

**DATE:** May 9, 2019**FILE:** 5600-01/CVRWS**TO:** Chair and Directors  
Comox Valley Water CommitteeSupported by Russell Dyson  
Chief Administrative Officer**FROM:** Russell Dyson  
Chief Administrative Officer*R. Dyson***RE: Referral of Development Permit Applications for Lands Adjacent to Comox Lake**

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**Purpose**

To present a proposal from Comox Valley Regional District (CVRD) staff to the Comox Valley Water Committee concerning referral of development applications adjacent to the Comox Lake watershed.

**Recommendation from the Chief Administrative Officer**

THAT the Chair of the Comox Valley Water Committee provide a letter to the Village of Cumberland Council requesting that in keeping with the proposal herein for Comox Valley Regional District planning referrals, the Village of Cumberland also consider referring temporary use permit, official community plan amendment and rezoning applications within the Comox Lake watershed to the Comox Valley Water Advisory Committee, Comox Valley Water Committee and the Watershed Advisory Group.

**Executive Summary**

The Comox Lake Watershed Protection Plan (WPP) was accepted by the Comox Valley Water Committee in 2016. The plan identifies 29 risks to the watershed and includes 54 recommendations for improving watershed protection. The following paragraphs outline a proposal by CVRD staff to better implement the goals of the WPP through the planning process.

Because development permit approvals are not discretionary, these would not normally be referred to the Comox Valley Water Advisory Committee. However, rezoning applications, temporary use permits (TUP) and Official Community Plan (OCP) amendments are discretionary, and as such, review by the Comox Valley Water Advisory Committee, Comox Valley Water Committee, and the Comox Lake Watershed Advisory Group (WAG) may be appropriate.

For these discretionary applications the following process will be implemented:

- As is presently the case, the Planning and Development Services department will refer the applications to Engineering Services for comment (interdepartmental referral).
- Upon receipt of an internal referral from the Planning department for a TUP, OCP amendment or rezoning application within the Comox Lake watershed, Engineering Services staff will advise Planning staff that the recommended referral list should include the Comox Valley Water Advisory Committee, Comox Valley Water Committee and the WAG in the application's external agency referral process. The Electoral Areas Services Committee (EASC) will consider the recommended external agency list and direct staff accordingly.
- Planning Services regular practice is to report back to the Comox Valley Regional District Board through the EASC with all comments received through the external agency referral

and provide a recommendation on next steps in the application review process. Through the external agency referral process, the Comox Valley Water Committee would have an opportunity to provide feedback to the EASC and influence the Board decision on the application. Due to CVRD obligation to not delay applications unreasonably, comments must be received in a timely manner.

- Due to the infrequent occurrence of WAG meetings, applications could be forwarded to WAG members for comment via email. It is anticipated that rezoning, TUP and OCP applications for lands within the Comox Lake watershed would be relatively uncommon given the nature of land ownership in the watershed (primarily private managed forest).

Because the Village of Cumberland also owns land within the Comox Lake watershed, CVRD staff recommend that the Comox Valley Water Committee Chair provide a letter to the Cumberland Council requesting that they also consider referring TUP, OCP amendment and rezoning applications within the Comox Lake watershed to the Comox Valley Water Advisory Committee, Comox Valley Water Committee and the WAG.

Prepared by:

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Concurrence:

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