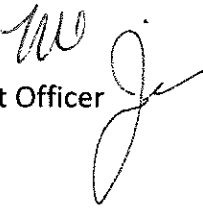
ATTACHMENTS

- i. Bear Hazard Assessment Village of Cumberland

CONCURRENCE

Michelle Mason, Financial Officer

James Abrams, Bylaw Enforcement Officer

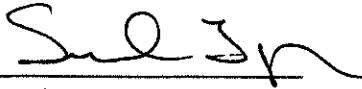


OPTIONS

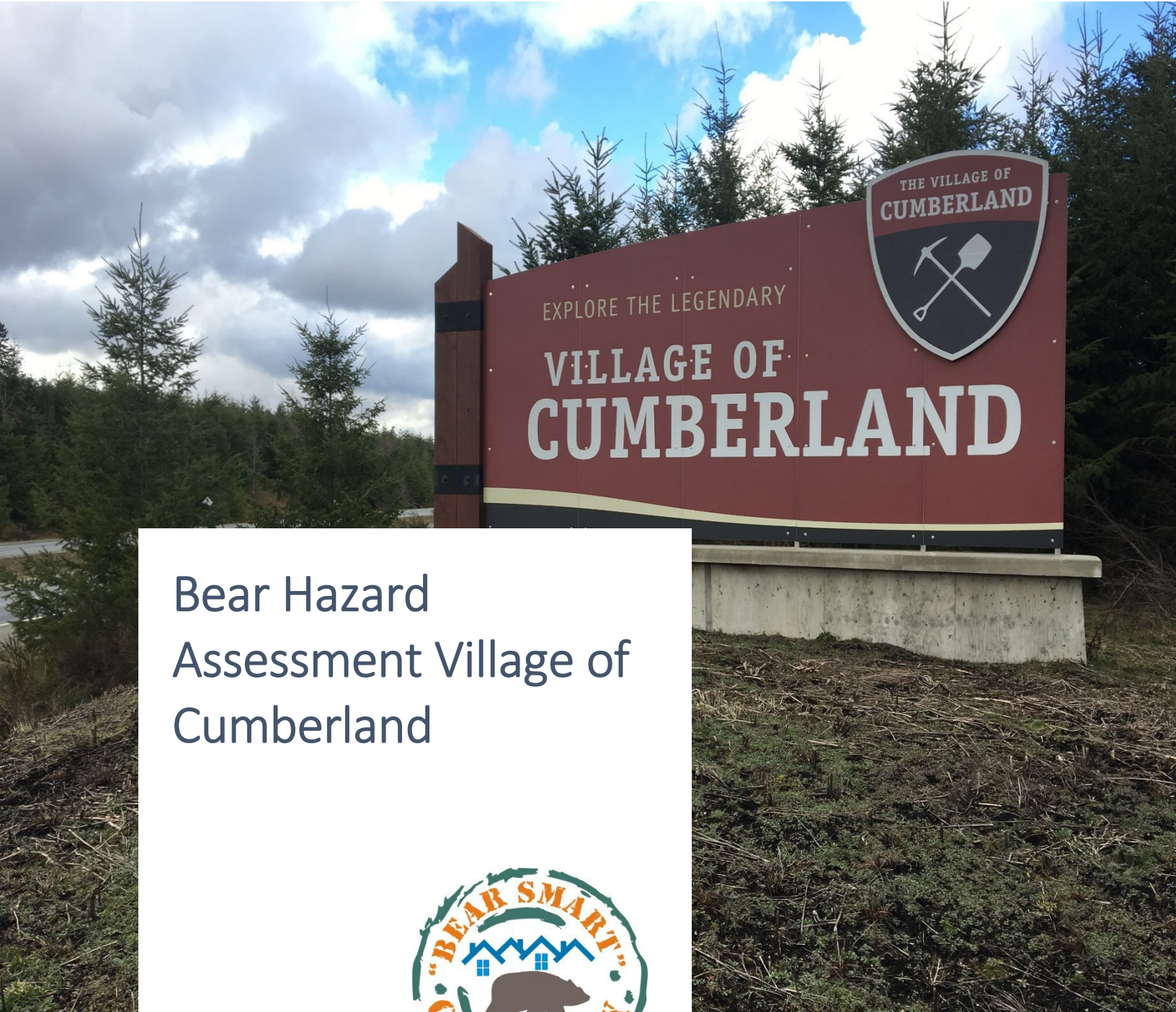
1. Approve or deny the Bear Hazard Assessment as complete and ready to submit as part of any application package for Bear Smart Community Status.
2. Approve or deny moving forward with the next step of Bear Smart Community Status criteria, write a Bear Conflict Management Plan.
3. If option two is approved, direct staff to include a budget to complete the Bear Conflict Management Plan in the 2019 budget.
4. Any other action deemed appropriate by Council.

Respectfully submitted,

Cali Barton, WildSafeBC Community Coordinator (electronically signed)

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

Sundance Topham
Chief Administrative Officer



Bear Hazard Assessment Village of Cumberland



SUMMER 2018

PREPARED FOR THE VILLAGE OF CUMBERLAND

BY CALI BARTON

Cumberland Community Coordinator WildSafeBC

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Bear Smart Community Status Introduction

The Village of Cumberland municipality is actively working to implement Bear Smart practices and policies and to complete the steps towards achieving Bear Smart Community Status. The Bear Smart Program was developed by The Ministry of Environment and Climate Change Strategy in partnership with the British Columbia Conservation Foundation and the Union of British Columbia Municipalities. This document is phase one of the application process: “complete a Bear Smart Hazard Assessment”. Below is a brief summary of the current progress made by the Village of Cumberland towards meeting the Bear Smart community requirements, including an overview of existing bylaws relating to prevention of wildlife conflicts. This summary will be followed by the full Bear Hazard Assessment report.

Progress

By request of the Village Council, the WildSafeBC Cumberland Community Coordinator provided a preliminary research report outlining the Village of Cumberland’s current progress with Bear Smart Community Status as outlined by the Bear Smart Community Program. The Cumberland Bear Smart Community Status Progress Report outlines the criteria and requirements for the Village of Cumberland to achieve **Bear Smart Community Status (see Appendix B for the progress full report)**. The report provided an audit of the Village’s current progress with each requirement and outlined recommendations for completing each criteria, including resource and timeline estimates where possible. The status of each criteria in the progress report has been determined as either complete, partially complete, in progress or pending based on the general information given by the BC Ministry of Environment and Climate Change Strategy about the Bear Smart Community Status Criteria. WildSafeBC Community Coordinators are not experts on the Bear Smart Community Program or criteria and cannot definitively guarantee any specific criteria has been acceptably met or guarantee application approval by the Ministry. The following table (taken from the progress report) shows a summary of the current progress of the Village of Cumberland for each criterion as determined by the report (Figure 1).

Figure 1. Bear Smart Criteria Progress Table from the Cumberland Bear Smart Community Status Progress Report

Designation Criteria	Details	Current Status	Estimated Completion By
1. Prepare a bear hazard assessment of the community	See “Bear Smart” Community Program Status Approval Checklist for full details Appendix A.	In progress	Mid-March, 2018 Or Spring 2018 by WSBC
2. Prepare a bear-human conflict management plan	See “Bear Smart” Community Program Status Approval Checklist for full details Appendix A.	Pending	Summer or Fall 2018 by WSBC. Funding and grant dependent.

Designation Criteria	Details	Current Status	Estimated Completion By
3. Revise planning and decision-making documents to be consistent with the bear-human conflict management plan	See "Bear Smart" Community Program Status Approval Checklist for full details Appendix A.	Pending	Unknown
4. Implement a continuing education program	See "Bear Smart" Community Program Status Approval Checklist for full details Appendix A.	✓ Complete	Future ongoing education is funding and grant dependent.
5. Develop and maintain a bear proof municipal solid waste management system		In progress	Unknown - multiple contributors
	a. All municipally owned and operated components of putrescent waste management system collection, transfer, disposal, recycling, and composting (where applicable) are bear proof in areas that are accessible or frequented by bears.	✓ Partially complete (more work needed)	
	b. Bylaws have been implemented to ensure that the same is true for all private sector components of putrescent municipal solid waste collection, transfer, disposal, recycling, and composting (where applicable).	✓ Partially complete (more work needed)	
	c. A compliance strategy has been implemented for the municipal solid waste management bylaws.	✓ Complete Enforced by Municipal Bylaw No. 1053 (MTIs) and CSWM enforceable bylaws	
	d. Disposal of garbage is in a landfill that is located in a properly designed, constructed, and operated electric fence in which is aggressively maintained to ensure that it is operating at full capacity and cannot be breached.	✓ Complete	
	e. Landfills are managed to reduce the potential for bear-human conflicts.	✓ Complete CSWM Solid Waste Management Plan 2012, Section 14	
6. Implement "Bear Smart" bylaws		In progress	

Designation Criteria	Details	Current Status	Estimated Completion By
	a. Bylaws stating that no person shall store any refuse that is a wildlife/bear attractant in a manner that is accessible to wildlife/bears.	✓ Complete Bylaw No. 1003, 6.2.(c) and 9.1.(e)	
	b. If using a curb-side collection system, time restrictions have been implemented so that garbage cannot be put at the curb until the morning of pick-up after a specific time (i.e. 6am) and the container must be returned to a bear proof location by a specific time (i.e. 7pm).	✓ Complete Bylaw No. 1003, 9.1.(l) and 9.1.(m)	
	c. Attractants must be stored in a bear proof container or location such as in a house or garage and not in a garden shed, carport, or wooden box.	Not complete	
	d. Birdfeeders are allowed but within certain restrictions during non-denning periods but must be suspended from a cable or other device so that they are inaccessible to bears.	✓ Complete Bylaw No. 1061, s(70)	
	e. Fruit trees must be adequately maintained to reduce the attraction to bears (i.e. pick up windfall, ensure ripe fruit is harvested).	✓ Complete Bylaw No. 870, 2(a), 3(a) and 9.1(e), bylaw No. 1061, 70 and/or enforceable by COS under BC Wildlife Act	
	f. Garbage at special community events (i.e. weddings, tournaments, concerts, etc.) must be removed at the end of each day's activities.	✓ Complete By law 870, 2(a), 2(b) and 3(a) and CRC Park Permits	

Bear Smart Hazard Assessment

1. Executive Summary and Purpose

This Bear Hazard Assessment report for the Village of Cumberland has been prepared as Phase 1 of the criteria and requirements for the Village of Cumberland to become a Bear Smart Community. The Bear Smart Community Program is run by The Ministry of Environment and Climate Change Strategy in partnership with the British Columbia Conservation Foundation and the Union of British Columbia Municipalities. The **purpose** of the Bear Hazard Assessment (BHA) is to provide a general assessment and understanding of the current and historic levels of bear activity and conflict in the Village of Cumberland, to identify high activity areas or areas at risk for high activity and conflict as well as identify risk factors which affect activity and conflict such as attractants (natural and non-natural food sources), greenways and wildlife corridors, geography, land use, socio-cultural factors, etc. The findings of the BHA will be used to inform Phase 2 of the Bear Smart Community Status

process, the Bear Conflict Management Plan (BCMP). The purpose of the BCMP will be to outline recommendations to reduce and prevent conflict within the community and build on bear smart policies and practices.

As stated by Jenny Wallace (Castlegar WildSafeBC Community Coordinator),

“Reducing human wildlife conflict is an essential goal in any sustainable community. Doing so will require cooperation from all sectors in a cohesive effort to manage attractants, accepting both individual and shared responsibility. The Bear Smart Community Program provides a framework to support municipalities in this endeavor.” (Castlegar BHA and BCMP 2016)

Report Highlights

Major findings of this report can be summarized as follows:

- Residential garbage and fruit trees remain the main attractants and source of conflict in the VOC. The majority of residential garbage bins, public park and street bins and a significant number of commercial bins and grease traps are not bear resistant and waste storage issues are prevalent. Public park and street bins are in the process of being replaced by the municipality. No program is currently in place to address residential and commercial bins.
- Many factors (e.g.: small size; proximity to forest, wetlands and Comox Lake; high degree of connectivity through greenways, wildlife corridors, overgrown alleys, parks and trails) make essentially the entire VOC highly accessible for bears. While some areas see higher levels of activity (due to attractants, etc.), bears move easily and often through the whole village creating moderate to high risk of encounters and conflict throughout.
- Due to the historical nature of the town, a number of events involving human-wildlife conflict in the VOC over the past 15-20 years as well as other factors, bear sightings and encounters are rarely reported and stats from COS and WARP may not accurately reflect bear movement, activity or population levels in and around the VOC.
- Changes to policy, enforcement, management practices and/or implementation of programs or behavior change incentives may be required by the VOC to meet all the Bear Smart Community Designation Criteria.

2. Data Limitations Disclaimer

Similarly to the Cumberland Community Bear Smart Progress Report, the information in this Bear Hazard Assessment for the Village of Cumberland has been prepared with the best information available to the WildSafeBC Cumberland Community Coordinator (WCC). The WCC is not an expert on the Bear Smart Community Status program, nor are they a biologist, expert or specialist in bear behavior and biology. There are significant limitations to the data available such as limited peer reviewed research applicable to the study area, no known scientific monitoring or tracking studies on bear populations in the immediate area, no GIS mapping resources available, limited research resources (time and funding) as well as logistical challenges like access to private property for mapping improper solid waste storage and fruit trees. The BHA maps may not show a complete picture of attractants or provide 100% accuracy for bear travel corridors or distribution due to the limitations of public access and roadway surveying. Statistical data for bear sightings and encounters is limited to data collected from WARP (Wildlife Alert Reporting Program public beta) and from Conservation Officer Services (COS). The statistical reporting data may not show an accurate level of bear activity in the Village as many sightings or encounters go unreported due to socio-cultural factors (see section 5.2 *Cultural Narratives and Reporting Issues*). No liability is assumed with respect to the use and application of the data and information contained in this report; it is for general information only.

3. Methods

Data was collected by the WildSafeBC Community Coordinator during the fall and winter of 2018 using the following methods:

- Qualitative data collection in the field (public access lands and roadway visual surveys);
- Quantitative surveying and mapping of residential and commercial garbage bins, grease bins and solid waste storage methods;
- Interviews with local professional and experts (e.g.: CVRD, bylaw, COS, biologists, local landfill manager. For full list, see acknowledgements and contacts.);
- General information, qualitative and quantitative data (provided by the Village of Cumberland), fruit tree surveys (provided by Cumberland Bear Initiative Society), internet resources, peer reviewed research, the Bear Smart Backgrounder (provided by the Ministry Forests Lands and Natural Resource Operations), examples of BHA's conducted by other communities for the Bear Smart program application, and other supporting documents (see references and appendices for full list of resources) and;
- Quantitative data provided by The Ministry of Environment and Climate Change Strategy (Mike Badry), COS (Black Creek office) and the WARP online public beta system.

Maps were created using a variety of data and sources (including Google maps, Microsoft Office software and data from WARP, COS, verbal reports from local experts regarding bear movement and activity and physical evidence such as scat). Unfortunately, GIS mapping resources and experts were not available.

4. Description of Study Area: Village of Cumberland (VOC)

4.1 Physical/Geographical

The Village of Cumberland is a small village located at the base of the Beaufort mountain range on North Central Vancouver Island. It is considered part of the Comox Valley Regional District (CVRD) which includes the municipalities of Courtenay, Comox, the Village of Cumberland; two First Nation reservations, K'omoks Indian Reserve No. 1 and Puntledge Indian Reserve No. 2; and electoral areas A, B and C.

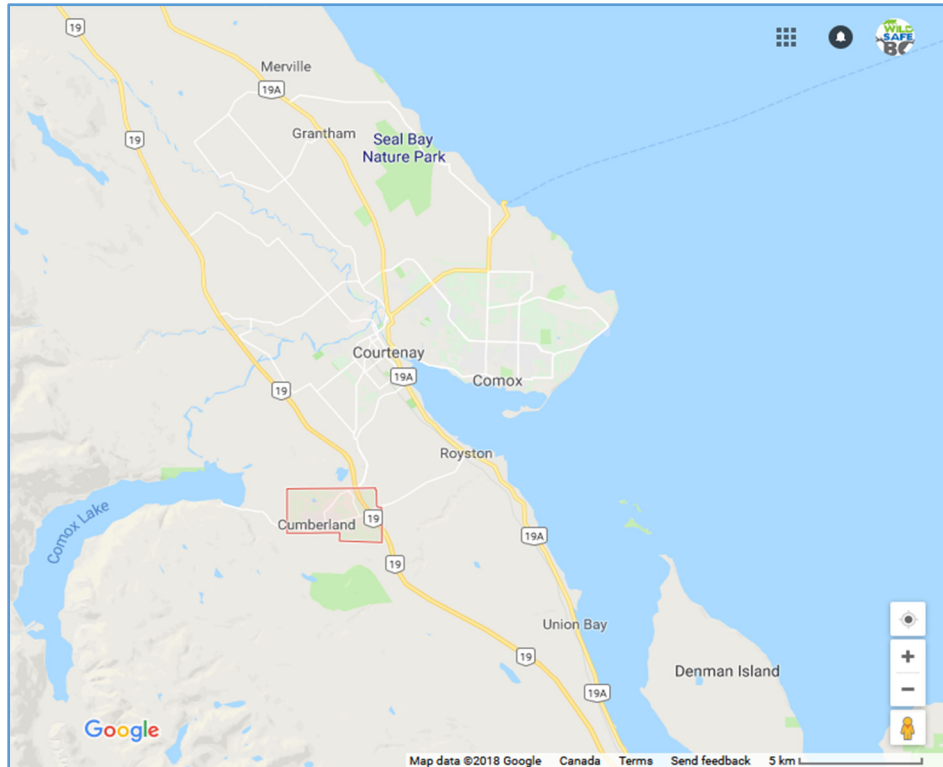
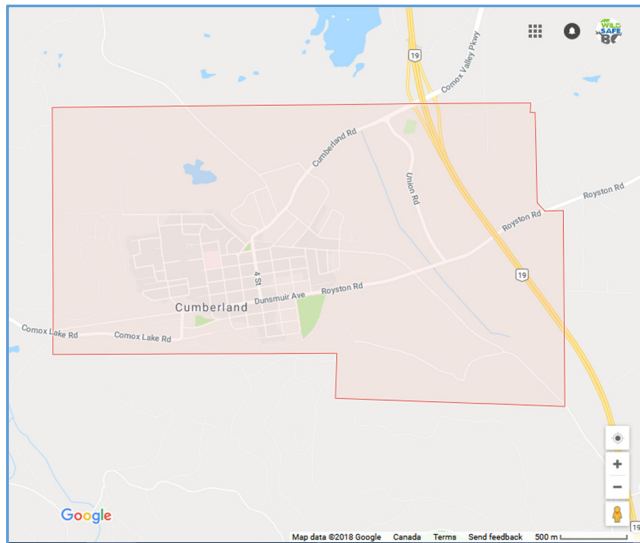


Figure 2. Comox Valley Region (Google Maps 2018)

The CVRD covers approximately 2,425 square kilometres (1,725 of which is land) and contains a total population of 63,538 (2011 Census). Cumberland is roughly 7 km by roadway from the town of Courtenay, 12 km from the community of Comox, and 7 km from the town of Royston.

Figure 3. Village of Cumberland Municipal Boarder



The human population of Cumberland is roughly 3,753 (2016 Population Census). The total taxable land area is 2,862 ha and water area 140 ha, total land area being 3,002 ha. Paved roads are a total of 39 km, unpaved 5 km.

Figure 4. BHA Study Areas 1-4



BHA study of the Village of Cumberland focus areas:

1. The downtown core of Cumberland (main streets, residential, commercial and industrial areas)
2. Comox Strathcona Waste Management Centre (CSWMC) landfill and operations site
3. Cumberland Lake Park and Campground
4. Coal Creek Historic Park and trails (runs along the south side of Comox Lake rd. for approx. 1.5-2 kilometres northwest from the downtown core)

Notable bodies of water include Comox Lake (where it falls within Village boundaries), Maple Lake, Teal Lake, a number of creeks, and a significant number of wetlands and water courses.

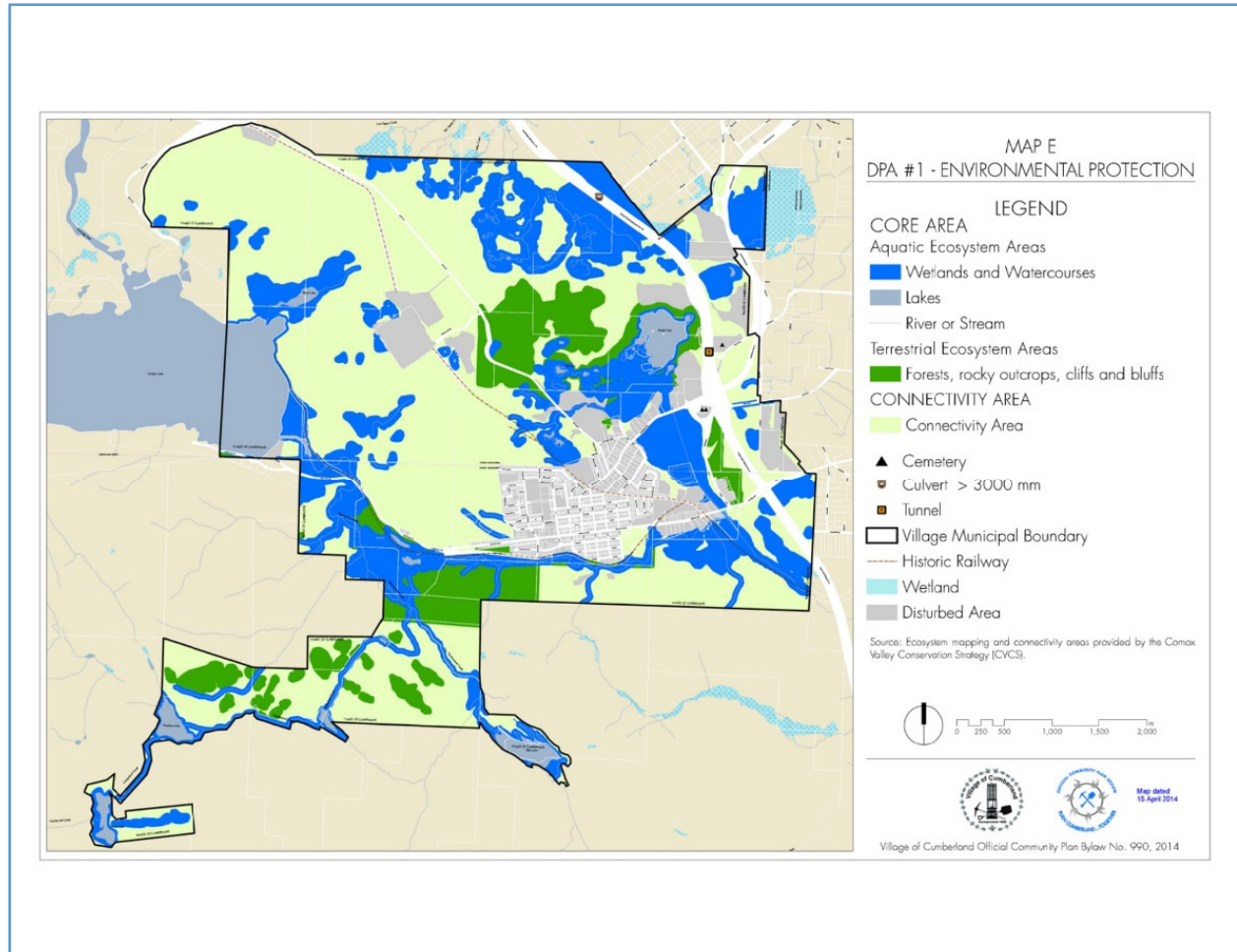


Figure 5. Environmental Protection Map Village of Cumberland (Map E DPA #1 - from the Village of Cumberland OCP Appendix B)

4.2 Ecology and Climate

Most of the area of Cumberland falls under the Coastal Western Hemlock biogeoclimatic ecosystem zone (subzone dry maritime).

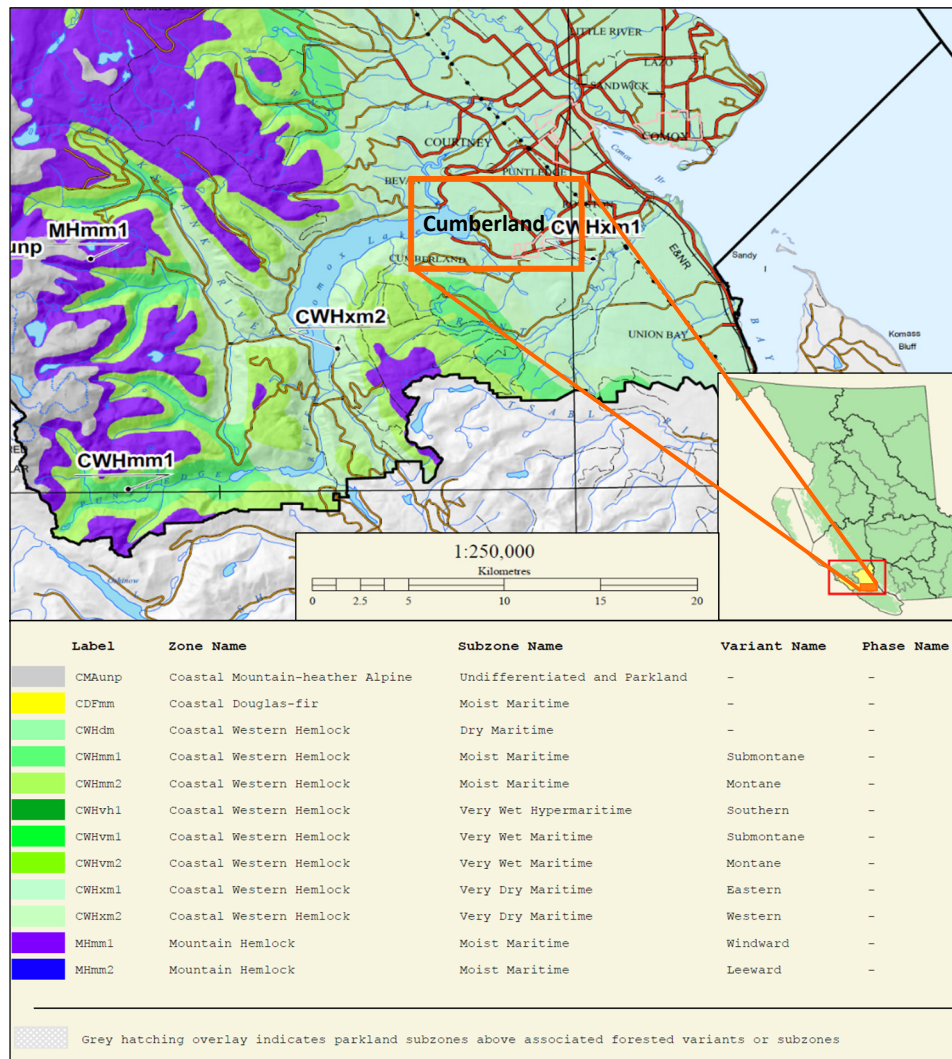


Figure 6. Biogeoclimatic Zone Map Showing Cumberland (Biogeoclimatic Ecosystem Classification Program: Forest Service British Columbia Website 2018).

The Coastal Western Hemlock (CWH) ecosystem covers most of the coast of British Columbia. It is the wettest ecosystem in BC, with westerly winds bringing storms off the Pacific Ocean creating rain shadows as this moisture pushes up against the Coastal Mountains. Winters are milder in CWH regions and especially South and Central Vancouver Island as the ocean moderates temperatures and the mountains act as barriers to colder continental air currents. This is a highly productive ecosystem that is sometimes referred to as temperate rainforest as it creates perfect conditions for lush vegetation cover

(year-round in most areas) and a longer growing season which allows bears longer access to abundant natural food sources, sometimes year-round (Coastal Western Hemlock, CVRD Website 2018).

4.3 Vancouver Island Black Bear Biological Facts



Figure 7. Black Bear Range (VI-Wilds: Vancouver Island Wilderness and Historical Conservation Website 2018).

Vancouver Island differs from many areas of the mainland with regard to bear population in that black bears (*Ursus americanus vancouveri*) are the only species of bear with established populations on Vancouver Island. There are no established grizzly bear populations. There are also some general differences between the Vancouver Island black bear populations and mainland black bear populations which may affect behavior (and Bear Smart practices and policies in VI communities such as Cumberland). Vancouver Island bears can be larger (up to 180 kg for females and 275 kg for males) and they are often darker in colour. Black bears do not truly hibernate, entering a “denning” period over the winter with metabolic rates close to normal. However, some Vancouver Island males even continue to be active all year-round, especially south of Central Vancouver Island, due to fairly abundant and varied natural food sources year-round. Vancouver Island bears are a distinct subspecies with evidence of their presence on the island going back as far as 10,000 years ago. They are distributed across most of

Vancouver Island with a rough estimate of 7,000 bears for the whole island (some sources estimate higher), making this one of the densest populations of bears in the world. Black bears are a unique part of the Vancouver Island ecosystem with several published studies having documented the importance of their role in distributing salmon nutrients away from streams and into the forests as fertilization for multiple ecosystems (VI -Wilds: Vancouver Island Wilderness and Historical Conservation Website 2018).

4.4 Industry and Development

The Village of Cumberland itself is fairly condensed with a small town feel but it is expanding. Housing prices have risen significantly in the past year with an influx of developments and the population seems to be expanding quickly, see *Appendix J. Cumberland Economic Development Strategy*. Development is covered in a later section of the report as it is currently a significant factor in land use change in the Village and may substantially impact wildlife movement into and within the Village. It also presents an opportunity for the Village to address new development policy and practice with regards to wildlife safety requirements for developers (e.g. adequate indoor storage and garage areas for residential waste, bear proof bin installation, etc.).



Figure 8. Photo of corner of Dunsmuir Ave and New Wishbone Bear Resistant Bin

4.5 Cultural

Recreation is big in Cumberland, especially outdoor recreation and activities such as hiking, mountain biking, hunting, camping, etc. There is a big community of mountain biking enthusiasts and groups such as United Riders of Cumberland (<http://unitedridersofcumberland.com/>). There is a large network of mountain biking trails, especially well developed on the south side of the Village with up to 80+ km of bike trails in the forest and up the mountain side, which are maintained and used daily by the community and visitors (Village of Cumberland Website 2018). Given the high speed and quiet nature of mountain biking, there can be an elevated risk of surprise encounters with bears and other wildlife. The WildSafeBC Community Coordinator heard many verbal reports of bikers encountering bears on the trail



Figure 9. Photo of Shops on Dunsmuir Ave and Background Mountains

during the 2017 season. Proper education and safety measures will be essential to prevent human-wildlife conflict on these trails.

Cumberland is an old mining town with a strong sense of history that is close to the hearts of many residents. One of the distinguishing features of the town is the presence of old mining sites, historical/memorial sites and parks. These sites include two heritage orchards and a number of heritage fruit trees throughout

the Village. Fruit trees are a major attractant for bears and other wildlife into the Village.

The historical nature of the town also affects the layout and infrastructure of the community and building structures. There are a number of old narrow roads and character houses that have contributed to a problem of residential garbage that is accessible to wildlife. Many of the character houses do not have proper storage (secured shed or garage) to store solid waste between scheduled pick up days and roadways and property lines are often too tight for building and expansion of such infrastructure. As a result, the Village faces ongoing issues with unsecured residential garbage, recycling and compost stored outdoors in backyards, laneways, along sides of residences, etc. While there are bylaws regulating the proper storage of solid waste, they are not routinely enforced (especially on private residential property).

5. Human-Bear Conflict History

As a traditional mining town, a number of factors may have contributed historically to bear activity and human-bear conflict such as unleashed dogs, gun ownership and use, hunting and agriculture (before federal and provincial laws restricted hunting and gun use especially on private property). Long term residents seem to generally hold a complacent attitude towards bears with verbal reports suggesting that people generally have either accepted the presence of bears as part of life in the town or have used hazing or deterrents themselves in the past (e.g. use of personal guns on private property). While current legislation restricts such past behaviours, the belief that bears are simply part and parcel of

community life remains, often resulting in barriers to behavior change such as removal or securing of attractants and reduced likelihood to report encounters or conflict until issues escalate. In contrast, some demographic groups of Village residents (newcomers and younger generations) are generally knowledgeable about attractant management and are much more likely to report sightings and encounters.

5.1 Reported Bear Sightings and Conflicts from 2014-2017

Current data collected from WARP (Wildlife Alert Reporting Program public beta) from the last four years indicates a drop in reported black bear sightings or encounters in the Village of Cumberland in 2014, 2016 and 2017 with a spike in 2015. Figure 7. below shows reports as low as 15 total in 2014 with a spike of 63 reports in 2015, dropping back down to only 8 reports in 2017.

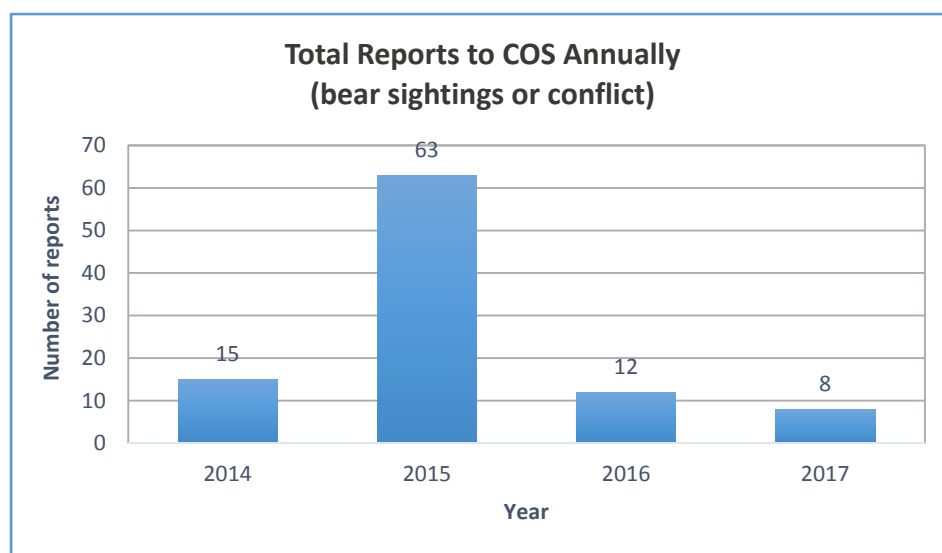


Figure 10. Total Reports to COS Annually (WARP Data for black bear calls 2014-2017)

Qualitative analysis of the data (sourced from COS notes/descriptions for each report or encounter) reveals some factors that may have contributed to the increase in reports in 2015 and the resulting reduction in reporting in the following years. Figure 8 summarizes the main observations and notes from COS reports for each year which may provide some insight into the trend in low number of reports and substantial spike in 2015, however, a great number of factors may be involved in the fluctuation in reporting some of which are discussed further in this report.

Figure 11. A Summary of Qualitative Observations from WARP Data 2014-2017

A Summary of Qualitative Observations from WARP Data 2014-2017 (including bears destroyed)	
2014	The most common kind of encounter type for this year determined by COS is "food conditioned". At least one report for this year included "damage to property".
2015	A number of bears were destroyed this year including 3 adults and 2 cubs (5 total) with encounter types listed as "aggressive", "food conditioned" or "confined", a few cases of property damage, livestock and pet loss in two incidents and a number reports of injured or distressed bears. Twice traps were reported to be set without successful capture.
2016	Following the previous year there were very few reports and calls to the RAPP line and COS (greatly reduced from the previous year and almost all calls cited "food conditioned" for encounter type.
2017	Very low calls this year, one report of an aggressive garbage conditioned bear, trap set but unsuccessful, and a couple of calls for injured/distressed bears.

This general trend over the past couple years of a drop in calls and reports to COS could be due to a number of factors. The WildSafeBC program has provided education in the village for the last two seasons (2016 and 2017) and is in progress of a third season 2018, in the form of information booths at events and farmers markets, and educational presentations at Cumberland Community School and other community groups, including Village council. The WildSafeBC Community Coordinator has worked to maintain a presence in the Village, spreading WildSafeBC's messaging through media, social media and events like the BC Goes Wild Weekend, wildlife talks, film nights and door-to-door visits.

As of May 2016, the Village began ticketed enforcement of the garbage bylaw, prohibiting homeowners from putting out garbage the day before garbage pickup. The bylaw enforcement efforts have resulted in an improvement in garbage being stored indoors and being placed out at the proper time for pick up. During the summer of 2017, Village bylaw and WildSafeBC began putting warning stickers on compost put out too early as compost is included in the enforceable waste bylaw but has not been ticketed to date. A campaign was initiated in the summer of 2016 by the WildSafeBC Coordinator and the Village regarding picking fruit and cleaning up fallen fruit in a timely manner. Lush Valley, a fruit gleaning organization, also provided some service to the valley last summer/fall. All these and other factors may have contributed to the reporting numbers over the past four years.

While the Village has made substantial efforts to reduce wildlife conflict in the Village the past few years, it is important to note **that relatively low number of reports may not be an accurate indicator of**



Figure 12. Garbage Bin Tagged with WSBC Garbage Warning Sticker

bear activity in the Village which is likely higher than what is reported. Very often, sightings and even encounters around the Village go unreported. Word of mouth reports and signs of bear activity throughout the Village such as scat, damage to residential fruit trees, chewed garbage cans, garbage scattered through the surrounding bushlands and greenways, property damage, scratches and markings suggest that bear activity in the Village has actually been higher than the official reports suggest. The local Conservation Officer Service has reported having to address issues with garbage conditioned bears showing signs of human habituation within the last two seasons.

5.2 Cultural Narratives and Reporting Issues

One specific event that occurred 14 years ago remains a strong cultural narrative with long-term residents of Cumberland and may still influence both the behavior of Cumberland's citizens as well as its laws and governance. The enclosure and electrification of the open landfill or "dump" site in Cumberland in 2004 is still a common point of discussion amongst local people. Many of the long term residents of Cumberland report having witnessed fairly low bear sightings and encounters within the Village in the years before the landfill was fully enclosed with an electric fence in 2004. Anecdotally, this was due to the majority of bear activity happening at the landfill (2.5 km out of town). Up until 2004, the landfill fencing was limited or inadequate and was not electrified. According to verbal reports, bears would simply use the landfill as a reliable non-natural food source nightly, which kept the majority of bears out of the Village itself. It was reported that when the dump was electrified and properly secured, bear activity and conflict increase significantly in the Village. In the months following the proper securing of the landfill site, it was reported that 19 bears were destroyed in the Village of Cumberland (with some people claiming almost double this number were destroyed). These numbers are based on anecdotal evidence and from an article published in the local Tyee newspaper in October 2005 (Grant Shilling 5 Oct 2005 | TheTyee.ca). The Conservation Officer Service provided the article as one of the only limited sources of information on the incident, no data or factual evidence was available at the time this report was written. Regardless, this local narrative continues to affect local people's opinions and behaviours. It has resulted in a conflicted political climate for residents regarding the management of human-wildlife conflict, with many long term and senior residents in Cumberland unwilling to reporting bear sightings and conflicts to the Conservation Officer Service. There seems to be a strong undercurrent of distrust of the Conservation Officer Service within the Village culture coupled with a complacency in the older generations possibly contributing to the very low reporting numbers annually to COS through the RAPP line or WARP. This aversion amongst local people to report sightings and encounters to the local COS seems to increase anytime bears are destroyed as a result of human-bear conflict (the spike and then following drop in reports in 2015 and 2016 may be an example of this, conflict may not be reported until the situation has become radical or dangerous). Physical evidence of bear activity in the Village, verbal reports and stories from local experts (COS, Bylaw, Fire Chief, Naturalists), the municipality and local people suggest that bear activity in the Village is actually quite high

6. Attractants and Habitat

Cumberland is located in prime bear habitat, from the surrounding mountains to the valley bottom itself. Extensive wetlands and riparian ecosystems can be found within the Village and surrounding areas, providing food and habitat. The Village is also in close proximity to salmon runs in the nearby

Puntledge River and other river and creek systems in the Comox Valley. Cumberland is also less densely populated than other communities in the Comox Valley (e.g.: Courtenay, Comox and Royston).

6.1 Seasonal Patterns

Based on WARP data, physical evidence of activity, and verbal reports of sightings from local experts and residents, bear activity in the VOC seems to peak in the early summer and fall (Figure 9). This is typical for the area due to factors such as weather, natural food sources and seasonal changes in bear's diets and activity. Natural spring foods include fresh shoots (skunk cabbage, grasses and other plant shoots), grubs and early berries like salmon berries. In the early summer, chokecherries are abundant as well as huckleberry and thimble berry, Saskatoon and many others. The monthly distribution pattern of reports over the past four years is congruent with this typical seasonal bear activity, with an increase in the spring as bears become more active looking for food after the denning period and again in the late summer/early fall when activity increases due to bears seeking out food to bulk up for the winter months. Figure 13 below shows a somewhat typical seasonal pattern for bear sightings and encounters reported in the Village with a slight increase in the spring and early summer and a significant increase in the fall when conditions are dryer and non-natural food sources such as orchard fruits (apples) are available within Village boundaries in the fall.

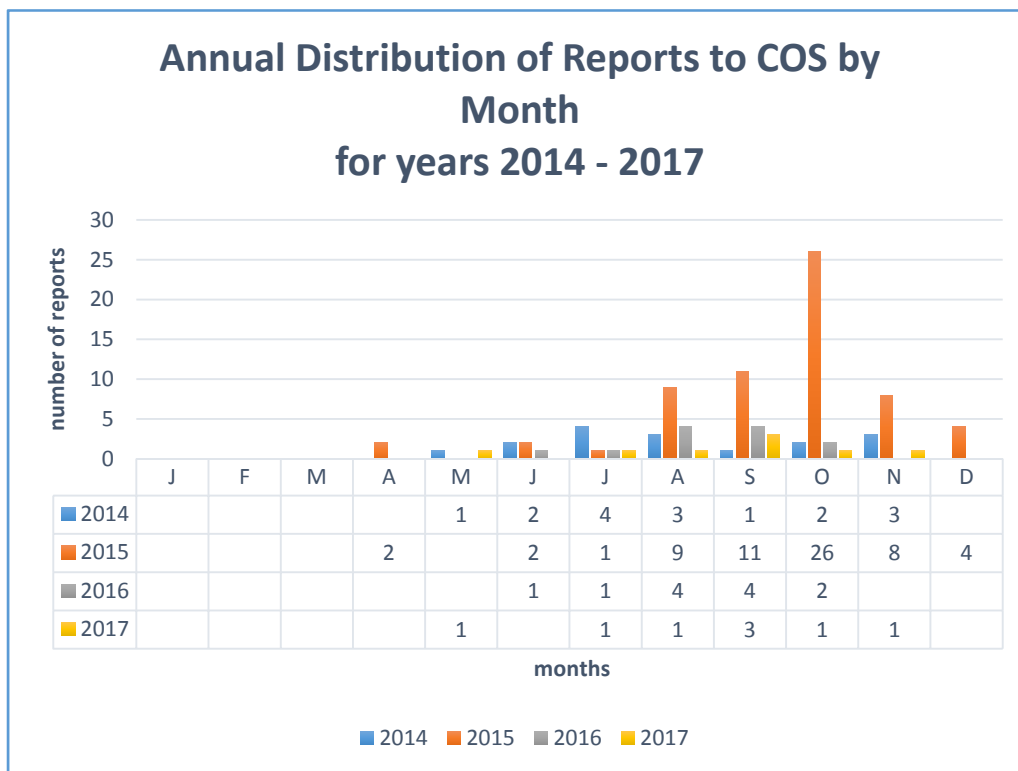


Figure 13. Annual Monthly WARP Data 2014-2017

Figure 14 shows the spatial distribution (estimated location) for black bear sightings or encounters in the Village of Cumberland for the years 2014 – 2017.

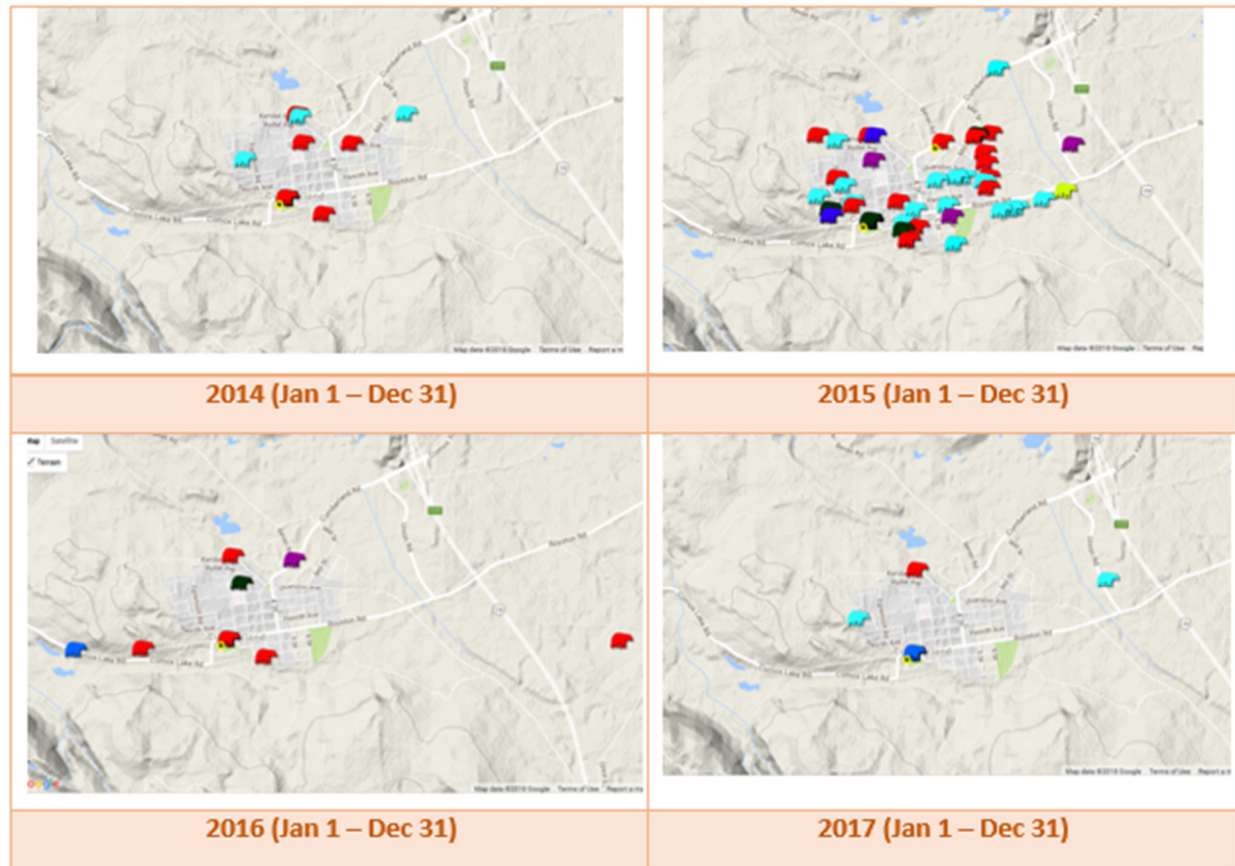


Figure 14. Spatial Distribution of Reports for Black Bear Sightings or Encounters Annually (different colours of bear icons correlate with the identified attractant e.g. red bear icon = garbage, see figure 15 for annual attractant percentages).

According to the WARP data, the main source of non-natural attractants is residential garbage, with residential fruit trees listed second. Fruit trees are a significant problem attractant in Cumberland as they are abundant throughout the village and in the heritage orchards on the edges of the town, attracting bears into closer proximity to residences. This proximity can lead to greater opportunities for garbage conditioning and habituation to humans. Most of the trees in Cumberland are unmanaged or not well managed and a large percentage of residences have fruit trees and/or gardens on their property. Figure 15 below shows attractants listed for each sighting or encounter broken down into percentages annually.

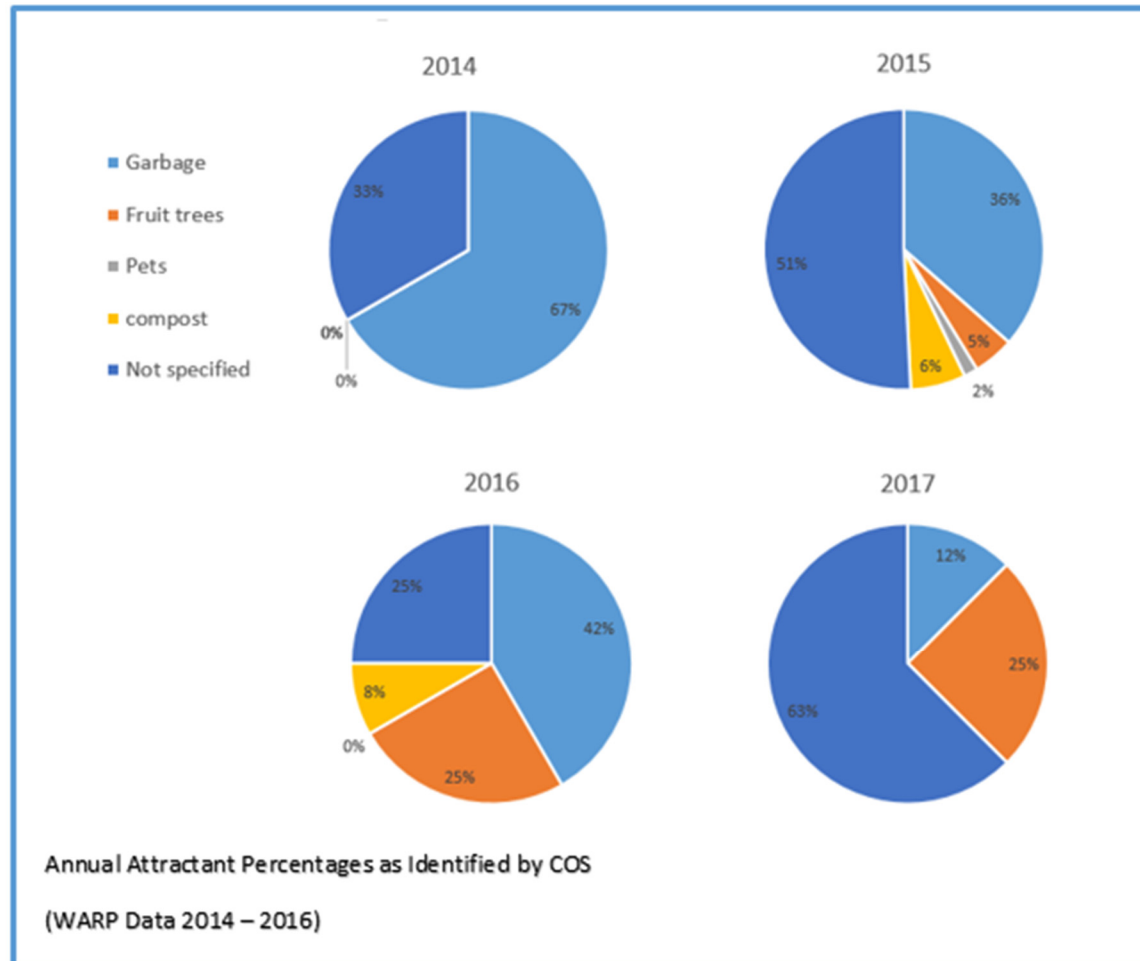


Figure 15. Annual Attractants in Percentages from WARP Data 2014-2017. *Not Specified includes: improperly managed compost, gardens, bird feeders, BBQs, pet food and other.

6.2 Garbage Issues

Due to its historical nature, Cumberland has a number of heritage residences and small dwellings that do not have indoor storage options for garbage. While an accurate estimate is not available, a large number of homes appear (based on visual surveys from public roads and right-of-ways) to store garbage bins and waste in bags or various types of containers outdoors against the side of the residence or in the backyard. Newer developments tend to have garages, as a result, solid waste on private property may be better secured in the northern half of the town which consists mostly of newer developments. Cumberland has solid waste curbside pickup service alternating biweekly between recycling/yard waste/organics (compost) and garbage (see section 8. *Waste Management System* for more details).

This statement from Bylaw Enforcement speaks to the issues of garbage and solid waste storage in the Village with regards to permanent residences as well as commercial waste in the downtown core:

“The village was also not designed around bear cohabitation so even newer dwellings often do not have a dedicated place to securely store garbage or bear attractants other than inside the dwelling itself. As a result, attractants are left outdoors for bears to smell, search out and find.

The Village also has a ‘Restaurant Row’. Along the main road in Cumberland spanning multiple blocks there are many establishments who have grease and garbage dumpsters that are not bear secure. Although the Village has not received many complaints from the establishments historically, it is most certain that bears do frequent these places as there are bear encounters, evidence and complaints all around this area. Grease bins, especially, are a very well-known attractant for bears. These locations have a high reward for bears to frequent, as grease is very high in caloric value. These areas have easy access that is dark, quiet and protected by alley/greenways and close access points to close forested areas. If these facility bins are not kept locked and extremely clean it creates a perfect situation for a food reward and further human habituation/garbage habituation for a bear in the downtown core.”

- James Abrams, Bylaw Enforcement Officer, letter regarding commonly reported or known attractant issues in the Village of Cumberland 2018; see Appendix C. for full statement from Bylaw

Illegal dumping is also a common issue in Cumberland. Bylaw Enforcement works to prevent such activities and ticket those caught dumping garbage illegally, however, it remains an issue for the Village



Figure 16. Garbage Dragged into Bush by Bear, Photo Taken by Bylaw Enforcement 2017



Figure 17. Garbage Bin Tipped Over by Bear, Photo Taken by Bylaw Enforcement 2017

Based on the commercial dumpster survey conducted of all known dumpster locations within Village boundaries, over 40% of commercial garbage bins are not properly secured and none of the grease bins/barrels outside of restaurants on Dunsmuir Ave were secured leaving them accessible to bears. Figure 18 below shows the survey data results, see Appendix D. for Dumpster Survey Notes.

	Dumpsters	Grease Bins and Barrels	Recycling Dumpsters	Plastic Recycling Bins
Secured: (locked, metal lid, or plastic with metal bear bar)	11	0	2	
Unsecured: (unlocked, missing lock, plastic lid w/ no bear bar or clips)	8	4	1	6
On Private Property: (security unknown)	3			
Total Surveyed	22	4	3	6

Figure 18. Commercial Solid Waste Receptacle Survey Results (Fall 2017)

Notes: Survey data is limited to known and accessible or visible commercial receptacles by public roads and right-of-ways. A few businesses also had unsecured plastic rollaway bins in various states (open top, no lids, non-wildlife resistant), specifically a number of garbage and recycling bins behind the Comox Grind on Dunsmuir Ave. The number of such bins is not available due to limited access on private property (observations were made and recorded from public access way).



Figure 19. Various Unsecured Dumpsters and Garbage Bins Surveyed and Documented in the VOC winter 2018



Figure 21. Unsecured Grease Bin in Alleyway Behind Dunsmuir Ave.



Figure 20. Locked Dumpsters at Cumberland Lake Park

6.3 Fruit Trees

Fruit trees, like greenways and corridors, are abundant in Cumberland. Both native (choke cherry) and nonnative (cherry and heritage apple) trees line many of the streets and are scattered throughout the village in parks, along boulevards, scattered throughout the brush along public paths and trails. There are a few old orchard sites (No. 1 Japanese Town site in Coal Creek Historic Site and Rotary Orchard Park) planted long ago by settlers on the west side of the Village which still bear fruit and are no longer regularly maintained or harvested. These are an annual and predictable food source for Cumberland bears and other wildlife (see section 7. *Hotspots and High Activity Areas*). Efforts have been made by groups such as Cumberland Bear Initiative, Lush Valley and the Village to clean up fruit from these trees but little long term progress has been made in this area in the orchards hold a strong nostalgic and historical value in the community which creates a resistance to ideas of altering or changing the orchard and it's management.

Cumberland has a large number of residential fruit trees on private property. Cumberland Bear Initiative did a preliminary survey of some of the areas in the Village to get a sense of the number of residences with fruit trees and how they are managed (or not managed) as wildlife



Figure 22. Choke Cherry Tree, Village of Cumberland 2017

attractants. Survey results showed that out of a sample of 400 residents, 57% owned fruit trees or berry bushes on their property and 50% reported having a garden. The median number of fruit trees per property was one tree. One of the most notable findings of the survey was the correlation between fruit tree ownership and bear encounters on the same property. Figure 19 below is taken from the Cumberland Bear Initiative Survey Analysis “Summary of All Questions” document (see *Appendix E* for the full document).

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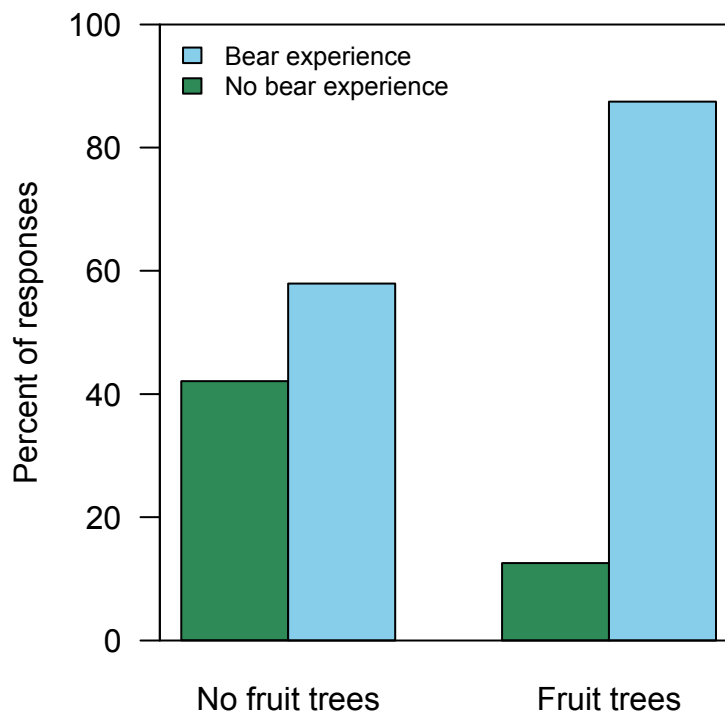
This section is intentionally left blank.

Is there an association between having fruit trees and bear experiences?

Overall, there were 291 respondents (out of 389 who answered the question) who reported bear experiences (75%).

There was a significant relationship between the proportion of respondents who had had bear experiences and whether they have any fruit trees on their property (Chi-square test, $\chi^2_1 = 42.3$, $p = < 0.0001$). Summary of the responses:

	No fruit trees	Fruit trees
No	69 (40.4%)	28 (12.3%)
Yes	95 (55.6%)	195 (85.5%)
Missing	7 (4.1%)	5 (2.2%)



Percent of respondents who had bear experiences by whether they have fruit trees on their property.

Figure 23. Section from the Results Analysis of the CBI Fruit Tree Survey

6.4 Other Attractants

Other attractants present throughout the Village include but may not be limited to: backyard bee hives and chicken coops that are not secured; livestock; birdfeeders; improperly managed backyard composts; BBQ's; outdoor pet food storage; gardens and cultivated berry patches. Currently there is no numerical data available on the abundance of such attractants within the Village boundaries.

6.5 Attractants Map

Figure 24 below (page 28) shows generalized locations of commercial dumpsters and grease bins from the survey as well as the location of the Emterra Recycling Plant, Cumberland Community School and large swaths of chokecherry trees that border the south side of the Village and are a strong draw for bears into town. Disclaimer: Figure 24 may not show all dumpsters and grease bins (only known and surveyed locations) and fruit tree distribution is generalized based on data (CBI survey and roadway visual surveys, known locations etc.).

7. Hotspots and High Activity Areas

Due to factors such as trail networks, attractants (natural and non-natural fruit trees and accessibility to garbage), vegetation cover (parks and greenways), human activity levels and a number of other factors, some areas and neighborhoods in Cumberland have a higher degree of bear activity than others. Although the town is small, it is highly connected through greenways and parks and bears have been known to travel through virtually all parts of the Village.

7.1 Greenway and Travel Corridor Connectivity

The Village of Cumberland has an extremely high degree of connectivity of greenways and wildlife corridors. A vast network of parks, trails, back alleys, greenways and wildlife corridors allows bears and other wildlife (e.g.: deer, raccoons, cougars etc.) to easily move through town with little perceived risk.

7.2 Neighborhoods (by Bear Activity Level High to Low)

Figure 25 (Page 29) portrays general areas of high bear activity (hotspots), common travel routes (based on physical evidence, WARP and COS data as well as verbal reports. It also gives a sense of the high degree of greenways and connectivity throughout the Village of Cumberland.

Figure 24. Bear Attractants Map for the Village of Cumberland

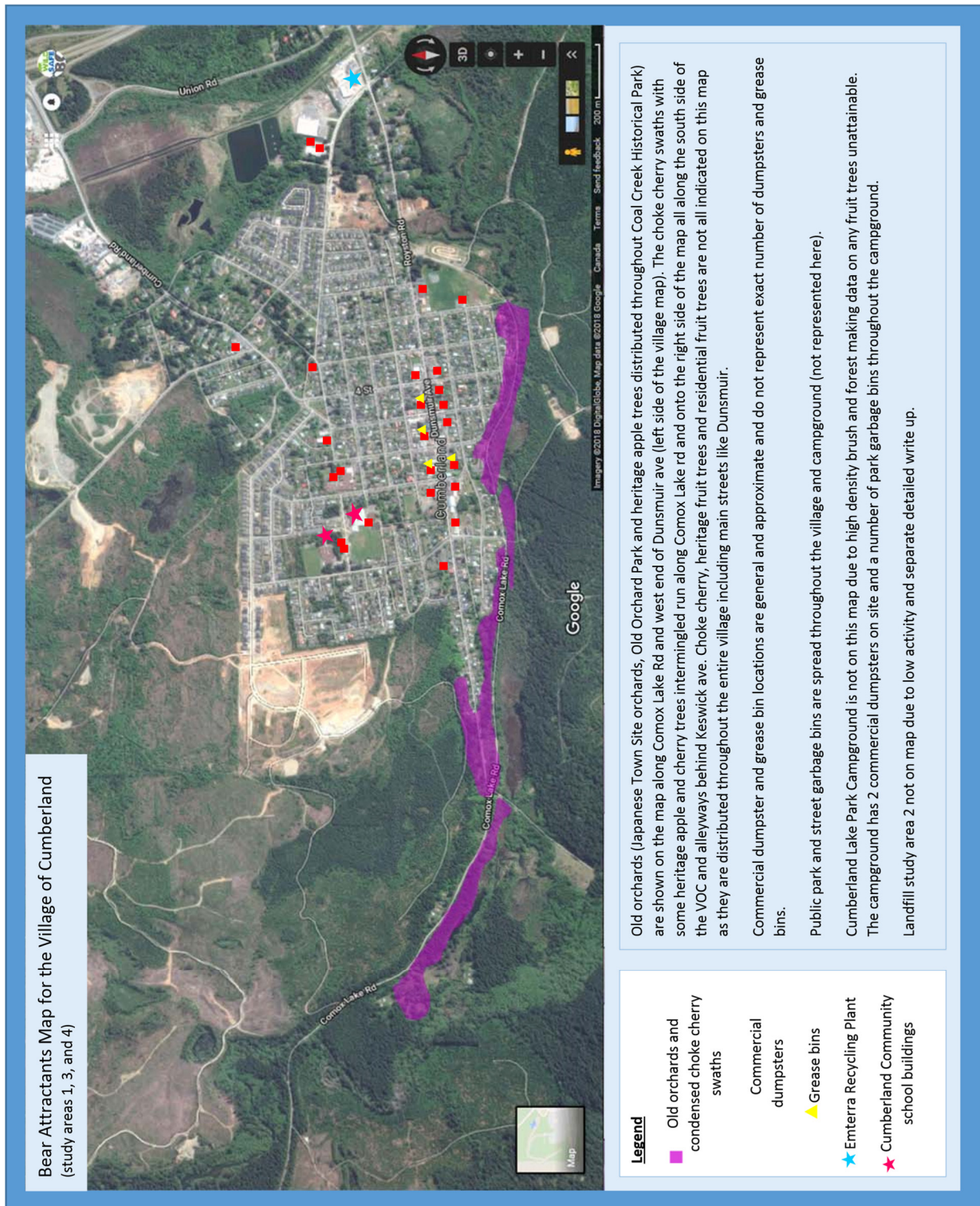
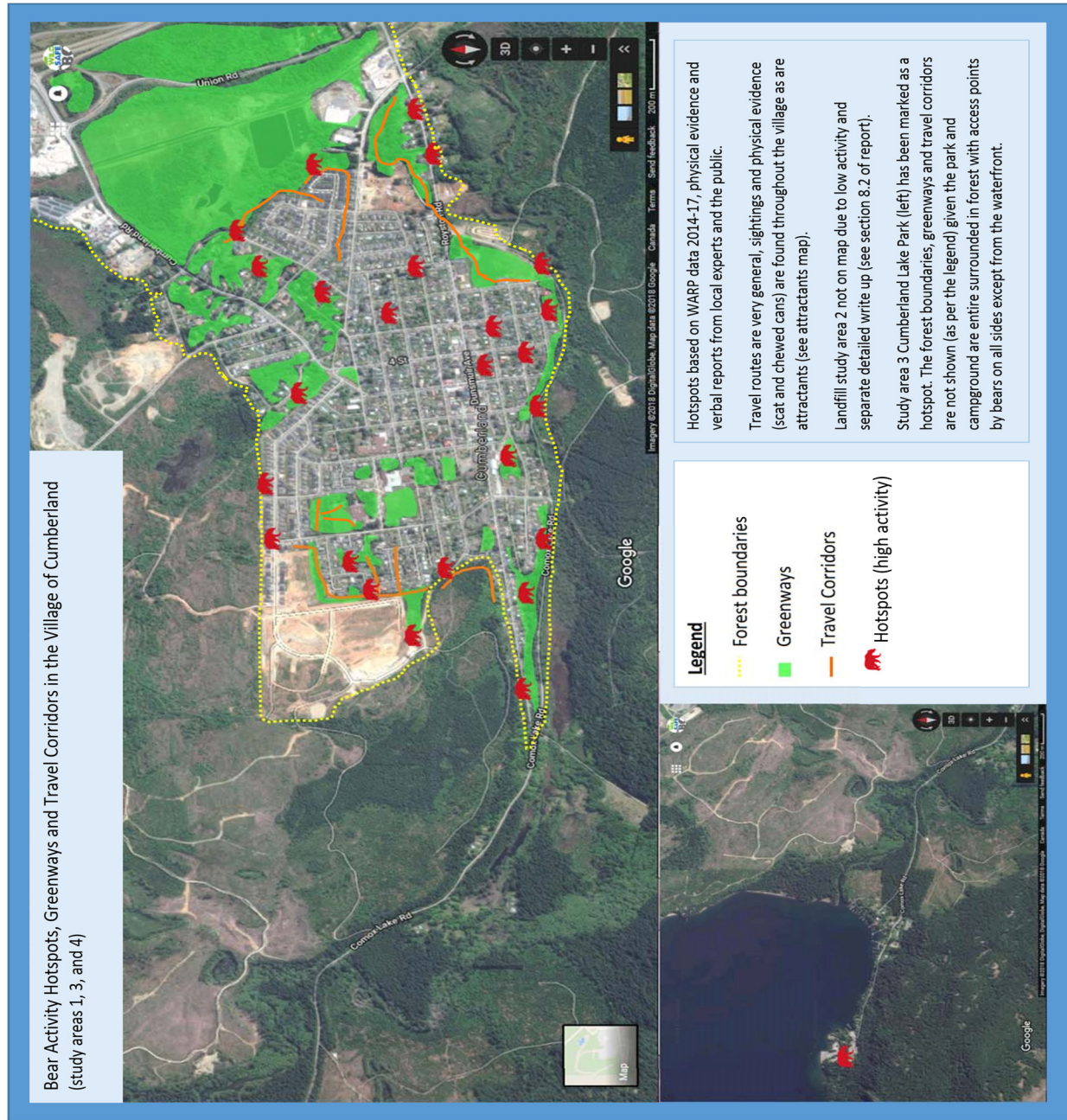


Figure 25. High Activity Hotspots, Greenways and Travel Corridors



Allen Ave, Keswick Ave, Cumberland Village Park, Maryport Ave, Penrith Ave, 7th Street (High Activity)

These streets are high activity neighborhoods with improper residential garbage storage (heritage homes without garages) and a large number of native and nonnative fruit trees. A large swath of chokecherry trees runs along the back alleyway of Allen Ave and Keswick Ave and the backside of the Village Park. Trails also connect these streets to the Cumberland Community forest and wetlands. Bears travel from this area up 6th and 7th Streets, past the Village Park and access Maryport Ave, Penrith Ave and 7th Street where there are some fruit trees distributed throughout these neighborhoods and residential garbage is easily accessible and often an issue. Residents report frequent (daily) sightings in these areas during chokecherry season especially and there is often abundant evidence of high activity (damage to fruit trees, scat, chewed garbage bins and scattered garbage).

Maple Street, Hope Rd. down to Ulverston Ave and Coniston Crescent (High Activity)

These neighborhoods also see a high degree of activity possibly due to high connectivity through greenways and travel corridors. Maplewood (end of Maple Street) mobile home park is known by the municipality for residential garbage and dumping issues (refuse piles) but is also private property. Hope Rd. and Ulverston Ave. have a number of residential fruit trees, well covered greenways and trails connecting them to the other neighborhoods like Coniston Crescent on one end and Maple Street near the other. Residents reported a high degree of sightings and activity during door-to-door visits, including nightly sightings of bears passing through the area in the fall.

Dunsmuir Ave. (West end) and Egremont Ave, Westwood Ave and Ulverston Ave (West side) areas (High Activity)

The west end of Dunsmuir Ave is the location of the Rotary Orchard Park which is a significant bear attractant (see section 7.3 on Parks). The Rotary Orchard Park is on the border of town and forest providing cover and forested land access from the old orchard straight up (north) along the west side of the village. This gives bears easy safe access to bordering streets such as Egremont Ave, Westwood Ave and Ulverston Ave where they find opportunities like residential garbage. There is also lots of evidence in these neighborhoods for high bear activity (verbal reports during door-to-door visits, bear scat and chewed bins or strewn garbage).

Kendal Ave and the New Developments (High Activity)

Kendal Ave and Solport Street are new development with sections that are currently still under construction. These areas are on the forest and mountain border and up until recently, still forested lands. Bears have been reported to use this as one of the entry points into town. A long alleyway with forest in behind runs down almost the whole length of Kendal Ave and provides a covered travel route and staging areas for bears. Reports of bear sightings and activity are common here and the WildSafeBC coordinator has witnessed bears on Kendal Ave twice last season (2017). Many residents in this area are new and are not aware of bear safety or securing attractants properly. Complaints have been filed with the municipality for garbage being dragged into the back alleyway, trails and brush behind Kendal Ave by bears and scattered throughout the bush.

Dunsmuir Ave and alleyways (main street, commercial) (Medium Activity)

Dunsmuir Ave is the main commercial street in the village with a number of businesses and restaurants that produce commercial waste including food waste. Most of the village commercial dumpsters and grease bins (discussed in section 6.2 Garbage Issues) are concentrated in the back alleyways running up

both sides of Dunsmuir Ave. Not only are these areas concentrated opportunities, but over 40% of dumpster and 100% of grease bins (surveyed) were not secured properly and are easily accessible to wildlife. Additionally, the alleyways are narrow and many are overgrown with foliage providing cover for low risk movement through the area. Some areas of Dunsmuir Ave (such as 5th and Dunsmuir behind the Cumberland Grind) have large patches of chokecherry trees.

Cumberland Community School (Low or Medium Activity)

Cumberland Community School is bordered on all sides by greenways and field, including a large undeveloped and mostly unmanaged greenway on the north side (an excellent and densely covered travel route for bears). Despite its greenway connectivity, activity is rarely reported in this area. Evidence such as scat is found along Egremont Rd. (west side of the school property) and in the greenway but it may be used primarily as a nighttime travel route for bears as sightings and encounters appear to be low. Attractants appear to be well secured on the property (all dumpsters surveyed were locked and secured) which may have a significant impact in deterring activity on the property.

7.3 Parks (By Activity Level High to Low)

See Appendix F. for VOC Parks Map.

Rotary Orchard Park (High Activity)

Rotary Orchard Park is located at the west of Dunsmuir Ave on the southwest side of Cumberland. It includes a number of unmaintained heritage apple trees (20+) most of which still yield some fruit annually. This site is a known bear attractant and non-natural food source. Bear sightings are common here (verbal reports) and an abundance of bear scat and claw marks on trees can reliably be found every fall during apple harvest season. Some efforts have been made by the



community to better manage this orchard such as fruit gleaning by *Figure 26. Apple Trees in Rotary Orchard Park winter 2018*

Lush Valley, windfall pickup fieldtrips with classes from Cumberland Community school, encouragement from the Village for the apples to be picked and used by locals, as well as some suggestions such as removing blossoms in the Spring with high pressure water or simply cutting down the orchard. To date, no single idea or method has been agreed upon or has impacted the available food source enough to prevent high bear activity in this area in surrounding neighborhoods. The Old Orchard is a beloved part of the town heritage and many residents are resistant to suggestions regarding changes to the orchard

and its management. Given the close proximity to residences, the Old Orchard provides easy opportunities and access to other non-natural attractants on Dunsmuir Ave and in adjacent streets like Egremont Rd., Derwent Ave, Penrith Ave and Maryport Ave such as incorrectly stored residential garbage.

No.1 Japanese Town Site in Coal Creek Historic Park (High Activity)

The Japanese Town Site is similar with regards to activity as Rotary Orchard Park (above). Differences include that some "younger" cherry trees were planted by the Village in this area over the last 5 years which are non-fruiting "decorative" (Kwanzan) cherry trees. As such, there are only a few heritage fruit-producing trees scattered around the old town site. Additionally, it is a little further out of town with more of a forest buffer than the Old Orchard Park as it is not directly connected to a residential street. This offers its own location challenges as it is not far enough out of the town to deter bears from venturing into town and it is located on a very well used walking trail and bike path in Coal Creek Historic Park. Its high level of activity is most likely due mostly to the few older trees that do produce fruit and its location (on well-used bear travel route and with enough distance from the Village and vegetation cover to make it easy for bears to frequent unseen).

Coal Creek Historic Park (High Activity)

Coal Creek Historic Park runs along the south side of Comox Lake Rd. A fair number of old apple trees are dispersed throughout the park and along the main trails with dense native vegetation. A creek runs through the park and a large percentage of the park is wetlands (ponds and swamp lands). The main trails through Coal Creek Park connect the Japanese Town Site and Orchard to the Old Orchard Park and end of Dunsmuir Rd. With its dense vegetation, wetlands, trail network and fruit trees dispersed throughout and at each end it is a popular travel route both for people and also for bears. Bear sightings are frequent here and there is consistent physical evidence of bear movement through the park on a daily and nightly basis (e.g.: scat, half eaten apples, broken brush and scratch marks) especially in the fall during apple season.

Cumberland Lake Park and Campground (Suspected Medium Seasonal Activity)

Cumberland Lake Park and Campground sees a large influx of campers during the summer season (roughly end of May/June to end of September). The rest of the year, the campground is mostly vacant and the park is accessed mainly by local people for hiking and fishing. It was hard to get an accurate sense of bear activity in and around the park and campground given that management of the facilities is seasonal as is the majority of waste production. There appears to be limited to no fruit trees in this area (both native and non-native). The campground is actually owned by the municipality and governed by the Village but the park operations are contracted out. The park has two dumpsters on site and a number of open cement bins (possibly 20+) which will be decommissioned at the end of 2018 and replaced with bear resistant models. The exact number of open top cement bins is unknown (the information was requested but not readily available). The Village has been working to replace the cans throughout the park and campground with bear-resistant bins. Currently, about 80% of all the bins on site are bear-resistant and the Village plans to replace the rest by Summer 2019 as part of the Watershed Protection Plan. Bins are being replaced with bear-resistant models such as those produced by Rollins (e.g. <https://www.rollinsmachinery.com/new-equipment/haul-all-bear-resistant-metal-containers>).

Village Park (Medium Activity)

Cumberland Village Park contains a fenced playground, large open field, fenced dog park, skateboard park and BMX bike jump park. It is connected to large greenway the runs from the south side of the park along the backside of the most southern street of Keswick Ave, connecting to the Cumberland Community forest. This greenway contains a large swath of chokecherry trees which is a known area for frequent bear activity. While there have not generally been reports of bear encounters within the Village Park, there are known bear hotspots on three sides of the park including the greenway, 7th Street and the East end of Dunsmuir Ave. This is a common travel route for bears who must pass through or around the park to access these other high activity areas (known by sightings and physical signs). What is unknown is whether the bears travel through the park or go around it. It is a very large open space with very little vegetation or structures that would offer coverage. Additionally it is a very busy place during the day on average with lots of human noise and activity. A number of open concrete garbage bins remain in the park which may be an attractant source. The Village has installed new bear resistant bins (a total of three) in a newer portion of the park (the Skate and BMX park section).

Peace Park (Low Activity)

Peace Park is a very small park on the corner of Third Street and 4th Street. It is quite open (very few trees and bushes) with roads on all sides as it is in the middle of Cumberland in the residential area. It has a bus stop and a bear-resistant garbage bin. It is low risk for activity given the size, central location surrounded by busy roadways and residences and it has virtually no vegetation cover for bears moving through the area.

7.4 Public Park and Street Bins

Many park and street bins throughout the VOC are not bear-resistant. Many are the old traditional permanent concrete bins with a plastic lid or with a metal can placed inside. The Village is currently working to replace some of these bins). Although there is currently no official plan or timeline, some have already been replaced in areas such as; Village Park Skate park/Jump Park (3 units); Yellow Gate Trailhead (One garbage, one recycling); Coal Creek Historic Park – Jumbo’s Cabin (one unit) as well as a number of units on Dunsmuir Avenue, the Village Square, No. 6 Mine Park and other places such as 3rd Street, Cumberland Rd. and some of the bus shelters. Models of bin used include the Rollins bins (see pic below) and Wishbone



Figure 28. Open Top Traditional Cement Bins at Cumberland Lake Park 2018



Figure 27. Rollins Model Bear Resistant Replacement Bins at Cumberland Lake Park 2018

units (<https://www.wishboneltd.com/site-furnishings/waste-receptacles/item/freedom-55-animal-resistant>).

8. Waste Management System

8.1 Waste Collection

Solid waste collection in the Village of Cumberland is managed by the municipality. The municipality has full control over the management of the collection system through council and bylaw enforcement from the time it is created and stored at businesses or residences until it arrives at the Comox Strathcona Waste Management Centre (CSWMC) landfill, at which point it becomes the responsibility of the CVRD (Comox Valley Regional District) (see section 8.2 *on the CSWMC*). The collection system work (pickup, transport, etc.) of commercial and residential waste to CSWMC is contracted out through the VOC to private organizations, although some commercial waste collection is sourced by the business owners themselves. Solid waste (residential and commercial garbage from cans and dumpsters, compost) within the VOC is mainly collected by Sun Coast Waste Services Ltd. Residential solid waste is collected weekly for organics (compost and yard waste), and alternating bi-weekly for recycling and garbage. Solid waste collection (including garbage, compost and yard waste) by Suncoast takes place on Wednesdays and is hauled directly to CSWMC (the landfill). Business owners with commercial dumpsters rent them from the collection company (Suncoast or Emterra for recycling) but are responsible for ensuring they are secured against wildlife. The chain of responsibility begins with the resident or business owner storing and placing out the garbage for pick up appropriately (as set out in the bylaws governing proper storage and curbside pickup, see section 8.2 *Bylaws and Regulations for Solid Waste Management* for details). Once waste is picked up, the responsibility transfers to the contractor who is responsible for waste transportation securely to CSWMC (landfill). Recycling is also collected bi-weekly (for both residential and commercial) by a contractor and gets transported directly to Emterra sorting plant (see section 8.3 *on Emterra Recycling Plant*). Information in this section has been provided by Rob Crisfield from the Village of Cumberland. See *Appendix G. VOC Contract with Suncoast Waste Services LTD* and *Appendix H. CSWM Letter of Support VOC*.

8.2 Bylaws and Regulations for Solid Waste Management

The regulations that govern the Village of Cumberland solid waste management system are contained within Village of Cumberland Solid Waste Bylaw No. 1003, 2014 (*Appendix K.*). The Comox Strathcona Waste Management Centre (CSWMC) services, governed by the Comox Valley Regional District (CVRD) with its own set of bylaws (e.g. Bylaw 1822, CSWMC Bylaws & Policies 2017), cover the operations at the regional landfill. Although some of the criteria in regards to developing and maintaining a bear proof municipal solid waste management system are covered within Solid Waste Bylaw No. 1003, 2014 (i.e. restricting the time when solid waste can be left out for pick-up), not all are. For example, criterion 5. a., from the *Bear Smart Criteria Progress Table* (Figure 1, page 4) requiring all components of putrescent waste management system to be bear proof in areas that are accessible or frequented by bears) is not covered under the bylaws. The bylaws state that “animal proof” and “animal resistant” containers are required (most standard garbage bins are labeled as “animal proof” or “resistant” as they have features to keep out small animals and pests like rats and raccoons (e.g. the twist and lock bins), which is not adequate or equivalent to “bear resistant”. Criterion 5. b., requiring bylaws in place to ensure that the same is true for all private sector components of putrescent municipal solid waste is covered by Village

of Cumberland Prevention of Public Nuisances Bylaw No. 870, 2007, 2(a) and 2(b) and 3(a) and Solid Waste Bylaw No. 1003, 2014, 2. and possibly 9.1. (i) within Village boundaries. Basic services (standard size bins) are covered under municipal bylaws. Commercial dumpsters and other commercial or industrial waste (e.g. grease bins etc.) are the responsibility of the business owner to arrange and pay for disposal, however, there are bylaws in place that can be used to enforce Bear Smart practices. With regards to public park and street bins, the Village of Cumberland Public Works manages and empties these bins. As stated previously, while the park and street bins are in the process of being replaced with bear resistant models, currently a larger percentage remain the traditional open cement bins which are not wildlife resistant. Information in this section mostly provided by Kevin McPhedran, Village of Cumberland.

8.3 Comox Strathcona Waste Management Centre (Cumberland Landfill)

The Comox Strathcona Waste Management Centre (CSWMC), also known as the Cumberland Landfill, is located 2.5 km north of the village up Bevan Road. The landfill is entirely contained by fencing with one half of the fencing consisting of eight foot high chain link electrified, and the other half a four foot high electric fence (four strand) in compliance with provincial standards. The current fence was installed in March 2004 and there have not been any reported breaches or issues with bears accessing the landfill since that time and no known conflicts or issues. Site Manager Mike Bean provided a site tour and information regarding daily practices at the landfill. All open waste sites are covered nightly, nothing ever left exposed overnight, either buried with fill material or covered over with steel plates. Part of the operations permit requires inspections and audits by the Ministry Of Environment for fences in compliance with Wildlife regulations and policy and other environmental standards and regulations. They are currently working on upgrading the old four foot sections of the fence, and looking for ways to reduce maintenance and shorting out, removing brush to create a clear zone on both sides of the fence.



Figure 29. CSWMC Electric Fence 2018

Current projects include:

- They are currently conducting a compost processing trial and compost piles are also covered nightly.
- The filling in of the old cell is projected to be closed in this year (unlined). End of lifespan, closure this summer and encapsulated with soil.
- New cell, 5 year lifespan, to be in operation summer 2018 with plans to build successive cells. Integrated leach 8 collection system, all leach goes to treatment plant and gets treated and released.
- Bio solids plant: sewage is converted to skyrocket fertilizer in an onsite facility.

Raptors (Red Tailed and Harris hawks) are used on site to control gulls and other wildlife attracted to open waste in ongoing project areas. CSWMC services all of the valley and will soon be servicing all of

Campbell River as well as the Campbell River landfill and waste management facility is projected to close in the next 5 years (for CSWMC's wildlife policy see *Appendix I.*).

8.3 Emterra Recycling Plant

The Emterra recycling plant on the corner of Ulverston Ave and Royston Rd. is a source of bear attractants. The facility is walled on two sides with an 8 foot solid fence, however, the other two sides are enclosed with a 6 foot wire mesh fence (easily entered by bears) with a number of gaps to facilitate staff movement of materials into and out of the site yard. The large greenway (including a creek) that runs down the back side of the recycling plant facilities and the wetlands greenway to the east are known entry points and travel routes for bears to access this corner of town and the recycling plant itself. Dave Ross North Island Operations Manager reported that there has been no encounters or sightings but evidence has been left behind (messes, materials destroyed, recycling strewn, scat, etc.) to indicate bears having been in the recycling plant yard often and having gotten into attractants on site. Pictures of the Emterra plant were not approved to be included in this report. Emterra provided a section from their policies but it only addressed safety practices for if a staff member encountered a wild animal on site, therefore it was not applicable to this assessment. Emterra may have policy in place and/or in writing regarding active measures to reduce human-wildlife conflict but they were not provided.



Figure 30. Raptor Specialist and Hawk CSWMC Winter 2018

9. Other activities and Sources of Conflict

9.1 Land Use Change

Cumberland is growing fairly quickly with a number of new developments in progress. This land use change may affect and most likely is already affecting bear movement into and through the Village. The long alleyway that runs along the North and East sides of Kendal Ave has long been a travel route for bears. This is known by frequent sightings, garbage being taken and dragged into the alley and surrounding bush, clear staging areas and scat. A large swath of trees was removed and land cleared in the Maple Street area lot (a development lot on the east side of Kendal next to the cul de sac). This new development and clearing intersects the alleyway and has removed a significant amount of vegetation cover for bears that may travel this route. Other large portions of land between Kendal Ave and Maple Street have been cleared. Development presents some challenges such as further encroachment into bear habitat and common travel routes, exposure to new residents who may not be aware of bear safe practices and proper attractant management, but it also may present some opportunities for Bear Smart policies to be implemented in the development phase. Other possible benefits may be education opportunities, possible clearing or thinning of some greenways and alleys and an increase in human population density, which may help create a risk buffer and deter less habituated bears from entering

the village (see *Appendix J. for Future Land Use* map from the VOC). Animal travel corridors in the new developments (located outside of “already disturbed lands”) are required to be taken into account by developers as part of the “bioinventory” of the property (as written in the Village OCP Environmental Development Permit) which may have an effect on wildlife activity and movement in the newer development areas.

9.2 Tourists and Campers

Tourism, especially summer campers visiting the Village of Cumberland, can present an educational challenge. Cumberland, specifically Cumberland Lake Park Campground, is a popular summer vacation destination and many people come for the camping and outdoor activities but may not be aware that the VOC is in bear country and may not know bear smart safety and practices.

9.3 Mountain Biking trails

Cumberland is quickly becoming an incredibly popular destination for mountain biking and the large network of trails is well used by residents on a daily basis. This is not an issue for attractants so much as an issue with increase chance of encounters and possible habituation to humans. Currently WSBC is working to increase education in the Village and for visitors to the area with regard to wildlife safety and mountain biking.

10. Existing Bylaws

10.1 Summary of Bear Smart Bylaws

Existing bylaws and VOC policies affecting bear smart practices in the VOC have been laid out in the progress table at the beginning of this report (Figure 1.). Figure 32. Below is a section taken from the Bear Smart Criteria Progress Table to highlight the bylaws section.

Summary of Bear Smart Bylaws from the Bear Smart Criteria Progress Table (Criteria #6):

a. Bylaws stating that no person shall store any refuse that is a wildlife/bear attractant in a manner that is accessible to wildlife/bears.	✓ Complete Bylaw No. 1003, 6.2.(c) and 9.1.(e)
b. If using a curb-side collection system, time restrictions have been implemented so that garbage cannot be put at the curb until the morning of pick-up after a specific time (i.e. 6am) and the container must be returned to a bear proof location by a specific time (i.e. 7pm).	✓ Complete Bylaw No. 1003, 9.1.(l) and 9.1.(m)

c. Attractants must be stored in a bear proof container or location such as in a house or garage and not in a garden shed, carport, or wooden box.	Not complete
d. Birdfeeders are allowed but within certain restrictions during non-denning periods but must be suspended from a cable or other device so that they are inaccessible to bears.	✓ Complete Bylaw No. 1061, s(70)
e. Fruit trees must be adequately maintained to reduce the attraction to bears (i.e. pick up windfall, ensure ripe fruit is harvested).	✓ Complete Bylaw No. 870, 2(a), 3(a) and 9.1(e), bylaw No. 1061, 70 and/or enforceable by COS under BC Wildlife Act
f. Garbage at special community events (i.e. weddings, tournaments, concerts, etc.) must be removed at the end of each day's activities.	✓ Complete By law 870, 2(a), 2(b) and 3(a) and CRC Park Permits

Figure 31. Summary of Bear Smart Bylaws from the Bear Smart Criteria Progress Table



Figure 32. Bear Poop Containing Plastics and Garbage, Taken on Keswick Ave Fall 2018

As shown by the above table, Cumberland has a number of Bear Smart bylaws in place. Some work in this area is still needed to meet all the criteria to become a Bear Smart Community. Item c. (in above table) regarding attractant storage in bear resistant containers and or locations is not adequate, as currently Solid Waste Bylaw No. 1003, 2014, 9.1.(e) and 6.2.(c) quote “animal proof” and “animal resistant” container and locations but these definitions do not equate certified bear resistant containers. The majority of residential bins and almost half commercial bins and dumpsters in the Village are not bear resistant (based on garbage patrol, roadway surveys and observations during canvassing as well as the dumpster survey conducted for this report). The Village of Cumberland currently has a mix of bear resistant bins located in public parks and on streets (on Dunsmuir Ave and the Village Park) and regular unsecured bins. The traditional non bear resistant bins in public spaces will most likely continue to be replaced over time with bear resistant bins. The Village does not currently have bear resistant bins at a residential or commercial level. To meet this requirement, the Village of Cumberland would have to consider providing, facilitating or requiring the supply and

implementation of the use of bear resistant bins at the residential and commercial level or provide an acceptable alternative or compensatory management strategy.

10.2 Ticketing, Enforcement and Warning Stickers

Bylaw ticketed enforcement of residential garbage bylaw (Bylaw No. 1003, 9.1.(l) and 9.1.(m)) states that residential garbage must not be placed out on the curb before 12 am (midnight) of the day of pick up. Bi-weekly garbage patrols are carried the night before solid waste pick up (between the hours of 10 pm and 12 am) out to ensure compliance with this bylaw and any residence not in compliance is ticketed. This practice is fairly new, coming into effect May 2016. For two seasons (2016 and 2017), the WildSafeBC Ambassador or Coordinator has also carried out garbage patrols to place warning stickers on all garbage and compost placed out early. The Village has seen a significant improvement overall in the placement of bins out on the curb at the appropriate time since enforcement began and only an average of 1-2 tickets are given out nightly on routine garbage patrols by bylaw enforcement this season (2018).



Figure 33. Example of Non Bear Resistant Bin with Bear Damage Fall 2018, Taken on 7th Street

11. Regional, Inter-provincial and International Issues

Cumberland's close proximity to other communities such as Courtenay and Royston (both approximately 7 km by roadway) may result in crossover and overlapping territory for Comox Valley bears. Bears may move between communities and from one food source to the next (salmon in the Puntledge River in Courtenay to Cumberland for fruit to Royston for foreshore scavenging). This may complicate the picture in terms of Bear Smart education and practices in Cumberland given garbage conditioned and human habituated bears may travel between communities. None of the other communities in the Comox Valley or CVRD have a WildSafeBC or Bear Smart education program in place to spread consistent messaging and actively work to reduce human-bear conflict collectively for the region. The City of Courtenay bylaw No. 2244 (2.4) restricts the amount of time that garbage containers can be on curbs or public boulevards (must be brought in by 6pm on pick up day) but does not restrict the time it can be placed out and is not generally enforced (bylaw No. 2244 City of Courtenay Website and Bylaw Officer Ed Houlihan). Cumberland can likely significantly reduce their impact and role in human-bear conflict through Bear Smart policies and practices but ideally the region of the Comox Valley may need to consider collectively engaging in such goals.

Human-bear conflict, challenges and goals are similar across the province with most communities citing residential and commercial garbage and fruit trees as the main bear attractants. Much can be learned from other Bear Smart communities and those working towards reducing human-bear conflict. The same can be said nationally and internationally with human-bear conflict in U.S. news and international organizations created specifically to address these issues in communities that live in bear habitat.

Acknowledgements

Thank you Village of Cumberland Municipality, Village Mayor Leslie Baird and Council Members as well as the Village of Cumberland Staff for their commitment creating a Bear Smart Community and working to reduce human-wildlife conflict. Thank you Frank Ritcey our WSBC Provincial Coordinator, BC Conservation Foundation and the WildSafeBC Team for supporting and assisting throughout this process; Jenny Wallace Castlegar Community Coordinator for editing; Mike Badry BC Conservation Officer Services for providing guidance and data; Sergeant Mike and Gordon Gudbranson with BC Conservation Officer Services for providing data and information; James Abrams for providing Village Bylaw information and data; and The Ministry of Environment and Climate Change Strategy in partnership with the British Columbia Conservation Foundation and the Union of British Columbia Municipalities for making the Bear Smart Community Status program a reality.

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Mike Bean – Manager, Comox Strathcona Waste Management Centre

Rob Crisfield – Manager of Operations, Village of Cumberland

Dave Ross – North Island Operations Manager, Emterra Environmental

Helen Davis – Biologist, Artemis Wildlife Consultants Victoria

Gordon Gudbranson - Conservation Officer, BC Conservation Officer Services North Island Zone

Kevin McPhedran - Parks and Outdoor Recreation Coordinator, Village of Cumberland

Mike Newton – Sargent, BC Conservation Officer Services North Island Zone

Sean Pendergast – Regional Wildlife Biologist, Nanaimo

Contacts

Mike Badry with the Conservation Officer Service: 250-356-9134

Frank Ritcey WildSafeBC Provincial Coordinator: 250-828-2551

Cali Barton WildSafeBC Cumberland Community Coordinator: 250-882-3388

Mike Newton, COS North Island Zone: (250) 337-2408

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Appendix A. "Bear Smart" Community Program Status Approval Checklist



"BEAR SMART" COMMUNITY PROGRAM Status Approval Checklist

The six criteria for the "Bear Smart" Community Program are listed below along with guidelines for each. Please use this checklist to assist you in determining if each criterion has been achieved for the community in question. The "Bear Smart" Community Program is flexible and recognizes that each community is different and will require different solutions to individual bear problems. The instructions below are only a guideline and alternate methods should be taken into consideration. The ultimate measure of success is whether or not the criteria were adequately met.

- ☐ **1. Prepare a bear hazard assessment of the community and surrounding area.**
The purpose of the hazard assessment is to identify current and potential risks. This involves completing a mapping project that outlines the following:
 - ☐ Review of patterns of historic human-bear conflicts based on complaint records.
 - ☐ Identification of non-natural food sources and attractants including:
 - ☐ Residential and commercial garbage and recyclable disposal containment.
 - ☐ Garbage and recyclable transfer and disposal at landfills and transfer stations.
 - ☐ Parks and highway pull-out litter barrels.
 - ☐ Orchards and fruit trees.
 - ☐ Honeybee colonies.
 - ☐ Ranching and other agricultural attractants.
 - ☐ Grease barrels.
 - ☐ Identification of major non-natural features that may influence travel patterns of bears including major roads, community edges and green space.
 - ☐ Identification of general and high-use bear habitat, non-natural food sources, and potential natural movement patterns including travel corridors within the adjacent community.
 - ☐ Identification of human-use areas that have a high risk for human-bear conflict such as schools, playgrounds, campgrounds and areas adjacent to bear habitat such as walking, hiking and biking trails.
 - ☐ Identification of regional, inter-provincial and/or international issues in areas outside the community that may influence the effectiveness of the "Bear Smart" Community Program such as non-natural food sources outside the community but within the home range of a bear that uses the community.

- ☐ Identification of potential data limitations such as the absence of a biologist, lack of mapping resources such as air photos, and a lack of information such as bear sightings.

- ☐ **2. Prepare a bear-human conflict management plan that is designed to address the bear hazards and land-use conflicts identified in the previous step.** The purpose of the management plan is to provide a general summary of human-bear conflict issues within the community and to address the issues identified in the bear hazard assessment.

- ☐ Identifies preferred wildlife movement corridors around the community and any work required to restore natural corridors that have been interrupted by human activity and development.
- ☐ Determines what is necessary to address each problem successfully and makes recommendations for how to manage each problem such as:
 - ☐ Developing a community landscape plan that avoids the use of fruit trees and berry-bearing vegetation.
 - ☐ Altering garbage collection schedules.
 - ☐ Removing cover by brushing vegetation around high-use recreation areas.
 - ☐ Identifies the community's level of commitment to the program – requires sign-off by municipality or regional district.
 - ☐ Considers the level of tolerance of the community towards maintaining or restoring natural bear habitats adjacent to the community such as travel corridors and feeding areas.
 - ☐ Clearly establishes goals for the success of the program.
 - ☐ Identifies the agencies, groups, and individuals roles and responsibilities with respect to the "Bear Smart" Program
 - ☐ Sets priorities for specific action to be taken to implement the program.
 - ☐ Develops a timetable for implementing the "Bear Smart" Program.
 - ☐ Conducts a cost estimate of proposed management actions and provides a budget break-down for each of the criteria for the program.

- ☐ **3. Revise planning and decision-making documents to be consistent with the bear-human conflict management plan.** The purpose of this criterion is to ensure the community has committed to implementing the recommendations of the management plan by incorporating them in official community documents.

- ☐ Revised components of the Regional Solid Waste Management Plan.

- ☐ Revised the Official Community Plan to reflect the bear-human conflict management plan.
- ☐ Included consideration to avoid development in areas of important bear habitat and travel corridors in all documents related to land-use decisions.
- ☐ Revised land zoning consistent with any revisions of the Official Community Plan.
- ☐ Implemented restrictive covenants to be consistent with the Official Community Plan.

☐ **4. Implement a continuing education program directed at all sectors of the community.** The

Purpose of an education program is to have an on-going source for community outreach to inform the public about bears and how to manage attractants. The education program should:

- ☐ Help individuals and communities reduce the frequency of human-bear conflicts within and around their communities.
- ☐ Develop a greater understanding of bear ecology, behaviours, and bear-human conflicts.
- ☐ Facilitate support from local government and residents for bear proofing the community including identifying methods and options for eliminating bears' access to non-natural food and attractants.
- ☐ Educate the community regarding human activities in bear habitat to reduce the likelihood of bear human conflict.
- ☐ Recommend actions to take during a bear encounter.
- ☐ Encourage tolerance towards the natural behaviours and the presence of bears in reasonable numbers in or near the community.
- ☐ Educate businesses (e.g. restaurants, campgrounds, etc.) regarding minimizing attractants.
- ☐ Increase individual and community awareness and understanding of bears and bear-human conflict by using the following tactics:
 - ☐ Media relationships
 - ☐ Community support for the program
 - ☐ Recruiting volunteers
 - ☐ Working with Conservation Officers
 - ☐ Establishment of a bear advisory committee
 - ☐ Door-to-door campaigning
 - ☐ Distribution of educational materials
 - ☐ School programs
 - ☐ Park Interpretive programs
 - ☐ Signage

- ☐ **5. Develop and maintain a bear proof municipal solid waste management system.** As access to garbage is the primary cause of bear-human conflicts, the purpose of this criterion is to ensure the community has implemented a bear proof waste management system.
- ☐ All municipally owned and operated components of putrescent waste management system collection, transfer, disposal, recycling, and composting (where applicable) are bear proof in areas that are accessible or frequented by bears.
- ☐ Bylaws have been implemented to ensure that the same is true for all private sector components of putrescent municipal solid waste collection, transfer, disposal, recycling, and composting (where applicable).
- ☐ A compliance strategy has been implemented for the municipal solid waste management bylaws.
- ☐ Disposal of garbage is in a landfill that is located in a properly designed, constructed, and operated electric fence in which is aggressively maintained to ensure that it is operating at full capacity and cannot be breached.
- ☐ Landfills are managed to reduce the potential for bear-human conflicts (see Environmental Management Branch information regarding municipal solid waste management http://www.env.gov.bc.ca/epd/epdpmpp/solid_waste_index.html).
- ☐ **6. Implement "Bear Smart" bylaws prohibiting the provision of food to bears as a result of intent, neglect, or irresponsible management of attractants.** In order to ensure compliance with the goals of the "Bear Smart" Community Program, bylaws may need to be implemented to prohibit the supply of food to bears. Bylaws may not be necessary if other criteria above have adequately addressed the problems. Alternately, some communities may choose to utilize bylaws as the main technique to ensure "Bear Smart" criteria are met.
- ☐ Bylaws stating that no person shall store any refuse that is a wildlife/bear attractant in a manner that is accessible to wildlife/bears.
- ☐ If using a curb-side collection system, time restrictions have been implemented so that garbage cannot be put at the curb until the morning of pick-up after a specific time (i.e. 6am) and the container must be returned to a bear proof location by a specific time (i.e. 7pm).
- ☐ Attractants must be stored in a bear proof container or location such as in a house or garage and not in a garden shed, carport, or wooden box.
- ☐ Birdfeeders are allowed but within certain restrictions during non-denning periods but must be suspended from a cable or other device so that they are inaccessible to bears.

- ☐ Fruit trees must be adequately maintained to reduce the attraction to bears (i.e. pick up windfall, ensure ripe fruit is harvested).
- ☐ Garbage at special community events (i.e. weddings, tournaments, concerts, etc.) must be removed at the end of each day's activities.
- ☐

VERSION 1.0



CUMBERLAND BEAR SMART COMMUNITY STATUS PROGRESS REPORT

PREPARED FOR THE VILLAGE OF CUMBERLAND

BY: CALI

[COMPANY NAME]

WILDSAFE BC

Introduction

This report was prepared for the Village of Cumberland by Cali Barton WildSafeBC Cumberland Community Coordinator. It outlines the criteria and requirements for the Village of Cumberland to achieve **Bear Smart Community Status** through the Bear Smart Communities Program run by the Ministry of Environment in partnership with the British Columbia Conservation Foundation and the Union of British Columbia Municipalities. The report provides an audit of the Village's current progress with each requirement and outlines work to be done to complete each criteria, as well as gives some rough resource and timeline estimates (where possible). An initial suggestion from the Bear Smart Community Program is to form a "Bear Stewardship Committee" to initiate and support the application, achievement and development of the Bear Smart Community Program within your community ("Bear Smart" Community Program: Background Report 2002).

Disclaimer

The status of each criteria in the Criteria Progress Table (page 6) has been determined complete, partially complete, in progress or pending based on the general information given by the BC Ministry of Environment about the Bear Smart Community Status Criteria. WildSafeBC Community Coordinators are not experts on the Bear Smart Community Program or criteria and cannot definitively guarantee any specific criteria has been acceptably met or guarantee application approval by the Ministry. Mike Badry is the provincial expert and is involved in the application assessment and approval process. Mike acts as a consultant for communities applying or which have achieved status and would support and aid the Village of Cumberland (VOC) in working towards producing a successful application. Mike is currently away in Africa and was unavailable for consultation for this preliminary assessment of the Village of Cumberland's current progress.

Bear smart community status incentives

"The Bear Smart Community program is a voluntary, preventative conservation measure that encourages communities, businesses and individuals to work together. The goal is to address the root causes of human/bear conflicts, thereby reducing the risks to human safety and private property, as well as the number of bears that have to be destroyed each year."
(<https://wildsafebc.com/bear-smart/>)

Incentives:

- Proactive conservation strategy to reduce human-bear conflict and the need to destroy or relocate bears
- Increase community awareness and education
- Potential to reduce taxpayer costs associated with Conservation Services, property damage, clean up (garbage dragged into forest etc.) and other issues created by non-natural food conditioned bears
- Possibly reduce bylaw and enforcement costs
- Possibly a source for positive public relations for bylaw and the Village of Cumberland
- Support: the Bear Smart Community Program guides communities through the steps to achieve status and provides support/expertise after approval

- Small grant of \$3000 awarded to community when status is achieved

COMMUNITIES THAT HAVE ACHIEVED BEAR SMART STATUS

- KAMLOOPS
- SQUAMISH
- LIONS BAY
- WHISTLER
- PORT ALBERNI
- NARAMATA
- NEW DENVER
- COQUITLAM

PROGRAM CRITERIA

(Note: See supporting document 1. “Bear smart” community status approval checklist for more detailed list of criteria)

1. Bear Hazard Assessment

One of the first criteria is the completion of a bear hazard assessment (BHA) for the Village and surrounding area. Included in this assessment is a review of patterns of historic human-bear conflicts and the identification of non-natural food sources and attractants, major non-natural features that may influence bear movement, hot spots and high-activity areas, human high use areas with higher risk for human bear-conflict, issues that may influence the success of the bear smart program (at regional, interprovincial and international levels) and potential data limitations. The assessment is compiled into a report with data and maps and used to inform the Human-Bear Conflict Management Plan. Refer to the supporting document *“Bear Smart” Community Program Status Approval Checklist* for full details on required information to be included in the BHA. Approximately one hundred working hours have already been budgeted for the WildSafeBC Coordinator to work on completing the BHA for the Village of Cumberland and it is now in progress (beginning stages). It may take an estimated 120 hours to complete the BHA and a projected completion date is February 31st, 2018 or spring 2018 (depending on a number of factors including budgeted hours, total hours to completion, unforeseen circumstances and others). See supporting documents *Castlegar BHA and BCMP* and *Invermere BHA and BCMP 2012* for examples of BHA’s completed by other communities (Available in Council Reader).

2. Human-Bear Conflict Management Plan

The Human-Bear Conflict Management Plan is to be completed after the Bear Hazard Assessment has been completed as the BHA is used to inform this plan. Some communities combined the Human-Bear Conflict Management Plan into a single document with the BHA (in a two-part process and report), which may save some time and resources. Castlegar is an example of a community that took this approach (see *Castlegar BHA and BCMP* supporting document). “The purpose of the management plan is to provide a general summary of human-bear conflict issues within the community and to address the issues identified in the bear hazard assessment” (“Bear Smart” Community Program Status Community Checklist 2017). The WildSafeBC Community Coordinator can write the plan for the municipality which could take roughly 80 hours to complete and could potentially be completed by Summer 2018 (pending budgeted hours for this project and other factors). Funding and availability of the WildSafeBC Community Coordinator will need to be

confirmed and is not guaranteed. For another example of a completed BCMP, see *Invermere BHA and BCMP* in supporting documents (Available in Council Reader).

3. **Revise planning and decision-making documents to be consistent with the bear-human conflict management plan.**

This step requires incorporation of bear management language in the Official Community Plan (OCP). The Village of Cumberland last wrote and filed the official OCP in 2014. While some communities may deem it not possible to rewrite the OCP, they may be able to provide an addendum that will suffice. Other communities have met this requirement by providing an addendum to the OCP to be in place until the OCP is revisited. Revisions and additions include revising components of the Regional Solid Waste Management Plan (beyond the jurisdiction of the Village of Cumberland), revisions that generally reflect the human-bear conflict management plan (BCMP), including considerations to avoid development in areas of important bear habitat and travel corridors in all documents related to land-use decisions, land zoning revisions consistent with the previously stated revisions, and implemented restrictive covenants to be consistent with the revised Official Community Plan.

4. **Implement a continuing education program directed at all sectors of the community.**

This criterion is already completed and covered on an annual basis by the WildSafeBC program and Community Coordinator or Ambassador's public outreach and school presentation programming. For details in education program requirements see the *"Bear Smart" Community Program Status Approval Checklist* in supporting documents. Funding and availability of the WildSafeBC Community Coordinator will need to be confirmed and is not guaranteed.

5. **Develop and maintain a bear proof municipal solid waste management system**

The regulations that govern the Village of Cumberland solid waste management system are contained within Village of Cumberland Solid Waste Bylaw No. 1003, 2014. The Comox Strathcona Waste Management (CSWM) services governed by the Comox Valley Regional District (CVRD) with its own set of bylaws (e.g. Bylaw 1822, CSWM Bylaws & Policies 2017) cover the operations at the regional landfill.

Although some of the criteria in regards to developing and maintaining a bear proof municipal solid waste management system are covered within Solid Waste Bylaw No. 1003, 2014 (i.e. restricting the time when solid waste can be left out for pick-up), not all are. Criterion a., requiring all components of putrescent waste management system to be bear proof in areas that are accessible or frequented by bears is not covered in the bylaw (only "animal proof" and "animal resistant" container and locations are covered in the bylaw).

Criterion b., requiring bylaws in place to ensure that the same is true for all private sector components of putrescent municipal solid waste is also covered by Village of Cumberland Prevention of Public Nuisances Bylaw No. 870, 2007, 2(a) and 2(b) and 3(a) and Solid Waste Bylaw No. 1003, 2014, 2. and possibly 9.1.(i) within Village boundaries. Basic services (standard size bins) are covered under municipal bylaws. Commercial dumpsters and other commercial or industrial waste (e.g. grease bins etc.) are the responsibility of the business owner to arrange and pay for disposal, however, there are bylaws in place that can be used to enforce bear smart practices.

6. **Implement "Bear Smart" bylaws**

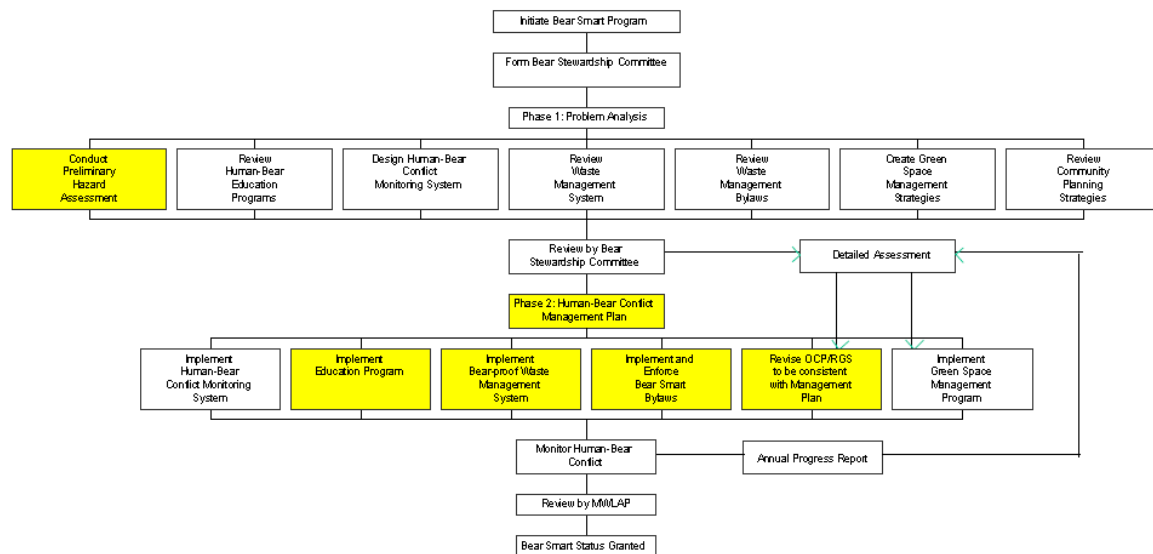
Although a number of the bear smart bylaws required to meet this criteria are in place and it will take further work to complete this criteria (see criteria progress table below). The Village currently regulates bird feeders through Animal Control Bylaw No. 1061, 2017. Criterion c., regarding attractant storage in bear proof containers and or locations is not adequate, as currently Solid

Waste Bylaw No. 1003, 2014, 9.1.(e) and 6.2.(c) quote “animal proof” and “animal resistant” container and locations but these definitions do not equate certified bear proof or even bear resistant containers. The majority of residential and commercial bins in the Village are not bear resistant. The Village of Cumberland has a total of 6 bear resistant bins located in public parks and on streets (on Dunsmuir Ave and the Village Park) and 27 regular unsecured bins. The Village does not currently have bear resistant bins at a residential or commercial level. To meet this requirement the Village of Cumberland would have to consider providing, facilitating or requiring the supply and implementation of the use of bear proof (or at least bear resistant) bins at the residential and commercial level or provide an acceptable alternative or compensatory management strategy.

After Approval: Once status is achieved some program maintenance is required including, providing an ongoing annual education program (WSBC), annual progress reports (possibly covered by WSBC annual reports), monitor human-bear conflict (COS calls, WARP data and observations by COS, Bylaw and WSCB Community Coordinator), maintaining bear smart practices and policies implemented by the program and keeping them up to date.

Figure 1. Becoming a bear smart community flow chart

(from the “bear smart” community program: background report 2002)



Criteria progress table

Designation Criteria	Details	Current Status	Estimated Completion By
1. Prepare a bear hazard assessment of the community	See “Program criteria” for general description and “ <i>Bear Smart</i> ” <i>Community Program Status Approval Checklist</i> for full details.	In progress	Mid-March, 2018 Or Spring 2018 by WSBC

Designation Criteria	Details	Current Status	Estimated Completion By
2. Prepare a bear-human conflict management plan	See “Program criteria” for general description and <i>“Bear Smart” Community Program Status Approval Checklist</i> for full details.	Pending	Summer or Fall 2018 by WSBC. Funding and grant dependent.
3. Revise planning and decision-making documents to be consistent with the bear-human conflict management plan	See “Program criteria” for general description and <i>“Bear Smart” Community Program Status Approval Checklist</i> for full details.	Pending	Unknown
4. Implement a continuing education program	See “Program criteria” for general description and <i>“Bear Smart” Community Program Status Approval Checklist</i> for full details.	✓ Complete	Future ongoing education is funding and grant dependent.
5. Develop and maintain a bear proof municipal solid waste management system		In progress	Unknown - multiple contributors
	a. All municipally owned and operated components of putrescent waste management system collection, transfer, disposal, recycling, and composting (where applicable) are bear proof in areas that are accessible or frequented by bears.	✓ Partially complete (more work needed)	
	b. Bylaws have been implemented to ensure that the same is true for all private sector components of putrescent municipal solid waste collection, transfer, disposal, recycling, and composting (where applicable).	✓ Partially complete (more work needed)	
	c. A compliance strategy has been implemented for the municipal solid waste management bylaws.	✓ Complete Enforced by Municipal Bylaw No. 1053 (MTIs) and CSWM	

Designation Criteria	Details	Current Status	Estimated Completion By
		enforceable bylaws	
	d. Disposal of garbage is in a landfill that is located in a properly designed, constructed, and operated electric fence in which is aggressively maintained to ensure that it is operating at full capacity and cannot be breached.	✓ Complete	
	e. Landfills are managed to reduce the potential for bear-human conflicts.	✓ Complete CSWM Solid Waste Management Plan 2012, Section 14	
6. Implement "Bear Smart" bylaws		In progress	
	a. Bylaws stating that no person shall store any refuse that is a wildlife/bear attractant in a manner that is accessible to wildlife/bears.	✓ Complete Bylaw No. 1003, 6.2.(c) and 9.1.(e)	
	b. If using a curb-side collection system, time restrictions have been implemented so that garbage cannot be put at the curb until the morning of pick-up after a specific time (i.e. 6am) and the container must be returned to a bear proof location by a specific time (i.e. 7pm).	✓ Complete Bylaw No. 1003, 9.1.(l) and 9.1.(m)	
	c. Attractants must be stored in a bear proof container or location such as in a house or garage and not in a garden shed, carport, or wooden box.	Not complete	
	d. Birdfeeders are allowed but within certain restrictions during non-denning periods but must be suspended from a	✓ Complete Bylaw No. 1061, s(70)	

Designation Criteria	Details	Current Status	Estimated Completion By
	cable or other device so that they are inaccessible to bears.		
	e. Fruit trees must be adequately maintained to reduce the attraction to bears (i.e. pick up windfall, ensure ripe fruit is harvested).	✓ Complete Bylaw No. 870, 2(a), 3(a) and 9.1(e), bylaw No. 1061, 70 and/or enforceable by COS under BC Wildlife Act	
	f. Garbage at special community events (i.e. weddings, tournaments, concerts, etc.) must be removed at the end of each day's activities.	✓ Complete By law 870, 2(a), 2(b) and 3(a) and CRC Park Permits	

Average Timeline

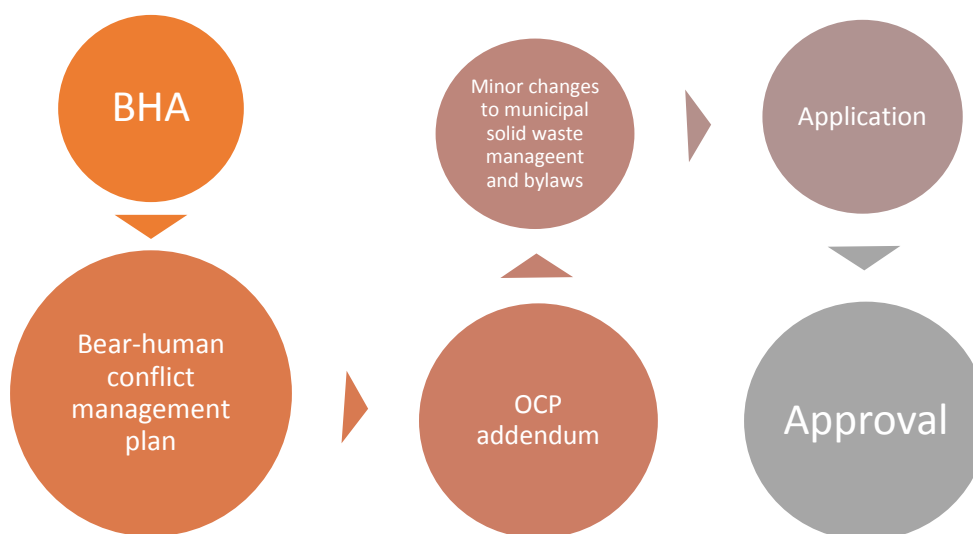
It is not unusual for it to take up to 2 or 3 years for communities to meet all the criteria and achieve Bear Smart status.

Pending or In progress criteria still to be completed

Contributor	Criteria	Time estimate to complete
WSBC	Bear Smart Hazard Assessment	120 hours
	Human-Bear Conflict Management Plan	80 hours
	Confirm municipal solid waste management system meets criteria	Not complete
VOC	Revise OCP to be consistent with the bear-human conflict management plan	Unknown
	Implement "Bear Smart" bylaws, criteria c. requiring attractants to be stored in bear proof containers and/or locations is currently under review and may require consideration of	Unknown

Contributor	Criteria	Time estimate to complete
	providing certified bear proof bins (residential and commercial) or an alternative to ensure attractants are secure. Criteria d. may be covered under the federal Wildlife Act, if not it will require consideration of a new bylaw.	

Figure 2. Bear smart community status process steps



Conclusion

In summary, the Village of Cumberland is well on their way to achieving Bear Smart Community Status through the BC Ministry of Environment’s Bear Smart Community Status Program. The program recognizes that each community is unique and is flexible in working with communities to achieve status successfully, work towards maintaining better bear smart policies and practices and reaping the benefits for the community and for the bears and wildlife in and around the community.

Contacts

Mike Badry with the Conservation Officer Service: 250-356-9134

Frank Ritcey WildSafeBC Provincial Coordinator: 250-828-2551

Cali Barton WildSafeBC Cumberland Community Coordinator: 250-897-8239

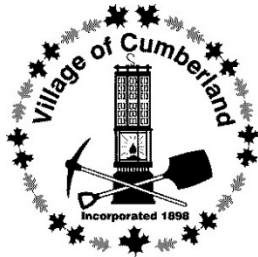
Resources:

1. BC Provincial Bear Smart Page. <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/wildlife/human-wildlife-conflict/staying-safe-around-wildlife/bears/bear-smart>
2. “Bear Smart” Community Program: Background Report (attached in supporting documents)

3. Be Bear Smart Brochure (attached in supporting documents)
4. Comox Strathcona Waste Management. <https://www.cswm.ca/about/governance>
5. CSWM Bylaws & Policies. <https://www.cswm.ca/about/bylaws-policies>, accessed December 21, 2017.
6. Village of Cumberland Bylaws provided by Village Peace Officer James Abrams
7. WildSafeBC. <https://wildsafebc.com/bear-smart/>

Note: Also see list of supporting documents (page 2 and attached PDF).

Appendix C. Bear Attractant Statement – Bylaw Enforcement Village of Cumberland



Corporation of the Village of Cumberland

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

Dear Ms. Barton,

In follow up for your request for a statement about any and all issues in Cumberland that contribute or may contribute to attractant issues I provide the following.

The Village of Cumberland has many aspects from practice, situational and heritage that all contribute to promote interaction with wildlife.

There are areas of the Village that are historic from the mining days of old. As such, they are very small dwellings with no storage space either inside or outside for bear attracting solid waste or products. Bears were not a concern in those days as if one was a problem it was most likely dispatched and probably eaten. There was less of a concern to keep the bears alive.

The Village has an historic apple orchard that was created by the original settlers. This orchard although on the edge of the populated Village is still a drawing force to bring bears in close contact with humans, their pets and urbanization. Given times of repeat close interactions without negative experiences the bears will become accustom to people and all aspects of civilizations starting the process of human habituation.

The Village is also situated in foothills which provides excellent growing conditions for many natural and unnatural food sources which come to fruition at various times of the year. As a result, there are wild food sources that draw bears to close proximity of the village again to promote human habituation. This aspect may be increased as the village grows by urban sprawl increasing its actual perimeter length that is exposed directly to the forest and wildlands.

Once the bears have been drawn close to the Village and naturalized to the sights, smells and sounds of civilization to start losing the fear of civilization they are further encouraged to wander through the Village via attractants and safe greenways (protective/hidden vegetative strips/areas)

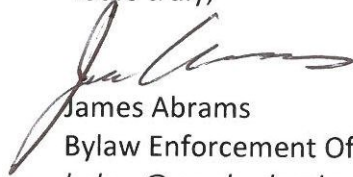
The greenways provides routes for the bear to feel safe in and to wander the Village unabated to discover any food sources. These sources within the village are commonly unnatural fruit trees, fruit bearing bushes and garbage.

It has been a long tradition for residents to plant their own food to be self-sufficient. A trend that is only growing due to cultural changes and on the increase in numbers by shear growth in numbers of the Village population. This practice results in fruit bearing trees and bushes to be very plentiful throughout the entire village making for ample food sources virtually anywhere at any time.

The village was also not designed around bear cohabitation so even newer dwellings often do not have a dedicated place to securely store garbage or bear attractants other than inside the dwelling itself. As a result, attractants are left outdoors for bears to smell, search out and find.

The Village also has a “Restaurant Row”. Along the main road in Cumberland spanning multiple blocks there are many establishments who have grease and garbage dumpsters that are not bear secure. Although the Village has not received many complaints from the establishments historically, it is most certain that bears do frequent these places as there are bear encounters, evidence and complaints all around this area. Grease bins, especially, are a very well-known attractant for bears. These locations have a high reward for bears to frequent, as grease is very high in caloric value. These areas have easy access that is dark, quiet and protected by alley/greenways and close access points to close forested areas. If these facility bins are not kept locked and extremely clean it creates a perfect situation for a food reward and further human habituation/garbage habituation for a bear in the downtown core.

Yours truly,

A handwritten signature in black ink, appearing to read 'James Abrams', written over the printed name.

James Abrams

Bylaw Enforcement Officer

bylaw@cumberland.ca

Appendix D. Dumpster and Solid Waste Containment Survey Notes

Dumpster Survey Notes: February 26, 2018.

1. OAP Hall – locked, metal lid, noted on map, pic taken.
Back Alley Dunsmuir
2. Waverly Hotel – 2 dumpsters (1 G, 1 Card), metal lids, not locked but had metal lock possibly locked at night + three plastic recycling bins + 1 large grease bin (unlocked, metal, possible to lock and make secure). Pics taken, noted on map.
3. Cumberland Hotel (block #2) – garbage and cardboard dumpster (2) + one grease barrel (metal, not locked). Lid on garbage dumpster metal with lock but doesn't look used (currently not locked).
4. Cumberland Brewing Co. – 1 dumpster, metal lid lock on it but wasn't locked (chains present).
5. Ryders Pizza – parking lot (3rd block), 1 dumpster for Rydel's towing had a plastic lid but has bear bar and is locked! Ryder's has 3 dumpsters, 2 metal and locked, one plastic lid not locked (and full w/ waste, took pic). 1 large grease bin (plastic lid, no lock).
6. Esso Gas – 1 garbage and one recycling dumpster behind the Esso, locked and metal lids.
7. Inland storage on Ulverston has dumpsters inside the property (private) but probably limited food waste.
8. Village park – 2 dumpsters, both locked with metal lids and chained. Multiple non bear resistant cans and some new bear proof bins.
9. Convenience store - 1 dumpster and 1 recycling dumpster (2) total, metal lids and locked.
10. Unsecured garbage and recycling behind the grind (see pics).
11. Moose – 1 dumpster locked, metal lid on the corner of the fence across back parking lot for the moose courtyard.
12. Seeds market – 1 dumpster, locked metal lid.
13. Chinese restaurant? (2nd or 3rd block) – 1 dumpster w/bear bar but no lock or chains (unlocked), grease bin (has lock and chain, was open but maybe locked at night). Across parking lot/area also a number (6-8+) of unsecured plastic grease barrels and pails with oil grease or oil (unsecured, see pic).
14. Village rec – 1 dumpster in big parking lot, metal lid, locked.
15. James reported two others in behind the Village in the Village works yard.
16. Dumpster for complexes at the corner of Dunsmuir and Egremont, not locked, plastic lid, bear bar but not used.

Emterra – Pics taken from road. Spoke to Dave in person on site. He said no pictures allowed. Emailed Dave for policy information and a statement. Fenced, 8 ft. metal on both road sides but two sides only fences with 6 foot wire and gaps. Creek running along norther side of the plant. Wildlife corridor. Out back to the wetlands. Wildlife signs seen inside the facility (bear scat etc.), but no conflicts or encounters.

Notes from meeting with James:

- Park cans – Kevin or Gavin may have numbers but probably not necessary.
- Campground – owned by Village contracted operations, contact may be Emily Blezard CLWS 250-336-8593 – need to get the information about how they deal with waste over the summer and off season.
- Hotspots – Maryport, Keswick, 7th, etc.

- Travel routes and corridors all throughout the Village, bears travel easily through the whole village, no barriers, lots of greenway buffers for them. Entire village is a greenway, fruit rewards throughout (no real residential buffer or not enough).

Recon list:

- Emterra
- Commercial dumpsters and grease bins
- Park cans
- Campground
- Developments (pics)
- Signage
- Trails
- Village of Cumberland sign
- Maps and photos
- Landfill
-

Commercial Solid Waste Receptacle Survey (Dumpsters, Grease Barrels and Bins).

	Dumpsters	Grease Bins and Barrels	Recycling Dumpsters	Plastic Recycling Bins
Secured: (locked, metal lid, or plastic with metal bear bar)	11	0	2	
Unsecured: (unlocked, missing lock, plastic lid w/ no bear bar or clips)	8	4	1	6
On Private Property: (security unknown)	3			
Total Surveyed	22	4	3	6

Notes: Survey data is limited to known and accessible or visible commercial receptacles by public roads and right-of-ways. A few businesses also had unsecured plastic rollaway bins in various states (open top, no lids, non-wildlife resistant), specifically a number of garbage and recycling bins behind the Comox Grind on Dunsmuir ave. The number of such bins is not available due to limited access on private property (observations were made and recorded from public access way).

Secured: (locked, metal lid, or plastic with a metal bear bar) 11

Unsecured (unlocked, missing lock, plastic lid w/no bear bar): 8

Dumpsters on Private property (security unknown): 3

Grease bin Secured:

Grease bin Unsecured: 4

Metal Recycling dumpsters: 3

Plastic recycling bins: 3

A few businesses also had unsecured plastic rollaway bins in various states (open top, no lids, non-wildlife resistant), specifically a number of garbage and recycling bins behind the Comox Grind on Dunsmuir ave.

Appendix E. Cumberland Bear Initiative Survey Analysis (Fruit Tree Survey)

Cumberland Bear Initiative Survey Analysis

Arianne Albert

November 25, 2016

Summary of all questions

91 of the entries were not at home (or equivalent) and these were removed from the analysis leaving 400 partially and fully completed surveys.

Given a population size of 1405, a confidence level of 95%, and a sample size of 400, the margin of error on the answers to these questions is 5%. Or in survey-speak, the estimates of proportions are accurate to +/- 5% 19 times out of 20.

Table 1. Descriptive statistics for all items separately. Shown are n (%), and median (IQR).

	Responses, n (%)
Do you have fruit trees or berry bushes on your property?	
No fruit trees	171 (42.8%)
Fruit trees	228 (57.0%)
Missing	1 (0.2%)
Do you have challenges harvesting the fruit?	
No	338 (84.5%)
Yes	40 (10.0%)
Missing	22 (5.5%)
Are you aware of the LUSH Valley Fruit Tree Program?	
No	143 (35.8%)
Yes	218 (54.5%)
Missing	39 (9.8%)
How many fruit trees are on your property?	
Median (IQR)	1.0 (0.0 - 2.0)
Missing	10 (2.5%)
Do you have a vegetable garden?	
No garden	187 (46.8%)
Garden	200 (50.0%)
Missing	13 (3.2%)
Do you have a secure location to store your solid waste garbage?	
No storage	60 (15.0%)
Storage	336 (84.0%)
Missing	4 (1.0%)
Do you use the weekly kitchen organics program?	
No	96 (24.0%)
Yes	301 (75.2%)
Missing	3 (0.8%)
If no, why not?	
Elderly and language barrier	1 (1.6%)
No container	1 (1.6%)
The bears eat it.	1 (1.6%)
They feed it to their chickens.	1 (1.6%)
Attracts rats	2 (3.2%)
Don't eat meat, animal products	2 (3.2%)
Not organized enough	2 (3.2%)
Too messy/smelly	2 (3.2%)
Disagree/Don't like it	3 (4.8%)

Don't need it	3 (4.8%)
Just put it in the garbage.	3 (4.8%)
Not enough to bother with	3 (4.8%)
No reason	4 (6.5%)
Not aware of it	7 (11.3%)
Take elsewhere to compost/ compost themselves	27 (43.5%)
Do you compost?	
No	229 (57.2%)
Yes	166 (41.5%)
Missing	5 (1.2%)
Have you ever had an experience with bears at your home?	
No	97 (24.2%)
Yes	290 (72.5%)
Missing	13 (3.2%)
If the Village purchased Bear Proof Containers would you purchase one?	
No	241 (60.2%)
Yes	138 (34.5%)
Missing	21 (5.2%)
If the Zoning Bylaw allows do you intend on having chickens or bees?	
No	278 (69.5%)
Yes	108 (27.0%)
Missing	14 (3.5%)

Is there an association between having fruit trees and bear experiences?

Overall, there were 291 respondents (out of 389 who answered the question) who reported bear experiences (75%).

There was a significant relationship between the proportion of respondents who had had bear experiences and whether they have any fruit trees on their property (Chi-square test, $\chi^2_1 = 42.3$, $p = < 0.0001$). Summary of the responses:

	No fruit trees	Fruit trees
No	69 (40.4%)	28 (12.3%)
Yes	95 (55.6%)	195 (85.5%)
Missing	7 (4.1%)	5 (2.2%)

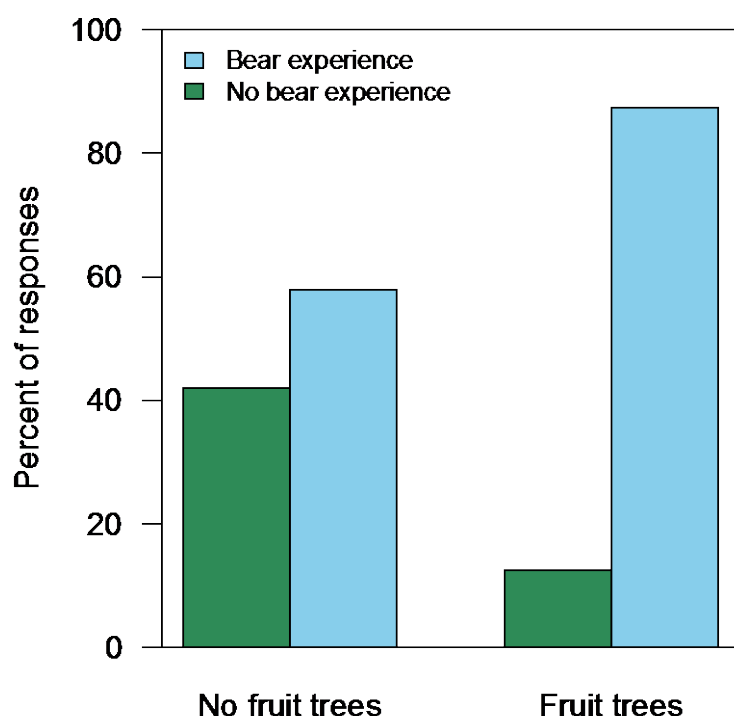


Figure 1. Percent of respondents who had bear experiences by whether they have fruit trees on their property.

Is there an association between having a garden and bear experiences?

There was also a significant relationship between the proportion of respondents who had had bear experiences and whether they have a vegetable garden on their property (Chi-square test, $\chi^2_1 = 5.0$, $p = 0.03$). Summary of the responses:

	No garden	Garden
--	-----------	--------

No	55 (29.4%)	40 (20.0%)
Yes	123 (65.8%)	157 (78.5%)
Missing	9 (4.8%)	3 (1.5%)

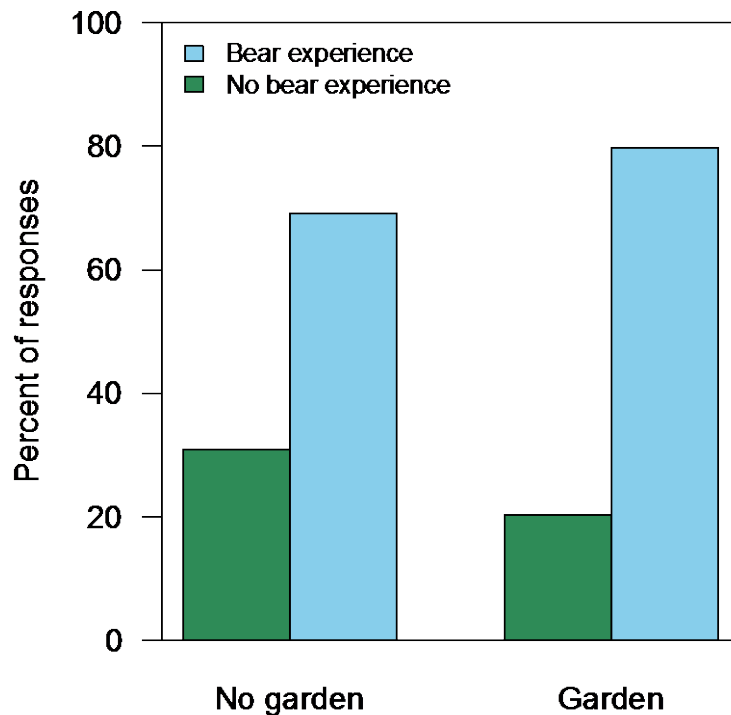


Figure 2. Percent of respondents who had bear experiences by whether they have a vegetable garden on their property.

Is there an association between having secure storage and bear experiences?

In contrast, there was no significant associated between bear experiences and having secure storage ((Chi-square test, $\chi^2_1 = 2.0$, $p = 0.15$)).

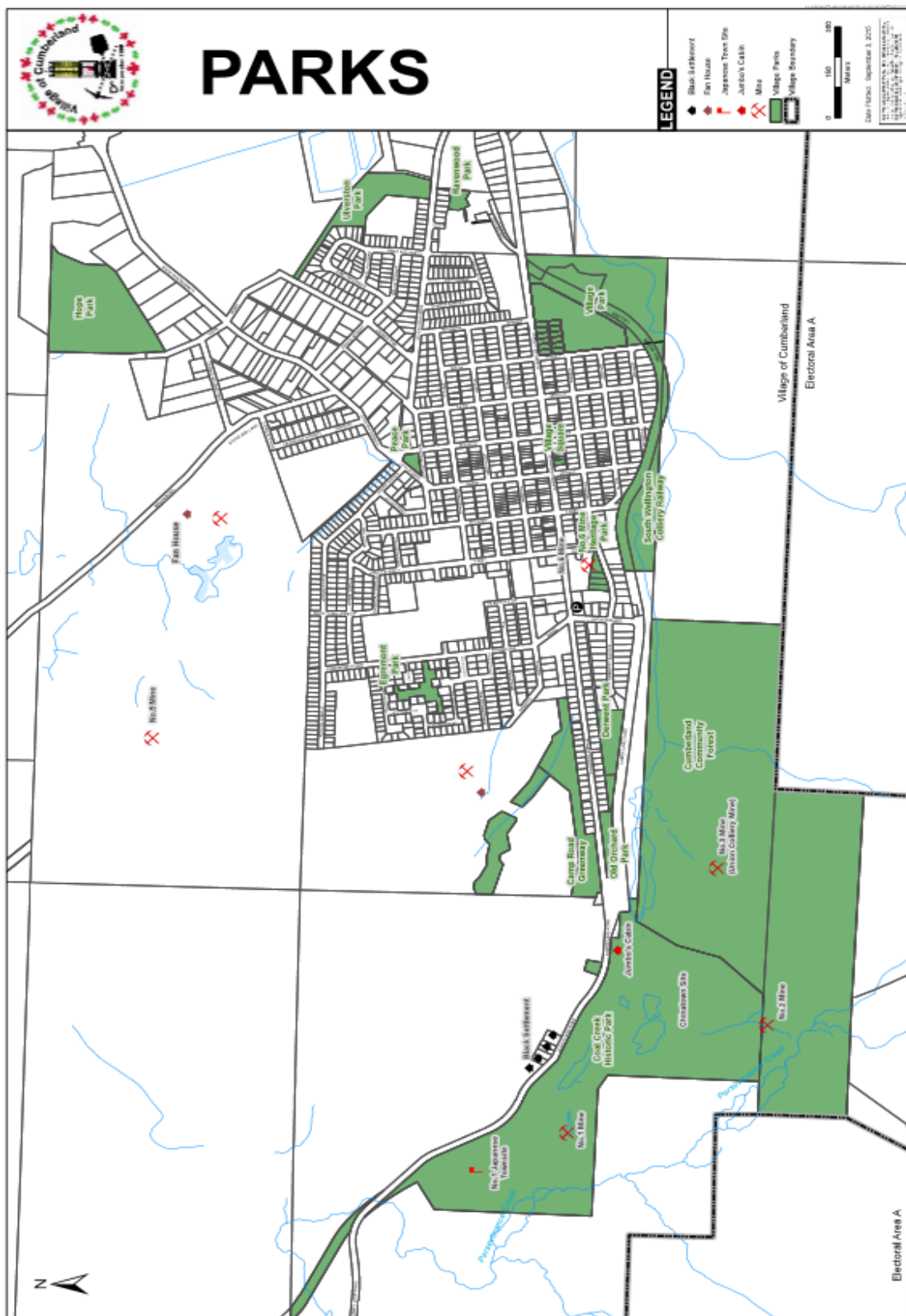
	No storage	Storage
No	10 (16.7%)	87 (25.9%)
Yes	49 (81.7%)	239 (71.1%)
Missing	1 (1.7%)	10 (3.0%)

Is there an association between having secure storage and using the Kitchen Organics program?

There was also no significant relationship between having secure storage (or not) and participating in the kitchen organics program ((Chi-square test, $\chi^2_1 = 3.6$, $p = 0.06$)).

	No storage	Storage
No	21 (35.0%)	75 (22.3%)
Yes	39 (65.0%)	258 (76.8%)
Missing	0 (0.0%)	3 (0.9%)

Appendix F. Village of Cumberland Parks Map





Corporation of the Village of Cumberland

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

THIS AGREEMENT made this 1st day of April, 2015.

BETWEEN:

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

2673 Dunsmuir Avenue, P.O. Box 340, Cumberland, B.C. V0R 1S0
(hereinafter called the "Village")
OF THE FIRST PART

- AND -

SUN COAST WASTE SERVICES LTD.

P.O. Box 3603, Courtenay, B.C. V9N 6Z8
(hereinafter called the "Contractor")
OF THE SECOND PART

WHEREAS:

- A. The Contractor is in the business of garbage collections and removal;
- B. The Village wishes to enter into this Agreement to ensure the orderly collection and removal of garbage and recyclable materials from residential, commercial, industrial and institutional premises within the Village;

NOW THEREFORE this Agreement witnessed that in consideration of the mutual covenants and conditions hereinafter set forth, and other good and valuable consideration, the Parties hereto agree with each other as follows:

TERM

The term of this Agreement shall be from the 1st day of April, 2015 to the 31st day of March, 2018.

TERMS AND CONDITIONS

1. The Contractor is in the business of solid waste collection. By definition Solid Waste collection shall include the pickup and removal of garbage, yard waste, kitchen compost (which is currently combined with the yard waste), and recycling of which the residential component is currently being operated by the Village under the Multi Materials BC (MMBC) incentive program.
2. The Contractor acknowledges that the term of the contract shall be from the 1st day of April 2015 to March 31, 2018.
3. Currently, Village of Cumberland records indicate the following number of customers:
 - a) *Single & Multi Family 'curbside' pick up – 1447*
 - b) *Commercial, Institutional, & Industrial curbside pickup 52*
4. The Contractor will collect **Garbage** in accordance with the provisions of the Solid Waste Bylaw No. 1003, 2014' and any amendments thereto on the following schedule:

'Curb side' Single Family & Multi Family Residential	Every 2 nd week – Wednesdays alternating with Recycling pickup
'Curb side' Commercial on Dunsmuir Avenue from 1 st to 7 th Street	Weekly - Wednesdays
'Curb side' for other Commercial, Industrial and Institutional	Weekly – Wednesdays

5. The Contractor will collect from residential dwellings Packaging and Printed Paper under the MMBC program, as well as recyclable materials from commercial, Institutional and Industrial premises, in unlimited quantities. The PPP recycling may or may not be combined with the ICI recycling collected, and will be determined by the Village. All collection of recycling materials shall be in accordance with the provisions of the Solid Waste Bylaw No. 1003, 2014' and any amendments thereto, including the conditions set out in the MMBC Statement of Works Agreement and applicable conditions contained in the MMBC Master Services Agreement. The Contractor will be required to notify the Village immediately of any deviation from this schedule.

'Curb side' Single Family & Multi Family Residential	Every 2 nd week – Wednesdays alternating with Garbage pickup
'Curb side' Commercial on Dunsmuir Avenue from 1 st to 7 th Street	Every 2 nd week - Wednesdays
'Curb side' for other Commercial, Industrial and Institutional	Every 2 nd week - Wednesdays

6. The details of the recycling pickup program shall be as determined by the Village in consultation with the successful Contractor. Currently the Village is receiving residential curbside collection incentives from MMBC for the collection of Packaging and Paper Products (PPP) and under contract with MMBC. As such the successful Contractor may need to adjust their collection of these materials including the addition or deletion of materials collected, or any other requirements set forth by MMBC from time to time.
7. The Contractor will collect from all single family and specified multifamily dwellings, domestic yard waste and kitchen compost material referred to as **'Organic Waste'** separated or combined in unlimited quantities once every week, in accordance with the provisions of the Solid Waste Bylaw No. 1003, 2014' and any amendments thereto (a copy of this bylaw is attached for your convenience). The Contractor will be required to notify the Village immediately of any deviation from this schedule.

'Curb side' Single Family & Multi Family Residential	Weekly - Wednesdays
Commercial on Dunsmuir Avenue from 1 st to 7 th Street	Not Applicable
All other Commercial, Industrial and Institutional	

8. The Village wishes to retain the current schedule as shown above unless the Contractor can demonstrate a sound reason to change the days when solid waste collection occurs.
9. The Contractor will maintain a list of users who fail to meet the requirements of Bylaw 1003 and shall immediately report any apparent violations of Bylaw 1003 to the Village.
10. The Contractor will not collect any prohibited materials as defined in Bylaw 1003, and will report to the Village for bylaw enforcement.
11. The Contractor will dispose of all garbage and yard waste (and organics as applicable) at a licensed landfill site and shall dispose of all recyclable materials in compliance with all applicable laws, regulations and MMBC requirements.
12. The Contractor will be required to clean up any solid waste or recycling spilled or scattered during operation or collection.
13. The Contractor will receive and answer all public complaints promptly with courtesy and will inform the Village of such complaints and the Contractor will maintain a written record of all complaints.
14. The Contractor will employ, at its own expense, such labour and provide all equipment required to properly carry out and perform its duties under this proposal, and shall provide collection vehicles in good working order and condition, satisfactory to the Village.
15. The Contractor will have such vehicles washed, cleaned, and disinfected as will meet the requirements of the Ministry of Health, as well as the requirements set forth in the MMBC Statement of Works for the collection of residential PPP materials, and other applicable provincial or municipal regulations.

16. The Contractor will have all collection equipment accessible for inspection by the Village at all times.
17. The Contractor will, at all times, ensure that the collection equipment does not interfere needlessly with the free flow of traffic, and that such vehicles are not left standing unnecessarily on the street.
18. The Contractor will ensure that its performance does not create a hazard to public health or safety or to the environment.
17. The successful Contractor will report to the Village, upon request by the Village, but not less than once per quarter: the problems, if any, encountered by the Contractor in the performance of this Agreement; the complaints, if any, received by the Contractor since the last report, and the Contractor's response to same; and such other matters as the Village may request.
18. The Contractor shall carry out the directions which may be given by resolution of the Village Council from time-to-time.
19. The Contractor will maintain during the term of the contract a comprehensive general liability insurance policy with an inclusive limit of not less than \$5,000,000 per occurrence for bodily injury and property damage, which policy shall include the Village as an additional insured, and shall provide proof of such insurance coverage annually to the Village.
20. All work must be performed in accordance with the current Worker's Compensation Act of the Province of British Columbia and acceptable safety industry standards. The Contractor shall provide annually to the Village a statement from the Worker's Compensation Board indicating good standing.
21. The Contractor will indemnify, hold and save harmless the Village from and against all claims, losses, damages, costs or actions arising from any act or omission of the Contractor, its employees, officers or agents in connection with the Agreement
22. The Contractor shall not assign this Agreement in whole or part without the express written consent of the Village.
23. The Contractor shall provide to the Village biannual fuel type and consumption reporting for tracking Village carbon emissions (for Village carbon tax refund).
24. The Contractor is to supply the name and location of the recycling facility, and is to supply biannual data regarding recycling tonnage, as well as any additional reporting required under the MMBC program.

RESPONSIBILITIES OF THE VILLAGE

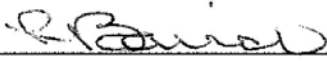
25. The Village will be responsible for payment of Regional District Landfill tipping fees for garbage originating from within its municipal boundaries.
26. The Village will, during the term of the Agreement, pay to the Contractor the sums set out in Schedule 'A' on a monthly basis, and shall also pay all applicable taxes, upon receipt of an invoice from the Contractor.
27. The Village will maintain records of addresses receiving solid waste and recycling pickup services and make the necessary adjustments at each month end and provide such information to the Contractor on a timely basis.
28. The Village shall immediately notify the Contractor of any amendments to Bylaw 1003, 2014.

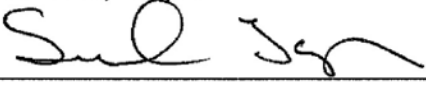
Termination of Contract

29. The Village of Cumberland may elect to terminate this agreement by providing written notice of such termination, effective immediately or at such other time set out in the notice of termination, to the Contractor in the event that:
 - a. Contractor becomes subject to proceedings in bankruptcy or insolvency, voluntarily or involuntarily, if a receiver is appointed with or without Contractor's consent, if Contractor assigns its property to its creditors or performs any other act of bankruptcy or if the other party becomes insolvent and cannot pay its debts when they are due;
 - b. Contractor commits a material breach of this Agreement and does not cure such breach within 30 days of receipt of notice thereof from the Village of Cumberland;
 - c. In the event the Village cancels this Agreement pursuant to Clause 29; the Village shall be entitled to recover from the Contractor any and all expenses, damages or losses caused by such material breach.
30. Neither party to this agreement will be liable to the other party for any failure or delay in fulfilling an obligation hereunder, if said failure or delay is attributed to a fire, act of God, natural disaster, or court or governmental order beyond such party's reasonable control. The parties agree that the deadline for fulfilling the obligation on questions will be extended for a period of time equal to that of the continuance of the Force Majeure. The party to which the Force Majeure applies will use all commercially reasonable efforts to minimize the effect of the Force Majeure on its performance under this Agreement.
31. If any provision, or portion thereof, of this Agreement is determined by a court or competent jurisdiction to be invalid, illegal or unenforceable, such determination will not impair or affect the validity, legality or enforceability of the remaining provisions of this Agreement, and each provision, or portion thereof, is hereby declared to be separate, severable and distinct.

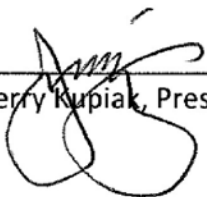
IN WITNESS WHEREOF the Parties have caused their corporate seals to be hereunto affixed by and under the signature of its proper signing officers in that behalf on the date first above written.

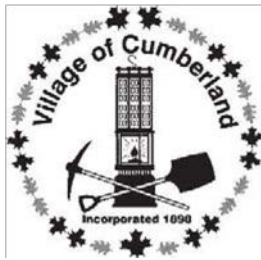
THE CORPORATION OF THE VILLAGE OF
CUMBERLAND

Per: 
Leslie Baird, Mayor

Per: 
Sundance Topham CAO

SUN COAST WASTE SERVICES LTD.

Per: 
Jerry Kupiak, President



CORPORATION OF THE VILLAGE OF CUMBERLAND

February 26, 2013

Chair Edwin Grieve
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6

Dear Edwin,

Re: Comox Strathcona Waste Management - 2012 Solid Waste Management Plan Village of Cumberland Letter of Support

The Village of Cumberland Council adopted the following resolution at its February 25, 2013 meeting:

THAT the Village of Cumberland provide a letter of support for the Comox Strathcona Waste Management – 2012 Solid Waste Management plan as per Ministry of Environment requirements.

The Village of Cumberland is happy to provide this letter of support, with the acknowledgement that the contents of the 2012 Solid Waste Management Plan, in conjunction with the accompanying host community benefit agreement, offers the possibility for the Village of Cumberland and Comox Strathcona Waste Management to work together in a progressive and positive manner for years to come.

The Village looks forward to moving through the approval process for the execution of the agreement and once again we thank you for your help in helping to create a positive working relationship.

Sincerely,

Leslie Baird
Mayor
Village of Cumberland

cc: Honourable Terry Lake, Minister of Environment
Sundance Topham, Chief Administrative Officer, Village of Cumberland
Debra Oakman, Chief Administrative Officer, Comox Valley Regional District

Appendix I. CSWM 2012 Solid Waste Management Plan Item 14. Wildlife Conflict Management

Comox Strathcona Waste Management

2012 Solid Waste Management Plan

Prepared by:

AECOM

3292 Production Way, Floor 4
Burnaby, BC, Canada V5A 4R4

604 444 6400 tel
604 294 8597 fax

www.aecom.com

In association with:

Maura Walker and Associates Environmental Consultants
Jan Enns Communications

Project Number:

60141938-10

Date:

December 2012

R" program and will continue to use a range of promotion and education activities and tools for solid waste management and zero waste education.

14. Wildlife Conflict Management

The CSWM area is home to a large population of bears that are integral to the local ecosystem. Developing and maintaining a solid waste management system that minimizes the potential for human-bear conflict and minimizes bird populations at the waste management centres will continue and be improved.

To minimize potential wildlife conflict, CSWM plans to:

- Work with local Bear Aware groups and the Province to establish an on-going awareness and education opportunities for waste generators that addresses "bear awareness";
- Encourage local governments to review their waste collection bylaws to consider containerization requirements for garbage and enforced set-out times for curbside collection to minimize wildlife access opportunities;
- Backyard composting education on composting methods that reduce the attraction of wildlife to residential areas and limit access to organic waste near homes;
- Maintain bear fencing around active landfills and all other waste management facilities, including transfer stations and composting facilities, that accept putrescible waste; and
- Maintain and improve bird management at the landfill working face at the Comox Valley waste management center and the Campbell River waste management center. As part of this initiative, a study will be undertaken in 2012 that includes quantitative and qualitative analysis of birds that contact waste at the landfill on adjacent lands and waters.

15. Land Clearing Waste Management

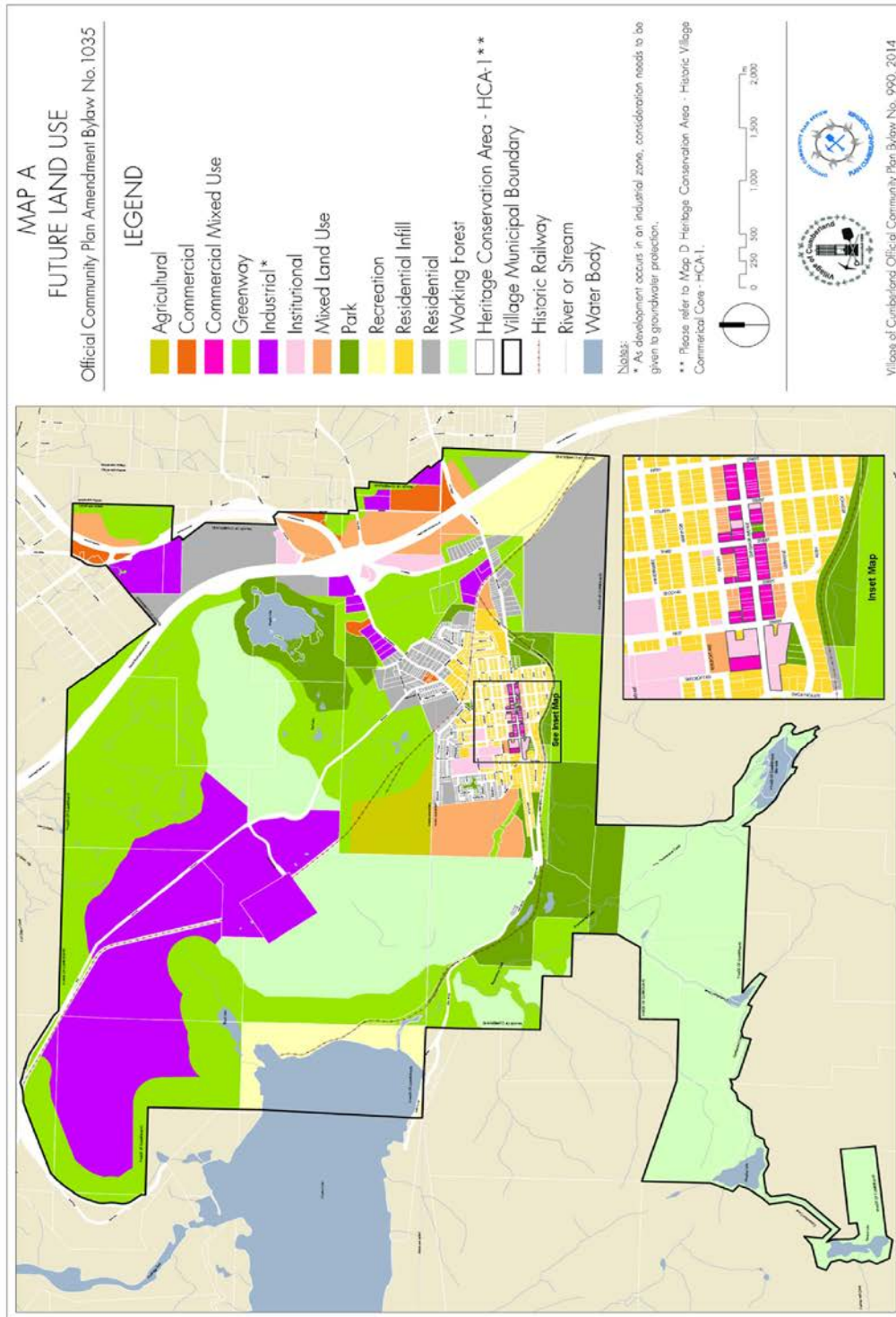
Land clearing waste is the vegetative debris created by the clearing of land, generally undertaken as the first step in a greenfield construction project. Land clearing waste is typically made up of tree stumps, trunks, branches and associated brush. Land clearing waste may be used as firewood, ground / chipped and land applied, composted, or used for energy recovery in accordance with MoE legislation, regulations and requirements. Land clearing waste can also be disposed at a MoE authorized disposal facility or burned on-site in accordance with the *BC Open Burning Smoke Control Regulation* and local requirements.

16. Illegal Dumping Prevention

Illegal dumping of waste is common in the CSWM area and throughout British Columbia. Per board authorization, specific initiatives are proposed to reduce illegal dumping and roadside litter include:

- Continue to waive tipping fees as per the current CSWM solid waste policy for organizations cleaning up illegal dumping sites or conducting community clean-ups;
- Continue to encourage municipalities to provide yard waste collection programs through depots or curbside collection (yard waste is frequently disposed of on back roads and is believed to lead to the dumping of other waste materials over time);

Appendix J. Village of Cumberland Future Land Use Map



Appendix K. Bylaw No.1003

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1003

A bylaw to provide for the establishment, maintenance and regulation of a system for the collection, removal, and disposal of garbage, organics, recyclables, and other solid waste.

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

1. This Bylaw may be cited as “Solid Waste Bylaw No. 1003, 2014”.
2. In this Bylaw, unless the context otherwise requires:

“Basic service” means the solid waste collection service established under section 4 of this bylaw;

“Biomedical waste” means biomedical waste as defined in the Hazardous Waste Regulation of the *Environmental Management Act* as amended or re-enacted from time to time;

“Extended service” means the additional solid waste collection service provided under section 7 of this bylaw;

“Garbage” means discarded matter, but does not include organics or recyclable materials or any prohibited material listed in section 8 of this bylaw;

“garbage container” means a container of not more than 120 liters in volume, with carrying handles and waterproof cover, which is used to collect and store solid waste;

“Garbage tags” means single-use tags or stickers required to access extended service;

“Hazardous waste” means hazardous waste as defined in the Hazardous Waste Regulation of the *Environmental Management Act* as amended or re-enacted from time to time;

“Household hazardous waste” means household hazardous waste as defined in the Hazardous Waste Regulation of the *Environmental Management Act* as amended or reenacted from time to time;

“Ignitable waste” means waste that is ignitable as defined the Hazardous Waste Regulation of the *Environmental Management Act* as amended or re-enacted from time to time;

“Organics” means the allowed kitchen organics and yard waste collected in any applicable Village of Cumberland organics compost program;

“Organics container” means a lidded container used for the collection and storage of organics;

“owner” means a person registered in the land registry records as owner of land or of a charge on land, whether entitled to it in his own right or in a representative capacity as well as a tenant or leaseholder;

“Pathological waste” means

- (a) any part of the human body, including tissues and bodily fluids, but excluding fluids, extracted teeth, hair, nail clippings, and like parts, that are not infectious,
- (b) any part of the carcass of an animal infected with a communicable disease or suspected by a veterinary practitioner to be infected with a communicable disease, and
- (c) non-anatomical waste infected with communicable disease;

“Public health inspector” means any person appointed as such by the Ministry of Health within the Village;

“Premises” means the location from which the solid waste originates;

“Recyclable materials” means

- (a) dry newspaper
- (b) dry corrugated cardboard
- (c) dry mixed wastepaper
- (d) metal food and beverage containers
- (e) plastic containers numbered #1-7,

- (f) effective May 19, 2014, all recyclable materials allowed under the Multi Material British Columbia (MMBC) collection system for residential curbside collection;

“Recycling container” means a container used for the collection and storage of recyclable materials;

“Residential unit” means

- (a) a single family dwelling,
- (b) a unit within a duplex, triplex or fourplex,
- (c) a secondary suite,
- (d) mobile home,
- (e) a coach house,
- (f) a dwelling unit secondary to a principal commercial use, each considered a self-contained dwelling unit with cooking, living, sleeping and sanitary facilities;

“Solid waste” means any combination of garbage, organics and recyclable materials;

“Solid waste collector” means the person or persons designated by the Village to collect and dispose of solid waste within the Village;

“Superintendent” means any person assigned the responsibility to administer this bylaw;

“Unserviceable property” means

- (a) any property or residential unit to which access from a street is inadequate for service as determined by the Superintendent,
- (b) any property or residential unit which by its lack of proximity to other residential units being provided basic service would result in excessively high costs or time being allocated to service as determined by the Superintendent, or
- (c) any property or residential unit the Superintendent determines is unsafe to service;

Village means the Corporation of the Village of Cumberland.

System Establishment

A solid waste collection system is established to collect, remove, and dispose of garbage, organics and recyclable materials from premises within the Village.

Basic Service

- (1) Basic service for a residential unit consists of collection from one dwelling unit of
 - (a) garbage, in the amount of one regulation garbage container, bi-weekly; and,
 - (b) Recyclable materials, in an unlimited quantity, bi-weekly, and (c) organics, in an unlimited quantity, weekly.
- (2) Basic service for commercial, industrial and institutional premises consists of collection from each premises of
 - (a) garbage, in the amount of three regulation garbage containers per week, and
 - (b) Recyclable materials, in an unlimited quantity bi-weekly.
- (3) The Superintendent is authorized to schedule solid waste collection.

Basic Service Mandatory

- (1) Subject to subsection 5(2), every person must dispose of solid waste through the Village solid waste collection system in accordance with this bylaw.
- (2) The solid waste collection system shall not be provided to
 - (a) occupants of multi-family premises that consist of more than four attached residential units who dispose of their residential solid waste through a private collection service as permitted under section 6,
 - (b) occupants of commercial, industrial or institutional premises who dispose of their solid waste through a private collection service, and
 - (c) Occupants of any premises who have received written notice from the Village that they must make arrangements for private collection service.

Alternate Service

- (1) The Village shall not collect solid waste from
 - (a) Commercial, industrial, institutional, or multi-family premises that do not qualify for basic service under section 5, and (b) any unserviceable property.
- (2) An owner of premises listed in subsection 6(1) must
 - (a) arrange solid waste collection by a private collection service that disposes of solid waste at an approved disposal site,
 - (b) ensure that solid waste is collected on a regular basis to prevent the development of noxious odours and the accumulation of solid waste, and

- (c) Store all solid waste in an animal-proof location or in animal-resistant containers.
- (3) An owner of a premises served by the solid waste collection system may apply in writing to the Superintendent for permission to have the solid waste for that premises collected and disposed of by an alternate private collection service, provided that the applicant
 - (a) can demonstrate the solid waste collection system does not provide service adequate to deal with the type or volume of solid waste generated by the applicant, and
 - (b) Has exhibited a proven effort and due diligence in the applicant's efforts to participate in diverting waste through the solid waste collection system.
- (4) The Superintendent is authorized to
 - (a) approve an application made under this section where the applicant demonstrates that the solid waste collection system cannot provide Service adequate to deal with the type or volume of solid waste generated by the applicant and the applicant has exhibited a proven effort and due diligence in their efforts to participate in diverting waste through the available services provided,
 - (b) deny an application when the information submitted is insufficient to determine compliance subsection 3, when incorrect information is submitted, or approval of the application would be prohibited by this, or any other bylaw or regulation, and
 - (c) Revoke an approval made under this section if the alternate collection service used by that applicant does not meet the requirements of this or any other bylaw or regulation.

Extended Service

- (1) A basic service user who requires additional garbage collection shall use the extended service.
- (2) A basic service user shall access extended service by using garbage tags authorized by the Village for the extended service.
- (3) The Village imposes fees for garbage tags as set out in Schedule A to this bylaw.
- (4) Each garbage tag entitles the extended service user to the collection of one regulation garbage container.

- (5) Beyond the basic service limits and subject to section 7(4), an extended service user may put out a maximum of two additional garbage containers from each unit per scheduled solid waste collection.
- (6) An extended service user shall attach garbage tags inside the additional garbage container put out for collection.
- (7) Garbage tags are not reusable or refundable.

Prohibited Materials

- (1) No person shall place any of the following materials in any container for collection:
 - (a) hazardous waste;
 - (b) household hazardous waste;
 - (c) biomedical waste;
 - (d) pathological waste;
 - (e) ignitable waste;
 - (f) raw sewage or septic tank sludge;
 - (g) dead animals;
 - (h) animal feces, waste, or related litter products other than from domestic pets;
 - (i) Items of any kind exceeding 60cm in size in any direction; (j) demolition or construction waste; (k) ashes.
- (2) Prohibited materials listed in this section shall not be collected by the solid waste collector.
- (3) Every owner of premises upon or within which prohibited materials listed in this section are created, stored or held shall be solely responsible for (a) the proper sanitation of those materials, and (b) the storage, removal, and disposal of all such wastes in compliance with all applicable laws and bylaws.

Owner Responsibilities

- (1) Every owner of a premises served by the solid waste collection system must
 - (a) place all garbage in a regulation garbage container,
 - (b) maintain all garbage containers in safe, sanitary, and usable condition,
 - (c) place all recyclable materials in a clearly marked recycling container capable of confining the recyclable materials set out for collection,
 - (d) place all organics in a clearly marked organics container,

- (e) store all garbage, organics and recyclable materials in an animal-proof location or in animal-resistant containers until the scheduled collection day,
- (f) drain excess moisture from wet garbage and wrap wet garbage in waterproof material before placing it in the garbage container,
- (g) ensure no liquid is deposited in any garbage container,
- (h) ensure no liquid runs into or accumulates in any garbage container,
- (i) ensure no solid or semi-solid greases are deposited in a garbage container unless wrapped in a waterproof covering or placed in a tightly closed container,
- (j) cover all garbage containers at all times with a waterproof lid,
- (k) ensure that any garbage container, organics container and recyclable material container set out for collection does not weigh more than 22 kilograms (50 pounds),
- (l) set out for collection on the scheduled collection day by 8:00 a.m. and on no other day all garbage containers, organics containers and recycling containers,
- (m) place all garbage containers, organics containers and recycling containers in one location per premises or unit as close as possible to the edge of the street adjoining the dwelling unit or premises in a location clearly visible to collection workers, but not placed so as to obstruct vehicles or pedestrians, and
- (n) Remove all empty garbage containers, organics containers and recycling containers from the street after collection on the day of collection and keep all garbage containers, organics containers and recycling containers, when not set out for collection, on the property from which the solid waste materials originate.

Proper Container

- (1) Where solid waste is not contained within the garbage container, organics container or recycling container or where the owner causes the solid waste materials to be strewn in or outside the premises the Superintendent may order the clean-up of the solid waste. The costs of the cleanup will be assessed against the owner of the premises.
- (2) The Superintendent is authorized and empowered to approve and authorize the use of other containers than the regulation garbage container, organics container or recycling container where special conditions may exist, at the Superintendent's discretion.
- (3) All approved garbage containers, organics containers or recycling containers shall at all times be kept in good and sanitary condition and shall be accessible for

inspection at all reasonable times by the Superintendent or Public Health Inspector.

- (4) When the Superintendent or Public Health Inspector has determined that any container is unfit, such container shall be removed along with the solid waste. The occupier or owner of any premises from which the condemned container has been removed shall forthwith be advised to and shall provide a suitable and sanitary regulation garbage container, organics container or recyclable materials container.
- (5) Where any accumulation of solid waste is found in or upon any land or premises, the Superintendent or Public Health Inspector may order the removal of the same within the time specified in his order. Failure or neglect by the owner to obey such an order within the time specified shall constitute a violation of this Bylaw.

Fees

- (1) The fees for solid waste collection set out in Schedule A to this Bylaw are imposed upon owners of premises receiving the solid waste collection system basic service.
- (2) Fees imposed by this bylaw will be billed quarterly and are due and payable on receipt to the Corporation of the Village of Cumberland. Failure to receive an invoice will not be accepted as a reason for non-payment of the required charge.
- (3) Fees for new services will commence the month an occupancy permit has been issued and will be prorated for the duration of the remaining quarter.
- (4) Tags for use with additional regulation garbage containers may be purchased at the Village office during regular business hours for the fee set out in Schedule A.
- (5) The owners of premises, whether occupied or vacant, shall be responsible for the payment of all solid waste collection user fees, whether the service is actually used or not.
- (6) A 10% penalty shall be added to all fees set out in Schedule A which are not paid prior to 30 days from each billing date.
- (7) All outstanding balances plus penalties after December 31st of each year shall be transferred to taxes as arrears.

Offences and Penalties

- (1) No person may evade or knowingly assists in the evasion of fees under this bylaw.
- (2) Every person who contravenes any provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding \$10,000 as set out in the *Offence Act*.
- (3) Each day that an offence against this bylaw continues or exists shall be deemed to be a separate and distinct offence.

Severability

If any portion of this bylaw is declared *ultra vires* by a Court of competent jurisdiction, then that portion of the bylaw shall be deemed to be severed from the bylaw and the remainder of the bylaw shall remain in force without affecting the validity of the remainder of the bylaw.

Repeal

The "Corporation of the Village of Cumberland Garbage Collection and Disposal Regulations and Rates Bylaw No. 887, 2007" as amended is repealed.

Effective Date

This bylaw comes into force on April 1, 2014.

READ A FIRST TIME THIS 24TH DAY OF FEBRUARY 2014. AMENDED THIS 10TH DAY OF MARCH 2014. READ A SECOND TIME THIS 10TH DAY OF MARCH 2014. READ A THIRD TIME THIS 10TH DAY OF MARCH 2014. ADOPTED THIS 24TH DAY OF MARCH 2014.

Mayor

Corporate Officer

Schedule A
Solid Waste Collection Fees

Residential unit:	\$23.40 per quarter
Commercial, Industrial, Institutional premises:	\$46.25 per quarter
Additional garbage tags:	\$2 per bag

Appendix L. Bylaw No. 870, 2007

The Corporation of the Village of Cumberland Prevention of Public Nuisances Bylaw No. 870, 2007

STATUS

TITLE: The Corporation of the Village of Cumberland Prevention of Public Nuisances Bylaw No. 870, 2007

APPLICANT: Village of Cumberland

PURPOSE: To replace the existing unsightly premises bylaw (Nos. 419, 639 & 798) with an expanded “Nuisance” bylaw.

COUNCIL: **Date:** September 10th, 2007
Decision: First, Second and Third Reading

COUNCIL: **Date:** September 24th, 2007
Decision: Fourth & Adoption



VILLAGE OF CUMBERLAND

BYLAW NO. 870

A bylaw relating to nuisances and to the care, maintenance and regulation of property within the Village of Cumberland

WHEREAS pursuant to Sections 8 and 64 of the *Community Charter*, a municipality may pass bylaws regulating nuisances, disturbances and other objectionable situations;

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

1. DEFINITIONS

In this bylaw, unless the context otherwise requires:

<i>AUTHORIZED PERSON</i>	includes the following: (a) a member of the Royal Canadian Mounted-Police; (b) a Bylaw Enforcement Officer; (c) the Building Inspector and his/her duly authorized representatives; (d) any other peace officer;
<i>BOULEVARD</i>	means the area between the curb lines, the lateral lines or the shoulder of a roadway and the adjacent property line;
<i>BYLAW ENFORCEMENT OFFICER</i>	means the person designated or appointed by the Council to enforce bylaws within the Village;
<i>GRAFFITI</i>	means drawing, printing or writing scratched, sprayed, painted or scribbled on a wall or other surface, but does not include a sign for which approval has been obtained from the Village or that meets zoning bylaw requirements;
<i>INTERSECTION</i>	means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the two highways which join one another at or approximately at right angles, or the area within which vehicles travelling on different highways joining at any other angle may come in conflict, and, for the purpose of this definition "highway" does not include a lane or way less than 5.0 metres (16.4 feet) in width separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lane or way;

NOXIOUS WEEDS

means weeds designated as noxious pursuant to the
Weed Control Act;

REAL PROPERTY means land, with or without improvements so affixed to the land as to make them in fact and law a part of it;

SIDEWALK means the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for use of pedestrians;

UNSIGHTLY includes dirt, gravel, bark mulch or refuse and all discarded, broken or useless items and without restricting the generality of the foregoing, includes old paper or wood products no longer in use or motor vehicles that do not have a current license or parts thereof, and:

- (a) The storage of building materials on a site where the owner or occupier of the property is not in possession of a valid building permit.
- (b) The storage, cleaning, repairing or servicing of motor vehicles, hauling or construction equipment except where the same is carried out entirely within a building.
- (c) An accumulation on residential property of any goods or merchandise which is offered or intended to be offered for sale.

VILLAGE means the Village of Cumberland.

2. GRAFFITI, RUBBISH AND LITTER CONTROL

- (a) No owner or occupier of real property shall cause or permit stagnant water, rubbish, or any noxious, offensive, or unwholesome matter or substance to collect, or accumulate on or around his or her real property.
- (b) No owner or occupier of real property shall deposit or throw bottles, broken glass, or other rubbish, in or on any highway or public place, or any real property within the Village.
- (c) No person shall place graffiti on walls, fences or elsewhere on or adjacent to private property or a public place within the Village.

3. UNSIGHTLY PREMISES

- (a) No owner or occupier of real property shall allow such property to become or to remain unsightly by the accumulation thereon of any filth, discarded materials, rubbish or graffiti of any kind.
- (b) Every owner or occupier of real property shall:

- (i) keep such property clear of noxious weeds, and other untended growth;
- (ii) prevent infestation by noxious or destructive insects, vermin or rodents, and take all necessary steps to eliminate the insects, vermin or rodents in order to prevent their reappearance; and
- (iii) remove from such property any unsightly accumulation of filth, discarded materials, rubbish and graffiti.

4. NOXIOUS WEEDS

Pursuant to the *Weed Control Act*, the Bylaw Enforcement Officer shall be the Weed Control Officer within the Village and shall be authorized to enforce the provisions of the *Weed Control Act* on behalf of the Council.

5. ROOF SNOW REMOVAL

Every owner or occupier of real property shall remove snow, ice, and rubbish from any roof or other part of any structure therein adjacent to any portion of any highway if the snow, ice or rubbish constitutes a hazard to persons or property.

6. FENCES

- (a) Where an owner or occupier of real property adjacent to a highway has erected a fence adjacent to that highway, the owner or occupier shall not allow that fence to fall into a state of disrepair.
- (b) An owner or occupier of real property whose fence erected adjacent to a highway has fallen into a state of disrepair shall repair it forthwith upon a receipt of notice given pursuant to this bylaw.
- (c) In every property where the keeping of livestock is permitted, every owner or occupier of real property abutting upon any highway shall, upon receipt of notice given pursuant to this bylaw, erect fences along the boundary of that property abutting on the highway for the purpose of preventing his/her livestock from straying upon such highway.

7. BOULEVARDS/SIDEWALKS

- (a) No person shall willfully damage:
 - (i) any boulevard, trees, shrubs, plants, bushes or hedge adjacent to any Highway or on any public right of way;

- (ii) anything erected or maintained adjacent to a highway for the purpose of lighting the highway or public right of way;
 - (iii) any fence erected or maintained adjacent to any highway or public right of way.
- (b) Every owner or occupier of real property shall maintain boulevards to the following standards:
 - (i) keep free of noxious weeds;
 - (ii) keep grass trimmed; and
 - (iii) keep shrubs and trees from overhanging pedestrian walkways so as not to interfere with pedestrian or vehicular traffic.
- (c) Every owner or occupier of real property within the Village shall keep any sidewalk adjoining such real property in a proper state of cleanliness, and shall not place rubbish from the sidewalk onto any highway in the Village.
- (d) Every owner or occupier of real property within the Village abutting on any paved sidewalk shall remove and keep clear at all times all snow, ice and dirt from the paved sidewalk which abuts or fronts upon such building or land.

8. VISION CLEARANCE

No owner or occupier of real property located at any intersection shall place or permit to be or grow any tree, shrub, plant, fence, or other structure with a horizontal dimension exceeding 0.46 metres (1.5 feet) within the triangular area formed by two intersecting lot lines and the line joining the points on such lot lines 2.4 metres (7.9 feet) from the point of intersection, between an elevation such that an eye 1.0 to 2.4 metres (3.3 feet to 7.9 feet) above the surface elevation of one road, cannot see an object 1.0 to 2.4 metres (3.3 feet to 7.9 feet) above the surface of the other road.

9. STREET SIGNS

No person shall remove, deface or damage any street name sign or any other sign or marker erected upon any highway by, or at the direction of, the Village.

10. HAZARDOUS TREES AND SHRUBS

- (a) If, in the opinion of Council, any trees, hedges, bushes, shrubs or plants growing or standing on any real property are:
 - (i) a hazard to the safety of persons;
 - (ii) likely to damage public property; or
 - (iii) seriously inconveniencing the public;

Council may order such trees, hedges, bushes, shrubs or plants to be trimmed, removed or cut down at the expense of the owners or occupiers of the real property on which they grow or stand.

11. HOUSE NUMBERING

All owners and occupiers of buildings shall display in a conspicuous place on the property on which the building is located, the street number assigned by the Village to such building so that the same is readable from the highway.

12. DEMOLITION SITES

On any property where the demolition of any building or structure has taken place:

- (a) all debris and material whether to be discarded or retained shall be removed forthwith; and
- (b) any basement or other excavation shall be filled in or covered over to lot grade level forthwith.

13. RIGHT OF ENTRY

An authorized person may at all reasonable times, enter upon any property in the Village in order to ascertain whether the regulations contained within this bylaw are being complied with.

14. NOTICES

Any notice to be given in regards to this bylaw may be given by an authorized person and shall be sufficiently delivered if personally served upon a person apparently aged 16 years or more and apparently occupying the real property affected by such notice, or if sent to the owner of the real property and the holders of registered encumbrances by registered mail to the most recent address appearing upon the last revised assessment roll. All notices hereunder shall be in the form of a letter or shall be in such other forms as the Council may from time to time approve by resolution.

15. ENFORCEMENT

- (a) If any person fails to comply with the terms of any notice served pursuant to this bylaw, the Village by its employees or other persons authorized to act on its behalf may enter the property

and carry out such work as is required in order to bring the property into compliance with this bylaw at the expense of the person given such notice.

- (b) If the person given notice in accordance with the bylaw does not pay the costs of any action taken by Village employees or authorized persons on or before December 31 in the year in which the costs were incurred, the costs shall be added to and form part of the taxes payable on the real property as taxes in arrears.

16. PENALTIES

A person found guilty of an offence under this bylaw, is punishable in accordance with the *Offence Act*.

17. EFFECT

- (a) This bylaw shall come into full force and effect upon its final passage and adoption.
- (b) If any portion of this Bylaw is held invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Bylaw.

18. REPEAL

- (a) The "Village of Cumberland Minimum Maintenance and Occupancy Standards Bylaw No. 419, 1976", and amendments thereto, is hereby repealed.
- (b) The "Village of Cumberland Unsightly Premises Bylaw No. 639, 1993", and amendments thereto, is hereby repealed.

19. CITATION

This bylaw may be cited for all purposes as the "Village of Cumberland Prevention of Public Nuisances Bylaw No. 870, 2007".

READ A FIRST TIME THIS 10th DAY OF SEPTEMBER, 2007.

READ A SECOND TIME THIS 10th DAY OF SEPTEMBER, 2007.

READ A THIRD TIME THIS 10th DAY OF SEPTEMBER, 2007.

ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.

MAYOR

CORPORATE ADMINISTRATOR

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 870 of the Village of Cumberland cited as the "Corporation of the Village of Cumberland Prevention of Public Nuisances Bylaw No. 870, 2007", as adopted by the Village Council on the 24th day of September, 2007.

CORPORATE ADMINISTRATOR

Appendix M. Cumberland Economic Development Strategy Infographic 2018

Starting on next page.

CUMBERLAND

Economic Profile

WHAT'S THIS ABOUT?

From January until April 2018, Cumberland is developing an Economic Development Strategy and Implementation Plan.

As part of the project, we will be conducting engagement with the community, local business, and other stakeholders to learn about people's economic development priorities.

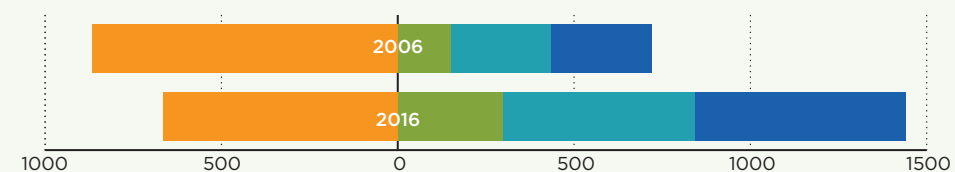
To support engagement, we have prepared this brief profile about Cumberland's economic situation to give people some background on what's going on in Cumberland now.

Cumberland residents are more educated and earn more money than they did ten years ago



EDUCATIONAL ATTAINMENT OF CUMBERLAND RESIDENTS AGED 25 TO 64, 2006 & 2016

highschool equivalent or no degree non-university certificate or diploma
apprenticeship or trades university certificate, diploma or higher

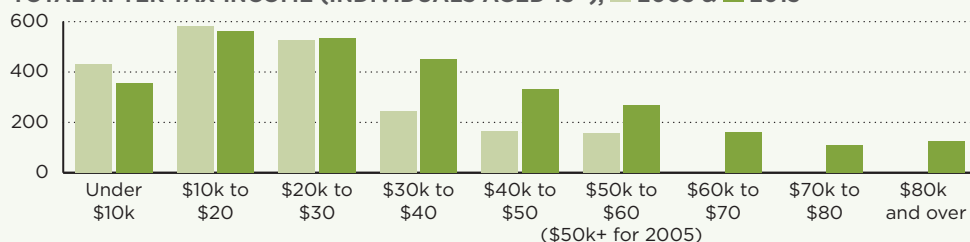


PROPORTION OF RESIDENTS WITH A POSTSECONDARY CERTIFICATE, DIPLOMA OR DEGREE:

CUMBERLAND
68%

CVRD
62%

TOTAL AFTER TAX-INCOME (INDIVIDUALS AGED 15+), 2005 & 2015



INCREASE IN MEDIAN AFTER TAX INCOME, 2006 TO 2016:

CUMBERLAND
2005: \$20,680
2015: \$29,897

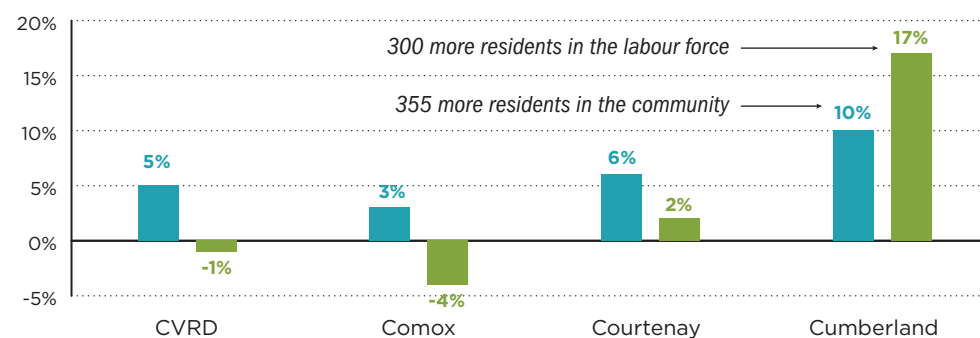
COMOX
2005: \$23,854
2015: \$33,382

Population & Housing

Cumberland is growing faster than anywhere else in the region because a lot of new people are moving here

POPULATION AND LABOUR FORCE GROWTH, 2011-2016

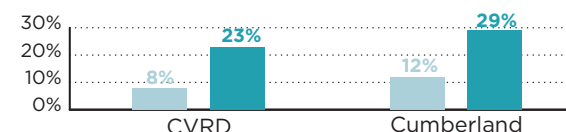
% population change % labour force change



1300 Cumberland residents moved here between 2011 and 2016 meaning almost 1/3 of the population are new residents. The Cumberland Official Community Plan indicates that known development could bring more than 4,000 new housing units in future years, and that the population could reach 8,500 by 2030.

NEWCOMERS, 2016

arrived in the previous year arrived in the previous 5 years



Among the newcomers who arrived in Cumberland from 2011 to 2016, almost 3/4 (22% of the total population) came from other parts of B.C. This is a much higher rate than the Comox Valley (14% of the total population).

Home values are increasing and home ownership costs are high



CUMBERLAND
AVERAGE
DWELLING VALUE:

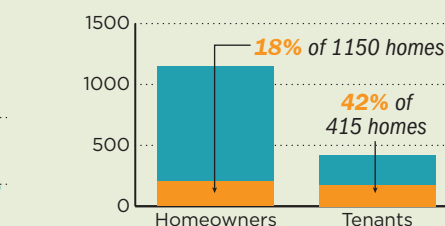
2006
\$236,285

2016
\$328,008

Cumberland homeowners pay more per month than anywhere in the valley, but renters generally pay less.

HOUSING AFFORDABILITY, 2016

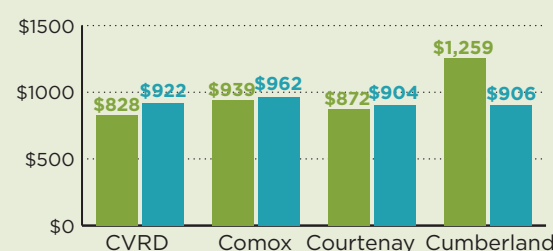
spending less than 30% of income on shelter costs
spending more than 30% of income on shelter costs



And while more **owner** households are living in unaffordable homes, a much higher percentage of **tenant** (renter) households are.

MEDIAN MONTHLY SHELTER COSTS, 2016

for owned buildings (\$) for rented buildings (\$)



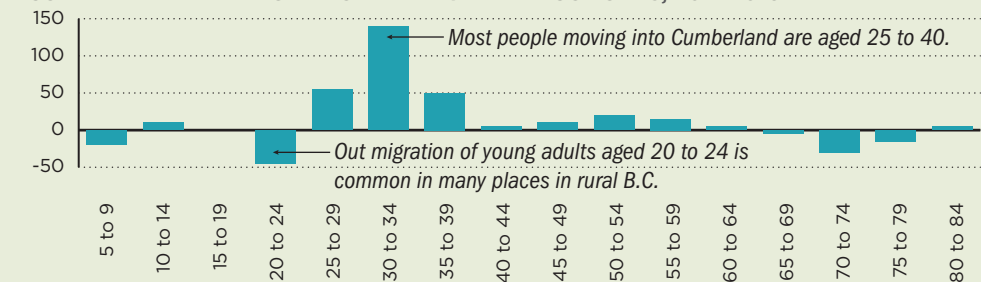
WHAT IS 'AFFORDABLE'?

Spending 30% or more of income on shelter costs is a common measure of an unaffordable living situation. Shelter costs include, as applicable, rent/mortgage, property taxes, condominium fees, along with costs of electricity, heat, water and other municipal services.



New arrivals are making Cumberland a lot younger than the rest of the region

CUMBERLAND NET MIGRATION* BY FIVE-YEAR COHORTS, 2011-2016



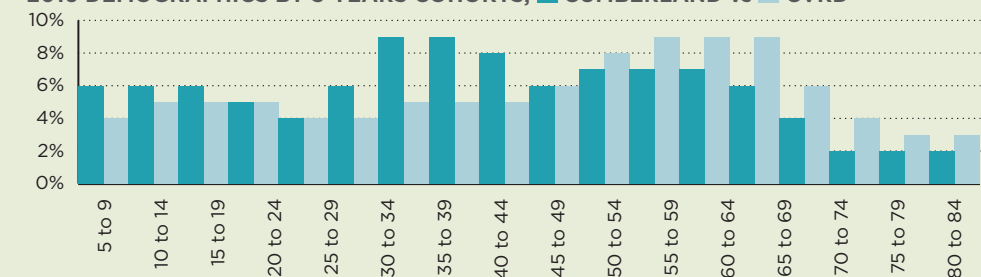
* "Net Migration" is calculated from population numbers of related cohorts; these cohort changes include death rates.

MEDIAN AGE
IN 2016:

CUMBERLAND
39.3

CVRD
50.8

2016 DEMOGRAPHICS BY 5-YEARS COHORTS, CUMBERLAND vs CVRD



Cumberland's biggest age groups are 25 to 45 year olds. This is very different from the rest of the region, which has a much older population.

CUMBERLAND
IN 2016:



TOTAL POPULATION
3,753



TOTAL LABOUR FORCE*
2,070

% OF COMOX VALLEY
POPULATION
5.6%

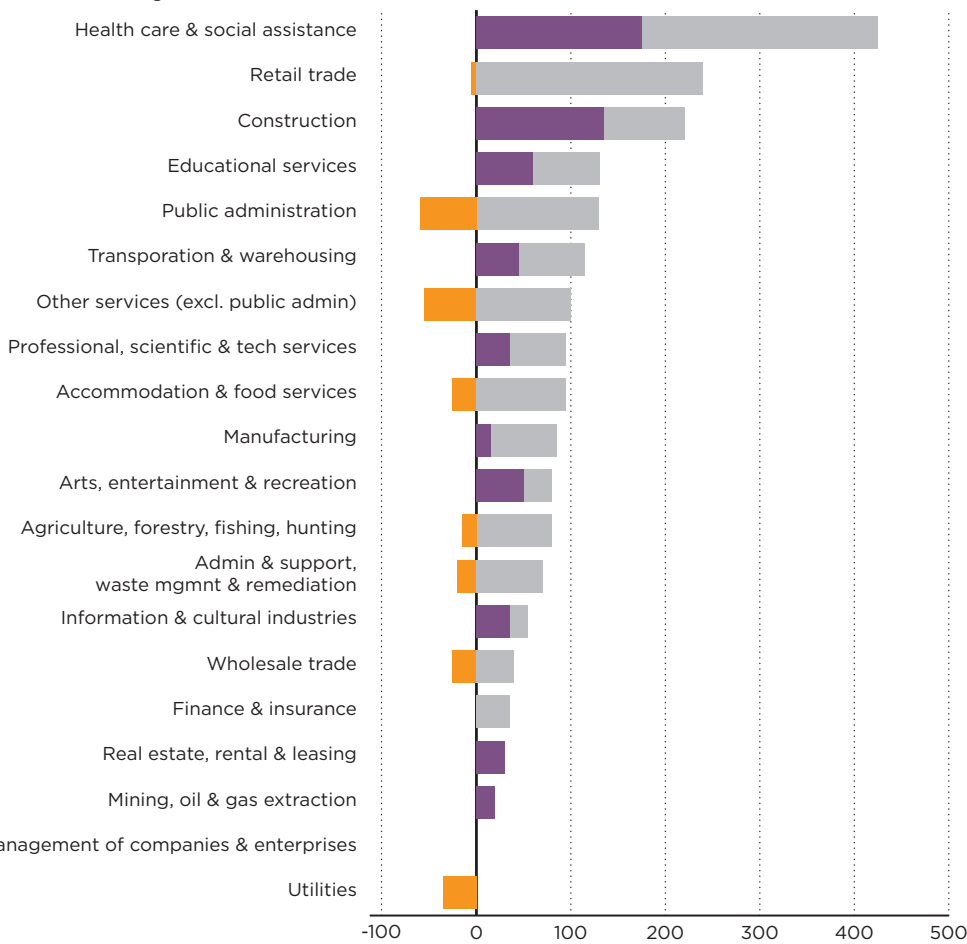
% OF COMOX VALLEY
LABOUR FORCE
6.5%

Employment & Jobs

Overall employment of Cumberland residents has increased by nearly 300 jobs, but not all sectors have grown

Some of the largest sectors (Health Care & Social Assistance, Construction) were also the fastest growing. But there was also fast growth in some emerging sectors, like Arts, Entertainment, & Recreation; Professional, Scientific & Technical Services, and Information and Cultural industries.

EMPLOYMENT OF CUMBERLAND RESIDENTS BY SECTOR - 2016 & CHANGE SINCE 2011



Tourism is not its own sector in the categories used by the census. It is typically found in sectors like Accommodation & Food Services or Retail, but as a proportion of the total (since these sector also serve the local population).

CHANGE IN SECTORS SINCE 2011

	ACCOMMODATION & FOOD SERVICES	RETAIL
Cumberland	-21%	-2%
CVRD	+17.4%	-6.6%

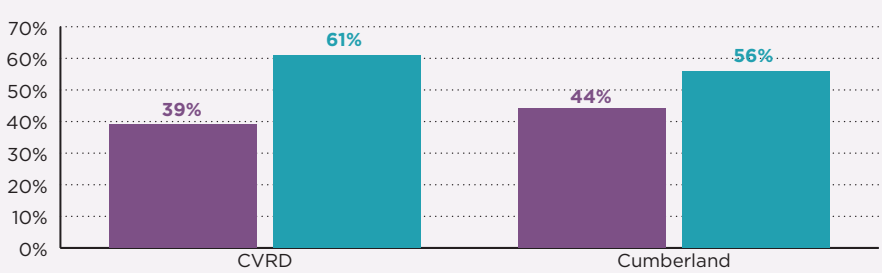
It should be noted that these employment numbers were collected at the very beginning of 2016, so recent changes in tourism activity are not captured. However, the data suggests that the significant tourism activity in Cumberland trails may not be bringing as much economic benefit to the Village as it could.

TRAIL USERS IN CUMBERLAND IN 2016, JULY TO OCTOBER:	TOTAL 35,031	MONTHLY AVG. 8,757	DAILY AVG. 292
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Source: Cumberland Trails Survey 2016.

Cumberland residents are working full-time more than other residents of the Comox Valley

FULL-TIME VS PART-TIME EMPLOYMENT, 2016

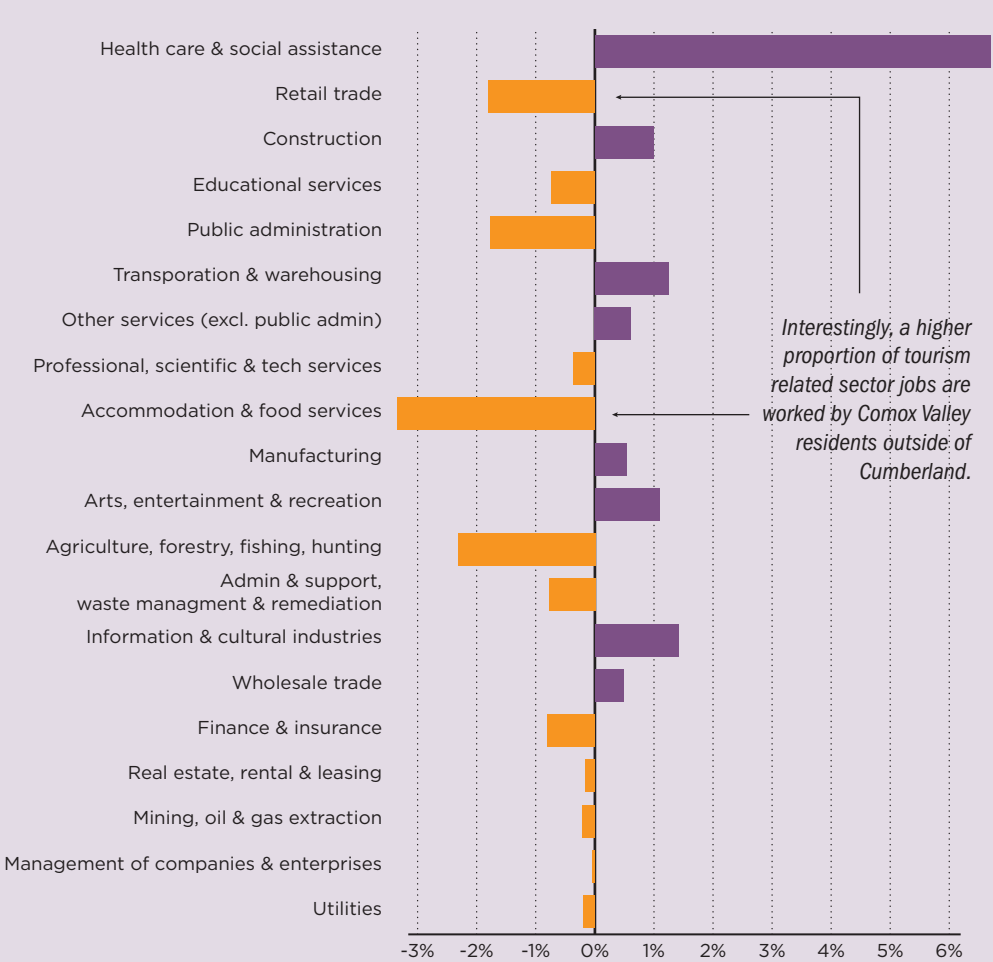


Data collected in previous census years uses different categories, so changes over time could not be tracked.

By proportion, more Cumberland residents are employed in some of the fastest growing industries when compared to the Comox Valley average

In some of the sectors where there has been the biggest growth in employment for Cumberland residents, there are also a higher proportion of Cumberland residents employed compared to the Comox Valley average. These include Health Care & Social Assistance, Construction, Arts, Entertainment, & Recreation, and Information and Cultural industries.

PROPORTION OF EMPLOYMENT BY SECTOR IN 2016, CUMBERLAND RESIDENTS VS COMOX VALLEY AVERAGE



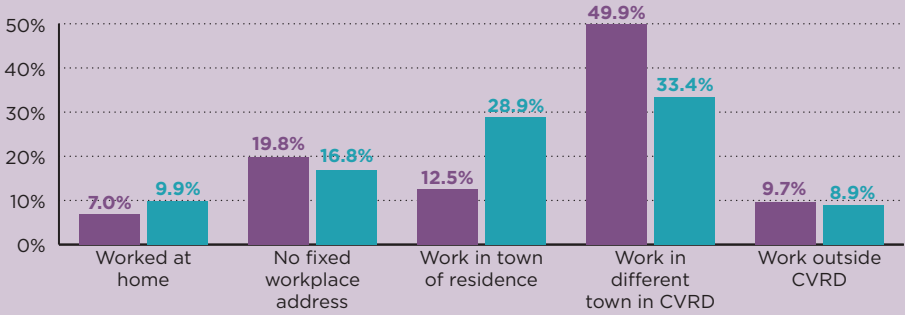
Interestingly, a higher proportion of tourism related sector jobs are worked by Comox Valley residents outside of Cumberland.



A higher proportion of Cumberland residents travel to other places for work than do residents in the rest of the Valley

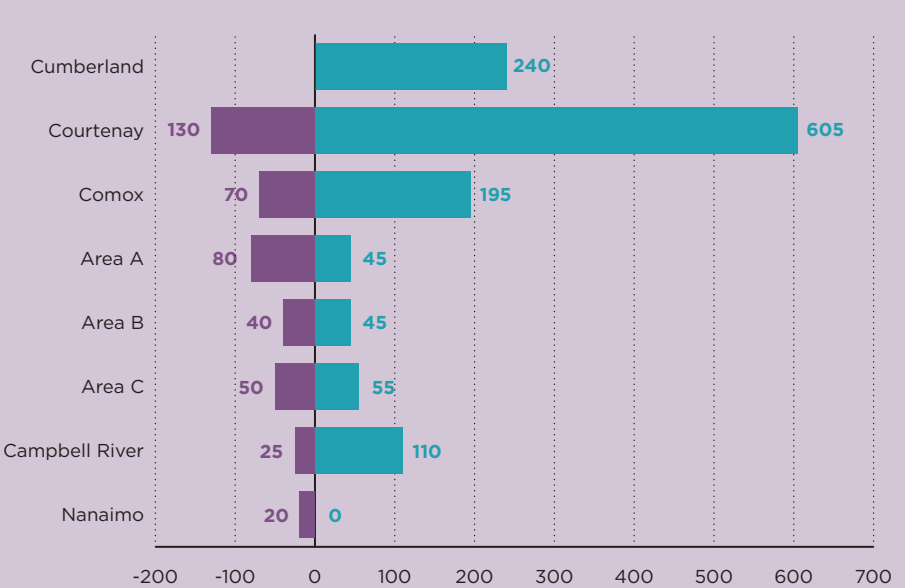
A very small proportion of Cumberland residents work in the Village, especially when compared to the average resident in the Valley.

PLACE OF WORK 2016, CUMBERLAND and CVRD



About half the jobs in Cumberland are worked by people from other parts of the Valley.

JOURNEY TO WORK, 2016



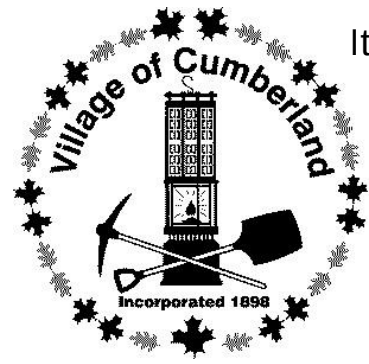
CUMBERLAND

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COUNCIL REPORT



Item 6.3

REPORT DATE: October 1, 2018

MEETING DATE: October 9, 2018

TO: Mayor and Councillors

FROM: Joanne Rees, Planner

SUBJECT: Development Permit - 2018-08-DP - 3190 Royston Road

FILE: 2018-08-DP

OWNER: Emcon Services Inc.

AGENT: Joe Howell, MRC Total Build

FOLIO No.: 516 00256.350

PID: 024-584-827

LEGAL DESCRIPTION: Lot A, Section 30, Township 11, Nelson District, Plan VIP69479

CIVIC ADDRESS: 3190 Royston Road

OCP DESIGNATION Industrial

ZONE: Industrial One (I-1)

RECOMMENDATION

- i) THAT Council receive the Development Permit - 2018-08-DP - 3190 Royston Road report dated September 28, 2018; and
- ii) THAT Council approve Development Permit 2018-08-DP for the property described as Lot A, Section 30, Township 11, Nelson District, Plan VIP69479 (3190 Royston Road) substantially in compliance with the Development Permit dated October 9, 2018.

SUMMARY

An application has been received from MRC Total Build for an Industrial Development Permit to construct a new salt storage building.

BACKGROUND

Pursuant to the Official Community Plan the proposed work is subject to a Development Permit as it is located in an area that is designated an Industrial (DPA #5) Development Permit.

Subject Property

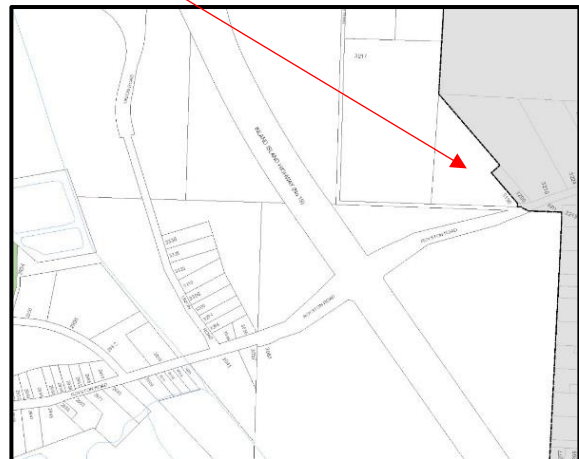




Photo 1: View from Royston Road - existing facility & fencing

MRC Total Build now manages the road maintenance for all roads within the jurisdiction of the Ministry of Transportation and Infrastructure on the property owned by Emcon Service Ltd. The application is for a new storage building for road salt storage. The drawing attached to the Development Permit (Schedule A) shows the approximate location of the proposed building.



Photo 2: View from Royston Road, existing native forested verge in front of location of new storage shed on private land

Contaminated Sites Regulation - Site Profile

The requirement for a site profile is triggered by the Development Permit application and a complete profile has been submitted. The proponent is responsible to undertake site investigations and remediation at contaminated site in accordance with the requirements of the *Environmental Management Act* and its regulations.

REFERRALS

Council may:

- a) Further to the section 5a of the *Advisory Planning Commission Bylaw No 999, 2014*, Council may wish to refer this application to the APC for their comments.

Staff recommends, as this is dealing with Industrial storage building within the interior of the developed site, and does not involve a change in land use, that the application not be referred to the Advisory Planning Commission (APC). Furthermore, it should be noted that the APC currently

has only 4 members, and as the APC Bylaw requires at least 5 members to be a functional Committee. There is no APC until such time as a 5th member is found and approved by Council.

FINANCIAL IMPLICATIONS

Please note that this information is provided for information as Development Cost Charges (DCC's) are payable at Building Permit stage. Staff have researched this property and have determined that although this site has been "active" as an industrial site for some time, DCC's have not been paid.

This development is an industrial use on industrially-zone land, which is on the Village water system and the sanitary sewer. Industrial Development Cost Charges are calculated on a *per hectare of land developed** basis and are charged at Building Permit stage for the services that have the possibility of being provided in the future.

Development Cost Charges (Bylaw 934) for new salt storage building only					Total: \$8,017.30
Water	0.0669 hectare of land developed*	\$27,732	=	\$1,855.27	
Sanitary		\$56,166	=	\$3,757.51	
Roads		\$13,957	=	\$933.72	
Storm		\$21,985	=	\$1,470.80	
Parks		\$0.00	=	\$0.00	

**means the area that is to be utilized by the application that initiates the requirements for DCC's.*

OPERATIONAL IMPLICATIONS

The review of Development Permit applications are part of the services provided by the Planning Department.

STRATEGIC OBJECTIVE

None

ATTACHMENTS

- i) Neighbourhood Meeting September 28, 2018
- ii) Industrial Development Permit Guidelines
- iii) Development Permit
 - a) Schedule A –Site Plan
 - b) Schedule B - Drawing of existing and proposed storage building

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

The applicants have placed the required sign on-site, they advertised and held a public meeting on September 28, 2018. A copy of the notice sent out, the advertisement, and meeting summary is attached to this report. The purpose of the applicant holding a public meeting is to give them opportunity to advise the neighbours of their development plans and to be able to answer questions. No submissions were received at this meeting.

Pursuant to the requirements of the *Village of Cumberland Procedures and Fees Bylaw No. 1008, 2014*, notice of Council consideration of a Development Permit was mailed on September 28, 2018 to the neighbouring properties within 75.0metres of the subject property which meets the requirement of a minimum of 10 days before the Council considers the application. At the time of writing this report, no comments have been received and is attached to this report.

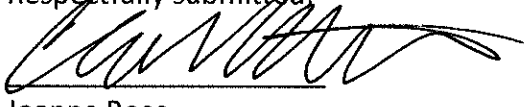
CONCURRENCE

Ken Rogers, Manager of Development Services 

OPTIONS

- i) Approve the application.
- ii) Deny the application (must give reasons).
- iii) Any other action deemed appropriate by Council.

Respectfully submitted

Per 

Joanne Rees

Planner



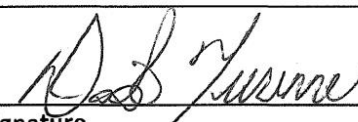
Sundance Topham

Chief Administrative Officer

Summary of Neighbourhood Meeting

1.	Neighbourhood meeting held in regards to:		ROYSTON RD
2.	Meeting Date and Time:		FRIDAY SEPT 28 / 2018
3.	Meeting Location:		3190 ROYSTON ROAD
4.	Advertising:	Newspaper (attach tear sheet)	Date published: Thursday Sept 13th, 2018
		Notices Mailed	Date mailed: Monday Sept 10th, 2018
		Notices Hand delivered	Date delivered:
5.	Numbers of attendees	Attach sign in sheet	☒ Yes
6.	Summarize the comments received	INQUIRIES IN REGARDS TO NEW SALT SHED. - HOW IS IT BUILT - HOW WILL YOU CONTAIN THE SALT - EXPLANATION OF SALT SHED DESIGN WITH PHOTO'S, DESIGN DOCUMENTS. - DISCUSSED WATER FLOW IN THE AREA - DISCUSSED PRECAUTIONS WHEN HANDLING SALT - DISCUSSED RECYCLING THE WATER - DISCUSSED BRINE SYSTEM & CONTAINMENT. - DISCUSSED TESTING OF GROUND WATER.	
7.	Attach copies of written comments received		☐ Yes <i>NONE.</i>

Signature of Applicant or Agent certified that the information is accurate and complete.


Signature

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COMMUNITY ANNOUNCEMENTS

COMING EVENTS

The Annual General Meeting for the Upper Island Women of Native Ancestry Society will be held on Tuesday, September 25, 2018 4pm at 105-1509 Cliffe Avenue in Courtenay. Applications for Board positions must be submitted to info@uivna.ca no later than September 21, 2018.

LEGALS

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COMMUNITY ANNOUNCEMENTS

INFORMATION

INVITATION TO NEIGHBORHOOD MEETING

To review a proposed Development Permit on property at 3190 Royston Road, Cumberland BC. The meeting will be held **Friday 28th September, 2018** at 12noon at 3190 Royston Road, Cumberland, BC

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PUBLIC HEARING

Zoning Amendment: 1081 Mantle Drive
Bylaw No. 2936, 2018

The owner of the above noted property has applied to rezone their property from Residential One Zone (R-1) to Residential One S Zone (R-1S) to permit a secondary suite within the existing dwelling. The subject property is shown in bold on the adjacent map.

Get more information:

View a copy of the proposed bylaw and relevant documents at City Hall from 8:30 am to 4:30 pm Monday through Friday, excluding holidays, until the public hearing.

If you are unable to attend the public hearing written submissions must be received by the City no later than 4:00 pm, Friday, September 14, 2018 to ensure their availability to Council at the Public Hearing.

Mike Grimstad
Planner 1

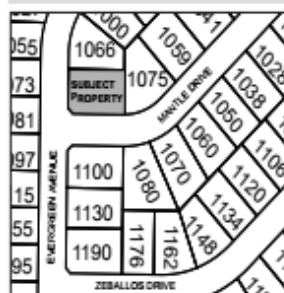


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Public Hearing
Monday, September 17, 2018, 5:00 pm
City Hall Council Chambers
830 Cliffe Avenue
Tel. 250-703-4839



HAVE YOUR SAY:

830 Cliffe Ave.
Courtenay, BC V9N 2J7
planning@courtenay.ca
attend the public hearing

