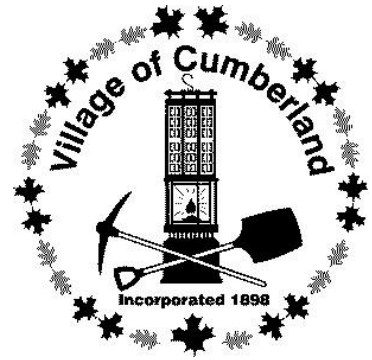


COUNCIL REPORT



REPORT DATE: 10/23/2025
MEETING DATE: 11/10/2025

File No. 6480-01

TO: Mayor and Councillors
FROM: Karin Albert, Senior Planner
SUBJECT: Official Community Plan Bylaw No. 1230, 2025 – First and Second Reading

RECOMMENDATION

THAT Council give first and second reading to Official Community Plan Bylaw No. 1230, 2025.

THAT Council direct staff to schedule a public hearing for Official Community Plan Bylaw No. 1230.

THAT Council confirm that it has considered the Official Community Plan Bylaw 1230 in conjunction with its Financial Plan and Liquid Waste Management Plan.

PURPOSE

The purpose of this report is to present Official Community Plan Bylaw No. 1230, 2025 (OCP bylaw) for first and second reading. The OCP bylaw includes all content required by the *Local Government Act* including new housing-related requirements adopted in 2023.

The report presents community feedback on the draft Official Community Plan (OCP) bylaw. This feedback was received during recent in-person and online engagement events, and from the Advisory Planning Commission (APC), and Homelessness and Affordable Housing and Heritage committees.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
September 2, 2025	A draft OCP Bylaw was presented to Committee of the Whole. No resolutions were passed but the discussions informed the latest revisions.
November 4, 2024	Phase 2 engagement summary and recommendations for OCP updates presented to Committee of the Whole. No resolutions were passed.
July 24, 2023	THAT Council receive the “Official Community Plan Review – Phase 1 Public Engagement Report”, dated July 14, 2023. THAT Council direct staff to include into the scope of the Complete Communities Project an analysis of the long-term servicing costs of different development patterns such as single-family compared to multi-family and include that information in the Official Community Plan review.

April 11, 2023

THAT Council endorse the “Official Community Plan Review Process and Community Engagement Plan 2023-2024”, dated March 30, 2023.

BACKGROUND

OCP Bylaw 1230 updates OCP Bylaw 990, 2014 to bring it up to date and respond to the needs of a growing community. Key updates to the existing OCP are summarized in the September 2, 2025 report to Committee of the Whole ([agenda item 3.1, p. 2](#))

Highlights of key updates in response to Committee of the Whole discussions and community, APC and Council Committee engagement are summarized below. All of the latest edits, other than corrections to typos or formatting, are captured in the OCP bylaw in track changes (Attachment 1 – OCP Bylaw in Track Changes). Edits to the OCP maps are described below.

Map B – Active Transportation Networks, Parks, Trails and Conservation Lands

Ecogift Lands

Map B was revised to show the Village-owned ecogift lands, that are not captured within a municipal park, as existing Conservation Lands. This was done to reflect the restriction on the possible uses of those lands under the federal Ecogift Program.

Buffer to qax mot

Further, a 30 metre buffer, labelled proposed Conservation Lands, was added along the escarpment to the qax mot/Morrison Creek Headwaters Nature Preserve which runs along its south property line. The buffer includes the steep slope of the escarpment area as well as a setback along the top of the slope. This recognizes the vulnerability of the escarpment to erosion and ensures that those lands are considered for protection or a conservation covenant when future development above the escarpment takes place.

Wetlands

The wetland portions of the property shown as proposed protected area (brown colour) on Map B have been instead labeled “conservation lands” in recognition of their environmental sensitivity.

The wetland at the northern end of the Hidden Ravine is now included in the wetlands layer and shows on all maps that show wetlands and streams. Comments with regards to this were received online. The wetland classification is supported by a recent bioinventory report received as part of a Development Permit application associated with the next subdivision of Coal Valley Estates.

Environmental Protection DPAs

Terrestrial Ecosystems

The terrestrial ecosystem polygons on Map E – DPA 1 Environmental Protection Development Permit Area were updated with data recently received from the Comox Valley Conservation Partnership. The update is due to trees aging into the older second growth forest classification that is captured as part of sensitive terrestrial ecosystems.

Aquatic ecosystems

The aquatic ecosystem data on Map E was updated to remove a stream mapped as running along the Penrith Road extension below Solport Park. Two biologist reports in 2017 confirmed that there is no defined stream channel in that location that meets the definition of stream under the Riparian Area Protection Regulations. Deleting the mapped stream mean no further riparian assessments will be required for work in that area. Stormwater management requirements continue to apply and are reviewed with the developer as part of subdivision and road design.

Buffers

DPA 1 – Environmental Protection references *Develop with Care* guidelines in relation to several guidelines. One reference is to buffer distances from environmentally valuable resources. Different buffer sizes apply to different types of development such a “urban” and “rural”. At their September 2, 2025 meeting, the Committee of the Whole asked staff to review whether the Village should establish its own buffer distances, or indicate what areas are considered “urban” or “rural”, to provide certainty.

Buffers are very much dependent on the environmental value(s) to be protected. Therefore, a standard buffer is not recommended, and no change has been made. Buffer distances are best determined in the larger context of the ecosystem and its sensitivity and should be determined by a professional biologist. To pre-determine buffers for inclusion in the OCP, a future project could involve a biologist reviewing the entirety of the DPA 1 area to recommend buffers for different areas. These could then be included in the DPA 1 guidelines.

Groundwater Protection

Industrial parcels on the eastern boundary of Cumberland that do not overly the large aquifer that lies below most of the Village, were deleted from Map F - DPA 2 – Groundwater Protection.

On the other hand, two other parcels to the South of the Morrison Creek headwaters were added to the DPA. The recovery strategy for the Morrison Creek lamprey, a species listed under the federal Species-at-Risk Act, identifies the importance of the protection of the groundwater that feeds into Morrison Creek. Those two parcels are within the area that is included with the critical habitat order for the lamprey.

Land Use Designations

The following changes in land use designations are reflected in Table 4: Land Uses, Area and Development Intent (Attachment 2 – Official Community Plan Bylaw 1230, p. 47-49) and on Map A – Land Use Designations (Attachment 3 – Official Community Plan Maps).

Industry Land Use Designation

The Commercial and Industrial designations that were presented in the draft OCP bylaw have been combined into a new Industry designation. This provides greater flexibility for businesses that do not neatly fit into either an industrial or a commercial land use.

In addition, there was some overlap between the previous Commercial and Industrial designations. The development intent of the previous Commercial designation included small-scale manufacturing and processing, generally considered light industrial. The previous Industrial designation included light industrial as well as ancillary uses. Finer distinctions as to what types of uses will be permitted where in the Village are proposed in the new draft Zoning Bylaw. The draft

Zoning Bylaw identifies the following Industry zones: Service Industry, Industrial and Refuse Industrial zones.

Additional Parks, Greenways, and Open Space designation

A 200 metre wide corridor has been excluded from the Industry land use designation and designated as Parks, Greenways and Open Space to facilitate retention of a wildlife migration corridor in this location

The [Bevan Land Use Concept Plan, 2020](#) (p.19) identifies a 200 m wide wildlife migration corridor connecting the qax mot Nature Preserve and the wetlands around Black Lake at the east end of Comox Lake. This area is also identified as a biodiversity corridor in the 2013 Nature Without Borders report which extensively mapped wildlife habitat, migration routes and sensitive ecosystems in the Comox Valley. The southern boundary of that corridor abuts the northern boundary of the proposed next subdivision by Acciano Development.

Village Forest Lands/Drinking Water Supply Area

The land use designation of the Village Forest Lands was changed from Working Forest to Parks, Greenways and Open Space to more closely align with the [2021 Management Direction Statement](#) for the lands. That document recognizes forests as natural assets that have an important role in protecting water quality and quantity. It advises caution when it comes to possible future forest harvesting within Cumberland's drinking water supply area due to the risks of forest harvesting on the hydrological system. A Parks, Greenways and Open Space designation more appropriately supports the current use of the land.

Additions to Multi-Unit Residential

The designations of 3041 and 3057 Royston Road were changed to Multi-Unit Residential to correspond more closely to the Manufactured Home Park zoning of those properties. This aligns with the two existing manufactured home parks which are also designated Multi-Unit Residential.

Urban Containment Boundary

Public and Advisory Planning Commission (APC) input was received that requested or recommended changes to the Urban Containment Boundary (UCB).

During review of the draft OCP with the community, the Village received a submission to eliminate the UCB or adjust it to include the property around Teal Lake to enable a development proposal for large single residential lots, including parkland dedication, in that location. A proposal for the Teal Lake lands was also submitted during the second phase of community engagement and was presented in the Phase 2 Engagement Report. The OCP Bylaw does not amend the UCB to include the Teal Lake area. Throughout the community engagement process, participants have been supportive of the UCB and its intent to contain residential growth largely within the existing development footprint.

At their September 11, 2025 meeting, the APC reiterated its earlier recommendation to change the UCB to include the large residential lots on Cumberland Road.

In section 7.2.4 (p. 57), the OCP Bylaw outlines the intent of the UCB to:

- a. Contain residential growth while meeting the housing need projected in the Village of Cumberland's 2024 Housing Needs Report.

- b. Minimize urban sprawl and retain working forest, parks, and greenspace around the Village.
- c. Create a complete community where most residential areas are located within a 15 – 20-minute walk of services and/or areas that can be efficiently serviced by transit and active transportation corridors.
- d. Reduce the impact of new development on the lifecycle maintenance and replacement costs of Village infrastructure.
- e. Focus the infill development mandated by the *Local Government Act* (LGA), section 481.3 to areas within walking distance of the Village core.

The area along Cumberland Road is not required to meet the Village's 5 or 20-year housing need. The housing need has to be reviewed every five years. At that time, Council can review uptake of the new residential infill designation and zoning and consider the best future use or uses of the larger properties along Cumberland Road. This could include infill or multi-unit residential.

The APC is suggesting that the lands along Cumberland Road should permit the same density as the four-units per lot permitted within the proposed new infill zone in the draft Zoning Bylaw but without subdivision. The infill zone has a minimum lot size of 650 m². To achieve a higher density on lots larger than 650 m², owners would have to subdivide their property into 650 m² lots and develop each with four units.

If Cumberland Road properties were to be zoned to the same density as a 650 m² lot in the infill zone without requiring subdivision to achieve that density, the permitted density would have to be 61 units per hectare. The lots on Cumberland Road range from 0.1 hectare to 0.48 hectare in size, translating to a density potential of six to 29 units.

APC members also mentioned that they would prefer to see townhouses on the Cumberland Road lots rather than apartment buildings.

If Council wishes to provide the potential for additional density along Cumberland Road in this OCP, it can direct staff to include the properties along Cumberland Road within the UCB.

Once within the UCB, Council has the following options:

- a. Change the land use designation along Cumberland Road to Residential Infill. The development intent of that designation already identifies a range of densities which would allow for more than four units on larger lots. However, the draft zoning bylaw would need to allow for greater density without subdivision within the R-1 Infill Residential zone. The density in that zone would need to be changed to 61 units per hectare from the current maximum of four units per lot. This would mean other larger lots in the infill zone would also have access to additional units.
- b. As for the option above, change the land use designation along Cumberland Road to Residential Infill but develop a new residential zone with the density desired for the Cumberland Road properties. This zone could also restrict the housing form to townhouse. Note that the latter is not in keeping with the general approach of the draft Zoning Bylaw which is moving away from prescribing specific housing types in the residential infill zone. However, limiting the height to 3 stories would likely make apartment buildings infeasible in the current development market.
- c. A third option is to change the land use designation of the residential properties along Cumberland Road to Multi-Unit Residential and zone the properties to R-MU. This would

permit a range of multi-unit residential development options at a density of 50 units per hectare. The draft Zoning Bylaw envisions low-rise apartments and ground-oriented or stacked townhouses in the R-MU.

- d. A fourth option is to change the land use designation of the residential properties along Cumberland Road to Multi-Unit Residential but zone the properties R-1 Infill Residential. This would permit development with up to four units without a rezoning. It would also make it easier for property owners to rezone their properties to a higher density but would require editing the development intent of the multi-unit residential designation. Approval of a rezoning application would be at Council's discretion.

HCA-1 – Heritage Conservation Area Guidelines

As per comments from the Committee, a few small changes were made to the character-defining elements of residential buildings within the Heritage Conservation Area to put less focus on architectural styles and more focus on the character defining elements. In addition, a guideline related to building massing which was repetitive was removed.

Schedule A, a list of protected heritage property, is no longer proposed to be added to the HCA. While the schedule is a tool to assist in heritage building protection, further communication and engagement with the community including affected property owners is needed. As this idea only came forward mid-stream in this project, there was not sufficient time for adequate community engagement on the topic.

The option of adding a list of protected heritage property to the OCP will be brought forward for consideration with the upcoming project to review heritage neighbourhoods and existing and potential additional HCA's scheduled for 2027.

Recreation, Leisure and Parks

As per a comment by the APC, specific outdoor activities (i.e. walking, hiking, mountain biking) are now identified in the recreation, leisure and parks policies.

PUBLIC NOTIFICATION AND CONSULTATION

Section 475 of the *Local Government Act* requires local governments to provide one or more opportunities for consultation with persons, organizations and authorities it considers will be affected when developing, amending or repealing an OCP. The local government must determine if this consultation should be early and on-going, and, specifically, if consultation is required with adjacent jurisdictions, First Nations, school districts, improvement districts, greater boards (ie. water districts) and the provincial and federal governments and agencies. This consultation is additional to the legislative requirement for a public hearing.

In compliance with the above requirement, Council approved the OCP Review Process and Community Engagement Plan at their April 11, 2023 meeting. The Village engaged the community in the OCP review in three phases. Phase 1 was to develop a vision and goals and identify hot topics for further review. Phase 2 reviewed proposed land use designations and policy updates. Phase 3 presented the draft bylaw for comment. Engagement was conducted through surveys, in-person and a virtual open houses and online comment forms at engagecomoxvalley.ca.

Feedback received during Phase 1 and 2 were presented to Council in July 2023 and November 2024 respectively. Feedback received during the third phase of engagement has been collated and summarized in the OCP Review Phase 3 Community Engagement Report (Attachment 4 – Phase 3

Community Engagement Report). This includes online and open house comments as well as email submissions.

The APC was involved throughout the OCP review process with a focus on reviewing community feedback and supporting the development of land use scenarios. The Homelessness and Affordable Housing, Heritage, and Accessibility and Social Inclusion committees were engaged on topics related to their mandates. During Phase 3, the APC and the Homelessness and Affordable Housing and Heritage Committees were asked to provide feedback on the draft OCP bylaw. The proposed OCP bylaw will be shared with the Accessibility and Inclusion Committee at a meeting in November.

Planning staff also met with key stakeholders including developers (August 18, 2025 Developer Workshop) and the Cumberland Community Forest Society and the Comox Valley Land Trust.

Minutes and notes from the Commission, Committee and stakeholder meetings are included in Attachment 4 – OCP Review Phase 3 Community Engagement Report.

The bylaw will be referred to First Nations, Comox Valley local governments and senior government agencies for comments as per Appendix 5 – First Nation, Local Government and Agency Referral List. Council may add additional entities if deemed appropriate.

FINANCIAL IMPLICATIONS

The OCP review project is fully funded in the 2023-2026 Financial Plan.

As per section 472 of the *Local Government Act*, after first reading of an OCP bylaw, local governments must consider the official community plan in conjunction with its financial plan and applicable waste management plan.

The OCP does not commit the Village to spending on a specific project. Project spending will be identified during Council's annual strategic planning process and the annual budget process.

The recommendations and actions in the Liquid Waste Management Plan are included in the OCP to ensure the two bylaws align. No inconsistencies have been identified.

OPERATIONAL IMPLICATIONS

After the adoption of an official community plan, all bylaws enacted or works undertaken must be consistent with the plan.

CLIMATE CHANGE IMPLICATIONS

Climate action planning is a key topic in the OCP review. The climate change section in the OCP includes the greenhouse gas reduction targets and climate actions from the Village 2024 Climate Action Plan, accepted by Council at their June 24, 2024 meeting. The actions seek to move the Village away from dependence on fossil fuels and achieve reductions in greenhouse gas emissions in the building, transportation, energy, and solid waste sectors. The OCP also includes policy and actions to adapt to the impacts of climate change on municipal infrastructure and buildings.

ALTERNATIVES

1. THAT Council direct staff to make the following changes to the OCP Bylaw:

- a.
- b.

If Council would like to direct further changes to the OCP Bylaw, this can be done through a resolution at this meeting prior to first and second reading. If changes are substantial and cannot be captured in a simple resolution, staff will make the revisions and present the Bylaw for first and second reading at a future meeting.

STRATEGIC OBJECTIVE

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

ATTACHMENT

- 1. Official Community Plan Bylaw 1230
- 2. Official Community Plan Bylaw 1230 in Track Changes
- 3. Phase 3 Engagement Report
- 4. First Nation, Local Government and Agency Referral List

CONCURRENCE

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

Respectfully submitted,

K. Albert

Karin Albert
Senior Planner

M. Mason

Michelle Mason
Chief Administrative Officer