

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, May 6, 2020, 1:30 p.m.
Electronically

Pages

1. CALL TO ORDER

This meeting, though electronic, is open to the public and all representations to Council form part of the public record.

At this time, due to the COVID-19 Pandemic, public access to Council Chambers is not permitted, however, this meeting may be viewed on the District's live stream webcast at www.northcowichan.ca

2. APPROVAL OF AGENDA

Recommendation:

That Council adopt the agenda, as circulated [or as amended].

3. ADOPTION OF MINUTES

3.1 Special Council meeting held April 29, 2020

7 - 10

Recommendation:

That Council adopt the minutes of the meeting held April 29, 2020.

4. MAYOR'S REPORT

5. PRESENTATIONS

5.1 2019 Audited Financial Statements

11 - 60

Purpose: to provide a summary of the surpluses, revenues and capital expenditures for 2019 and request that Council accepts the 2019 Audited Financial Statements.

Recommendation:

That Council accept the 2019 Audited Financial Statements.

5.2 RCMP 2019 Fourth Quarter and 2020 First Quarter Update

61 - 95

Purpose: to provide Council with an update on the North Cowichan/Duncan RCMP Detachment's activities and accomplishments over the reporting periods between October 2019 and March 2020.

6. PUBLIC INPUT

The Mayor to acknowledge receipt of submissions circulated to Council prior to the meeting to info@northcowichan.ca and state the agenda item the public input is in relation to on this agenda.

7. BYLAWS

7.1 Adoption of Zoning Amendment Bylaw No. 3766 (1038 Herd Road), 2019 96 - 97

Purpose: to consider adoption of Zoning Amendment Bylaw No. 3766 to permit a second residential building at 1038 Herd Road for the purpose of short-term accommodation (Bed and Breakfast) as the required covenant has now been registered on title.

Recommendation:

That Council adopt "Zoning Amendment Bylaw (1038 Herd Road), 2019", No. 3766.

7.2 Adoption of Five-Year Financial Plan Amendment Bylaw, No. 3791, 2020 98 - 101

Purpose: to amend the Financial Plan to align with the updated RCMP Detachment estimated costs and construction schedule and provide the public with an opportunity to submit their feedback to Council prior to adoption.

Recommendation:

That Council give first, second and third readings to Five-Year Financial Plan Amendment Bylaw, No. 3791, 2020.

Recommendation:

That Council adopts Five-Year Financial Plan Amendment Bylaw, No. 3791, 2020.

7.3 Adoption of Mutual Aid Agreement Repeal Bylaw, No. 3790, 2020 and Authorization of Cowichan Valley Mutual Aid Agreements 102 - 123

Purpose: to consider repealing the existing Mutual Aid Agreement Bylaw and authorize the Mayor and Corporate Officer to execute a new Mutual Aid Agreement with neighbouring communities to provide fire services during emergencies.

Recommendation:

That Council give first, second and third readings to Mutual Aid Agreement Repeal Bylaw, No. 3790, 2020.

Recommendation:

That Council adopt Mutual Aid Agreement Repeal Bylaw, No. 3790, 2020.

Recommendation:

That Council authorize the Mayor and Corporate Office to sign the Cowichan Valley Fire Department Regional Mutual Aid Agreement.

8. REPORTS

- 8.1 Development Permit with Variance Application No. DPV00001 for 6812 Stoney Hill Road** 124 - 166
- Purpose: to provide Council with staff's analysis of the Development Permit with Variance application received for 6812 Stoney Hill Road to relax the side yard and the watercourse setbacks to allow the construction of a garage over the same footprint as the existing accessory storage building.
- Recommendation:
That Council authorize the issuance of development permit with variance application DPV00001, and a development permit issued for the construction of a new accessory structure at 6812 Stoney Hill Road that varies Section 13(1)(c) and Section 56 (6)(d) of Zoning Bylaw No. 2950 by reducing the required setback from a watercourse from 15 metres to 10.5 metres and the required north side yard setback from 3 metres to 2.5 metres.
- 8.2 Proceeding with Digital Engagement on the Official Community Plan Update Project** 167 - 174
- Purpose: to seek direction from Council on moving forward with public engagement on the Official Community Plan Update Project (the "OCP Update") during the COVID-19 crisis.
- Recommendation:
That Council approve the interim digital engagement activities proposed and direct staff to proceed with public engagement on the Official Community Plan Update.
- 8.3 Proceeding with Engagement on the Future of the Municipal Forest Reserve Engagement** 175 - 190
- Purpose: to consider revisions to the Municipal Forest Reserve (MFR) Engagement Plan (the "Plan"), and provide direction to staff on whether to proceed with public engagement during the COVID-19 pandemic.
- Recommendation:
That Council approve the revisions to the Plan for public engagement on the future of the Municipal Forest Reserve and direct staff to move forward with:
- Digital engagement that sufficiently fulfills the University of British Columbia's needs to make a recommendation on the Interim Management Plan which includes increased stakeholder interviews, an additional working group meeting, an online survey, and a Forest Advisory Committee meeting; and
 - Continuation of the original Plan for Round Two public engagement, beginning January 2021, on the Municipal Forest Reserve.
- 8.4 Proceeding with Digital Engagement on the Climate Action and Energy Plan Update Project** 191 - 197
- Purpose: to seek approval from Council to move forward with public engagement on the Climate Action and Energy Plan Update (the "CAEP Project") during the COVID-19 crisis.

Recommendation:

That Council approve the digital engagement proposal and direct staff to proceed with public engagement on the Climate Action and Energy Plan Update.

8.5 Proceeding with Safe Engagement on the Joint Utilities Board Sewage Outfall Project During the COVID-19 Pandemic 198 - 206

Purpose: to seek approval from Council to move forward with public engagement on the Joint Utilities Board Sewage Outfall Relocation Project ('the JUB Project') during the COVID-19 crisis. This appended proposal sets out a way forward with public engagement and is not an interim measure until in-person engagement can resume.

Recommendation:

That Council approve the safe engagement proposal and direct staff to proceed with public engagement on the Joint Utilities Board Sewage Outfall Relocation Project.

8.6 Summary of Referral Responses for Cannabis Production Facilities in the Agricultural Land Reserve 207 - 217

Purpose: to update Council on the responses received from the Cowichan Green Community and the Cowichan Agricultural Society concerning cannabis production facilities in the Agricultural Land Reserve (ALR).

9. NOTICE OF MOTIONS

10. UNFINISHED AND POSTPONED BUSINESS

10.1 Request for Reconsideration of BC Energy Step Code Decision

Purpose: to consider Councillor Douglas' request that Council reconsider the following motion, approved at the Regular Council meeting held March 4, 2020. (This request had been placed on the March 18, 2020 agenda for reconsideration, but due to the COVID-19 pandemic, this item was removed along with several other non-urgent matters).

Decision for Reconsideration: That Council:

1. Endorse the implementation strategy for the BC Energy Step Code outlined in the February 19, 2020 staff report;
2. Allocate up to \$30,000 a year from the Climate Action and Energy Plan Reserve Fund for the provision of BC Energy Step Code rebates; and
3. Direct staff to draft an amendment to Building Bylaw No. 3172 to require that all new construction meet Step 2 of the BC Energy Step Code as of January 1, 2021 for consideration of first and second reading.

11. NEW BUSINESS

11.1 Establishment of a Formal Process for Notices of Motion

Purpose: to endorse the March 4, 2020 Committee of the Whole (COW) recommendation to direct staff to draft a Notice of Motion policy. (This COW recommendation had been placed on the March 18, 2020 agenda for endorsement, but due to the COVID-19 pandemic, this item was removed along with several other non-urgent matters)

Recommendation:

That Council direct staff to draft a Notice of Motion policy which includes the following provisions:

1. The content for all notice of motions shall include a subject heading/topic, an introduction with a brief outline of 500 words or less, and the notice of motion recommendation;
2. Deadline for submitting a notice of motion shall be one week prior to the meeting;
3. Notices of motion shall be introduced at Council meetings;
4. Members shall not be allowed to provide any introductory remarks when giving notice of their motion;
5. Members shall not be permitted to ask clarifying questions when the notice of motion is given;
6. Notices of motion shall be referred to staff where there are policy implications, statutory requirements, a financial or budgetary impact, staff resource requirements, or where Council would like to consider alternative options at the same time;
7. Notices of motion may be withdrawn at any time prior to the meeting date where it will be considered;
8. Notices of motion may be amended for any reason; and
9. Where the maker of the notice of motion is absent, the motion shall be automatically postponed to the next regular meeting.

12. QUESTION PERIOD

A 10-minute recess to be provided to give the public an opportunity to submit their questions by email regarding the business of this meeting to the email address provided on the screen during the meeting. The Mayor to read out the questions in the order they are received.

13. CLOSED SESSION

Recommendation:

That Council close the May 6, 2020 Regular Council meeting at ___ p.m. to the public on the basis of the following sections of the *Community Charter*:

- 90(1)(a) - personal information about an identifiable individual who holds or is being considered for a position appointed by the municipality;
- 90(1)(e) - the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and
- 90(2)(b) - the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government.

13.1 Minutes from the January 29, 2020, March 18, 2020 and April 15, 2020 closed meetings for adoption

13.2 Sections 90(1)(e) land disposition and 90(2)(b) negotiations with provincial government

13.3 Section 90(1)(a) committee appointment

13.4 Section 90(1)(e) land disposition

14. RISE AND REPORT

15. ADJOURNMENT

Recommendation:

That Council adjourn the meeting at _____ p.m.

Municipality of North Cowichan

Special Council

MINUTES

April 29, 2020, 6:00 p.m.
Electronically

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Tek Manhas Councillor Rosalie Sawrie Councillor Debra Toporowski
Members Absent	Councillor Kate Marsh
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Mark Frame, General Manager, Financial and Protective Services Ernie Mansueti, General Manager, Community Services Sarah Nixon, General Manager, Corporate Services David Conway, Director of Engineering Rob Conway, Director of Planning and Building Jason Birch, Chief Information Officer Megan Jordan, Acting, Manager, Communications and Public Engagement Michelle Martineau, Corporate Officer Tricia Mayea, Deputy Corporate Officer

1. CALL TO ORDER

There being a quorum present, Mayor Siebring called the meeting to order at 6:00 p.m.

2. APPROVAL OF AGENDA

IT WAS MOVED AND SECONDED:

That Council approve the agenda, as amended, to include the Fundraising Campaign for Warmland House Shelter Laundry Facilities Upgrade as a late item under New Business.

CARRIED

3. ADOPTION OF MINUTES

Two errors were in the April 15, 2020 special meeting minutes, (1) that the motion for first reading of the Five-Year Financial Plan Bylaw No. 3785 had passed unanimously, and (2) a typo under item 6.1, that "his" should be "this".

IT WAS MOVED AND SECONDED:

That Council adopt the following minutes:

1. Regular Council meeting held March 18, 2020 as presented; and
2. Special Council meeting held April 15, 2020, as amended.

CARRIED

Council, through unanimous consent, suspended the rules to consider a motion arising from the minutes, in relation to their April 15, 2020 decision to eliminate hiring the three new positions (previously approved February 11, 2020). The original motion, defeated on February 11, 2020 was introduced for reconsideration on March 4, 2020 and subsequently postponed until after a presentation from the Cowichan Housing Society and a discussion on the position priorities occurred.

IT WAS MOVED AND SECONDED:

That Council rescind their March 4, 2020 decision to postpone consideration of the motion “to include a full-time Social and Housing Planner in the 2020 Operating Budget” until after a presentation from John Horn and workshop and position priorities and proceed to vote on the matter immediately.

CARRIED

IT WAS MOVED AND SECONDED: (on March 4, 2020)

That Council direct staff to include a full-time Social and Housing Planner in the 2020 Operating Budget.

(Opposed: Siebring; Douglas; Justice; Manhas; Sawrie; Toporowski)

DEFEATED

4. MAYOR'S REPORT

Mayor Siebring provided a verbal update on electronic meetings and activities he recently attended, including a report on the COVID-19 Cowichan Task Force for Vulnerable Populations plan to provide shelter and support to homeless people during the pandemic.

5. PUBLIC INPUT

Council received 1 submission regarding agenda item 6.1 which was read out by the Mayor.

6. BYLAWS

6.1 North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020

IT WAS MOVED AND SECONDED:

That the motion (below) to consider North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020 be postponed until a report from staff with an analysis of the additional costs associated with building the new RCMP facility and an updated comparison with other models is provided to Council for consideration.

(Opposed: Siebring; Manhas; Sawrie; Toporowski)

DEFEATED

IT WAS MOVED AND SECONDED:

That Council give first, second and third readings to North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020;

And That staff be directed to forward Bylaw No. 3787 and supporting documentation to the Ministry of Municipal Affairs and Housing, Governance and Structure Branch for review and approval by the Inspector of Municipalities.

(Opposed: Douglas)

CARRIED

6.2 Council Remuneration Amendment Bylaw No. 3788, 2020

IT WAS MOVED AND SECONDED:

That Council give first, second and third readings to Council Remuneration Amendment Bylaw No. 3788, 2020.

CARRIED

IT WAS MOVED AND SECONDED:

That Council adopt Council Remuneration Amendment Bylaw No. 3788, 2020.

CARRIED

6.3 Alternative Municipal Tax Collection Scheme Bylaw, No. 3789, 2020

IT WAS MOVED AND SECONDED:

That Council give first, second and third readings to Alternative Municipal Tax Collection Scheme Bylaw, No. 3789, 2020.

CARRIED

IT WAS MOVED AND SECONDED:

That Council adopt Alternative Municipal Tax Collection Scheme Bylaw, No. 3789, 2020.

CARRIED

7. REPORTS

7.1 2020 Special Events

IT WAS MOVED AND SECONDED:

That Council direct staff to continue monitoring the Provincial Health Officer's Order (the "Order") as it relates to the COVID-19 social gathering restrictions and inform organizers, as identified in Table 1 Current Applications of the April 21, 2020 report from the Director of Engineering and the General Manager of Community Services, of any substantive changes made by Council for the use of public parks and facilities or suspension of the Order.

CARRIED

7.2 Resumption of Meetings and Regular Business

IT WAS MOVED AND SECONDED:

That Council resume their regular meetings electronically while the provincial physical distancing measures are in place to allow non-urgent business to proceed;

And That the moratorium placed on delegations, public hearings, and Committee and Other Advisory Body meetings remain in place at this time;

And That Council waive the limit for public input submissions and that staff be directed to circulate all Public Input emails received in advance to Council, at least 30 minutes prior to the meeting, and further that the Corporate Officer or Mayor acknowledge receipt of submissions and state the agenda item the public input is in relation to;

And Further That Council take a 10-minute recess just prior to the Question Period to allow the public to submit their questions via email to the address displayed on the screen.

CARRIED

8. NEW BUSINESS

8.1 Financial Hardship Property Tax Deferment Program Reinstatement

IT WAS MOVED AND SECONDED:

That the Mayor be authorized to write the Minister of Municipal Affairs and Housing, with copies being sent to Vancouver Island municipalities, to request the reinstatement of the financial hardship property tax deferment program to provide support to property owners facing hardships from COVID-19, who are not eligible for the existing property tax deferment programs.

CARRIED

8.2 Fundraising Campaign for Warmland House Shelter Laundry Facilities Upgrade

Council discussed the fundraising initiative for upgrades to Warmland House Shelter laundry facilities.

9. ADJOURNMENT

Council adjourned the meeting at 7:20 p.m.

Certified by Corporate Officer

Signed by Mayor

Independent auditor's report

To the Mayor and members of Council of The Corporation of The District of North Cowichan

Opinion

We have audited the consolidated financial statements of The Corporation of The District of North Cowichan ("the District"), which comprise the consolidated statement of financial position as at December 31, 2019, and the consolidated statements of operations, change in net financial assets and cash flow for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the financial position of The Corporation of The District of North Cowichan as at December 31, 2019, and the results of operations, its changes in its net financial assets, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Consolidated Financial Statements* section of our report. We are independent of the District in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the District's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the District or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the District's financial reporting process.

Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the District's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the District to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

The logo for Grant Thornton LLP, featuring the company name in a stylized, cursive script.

Duncan, Canada
May 6, 2020

Chartered Professional Accountants

Independent auditor's report

To the Duncan – North Cowichan Joint Utilities Board

Opinion

We have audited the financial statements of the Duncan - North Cowichan Joint Utilities Board ("the Partnership"), which comprise the statement of financial position as at December 31, 2019, the statement of operations for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Duncan - North Cowichan Joint Utilities Board as at December 31, 2019, and the results of operations for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Partnership in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Partnership's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the Partnership or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Partnership's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Partnership's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Partnership's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Partnership to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

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Duncan, Canada
May 6, 2020

Chartered Professional Accountants

Report

Date May 6, 2020

File:

To Council

From Mark Frame, General Manager, Financial and Protective Services

Endorsed:



Subject 2019 Audited Financial Statements

Purpose

To provide a summary of the surpluses, revenues and capital expenditures for 2019 and request that Council accepts the 2019 Audited Financial Statements.

Background

The financial statements for the year ending December 31, 2019 were prepared by municipal staff in accordance with Canadian Public Sector Accounting Standards for local governments as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada, and have been applied on a basis consistent with the preceding year.

The Municipality maintains a system of internal accounting controls designed to safeguard the assets of the Corporation and to provide reliable financial information. We confirm and test these on a cyclical basis by contracted audit services.

The audit firm of Grant Thornton was appointed by Council and is responsible for expressing an opinion as to whether the consolidated financial statements fairly represent the financial position of the Municipality of North Cowichan and the results of its 2019 operations.

Section 167 of the *Community Charter* requires that financial statements be prepared by the Financial Officer and presented to Council for its acceptance. Audited financial statements must be submitted to the Province by May 15 of each year.

Discussion

As of December 31, 2019, the District had accumulated surplus of \$308 million, an increase of \$7 million for the year. This is largely composed of net investments in tangible capital assets (\$272 million), which includes land, roads, buildings, utility assets and park infrastructure. Debenture debt decreased by \$1.4 million to \$19 million. Principal repayments were \$1 million and the actuarial adjustment to debt was \$0.4 million.

Revenues decreased by \$1.1 million from \$58.4 million to \$57.3 million. The decrease is largely due to fewer gains received on the sale of assets and a lower value in developer contributions. Expenses increased by \$2.2 million from \$47.9 million to \$50.1 million, and were under budget by \$1 million.

Capital expenditures for the year were \$6.7 million (2018 - \$8.3 million), including \$1.1 million on water capital, \$0.6 million on sewer capital, \$0.4 million on information technologies, \$1.9 million on roads projects, \$0.6 million on vehicles and equipment, \$0.3 million on drainage projects, \$0.8 million on parks projects and \$0.5 million on the Fuller Lake Arena.

Overall capital expenditures were under budget by \$28.6 million. This was due to projects being incomplete or postponed during the year. The Cowichan Aquatic Centre renovation was postponed another year (\$2.8 million) as was the Sportsplex Field House project (\$1.4 million). The Joint Utilities Board Outfall Relocation project schedule has been revised to include more consultation (\$1 million), \$3.8 million of roads projects were postponed due to land acquisition difficulties or scope changes such as the Chemainus Road upgrades and the Canada Avenue settlement repairs. The new RCMP building construction start was delayed to 2020 due to the final decisions on the service model of the building (\$11 million). \$3.7 million of water projects were postponed including the \$2.9 million South End Hyperscon trunk main replacement which has been delayed for further study, and \$1.7 million of sewer projects were postponed.

Implications

Audited financial statements must be submitted to the Province by May 15, 2020.

Recommendation

That Council accept the 2019 Audited Financial Statements.

Attachment(s):

- DNC 2019 Financial Statements
- JUB 2019 Financial Statements

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
Consolidated Financial Statements

(Audited)

DECEMBER 31, 2019

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
FOR THE YEAR ENDED DECEMBER 31, 2019

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THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
AS AT DECEMBER 31, 2019, WITH COMPARATIVE FIGURES FOR 2018

	2019 Actual	2018 Actual
Financial Assets		
Cash (Notes 2 and 4)	\$ 2,266,463	\$ 3,720,166
Temporary investments (Notes 2 and 4)	73,350,782	63,950,386
Accounts receivable (Note 5)	3,469,410	3,544,544
Deposit - Municipal Finance Authority (Note 8)	1,229,904	1,220,984
	<u>80,316,559</u>	<u>72,436,080</u>
Financial Liabilities		
Accounts payable and Accrued liabilities (Note 6)	4,657,259	4,843,070
Employee future benefits and compensation payable (Note 2)	3,901,220	3,811,400
Unearned revenue (Note 7)	5,826,092	5,986,952
Reserve - Municipal Finance Authority (Note 8)	1,229,904	1,220,984
Restricted reserves (Note 10)	11,848,893	10,168,279
Debenture debt (Note 12)	19,012,952	20,407,420
	<u>46,476,320</u>	<u>46,438,105</u>
Net Financial Assets	<u>33,840,239</u>	<u>25,997,975</u>
Non-Financial Assets		
Tangible capital assets (Schedule X)	271,565,986	272,162,777
Inventory of supplies (Note 2)	539,943	539,270
Prepaid items	121,491	175,488
Property acquired for taxes (Note 2)	2,341,505	2,341,505
	<u>274,568,925</u>	<u>275,219,040</u>
Accumulated Surplus (Note 14)	<u>\$ 308,409,164</u>	<u>\$ 301,217,015</u>

Commitments and Contingent Liabilities (Note 13)

Approved by:

M. Frame
General Manager, Financial and Protective Services

See accompanying notes to the financial statements.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
CONSOLIDATED STATEMENT OF OPERATIONS
FOR THE YEAR ENDED DECEMBER 31, 2019, WITH COMPARATIVE FIGURES FOR 2018

	2019 Budget	2019 Actual	2018 Actual
Revenues			
Taxation (Schedule I)	\$ 36,149,919	\$ 36,103,076	\$ 34,589,122
Sales of services (Schedule II)	10,566,021	11,525,631	11,036,880
Other revenue from own sources (Schedule III)	1,573,572	1,964,092	1,802,377
Return on investments	710,292	1,401,890	1,070,860
Grants and government transfers (Schedule IV)	6,328,700	3,286,917	2,774,959
Collections from developers and others	889,943	2,595,164	4,230,918
Actuarial adjustments to debt	-	379,897	328,399
Net gain on sale of tangible capital assets	-	63,759	2,561,425
	<u>56,218,447</u>	<u>57,320,426</u>	<u>58,394,940</u>
Expenses			
General government services (Schedule V)	6,171,154	6,043,676	5,176,681
Protective services (Schedule VI)	10,417,545	10,015,012	9,449,524
Engineering and public works (Schedule VII)	10,681,665	10,340,134	10,088,860
Environmental health services (Schedule VIII)	1,647,508	1,746,068	1,512,928
Forestry	1,518,561	1,328,549	1,185,156
Community development	1,131,698	1,168,797	1,295,591
Recreation and cultural services (Schedule IX)	10,726,130	10,800,755	10,826,990
Net loss on sale and write-downs of tangible capital assets	-	140,780	80,992
Water	4,263,949	4,612,909	4,514,520
Sewer	4,520,214	3,931,597	3,739,979
	<u>51,078,424</u>	<u>50,128,277</u>	<u>47,871,221</u>
Annual Surplus	<u>\$ 5,140,023</u>	<u>7,192,149</u>	<u>10,523,719</u>
Accumulated surplus, beginning of year (Note 14)		<u>301,217,015</u>	<u>290,693,296</u>
Accumulated surplus, end of year (Note 14)		<u><u>\$ 308,409,164</u></u>	<u><u>\$ 301,217,015</u></u>

See accompanying notes to the financial statements.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
CONSOLIDATED STATEMENT OF CHANGES IN NET FINANCIAL ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2019, WITH COMPARATIVE FIGURES FOR 2018

	2019 Budget	2019 Actual	2018 Actual
Annual Surplus	<u>\$ 5,140,023</u>	<u>\$ 7,192,149</u>	<u>\$ 10,523,719</u>
Acquisition of tangible capital assets	(35,285,035)	(6,707,957)	(8,321,503)
Contributed tangible capital assets	-	(2,411,588)	(4,178,385)
Amortization of tangible capital assets	9,612,200	9,569,240	9,452,760
Net gain on sale of tangible capital assets	-	(63,759)	(2,561,425)
Net loss on sale of tangible capital assets	-	15,963	80,992
Proceeds on sale of tangible capital assets	-	70,074	3,053,365
Write-downs of tangible capital assets	<u>-</u>	<u>124,817</u>	<u>-</u>
	<u>(25,672,835)</u>	<u>596,790</u>	<u>(2,474,196)</u>
Increase in prepaids	-	53,998	(67,801)
(Increase) decrease in inventories	<u>-</u>	<u>(673)</u>	<u>(23,692)</u>
	<u>-</u>	<u>53,325</u>	<u>(91,493)</u>
Change in net financial assets	(20,532,812)	7,842,264	7,958,030
Net financial assets at beginning of year	<u>25,997,975</u>	<u>25,997,975</u>	<u>18,039,945</u>
Net financial assets at end of year	<u><u>\$ 5,465,163</u></u>	<u><u>\$ 33,840,239</u></u>	<u><u>\$ 25,997,975</u></u>

See accompanying notes to the financial statements.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
CONSOLIDATED STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2019, WITH COMPARATIVE FIGURES FOR 2018

	2019 Actual	2018 Actual
Operating transactions		
Annual surplus	\$ 7,192,149	\$ 10,523,719
Non-cash items included in surplus:		
Amortization	9,569,240	9,452,760
Actuarial adjustment to debt	(379,897)	(328,399)
Write-downs of tangible capital assets	124,818	-
Net gain on sale of tangible capital assets	(63,759)	(2,561,425)
Net loss on sale of tangible capital assets	15,963	80,992
Contributed tangible capital assets	(2,411,588)	(4,178,385)
	<u>14,046,926</u>	<u>12,989,262</u>
Accounts receivable	75,134	(74,887)
Inventory of supplies	(673)	(23,692)
Prepaid items	53,997	(67,802)
Accounts payable	(185,811)	614,340
Employee future benefits and compensation payable	89,820	68,189
Unearned revenue	(160,860)	612,967
Restricted reserves	1,680,614	1,328,640
	<u>15,599,147</u>	<u>15,447,017</u>
Cash provided by operating transactions		
Capital transactions		
Proceeds on sale of tangible capital assets	70,074	3,053,365
Cash applied to acquire tangible capital assets	(6,707,957)	(8,321,503)
	<u>(6,637,883)</u>	<u>(5,268,138)</u>
Cash applied to capital transactions		
Investing transactions		
Temporary investments	(9,400,396)	(10,107,369)
	<u>(9,400,396)</u>	<u>(10,107,369)</u>
Cash applied to investing transactions		
Financing transactions		
Repayment of debenture debt	(1,014,571)	(1,013,626)
	<u>(1,014,571)</u>	<u>(1,013,626)</u>
Cash provided by financing transactions		
Change in cash and cash equivalents	(1,453,703)	(942,116)
Cash and Cash equivalents, beginning of year	3,720,166	4,662,282
Cash and Cash equivalents, end of year	<u>\$ 2,266,463</u>	<u>\$ 3,720,166</u>

See accompanying notes to the financial statements.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

1. GENERAL

The Corporation of the District of North Cowichan (the Corporation) was incorporated in 1873 under a statute of the Province of British Columbia and operates under the provisions of the Local Government Act and the Community Charter of British Columbia. The principal activities include community development, parks and recreation, police and fire protection, road transportation, forestry management, cemetery, solid waste, water utility, sewer utility, and fiscal services.

2. SIGNIFICANT ACCOUNTING POLICIES

It is the Corporation's policy to follow Canadian public sector accounting standards and to apply such principles consistently. The following is a summary of the Corporation's significant policies:

a) BASIS OF PRESENTATION

These consolidated financial statements consolidate the following operations:

- General Capital Fund
- General Revenue Fund
- Reserve Fund
- Water Systems Capital Fund
- Water Systems Revenue Fund
- Sewer Systems Capital Fund
- Sewer Systems Revenue Fund

The Corporation has an interest in a significant cost sharing arrangement: the Duncan - North Cowichan Joint Utilities Board. Adjustments have been made to these consolidated statements to include the Corporation's proportionate share of assets, liabilities and net revenues over expenditures of the administrative body at approximately the following percentage:

Duncan-North Cowichan Joint Utilities Board	53.69%
---------------------------------------------	--------

b) BASIS OF ACCOUNTING

The Corporation follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of the delivery of goods or services and/or upon the creation of a legal obligation to pay. Expenses paid in the current period and attributable to a future period are recorded as prepaid.

c) INVESTMENTS

Investments are recorded at cost which at December 31, 2019, would approximate market value. Investments consist of cash on deposit in the Municipal Finance Authority ("MFA") investment funds that are highly liquid, readily convertible to cash, and are subject to an insignificant risk of change in value.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

2. SIGNIFICANT ACCOUNTING POLICIES CONTINUED

d) LIABILITY FOR CONTAMINATED SITES

The Corporation recognizes a liability for remediation of a contaminated site when the site is no longer in productive use or an unexpected event resulting in contamination has occurred and the following criteria are satisfied: contamination exceeds an environmental standard, the Corporation is either directly responsible or has accepted responsibility for remediation, it is expected future economic benefits will be given up and a reasonable estimate of the amount can be made. Future economic benefits are expected to be given up if the Corporation has an external obligation to remediate a site or has commenced remediation on its own accord.

The Corporation has determined that no owned properties meet the criteria to recognize a liability for contaminated sites.

e) REVENUE RECOGNITION

- i) Taxation revenues are recognized at the time of issuing the property tax notices for the fiscal year.
- ii) Sale of services and user fee revenues are recognized when the service or product is rendered by the Corporation.
- iii) Grant revenues are recognized when the funding becomes receivable.
- iv) Revenue unearned in the current period is recorded as deferred revenue.
- v) Government transfers are recognized in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met and reasonable estimates of the amounts can be made.

f) CASH AND CASH EQUIVALENTS

Cash and cash equivalents consist of cash on deposit in qualifying institutions as defined in the community charter.

g) PROPERTY ACQUIRED FOR TAXES - DEEDED TO MUNICIPALITY

Property acquired for taxes is presented at estimated historical values as either financial assets or non-financial assets. Properties that are presented as a financial asset are those which are readily available for sale during the subsequent period. Properties that are presented as non-financial assets are those that are either not saleable or will not be ready for sale within the subsequent period.

	2019	2018
Properties not available for sale	\$ 2,341,505	\$ 2,341,505

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

2. SIGNIFICANT ACCOUNTING POLICIES CONTINUED

h) EMPLOYEE FUTURE BENEFITS AND COMPENSATION PAYABLE

The Corporation and its employees make contributions to the Municipal Pension Plan. The Corporation's contributions are expensed as paid.

Sick leave cash-out and severance benefits accrue to the Corporation's employees. The liability relating to these benefits is determined in accordance with Section PS 3255 of the Public Sector Accounting Handbook of the Chartered Professional Accountants of Canada. Actuarial gains and losses are amortized on a straight-line basis over the average remaining service life of employees.

The following amounts are the accrued liabilities in respect of Employee Future Benefits and compensation payable:

	2019	2018
Lieu time payable	\$ 890,820	\$ 846,300
Sick leave cash-out and severance benefits	3,010,400	2,965,100
	<u>\$ 3,901,220</u>	<u>\$ 3,811,400</u>

Under the terms of the union contract, sick leave not taken in a year is carried forward to a maximum accumulation for 180 working days for each employee. On retirement or termination of employment after 5 years of service, sick leave accumulated is paid out at the employee's prevailing wage rate.

The Corporation also provides 30 days of paid leave at retirement, as prescribed by the Pension (Municipal) Act, at the employee's prevailing wage rate.

The liabilities for sick leave cash-out and severance benefits are based on an actuarial valuation as at December 31, 2019.

	2019	2018
Accrued benefit obligation	\$ 2,954,000	\$ 2,866,200
Unamortized actuarial gain/(loss)	56,400	98,900
Accrued benefit liability	<u>3,010,400</u>	<u>2,965,100</u>
Benefit expense:		
Current service cost	262,100	253,800
Interest cost	91,000	85,600
Amortization of net actuarial (gain)/loss	(2,100)	(400)
	<u>\$ 351,000</u>	<u>\$ 339,000</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

2. SIGNIFICANT ACCOUNTING POLICIES CONTINUED

h) EMPLOYEE FUTURE BENEFITS AND COMPENSATION PAYABLE CONTINUED

Significant actuarial assumptions as at December 31st include:

	2019	2018
Valuation interest rate	2.40%	3.20%
Rate of compensation increase	2.25%	2.75%
Expected coverage remaining service life (in years)	10	10

i) APPROPRIATED SURPLUS - GENERAL REVENUE FUND

General Revenue Fund appropriations are non-statutory reserves established at the discretion of Council. These reserves are outlined in Note 14.

- i) The reserve for property acquired for taxes is an amount set aside to offset the carrying value of property acquired for taxes.
- ii) Reserves for future expenditures are amounts set aside from past and current operations for future operating and capital expenditures.
- iii) The reserve for uncollected taxes is an amount set aside to offset uncollected taxes.
- iv) The reserve for the Joint Utilities Board is an amount set aside for future capital expenditures, established at the discretion of the Board.

j) USE OF ESTIMATES

The preparation of financial statements in accordance with Canadian generally accepted accounting principles as recommended by PSAB requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenditure during the reporting period. Significant areas requiring the use of management estimates relate to the determination of accrued sick benefits and retirement liability, collectability of accounts receivable, amortization of capital assets, deferred charges and provisions for contingencies. Actual results could differ from those estimates. Adjustments, if any, will be reflected in operations in the period of settlement.

k) LEASES

Leases are classified as capital or operating leases. Leases which transfer substantially all of the benefits and risks incidental to the ownership of property are accounted for as capital leases. All other leases are accounted for as operating leases and the related lease payments are charged to expenses incurred.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

2. SIGNIFICANT ACCOUNTING POLICIES CONTINUED

l) NON-FINANCIAL ASSETS

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the change in net financial assets for the year.

m) TANGIBLE CAPITAL ASSETS

Tangible capital assets are recorded at cost less accumulated amortization and are classified according to their functional use. Cost includes all amounts that are directly attributable to the acquisition, construction, development or betterment of the asset. Donated assets are recorded at their estimated fair value upon acquisition. Certain tangible capital assets for which historical cost information was not available were recorded at the current fair market values, in the year of recognition, discounted by a relevant inflation factor. Certain assets are disclosed at a nominal value as the determination of current fair market value was not available. The cost, less residual value, of the tangible capital assets is amortized on a straight-line basis over their estimated useful lives as follows:

Land	Indefinite
Land Improvements	10 to 30 years
Buildings	15 to 50 years
Engineering Structures	10 to 60 years
Machinery & Equipment	5 to 40 years
Capital Works In Progress	Life determined when complete

Amortization is charged on a monthly basis, starting the month following the date of acquisition and ending in the month of disposition. Capital works in progress are not amortized until the asset is available for productive use.

Certain assets, which have historical or cultural value including works of art, historical documents, as well as historical and cultural artifacts, are not recognized as tangible capital assets because a reasonable estimate of the future benefits associated with such property cannot be made. Intangibles, Crown lands that have not been purchased by the Corporation, water, and other natural resources, are not recognized as tangible capital assets.

Tangible capital assets received as contributions are recorded at their estimated fair value at the date the Corporation acquires ownership and are recorded as revenue.

Land and infrastructure assets contributed to the Corporation in 2019 totaled \$2,411,588 (2018 - \$4,178,385) and were capitalized at their fair value at the time of receipt.

n) MATERIALS AND SUPPLIES

Inventories of materials and supplies are valued at weighted average cost with allowance made for damaged or obsolete goods.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

3. FINANCIAL INSTRUMENTS

The Corporation's financial instruments consist of cash and cash equivalents, temporary investments, accounts receivable, accounts payable and accrued liabilities, restricted reserves, temporary financing and debenture debt. The carrying amount of these financial instruments approximates their fair value because they are short-term in nature or because they bear interest at market rates.

Unless otherwise noted, it is management's opinion that the Corporation is not exposed to significant interest or credit risks arising from these financial instruments.

4. CASH AND INVESTMENTS

Cash and investments are comprised of cash on hand, cash on deposit at financial institutions and investments held in Municipal Finance Authority of British Columbia investment funds.

	<u>2019</u>	<u>2018</u>
Cash	\$ 2,266,463	\$ 3,720,166
Temporary investments	<u>73,350,782</u>	<u>63,950,386</u>
	<u>\$ 75,617,245</u>	<u>\$ 67,670,552</u>

Temporary Investments consist of short-term investments in the Municipal Finance Authority of BC money market and intermediate funds and CIBC high interest savings and the market value is equal to the carrying value. Temporary Investments have yields ranging from 1.86% to 2.46%.

Included in investments are the following restricted amounts that can only be expended in accordance with the terms of the Reserve and Restricted Reserve Funds.

	<u>2019</u>	<u>2018</u>
Restricted investments	<u>\$ 29,167,218</u>	<u>\$ 24,283,110</u>

5. ACCOUNTS RECEIVABLE

	<u>2019</u>	<u>2018</u>
Property taxes	\$ 1,929,934	\$ 1,757,315
Water rates	296,064	228,064
Federal government	314,076	232,813
Provincial government	252,479	624,155
Local government	491,537	326,910
General	<u>185,320</u>	<u>375,287</u>
	<u>\$ 3,469,410</u>	<u>\$ 3,544,544</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

6. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES

	2019	2018
General	\$ 4,226,731	\$ 4,209,428
Wages and salaries	288,105	479,802
Accrued interest	142,423	153,840
	<u>\$ 4,657,259</u>	<u>\$ 4,843,070</u>

7. UNEARNED REVENUE

	2018	Contributions and interest	Revenue earned or refunded	2019
Prepaid taxes and licenses	\$ 2,544,877	\$ 5,163,191	\$ 5,165,488	\$ 2,542,580
Service fees and deposits	3,087,924	1,574,622	1,657,036	3,005,510
Aquatic Centre unearned revenue	234,436	356,773	408,057	183,152
General unearned revenues	119,715	11,061	35,926	94,850
	<u>\$ 5,986,952</u>	<u>\$ 7,105,647</u>	<u>\$ 7,266,507</u>	<u>\$ 5,826,092</u>

8. MUNICIPAL FINANCE AUTHORITY - RESERVE DEPOSITS

The Corporation issues debt instruments through the Municipal Finance Authority. As a condition of these borrowings, a portion of the debenture proceeds are withheld by the Municipal Finance Authority as a debt reserve fund. The Corporation also executes demand notes in connection with each debenture whereby the Corporation may be required to loan certain amounts to the Municipal Finance Authority.

The details of the cash deposits and demand notes at year end are as follows:

	2019	2018
Cash deposits	\$ 391,880	\$ 382,960
Demand notes	838,024	838,024
	<u>\$ 1,229,904</u>	<u>\$ 1,220,984</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

9. FUNDS HELD IN TRUST

These funds account for assets, which must be administered as directed by agreement or statute for certain beneficiaries. In particular, these funds are for the Cemetery Trust Fund. In accordance with PSAB recommendations on financial statement presentation for local governments, trust funds are not included in the Corporation's Consolidated Financial Statements. A summary of trust fund activities by the Corporation is as follows:

	<u>2019</u>	<u>2018</u>
Assets		
Cash and short term investments	<u>\$ 406,419</u>	<u>\$ 386,200</u>
	<u>406,419</u>	<u>386,200</u>
Equity		
Opening balances	386,200	370,678
Contributions	<u>20,219</u>	<u>15,522</u>
	<u>\$ 406,419</u>	<u>\$ 386,200</u>

10. RESTRICTED RESERVES

Receipts which are restricted by the legislation of senior governments are deferred and reported as liabilities. Included in liabilities are reserves for development cost charges, the use of which, with any earnings thereon, is restricted by legislation or agreement with external parties. These amounts are recognized as revenue in the period in which corresponding expenditures are incurred.

<u>Development Cost Charges</u>	<u>2019</u>	<u>2018</u>
Opening	\$ 10,168,279	\$ 8,839,639
Contributions	1,497,948	1,148,414
Return on investment	246,666	180,226
Amount spent	<u>(64,000)</u>	<u>-</u>
	<u>\$ 11,848,893</u>	<u>\$ 10,168,279</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

11. FEDERAL GAS TAX AGREEMENT FUNDS

Gas Tax funding is provided by the Government of Canada. The use of the funding is established by a funding agreement between the Corporation and the Union of British Columbia Municipalities. Gas Tax funding may be used towards designated public transit, community energy, water, wastewater, solid waste and capacity building projects, as specified in the funding agreements. Included in the amount received during the year was a one-time payment of \$1,327,987.

Federal Gas Tax Agreement Funds

	2019	2018
Opening balance of unspent funds	\$ 104,901	\$ 201,114
Add: Amount received during the year	2,632,266	1,327,987
Add: Return on investment	8,865	3,787
Less: Amount spent	(1,104,279)	(1,427,987)
	\$ 1,641,753	\$ 104,901

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

12. DEBENTURE DEBT

The Corporation issues debt instruments through MFA, pursuant to security issuing bylaws under the authority of the Community Charter, to finance certain capital expenditures. Sinking fund balances, managed by MFA, are used to reduce long-term debt.

	<u>M.F.A. Issue Number</u>	<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Originally Approved</u>	<u>2019 Net Unmatured</u>	<u>2018 Net Unmatured</u>
General Capital Fund						
Maple Bay Fire Hall	95	1.80%	Apr 12, 2025	\$ 1,600,000	\$ 611,818	\$ 702,063
Maple Bay Fire Hall	103	2.65%	Apr 23, 2028	500,000	273,552	298,407
Cowichan Aquatic Ctr	104	2.90%	Nov 20, 2028	15,000,000	8,206,571	8,952,209
Cowichan Aquatic Ctr	106	2.25%	Oct 12, 2029	2,265,500	1,352,082	1,460,367
Duncan Curling Club	N/A	4.00%	Jan 15, 2032	551,500	382,836	406,980
Tier 2 Flood Protection	121	2.90%	Oct 4, 2032	745,475	547,746	579,423
Tier 2 Flood Protection	124	3.15%	Apr 8, 2033	1,000,000	777,253	818,110
Municipal Hall Expansion	126	3.85%	Sep 26, 2033	1,500,000	1,165,880	1,227,166
Stoney Hill Road	131	2.20%	Apr 8, 2040	2,000,000	1,783,571	1,840,501
Tier 4 Flood Protection	137	2.60%	Apr 19, 2036	1,700,000	1,513,273	1,577,668
Tier 4 Flood Protection	141	2.80%	Apr 7, 2037	200,000	184,890	192,557
				<u>27,062,475</u>	<u>16,799,472</u>	<u>18,055,451</u>
Water Capital Fund						
Chemainus	110	4.50%	April 8, 2030	1,750,000	1,128,070	1,208,498
Crofton	106	2.25%	Oct 13, 2029	530,000	316,311	341,644
Chemainus	137	2.60%	Apr 19, 2036	864,000	769,099	801,827
				<u>3,144,000</u>	<u>2,213,480</u>	<u>2,351,969</u>
				<u>\$ 30,206,475</u>	<u>\$ 19,012,952</u>	<u>\$ 20,407,420</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

12. DEBENTURE DEBT CONTINUED

Future payments on net outstanding debt over the next five years and thereafter are as follows:

	General	Water	Total
	<u> </u>	<u> </u>	<u> </u>
Principal repayments:			
2020	\$ 908,437	\$ 107,118	\$ 1,015,555
2021	909,461	107,118	1,016,579
2022	910,526	107,118	1,017,644
2023	911,635	107,118	1,018,753
2024	912,789	107,118	1,019,907
Thereafter	5,363,380	808,224	6,171,604
	<u>9,916,228</u>	<u>1,343,814</u>	<u>11,260,042</u>
Actuarial sinking fund earnings:			
2020	396,666	36,746	433,412
2021	446,691	42,332	489,023
2022	498,676	48,134	546,810
2023	552,699	54,163	606,862
2024	608,839	60,426	669,265
Thereafter	4,379,673	627,865	5,007,538
	<u>6,883,244</u>	<u>869,666</u>	<u>7,752,910</u>
	<u>\$ 16,799,472</u>	<u>\$ 2,213,480</u>	<u>\$ 19,012,952</u>

Interest paid during the year was \$936,729 (2018 - \$1,257,163).

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

13. COMMITMENTS AND CONTINGENT LIABILITIES

- a) The Cowichan Valley Regional District debt is, under the provisions of the Local Government Act, a direct, joint and several liability of the Corporation and other local governments within the Cowichan Valley Regional District.
- b) Loan agreements with the Cowichan Valley Regional District and the Municipal Finance Authority provide that if at any time the scheduled payments provided for in the agreements are not sufficient to meet the Municipal Finance Authority's obligations in respect to such borrowings; the resulting deficiencies become a liability of the Corporation.
- c) The Corporation has guaranteed a commercial loan to a maximum of \$400,000 to the Duncan-Cowichan Chamber of Commerce. The loan matures January 1, 2025 at an annual interest rate of 3.75%.
- d) The Corporation and its employees contribute to the Municipal Pension Plan (a jointly trustee pension plan). The board of trustees, representing plan members and employers, is responsible for administering the plan, including investment of assets and administration of benefits. The Plan is a multi-employer defined benefit pension plan. Basic pension benefits are based on a formula. As at December 31, 2018 the plan has about 205,000 active members and approximately 101,000 retired members. Active members include approximately 40,000 contributors from local governments.

Every three years, an actuarial valuation is performed to assess the financial position of the plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the plan. The actuary's calculated rate is based on an entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the plan. This rate may be adjusted for the amortization of any actuarial funding surplus and will be adjusted for the amortization of any unfunded actuarial liability.

The most recent valuation for the Municipal Pension Plan as at December 31, 2018 indicated a \$2,866 million funding surplus for basic pension benefits on a going concern basis.

The next valuation will be as at December 31, 2021, with results available in 2022.

Employers participating in the plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the plan.

The Corporation paid \$1,253,377 (2018 - \$1,196,010) for employer contributions while employees contributed \$1,115,108 (2018 - \$1,048,365) to the Plan in fiscal 2019.

- e) At the end of the year the Corporation was involved in a number of legal actions the outcomes of which are indeterminate at this time. The Corporation carries liability insurance with a current deductible of \$25,000.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

14. ACCUMULATED SURPLUS

	<u>2019</u>	<u>2018</u>
Operating Funds		
Unappropriated:		
General	\$ 4,071,994	\$ 3,308,704
Water Systems	4,164,137	3,732,812
Sewer Systems	<u>15,064,228</u>	<u>13,978,592</u>
	<u>23,300,359</u>	<u>21,020,108</u>
Appropriated:		
Reserves for property acquired for taxes	2,341,505	2,341,505
Reserves for future expenditures	10,052,275	9,223,372
Reserve for uncollected taxes	1,295,091	1,295,091
Reserve for Joint Utilities Board	<u>953,434</u>	<u>871,614</u>
	<u>14,642,305</u>	<u>13,731,582</u>
	<u>37,942,664</u>	<u>34,751,690</u>
Capital Funds		
General Capital	197,772,583	197,043,591
Water Capital	31,584,622	31,110,455
Sewer Capital	22,116,948	22,578,450
Joint Utilities Board Capital	<u>1,674,020</u>	<u>1,617,996</u>
	<u>253,148,173</u>	<u>252,350,492</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

14. ACCUMULATED SURPLUS CONTINUED

	<u>2019</u>	<u>2018</u>
Reserve Funds		
Land Sales	4,217,773	4,146,465
Machinery and Equipment	3,558,998	3,030,045
Local Area Service	1,019,925	882,701
Forest	2,145,499	2,012,439
Park Development	221,194	216,215
Parkland Purchase	553,755	442,143
Chemainus Parking	167,137	155,419
Agriculture	265,031	226,779
Self-Insurance	123,652	120,868
Climate Action and Energy Plan	494,610	398,762
Maple Bay Sewer	91,820	89,753
Cowichan Aquatic Centre	452,426	328,609
Evans Park	171,339	167,483
Fuller Lake Arena	72,537	70,904
Harbours General	41,659	26,743
Harbours Chemainus	391,378	373,800
Mural Protection	39,797	28,931
Gas Tax	1,641,753	104,901
Quamichan Lake	52,511	-
Infrastructure Replacement	1,028,913	761,380
Gravel Pits	523,702	490,996
Affordable Housing	42,918	39,497
	<u>17,318,327</u>	<u>14,114,833</u>
Accumulated Surplus	<u>\$ 308,409,164</u>	<u>\$ 301,217,015</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

15. BUDGET DATA

The budget data presented in these financial statements is based upon the 2019-2023 Financial Plan Bylaw adopted by council May 1, 2019. The chart below reconciles the approved budget to the budget figures reported in these financial statements.

	2019
Financial Plan Bylaw surplus for the year	\$ -
Add back:	
Principal debt repayment	1,086,673
Capital expenditures	35,285,035
Less:	
Amortization	(9,612,200)
Proceeds from borrowing	(10,000,000)
Budgeted transfers to reserve funds	(1,073,559)
Budgeted transfers from accumulated surplus	(10,545,926)
Adjusted Annual Surplus	<u>\$ 5,140,023</u>

16. JOINT UTILITIES BOARD

Financial results for the Joint Utilities Board are consolidated into the Corporation's financial statements proportionately based on the units owned by each partner. In 2019, the Corporation's proportion for consolidation purposes was 53.69% (2018 – 53.69%). Condensed financial information for the Joint Utilities Boards is as follows:

	2019	2018
Net Financial Assets	<u>\$ 1,776,069</u>	<u>\$ 1,623,485</u>
Non-Financial Assets	<u>3,118,061</u>	<u>3,013,719</u>
Accumulated Surplus	<u>4,894,130</u>	<u>4,637,204</u>
Revenues	<u>\$ 1,494,661</u>	<u>\$ 1,615,680</u>
Expenses	<u>1,237,735</u>	<u>1,562,450</u>
Annual Surplus	<u>256,926</u>	<u>53,230</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

16. JOINT UTILITIES BOARD CONTINUED

	<u>2019</u>	<u>2018</u>
North Cowichan Proportionate Share:		
Net Financial Assets	\$ 953,424	\$ 871,614
Non-Financial Assets	<u>1,674,020</u>	<u>1,618,001</u>
Accumulated Surplus	<u>2,627,444</u>	<u>2,489,615</u>
Revenues	\$ 802,452	\$ 867,424
Expenses	<u>664,513</u>	<u>838,845</u>
Annual Surplus	<u>\$ 137,939</u>	<u>\$ 28,579</u>

The Duncan – North Cowichan Joint Utilities Board is a government partnership that operates and maintains joint sewer lagoons on behalf of the City of Duncan and the District of North Cowichan. The distribution of expenditures related to operations is based on the number of users in each municipality as well as users from surrounding areas in the Cowichan Valley Regional District and the Cowichan Tribes.

The Joint Utilities Board leases the sewage lagoon lands under an operating lease which expires July 31, 2060. The Corporation's proportionate share of the future minimum lease payments is \$212,795 per annum with an estimated annual increase of 2.2%.

Because the percentage of units owned by the partners may change from year-to-year which produces different cost shares for each partner, there may be a write down or write up of asset balances. In 2019 the Corporation recorded a write up of assets in the amount of \$0 (2018 - \$0).

17. SEGMENT REPORTING

The Corporation's operations and activities are organized and reported by fund. Services are provided by departments and their activities are reported in these funds. Certain departments have been separately disclosed in the segmented information, which is outlined in Schedule XI, along with the services they provide as follows:

GENERAL GOVERNMENT SERVICES

This segment includes Administration, Finance, Information Technology and other corporate services.

PROTECTIVE SERVICES

This segment includes police protection, fire protection, building and plumbing inspections, animal control, weed control, and other protective services.

ENGINEERING AND PUBLIC WORKS

This segment is responsible for the construction and maintenance of the Corporation's infrastructure, including drainage and transportation systems.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

17. SEGMENT REPORTING CONTINUED

ENVIRONMENTAL HEALTH SERVICES

This segment is comprised of garbage and recycling collection, energy management and the Mountain View Cemetery.

FORESTRY SERVICES

This segment is responsible for the maintenance and management of the Municipal Forest Reserve.

COMMUNITY DEVELOPMENT

This segment includes planning and development, which includes processing development applications and developing related policies and regulations.

RECREATION AND CULTURE SERVICES

The Parks and Recreation department manages, facilitates, and maintains a system of services, facilities, and parks to enhance the quality of life for the citizens of North Cowichan.

WATER

This segment includes all of the operating activities related to the treatment and distribution of water throughout the Corporation.

SEWER

This segment includes all of the operating activities related to the collection and treatment of wastewater (sewage) throughout the Corporation.

RESERVE FUNDS

These funds have been created to hold assets for specific future requirements pursuant to the Community Charter.

For each reported segment, revenues and expenses represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. Taxes, grants-in-lieu of taxes and any revenues not directly attributable to a segment are apportioned to the General Revenue Fund service based on the net annual budget.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

18. LISTING OF OPERATING EXPENDITURES BY OBJECT TYPE

The following provides a summary of operating expenses by object:

	<u>2019</u>	<u>2018</u>
Salaries, wages and benefits	\$ 19,350,926	\$ 18,535,062
Contract services	14,008,575	13,055,682
Amortization	9,569,240	9,452,760
Materials and supplies	6,122,027	5,489,563
Interest	936,729	1,257,162
Loss on sale, write downs and transfer of TCA	140,780	80,992
Total expense	\$ 50,128,277	\$ 47,871,221

19. SUBSEQUENT EVENT

Since December 31, 2019, the spread of COVID-19 has severely impacted many local economies around the globe. In many countries, including Canada, businesses are being forced to cease or limit operations for long or indefinite periods of time. Measures taken to contain the spread of the virus, include travel bans, quarantines, social distancing, and closures of non-essential services have triggered significant disruptions to businesses worldwide, resulting in an economic slowdown. Global stock markets have also experienced great volatility and a significant weakening. Governments and central banks have responded with monetary and fiscal interventions to stabilize economic conditions.

In March 2020, the District closed all Municipal recreational facilities, closed the Municipal Hall to the public and moved to essential service provision only in response to the COVID-19 pandemic. Management is currently assessing the risk to the organization and developing plans to respond to those risks. This includes revising financial plans to consider the impacts related to COVID-19 on all areas of the District.

The District has determined that these events are non-adjusting subsequent events. Accordingly, the financial position and results of operations as of and for the year ended December 31, 2019 have not been adjusted to reflect their impact. The duration and impact of the COVID-19 pandemic, as well as the effectiveness of government and central bank responses, remains unclear at this time.

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
TAXATION
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE I

	2019 Budget	2019	2018
Municipal Purposes:			
General taxation	\$ 30,020,821	\$ 30,011,990	\$ 28,743,000
Business Improvement Area	104,300	106,940	104,361
Local Area Service	95,348	95,348	95,348
Utilities	1,065,500	1,065,554	985,116
Grants-in-lieu of taxes	250,720	241,416	251,102
Water systems	2,061,757	2,051,052	1,959,150
Sewer systems	2,551,473	2,530,776	2,451,045
Total Municipal Taxes	<u>36,149,919</u>	<u>36,103,076</u>	<u>34,589,122</u>
Collections for Other Governments:			
School	12,241,000	12,286,609	11,892,401
Cowichan Valley Regional Hospital District	3,738,000	3,703,379	3,394,360
Cowichan Valley Regional District	7,792,000	8,750,061	8,120,734
BC Assessment	359,000	345,836	332,048
Municipal Finance Authority	1,100	1,469	1,312
Total Collections for Other Governments	<u>24,131,100</u>	<u>25,087,354</u>	<u>23,740,855</u>
	<u>60,281,019</u>	<u>61,190,430</u>	<u>58,329,977</u>
Deduct: requisitions remitted to other taxing authorities	<u>(24,131,100)</u>	<u>(25,087,354)</u>	<u>(23,740,855)</u>
Total Taxes Levied	<u><u>\$ 36,149,919</u></u>	<u><u>\$ 36,103,076</u></u>	<u><u>\$ 34,589,122</u></u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
SALES OF SERVICES
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE II

	2019 Budget	2019	2018
General government service	\$ 121,500	\$ 125,935	\$ 178,688
Protective services	247,336	248,164	253,012
Fire protection	199,338	219,387	203,413
Engineering and public works	275,941	343,629	334,745
Residential garbage - municipal	1,263,840	1,304,755	1,225,360
Forestry	1,382,660	1,609,091	1,463,809
Cowichan Aquatic Centre	2,020,895	2,054,025	1,993,623
Fuller Lake Arena	300,520	268,877	284,575
Other recreation	57,300	62,172	75,809
Wharves	232,020	219,880	220,445
Miscellaneous	115,461	103,802	115,851
Cemetery	124,740	139,804	113,700
Water	2,528,965	2,892,951	2,811,020
Sewer	1,695,505	1,933,159	1,762,830
	<u>\$ 10,566,021</u>	<u>\$ 11,525,631</u>	<u>\$ 11,036,880</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
OTHER REVENUE FROM OWN SOURCES
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE III

	2019 Budget	2019	2018
Licences and permits	\$ 943,709	\$ 1,278,595	\$ 1,149,627
Tax penalties and interest	330,000	370,615	338,034
Fines	4,500	8,320	4,202
Rentals	285,304	295,395	299,141
Water	10,059	11,167	11,373
	<u>\$ 1,573,572</u>	<u>\$ 1,964,092</u>	<u>\$ 1,802,377</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
GRANTS AND GOVERNMENT TRANSFERS
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE IV

	2019 Budget	2019	2018
Operating Grants			
Traffic fines revenue	\$ 270,000	\$ 254,242	\$ 271,673
Other grants	312,070	237,770	83,331
	<u>582,070</u>	<u>492,012</u>	<u>355,004</u>
Capital Grants			
Fuel tax	3,705,000	2,632,266	1,327,987
<i>Infrastructure Grants (Prov/Fed)</i>			
Water	287,430	120,039	1,077,668
Sewer	667,000	-	-
Other	1,067,200	-	-
	<u>2,021,630</u>	<u>120,039</u>	<u>1,077,668</u>
<i>Provincial and Other Grants</i>			
ICBC grants	20,000	42,600	14,300
	<u>20,000</u>	<u>42,600</u>	<u>14,300</u>
	<u>\$ 6,328,700</u>	<u>\$ 3,286,917</u>	<u>\$ 2,774,959</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
GENERAL GOVERNMENT SERVICES
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE V

	2019 Budget	2019	2018
Legislative	\$ 322,068	\$ 350,358	\$ 255,952
Administrative	2,473,006	2,341,553	1,905,534
Financial services	2,735,462	2,711,414	2,399,104
Common services	999,958	1,044,939	814,284
Miscellaneous	158,290	124,858	282,370
Administration recoveries	(794,920)	(794,940)	(760,304)
Interest	57,750	57,750	57,750
Amortization	219,540	207,744	221,991
	<u>\$ 6,171,154</u>	<u>\$ 6,043,676</u>	<u>\$ 5,176,681</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
PROTECTIVE SERVICES
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE VI

	2019 Budget	2019	2018
Police protection:			
R.C.M.P. contract	\$ 5,417,129	\$ 4,993,901	\$ 4,617,418
Municipal employees	1,489,395	1,459,929	1,461,757
Crime prevention	7,450	7,100	7,100
Building maintenance	241,090	300,581	310,324
Bylaw enforcement	331,636	405,195	218,469
	<u>7,486,700</u>	<u>7,166,706</u>	<u>6,615,068</u>
Fire protection:			
General fire protection	238,198	200,490	108,006
Chemainus fire hall	333,576	335,557	375,915
Crofton fire hall	296,370	346,917	315,438
Maple Bay fire hall	302,815	365,115	303,662
South End fire hall	435,780	433,023	416,715
	<u>1,606,739</u>	<u>1,681,102</u>	<u>1,519,736</u>
Other protection:			
Building and plumbing inspections	492,576	462,317	588,413
Animal control	173,550	154,171	150,992
Weed control	3,240	2,973	7,357
Mosquito control	20,000	17,404	18,547
	<u>689,366</u>	<u>636,865</u>	<u>765,309</u>
Interest	136,050	42,050	45,160
Amortization	498,690	488,289	504,251
	<u>634,740</u>	<u>530,339</u>	<u>549,411</u>
	<u>\$ 10,417,545</u>	<u>\$ 10,015,012</u>	<u>\$ 9,449,524</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
ENGINEERING AND PUBLIC WORKS
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE VII

	2019 Budget	2019	2018
Administration	\$ 1,673,582	\$ 1,464,507	\$ 1,099,249
Small tools and equipment	55,810	56,330	55,958
Workshop and yard maintenance	185,104	207,342	200,658
Roads - construction	226,595	67,863	437,683
Roadway and surfaces maintenance	1,527,767	1,224,265	1,206,828
Snow and ice removal	376,115	606,540	288,736
Bridge - maintenance	5,800	11,085	2,267
Street lighting	461,090	479,307	486,945
Signs and line painting	326,380	332,055	334,078
Drainage	716,082	577,846	658,890
Sidewalk maintenance	20,390	4,088	8,472
Other transportation	279,020	341,986	177,498
Administration recoveries	(611,680)	(578,044)	(367,048)
Interest	146,920	146,919	146,919
Amortization	5,292,690	5,398,045	5,351,727
	<u>\$ 10,681,665</u>	<u>\$ 10,340,134</u>	<u>\$ 10,088,860</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
ENVIRONMENTAL HEALTH SERVICES
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE VIII

	2019 Budget	2019	2018
Garbage collection and recycling	\$ 1,117,486	\$ 1,316,239	\$ 1,102,804
Cemetery	149,420	173,935	172,982
Energy Manager	159,762	134,211	94,832
Energy Upgrades Buildings	132,000	45,762	52,479
Amortization	88,840	75,921	89,831
	<u>\$ 1,647,508</u>	<u>\$ 1,746,068</u>	<u>\$ 1,512,928</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
RECREATION AND CULTURAL SERVICES
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE IX

	2019 Budget	2019	2018
Administration	\$ 193,329	\$ 142,307	\$ 126,643
Crofton swimming pool	73,773	71,667	81,440
Cowichan Aquatic Centre	3,793,240	3,897,481	3,635,336
Fuller Lake Arena	977,410	962,470	1,040,223
Parks common services	59,840	69,119	66,482
Community recreation program	119,210	136,013	105,044
Chemainus parks and playgrounds	461,198	408,623	421,194
Crofton parks and playgrounds	207,287	198,253	193,086
South End parks and playgrounds	1,275,545	1,303,538	1,313,422
Wharves	165,210	163,995	157,358
Library	1,485,123	1,485,124	1,425,076
Grants-in-aid	220,630	218,099	254,026
Interest	544,405	535,144	844,900
Amortization	1,149,930	1,208,922	1,162,760
	<u>\$ 10,726,130</u>	<u>\$ 10,800,755</u>	<u>\$ 10,826,990</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
TANGIBLE CAPITAL ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE X

	COST				ACCUMULATED AMORTIZATION				NET BOOK VALUE		
	Balance December 31, 2018	2019 Additions	2019 Disposals	2019 Write-downs	Balance December 31, 2019	Balance December 31, 2018	2019 Additions	2019 Disposals	Balance December 31, 2019	2018	2019
Land	\$ 43,876,297	\$ 2,041,521	\$ -	\$ -	\$ 45,917,818	\$ -	\$ -	\$ -	\$ -	\$ 43,876,297	\$ 45,917,818
Land Improvements	13,466,271	590,632	19,500	-	14,037,403	5,758,638	619,732	19,500	6,358,870	7,707,633	7,678,533
Buildings	47,523,531	664,548	8,030	-	48,180,049	19,066,091	1,205,013	8,030	20,263,074	28,457,440	27,916,975
Engineering Structures	290,693,749	5,235,417	54,884	-	295,874,282	123,749,894	5,902,716	47,059	129,605,551	166,943,855	166,268,731
Machinery & Equipment	41,430,771	4,224,555	481,208	-	45,174,118	22,374,523	1,841,780	466,754	23,749,549	19,056,248	21,424,569
Work In Progress	6,121,304	1,479,490	5,116,617	124,817	2,359,360	-	-	-	-	6,121,304	2,359,360
	<u>\$ 443,111,923</u>	<u>\$ 14,236,163</u>	<u>\$ 5,680,239</u>	<u>\$ 124,817</u>	<u>\$ 451,543,030</u>	<u>\$ 170,949,146</u>	<u>\$ 9,569,240</u>	<u>\$ 541,343</u>	<u>\$ 179,977,044</u>	<u>\$ 272,162,777</u>	<u>\$ 271,565,986</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
OPERATIONS BY SEGMENT
FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE XI

For the Year Ended December 31, 2019	General government services	Protective services	Engineering and public works	Environmental health services	Forestry services	Community development	Recreation and cultural services	Water	Sewer	Reserve Funds	Capital	Consolidated
Revenues												
Taxation	\$ 5,114,966	\$ 8,827,164	\$ 5,251,432	\$ 181,489	\$ -	\$ 1,005,683	\$ 8,066,153	\$ 2,051,052	\$ 2,530,776	\$ 1,815,696	\$ 1,258,665	\$ 36,103,076
Sales of services	229,737	467,551	343,629	1,444,559	1,609,091	-	2,604,954	2,892,951	1,933,159	-	-	11,525,631
Other revenue from own sources	396,895	1,183,727	246,224	-	-	112,762	13,317	11,167	-	-	-	1,964,092
Return on investments	116,927	201,785	120,045	4,149	-	22,989	184,389	85,831	322,540	343,235	-	1,401,890
Grants and government transfers	-	269,291	2,713,817	-	-	155,700	28,070	120,039	-	-	-	3,286,917
Collections from developers and others	-	-	-	-	-	-	-	-	-	-	2,595,164	2,595,164
Actuarial adjustments to debt	10,913	39,492	24,005	-	-	-	274,117	31,370	-	-	-	379,897
Net gain on sale of tangible capital assets	-	-	63,759	-	-	-	-	-	-	-	-	63,759
	<u>5,869,438</u>	<u>10,989,010</u>	<u>8,762,911</u>	<u>1,630,197</u>	<u>1,609,091</u>	<u>1,297,134</u>	<u>11,171,000</u>	<u>5,192,410</u>	<u>4,786,475</u>	<u>2,158,931</u>	<u>3,853,829</u>	<u>57,320,426</u>
Expenses												
Salaries, wages and benefits	4,547,593	3,251,099	2,831,887	570,762	332,630	908,098	4,787,989	1,285,213	835,654	-	-	19,350,926
Contract services	1,264,504	5,544,032	1,176,455	747,389	900,958	186,414	2,428,118	631,014	1,129,691	-	-	14,008,575
Materials and supplies	(33,915)	689,542	786,828	351,996	83,747	74,285	1,840,582	1,485,291	843,671	-	-	6,122,027
Amortization	207,744	488,289	5,398,045	75,921	11,214	-	1,208,922	1,080,192	1,098,914	-	-	9,569,240
Interest	57,750	42,050	146,919	-	-	-	535,144	131,199	23,667	-	-	936,729
Expenditures before losses, write downs and transfers	<u>6,043,676</u>	<u>10,015,012</u>	<u>10,340,134</u>	<u>1,746,068</u>	<u>1,328,549</u>	<u>1,168,797</u>	<u>10,800,755</u>	<u>4,612,909</u>	<u>3,931,597</u>	<u>-</u>	<u>-</u>	<u>49,987,497</u>
Loss on sale, write downs and transfer of TCA	<u>-</u>	<u>-</u>	<u>60,380</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>31,490</u>	<u>1,919</u>	<u>46,991</u>	<u>-</u>	<u>-</u>	<u>140,780</u>
	<u>6,043,676</u>	<u>10,015,012</u>	<u>10,400,514</u>	<u>1,746,068</u>	<u>1,328,549</u>	<u>1,168,797</u>	<u>10,832,245</u>	<u>4,614,828</u>	<u>3,978,588</u>	<u>-</u>	<u>-</u>	<u>50,128,277</u>
	<u>(174,238)</u>	<u>973,998</u>	<u>(1,637,603)</u>	<u>(115,871)</u>	<u>280,542</u>	<u>128,337</u>	<u>338,755</u>	<u>577,582</u>	<u>807,887</u>	<u>2,158,931</u>	<u>3,853,829</u>	<u>7,192,149</u>
Excess of revenues over expenses	<u>\$ (174,238)</u>	<u>\$ 973,998</u>	<u>\$ (1,637,603)</u>	<u>\$ (115,871)</u>	<u>\$ 280,542</u>	<u>\$ 128,337</u>	<u>\$ 338,755</u>	<u>\$ 577,582</u>	<u>\$ 807,887</u>	<u>\$ 2,158,931</u>	<u>\$ 3,853,829</u>	<u>\$ 7,192,149</u>

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
OPERATIONS BY SEGMENT
FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE XI

For the Year Ended December 31, 2018	General government services	Protective services	Engineering and public works	Environmental health services	Forestry services	Community development	Recreation and cultural services	Water	Sewer	Reserve Funds	Capital	Consolidated
Revenues												
Taxation	\$ 3,875,561	\$ 7,577,920	\$ 5,314,970	\$ 131,220	\$ -	\$ 893,833	\$ 7,494,928	\$ 1,959,150	\$ 2,451,045	\$ 1,479,299	\$ 3,411,196	\$ 34,589,122
Sales of services	294,539	456,425	334,745	1,339,060	1,463,809	-	2,574,452	2,811,020	1,762,830	-	-	11,036,880
Other revenue from own sources	377,105	1,067,825	189,702	-	-	152,232	4,140	11,373	-	-	-	1,802,377
Return on investments	76,896	150,355	105,455	2,604	-	17,735	148,708	73,858	263,876	231,373	-	1,070,860
Grants and government transfers	-	294,173	1,175,025	-	-	-	28,093	1,277,668	-	-	-	2,774,959
Collections from developers and others	-	-	-	-	-	-	-	-	-	-	4,230,918	4,230,918
Actuarial adjustments to debt	8,556	35,484	16,889	-	-	-	241,274	26,196	-	-	-	328,399
Net gain on sale of tangible capital assets	-	-	2,561,425	-	-	-	-	-	-	-	-	2,561,425
	<u>4,632,657</u>	<u>9,582,182</u>	<u>9,698,211</u>	<u>1,472,884</u>	<u>1,463,809</u>	<u>1,063,800</u>	<u>10,491,595</u>	<u>6,159,265</u>	<u>4,477,751</u>	<u>1,710,672</u>	<u>7,642,114</u>	<u>58,394,940</u>
Expenses												
Salaries, wages and benefits	4,235,876	3,033,513	2,804,261	500,421	408,285	843,129	4,696,068	1,280,647	732,861	-	-	18,535,061
Contract services	851,776	5,139,116	1,171,931	579,216	674,540	382,913	2,419,627	676,585	1,159,978	-	-	13,055,682
Materials and supplies	(190,712)	727,484	614,022	343,460	91,907	69,549	1,703,635	1,380,061	750,158	-	-	5,489,564
Amortization	221,991	504,251	5,351,727	89,831	10,424	-	1,162,760	1,041,085	1,070,690	-	-	9,452,759
Interest	57,750	45,160	146,919	-	-	-	844,900	136,142	26,292	-	-	1,257,163
Expenditures before losses, write downs and transfers	<u>5,176,681</u>	<u>9,449,524</u>	<u>10,088,860</u>	<u>1,512,928</u>	<u>1,185,156</u>	<u>1,295,591</u>	<u>10,826,990</u>	<u>4,514,520</u>	<u>3,739,979</u>	<u>-</u>	<u>-</u>	<u>47,790,229</u>
Loss on sale, write downs and transfer of TCA	-	-	65,262	-	-	-	-	4,232	11,498	-	-	80,992
	<u>5,176,681</u>	<u>9,449,524</u>	<u>10,154,122</u>	<u>1,512,928</u>	<u>1,185,156</u>	<u>1,295,591</u>	<u>10,826,990</u>	<u>4,518,752</u>	<u>3,751,477</u>	<u>-</u>	<u>-</u>	<u>47,871,221</u>
Excess of revenues over expenses	<u>\$ (544,024)</u>	<u>\$ 132,658</u>	<u>\$ (455,911)</u>	<u>\$ (40,044)</u>	<u>\$ 278,653</u>	<u>\$ (231,791)</u>	<u>\$ (335,395)</u>	<u>\$ 1,640,513</u>	<u>\$ 726,274</u>	<u>\$ 1,710,672</u>	<u>\$ 7,642,114</u>	<u>\$ 10,523,719</u>

DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
Financial Statements

(Audited)

DECEMBER 31, 2019

DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
FOR THE YEAR ENDED DECEMBER 31, 2019

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DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
STATEMENT OF FINANCIAL POSITION
AS AT DECEMBER 31, 2019 , WITH COMPARATIVE FIGURES FOR 2018

	<u>2019 Actual</u>	<u>2018 Actual</u>
Financial Assets		
Investments (Notes 3 and 5)	<u>\$ 4,343,491</u>	<u>\$ 4,145,875</u>
Financial Liabilities		
Unearned revenue	<u>2,567,422</u>	<u>2,522,390</u>
Net Financial Assets	<u>1,776,069</u>	<u>1,623,485</u>
Non-Financial Assets		
Tangible capital assets (Schedule I)	<u>3,118,061</u>	<u>3,013,719</u>
Accumulated Surplus	<u><u>\$ 4,894,130</u></u>	<u><u>\$ 4,637,204</u></u>

Approved by:

M. Frame
General Manager, Financial and Protective Services

See accompanying notes to the financial statements.

DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
STATEMENT OF OPERATIONS
 FOR THE YEAR ENDED DECEMBER 31, 2019, WITH COMPARATIVE FIGURES FOR 2018

	2019 Budget	2019 Actual	2018 Actual
Revenues			
Contributions from:			
The Corporation of the District of North Cowichan	\$ 839,971	\$ 757,977	\$ 733,815
The Corporation of the City of Duncan	501,752	447,810	434,964
Cowichan Valley Regional District	210,237	221,087	213,606
Cowichan Tribes	30,394	30,402	29,791
Return on investments	-	37,385	27,880
Grants and government transfers	667,000	-	175,624
	<u>2,249,354</u>	<u>1,494,661</u>	<u>1,615,680</u>
Expenses			
Administration	42,950	59,765	57,670
Amortization	-	89,849	89,849
Sewer lagoon operations and maintenance	1,091,204	1,088,121	1,414,928
	<u>1,134,154</u>	<u>1,237,735</u>	<u>1,562,447</u>
Annual Surplus	\$ 1,115,200	256,926	53,233
Accumulated surplus, beginning of year	<u>4,637,204</u>	<u>4,637,204</u>	<u>4,583,971</u>
Accumulated surplus, end of year	<u>\$ 5,752,404</u>	<u>\$ 4,894,130</u>	<u>\$ 4,637,204</u>

See accompanying notes to the financial statements

DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

1. SUMMARY OF OPERATIONS

The Duncan – North Cowichan Joint Utilities Board is a government partnership that operates and maintains joint sewer lagoons on behalf of the City of Duncan and the District of North Cowichan. The distribution of expenditures related to operations is based on the number of users in each municipality.

2. SIGNIFICANT ACCOUNTING POLICIES

It is the Board's policy to follow Canadian public sector accounting standards and to apply such principles consistently. The following is a summary of the Board's significant policies:

a) Basis of Accounting

The Board follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of the delivery of goods or services and/or upon the creation of a legal obligation to pay. Expenses paid in the current period and attributable to a future period are recorded as prepaid.

b) Revenue recognition

- i) Contributions from partners are recognized when invoiced.
- ii) Government transfers are recognized in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met and reasonable estimates of the amounts can be made.

c) Cash and cash equivalents

Cash and cash equivalents consist of cash on deposit in qualifying institutions as defined in the community charter.

d) Use of Estimates

The preparation of financial statements in accordance with Canadian generally accepted accounting principles as recommended by PSAB requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenditure during the reporting period. A significant area requiring the use of management estimates relate to the determination of amortization of capital assets. Actual results could differ from those estimates. Adjustments, if any, will be reflected in operations in the period of settlement.

e) Non-Financial Assets

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the change in net financial assets for the year.

DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

2. SIGNIFICANT ACCOUNTING POLICIES CONTINUED

f) Tangible Capital Assets

Tangible capital assets are recorded at cost less accumulated amortization and are classified according to their functional use. Cost includes all amounts that are directly attributable to the acquisition, construction, development or betterment of the asset. Donated assets are recorded at their estimated fair value upon acquisition. The cost, less residual value, of the tangible capital assets is amortized on a straight-line basis over their estimated useful lives as follows:

Buildings	15 to 50 years
Engineering Structures	10 to 60 years
Machinery & Equipment	5 to 40 years

Amortization is charged on a monthly basis, starting the month following the date of acquisition and ending in the month of disposition. Capital works in progress are not amortized until the asset is available for productive use.

3. INVESTMENTS

Investments are carried at cost, which at December 31, 2019, would approximate market value. The balance of investments has been internally restricted by the Board and is to be expended in accordance with the terms of the reserve for capital expenditure.

4. OPERATING LEASE

The Board leased the sewage lagoon lands under an operating lease which expires July 31, 2060. Future minimum lease payments are \$396,340 per annum with an estimated annual increase of 2.2%.

5. FINANCIAL INSTRUMENTS

The Board's financial instruments consist of investments. The carrying amount of these financial instruments approximates their fair value because they are short-term in nature or because they bear interest at market rates.

Unless otherwise noted, it is management's opinion that the Board is not exposed to significant interest or credit risks arising from these financial instruments.

DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
NOTES TO THE FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

6. CAPITAL RESERVE FUNDS

The Capital reserve funds are non-statutory reserves, for the purpose of future capital expenditures, established at the discretion of the Board. Balances and changes are outlined as follows:

	<u>2019</u>	<u>2018</u>
Balances, beginning of year	\$ 1,623,485	\$ 1,480,404
Add: transfers from current operations	<u>152,584</u>	<u>143,081</u>
Balance, end of year	<u>\$ 1,776,069</u>	<u>\$ 1,623,485</u>

7. LISTING OF OPERATING EXPENDITURES BY OBJECT TYPE

The following provides a summary of operating expenses by object:

	<u>2019</u>	<u>2018</u>
Salaries, wages and benefits	\$ 210,872	\$ 171,670
Contract services	37,420	350,452
Amortization	89,849	89,849
Materials and supplies	520,133	524,679
Land rent	<u>379,461</u>	<u>425,797</u>
Total expense	<u>\$ 1,237,735</u>	<u>\$ 1,562,447</u>

8. STATEMENT OF CASH FLOWS

A statement of cash flows has not been prepared as it is not considered to provide any additional information.

DUNCAN - NORTH COWICHAN JOINT UTILITIES BOARD
TANGIBLE CAPITAL ASSETS
 FOR THE YEAR ENDED DECEMBER 31, 2019

SCHEDULE I

	COST				ACCUMULATED AMORTIZATION				NET BOOK VALUE		
	Balance December 31, 2018	2019 Additions	2019 Disposals	2019 Write-downs	Balance December 31, 2019	Balance December 31, 2018	2019 Additions	2019 Disposals	Balance December 31, 2019	2018	2019
Buildings	\$ 192,388	\$ -	\$ -	\$ -	\$ 192,388	\$ 5,211	\$ 4,810	\$ -	\$ 10,021	\$ 187,177	\$ 182,367
Engineering Structures	2,485,490	-	-	-	2,485,490	327,256	49,710	-	376,966	2,158,234	2,108,524
Machinery & Equipment	706,581	-	-	-	706,581	38,273	35,329	-	73,602	668,308	632,979
Work In Progress	-	194,191	-	-	194,191	-	-	-	-	-	194,191
	<u>\$ 3,384,459</u>	<u>\$ 194,191</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,578,650</u>	<u>\$ 370,740</u>	<u>\$ 89,849</u>	<u>\$ -</u>	<u>\$ 460,589</u>	<u>\$ 3,013,719</u>	<u>\$ 3,118,061</u>



NORTH COWICHAN/DUNCAN DETACHMENT

QUARTERLY REPORT

October – December 2019

Open Report

NCD QUARTERLY REPORT



October to December 2019 Open Report

Message from the Officer in Charge

During the Quarter, several Crime Statistics are up for both North Cowichan and the entire Policing jurisdiction; this could be attributed to the statistical record keeping change.

For 2019, scoring for the RCMP Records has changed where statistical data is no longer being recorded as “ZZZ” Codes (unsubstantiated). As a result, many of the occurrences that were not previously reported on the following pages are now being collected and are going to appear that there is a higher change in past Quarters. We will have to wait for future reports to see if there is any change to previous quarters. Please note that this change was made to all RCMP Detachments in British Columbia.

Assaults, Robberies, Sex Offences, Thefts, Property Crimes, Drugs and Impaired Operation were notably high for the period. We have seen violent crimes rising, specifically in that there was a double homicide over Christmas and then another stabbing on December 30th. The Detachment has been working closely with the Corridor Safety Initiative in helping the area. Over the period, the Detachment assigned a number of dedicated patrols to the York Road area/Warmland House. While initially, results were extremely positive in cleaning up the area, over time it reverted back and a number of issues remain. Meetings took place with the involved groups and recommendations/changes are being considered/implemented. The Detachment is very appreciative of the efforts of both the Municipality of North Cowichan and City of Duncan.

North Cowichan/Duncan Detachment remains an extremely busy detachment with significantly high case load and calls for service. Recently, the Province of BC released the “Police Resources in British Columbia, 2018” report. See <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/statistics/police-resources.pdf> It outlines how much each community pays for policing, resourcing levels, crime statistics and work load by police officer. Please keep in mind while North Cowichan/Duncan detachment is a blended municipal/provincial detachment, we have a high case load at 77 and 109 respectively (average 59 and 53). Our members at this detachment are busy. In looking at comparable municipal detachments, North Cowichan’s cost per capita for policing (\$195) is substantially lower than the average (\$260).

This reporting period encompasses the fourth 3 month period of the calendar year 2019; October, November and December. The intent of this report is to provide the Mayor and Council with a brief overview of policing operations as they pertain to the Municipality of North Cowichan in particular, and the Cowichan Valley in general.

Annual Performance Plan:

The North Cowichan/Duncan R.C.M.P. Detachment is guided by an Annual Performance Plan that addresses identified local policing priorities. These priorities are identified through consultation with elected officials, senior staff officers, the Community Policing Advisory Committee, Town Hall meetings and other groups. As such, our 2019/20 plan is focused on the following local issues that were consistently identified as priorities throughout the valley:



1) Build and Maintain Positive Relations Within the RCMP and With Our Partners;
Police/Community Relations – Visibility of Police

2) Reduce Crimes Against Persons – Violence/Domestic Violence/Vulnerable Persons/Mental Health Act

3) Reduce Substance Abuse

4) Enhance Road Safety

5) Indigenous Policing – Build and Maintain Positive Relations with Aboriginal communities

6) Reduce Property Crimes

7) Contribute to Employee Wellness

Crime Statistics:

During the quarter, **5,181** calls for service were received, compared to **5,292** calls in the same quarter in 2018.

2019 Year total calls for service – **22,702** 2018 Year total calls for service – **22,424**

This equates to a **1%** increase.



North Cowichan / Duncan RCMP-GRC

Quarterly Report: North Cowichan

Compiled: 2020-01-21 by L. Paras, North Cowichan/Duncan Detachment

Crime Statistics for 2019.10.01 to 2019.12.31 - 2019 Quarter # 4											
	Jan to Mar 2019	Apr to Jun 2019	Jul to Sep 2019	Oct to Dec 2019	Range - Low	Range - High	YTD (Cal) Previous	YTD (Cal) Current	% Change	Clr. Rate Prev Qrt	Clr. Rate Curr Qrt
Crimes Against the Person											
Arson (1629,2110)	3	0	2	3	0	3	8	8	0%	0%	0%
Assaults (1410,1430,1440,1460,1470,1480)	63	63	89	81	41	66	207	296	43%	79%	69%
Robbery (1610)	0	2	1	4	0	4	6	7	17%	100%	50%
Sex Offences (1310 to 1385)	13	8	8	14	4	11	38	43	13%	88%	43%
Weapons Offences (1420,1450,1455,1457,3375,3310,3320,3330,3380)	11	21	29	21	11	22	67	82	22%	69%	67%
Crimes Against Property											
B&E - Bus. (2120 - 1)	27	25	12	22	11	21	63	86	37%	17%	14%
B&E - Res. (2120 - 2)	12	19	20	12	13	30	62	63	2%	10%	17%
B&E - Oth. (2120 - 3)	20	12	11	15	10	21	56	58	4%	18%	0%
Theft of Motor Vehicle (2135)	14	18	23	5	9	18	58	60	3%	9%	0%
Theft from Vehicle (2132,2142)	54	81	88	61	39	93	334	284	-15%	2%	3%
Other Theft O/5000 (2130)	5	4	19	11	0	10	20	39	95%	0%	0%
Other Theft U/5000 (2140)	75	99	99	91	59	89	259	364	41%	7%	14%
Shoplifting (2133,2143)	30	36	23	36	24	43	126	125	-1%	30%	47%
Mischief to Property (2170)	130	162	194	178	80	146	380	664	75%	26%	27%
Traffic Offences											
Non-Fatal Crashes Resulting in Injury (8130-2)	21	22	25	23	16	28	78	91	17%	N/A	N/A
Crashes Resulting in Fatality (8130-1)	0	0	0	0	0	1	0	0	0%	N/A	N/A
24 hr. Susp. (8120-40, 50) * 24 Hr Susp also present on Impaired Op MV files.	1	5	2	5	1	5	15	13	-13%	N/A	N/A
Impaired Op MV / IRP (9230-2,3,30,9240-1,2, 9250-1, 8120-41-45)	26	43	51	62	6	34	67	182	172%	N/A	N/A
Other Offences & Occurrences											
Cause Disturbance (3430)	78	116	132	108	43	97	145	434	199%	39%	29%
Drug Possession (4110,4120,4130,4911,4912,4913,4914,4150,4160)	46	56	74	55	25	50	124	231	86%	43%	33%
Drug Trafficking (4210,4220,4230,4921,4922,4923,4924,4925,4926,4250,4260)	25	26	34	16	0	16	13	101	677%	18%	25%
Drug Production (4410,4420,4430,4952,4953,4961,4450,4460)	0	1	0	0	0	4	4	1	-75%	N/A	N/A
Breach of Peace (8350)	56	56	60	45	33	66	164	217	32%	N/A	N/A

If there is any discrepancy between the data shown within this report and the data released by E Division Headquarters, the latter shall prevail

Open Report 7/8/2019



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada



North Cowichan / Duncan RCMP-GRC

Quarterly Report: North Cowichan / Duncan Detachment Area

Compiled: 2020-01-21 by L. Paras, North Cowichan/Duncan Detachment

Crime Statistics for 2019.10.01 to 2019.12.31- 2019 Quarter # 4											
	Jan to Mar 2019	Apr to Jun 2019	Jul to Sep 2019	Oct to Dec 2019	Range - Low	Range - High	YTD (Cal) Previous	YTD (Cal) Current	% Change	Clr. Rate Prev Qrt	Clr. Rate Curr Qrt
Crimes Against the Person											
Arson (1629,2110)	4	3	5	3	2	5	9	15	67%	20%	0%
Assaults (1410, 1430, 1440, 1460, 1470, 1480)	132	174	173	177	80	139	421	657	56%	77%	67%
Robbery (1610)	2	4	4	6	2	6	15	16	7%	100%	67%
Sex Offences (1310 to 1385)	30	22	22	26	10	21	81	94	16%	59%	35%
Weapons Offences (1420, 1450, 1455, 1457, 3375, 3310, 3320, 3330, 3380)	35	47	55	49	21	40	124	184	48%	69%	69%
Crimes Against Property											
B&E - Bus. (2120 - 1)	55	56	37	55	26	51	164	203	24%	14%	13%
B&E - Res. (2120 - 2)	31	40	33	22	25	47	120	126	5%	18%	14%
B&E - Oth. (2120 - 3)	37	19	19	24	16	32	74	99	34%	11%	4%
Theft of Motor Vehicle (2135)	22	25	39	21	17	29	90	107	19%	18%	19%
Theft from Vehicle (2132,2142)	113	146	139	105	70	152	546	503	-8%	3%	5%
Other Theft O/5000 (2130)	6	5	26	13	0	15	41	50	22%	4%	0%
Other Theft U/5000 (2140)	127	177	177	153	108	160	525	634	21%	7%	13%
Shoplifting (2133,2143)	131	153	117	124	101	136	553	525	-5%	44%	47%
Mischief to Property (2170)	308	321	392	389	141	293	717	1410	97%	28%	32%
Traffic Offences											
Non-Fatal Crashes Resulting in Injury (8130-2)	31	45	38	42	34	48	147	156	6%	N/A	N/A
Crashes Resulting in Fatality (8130-1)	0	0	0	3	0	1	3	3	0%	N/A	N/A
24 hr. Susp. (8120-40, 50) * 24 Hr Susp also present on Impaired Op MV files.	6	8	3	10	2	8	21	27	29%	N/A	N/A
Impaired Op MV / IRP (8230-2, 3, 30, 9240-1, 2, 9250-1, 8120-41:45)	64	103	103	124	11	69	127	394	210%	N/A	N/A
Other Offences & Occurrences											
Cause Disturbance (3430)	162	244	251	209	90	193	301	866	188%	41%	24%
Drug Possession (4110, 4120, 4130, 4911, 4912, 4913, 4914, 4150, 4160)	96	145	166	133	43	107	243	540	122%	27%	27%
Drug Trafficking (4210, 4220, 4230, 4921, 4922, 4923, 4924, 4925, 4926, 4250, 4260)	43	56	53	32	0	28	22	184	736%	11%	13%
Drug Production (4410, 4420, 4430, 4952, 4953, 4961, 4450, 4460)	0	1	0	0	0	5	7	1	-86%	N/A	N/A
Breach of Peace (8350)	102	96	114	85	63	114	283	397	40%	N/A	N/A

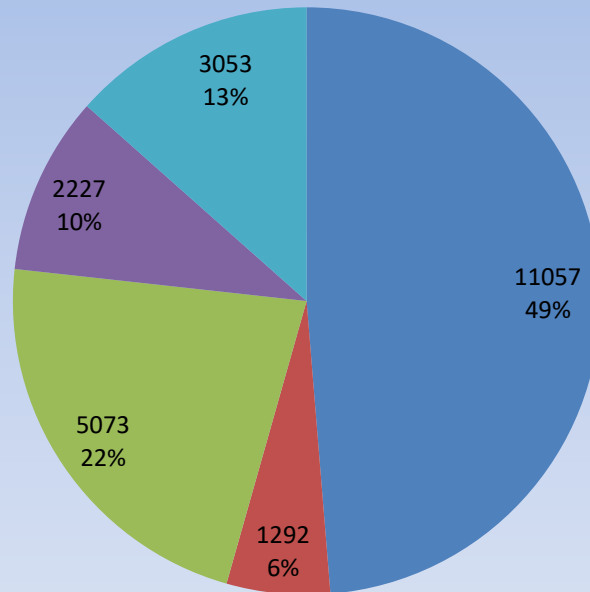
If there is any discrepancy between the data shown within this report and the data released by E Division Headquarters, the latter shall prevail.

Distribution of calls for service

The chart below illustrates where our calls for service have come from within our Detachment area. We have a total of 60 RCMP Officers working when we are at full strength. You can see below that from January 1st to December 31st, 2019, approximately **49%** of the calls we responded to were in the Municipality of North Cowichan. That **22%** came from within the City of Duncan, **10%** came from the Provincial (CVRD) area and **13%** came from First Nations Lands. A small number, **6%** originated from people coming to the office directly.



North Cowichan/Duncan Detachment January 1, 2019 to December 31, 2019 22,702 Files



■ North Cowichan 32 Officers funded**
■ City of Duncan ***
■ First Nations Reserves ***
■ Detachment
■ CVRD ***

Footnotes:

** 3 Municipally funded officers are dedicated to traffic enforcement.

*** These areas are policed collectively by 24 Provincially funded Officers



October to December	4th Quarter File Count	% of North Cowichan's Total Files	% of Detachment's Total Files
Chemainus	326	12%	6%
Crofton	178	6%	3%
Maple Bay	241	9%	5%
Other North Cowichan	1,726	62%	33%
Detachment - files not specific to an area	318	11%	6%
Total North Cowichan*	2,789	100%	54%
(*including Detachment files and files not specific to an area)			

Quarter Top Files for North Cowichan

Chemainus:

	Number of Files
1 TRF-OTH MOVE	35
2 FALSE ALARMS	21
3 THFT FR MV U/	17
4 SUSP PER/VEH/OCC	15
5 UNSPEC ASSIST	13

Crofton

1 SUSP PER/VEH/OCC	10
2 TRF-OTH MOVE	8
3 IMPOP MV (A)	8
4 ASSLT-COMMON	8
5 BRCH/BAIL VIOL	8

Maple Bay

1 FALSE ALARMS	15
2 THFT-OTH U/5000	14
3 SUSP PER/VEH/OCC	13
4 THFT FR MV U/	12
5 UNSPEC ASSIST	11

Other North Cowichan

1 ZMENTAL HLTH ACT	108
2 CAUSE DISTURB	101
3 SUSP PER/VEH/OCC	83
4 MSCHF-ENJOY PROP	83
5 UNSPEC ASSIST	80



General Duty Staffing Analysis (GDSA)

A General Duty Staffing Analysis is continuing at North Cowichan/Duncan Detachment and remains on-going.

The graph below illustrates how the 12 hour shift of a uniformed patrol constable is broken down into different activities. The types of activities that comprise Calls for Service (CFS), Officer Initiated (OI), Administrative/Investigative (Admin/Invest), and Proactive time are defined in the table following the pie chart.

The amount of time uniformed patrol constables have in their shift for proactive activities was up from the 3rd quarter of 2019. The below pie chart shows the amount of Proactive time from **October to December 2019** to be **12%**, which equates to **7.2 minutes per hour** for Proactive activities in a uniformed patrol constable's 12 hour work day.

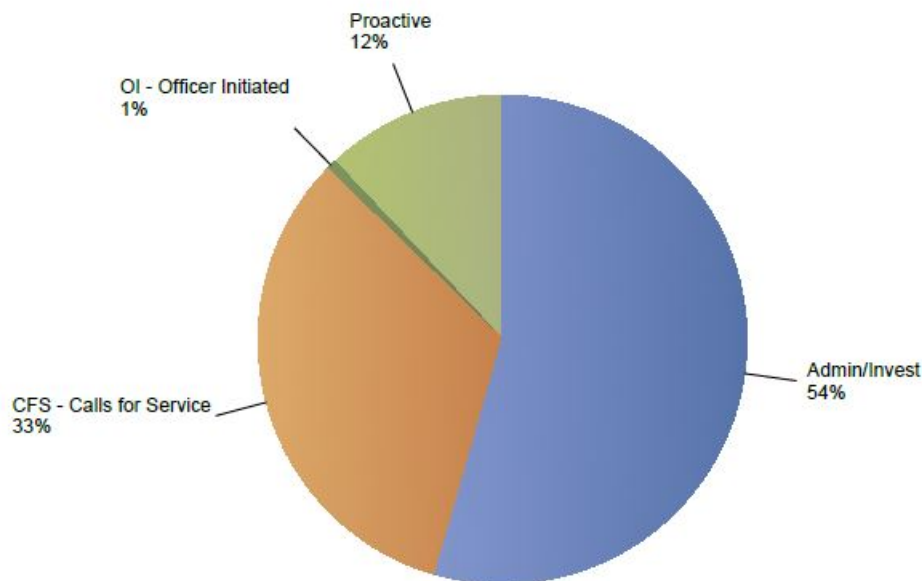
North Cowichan

2019-Oct-01 to 2019-Dec-31

Graphs represents reportable Detachment CAD transactions.

Detachment Overview

Based on watches; A, B, C, D



One percentage point is equivalent to 7.2 minutes. From October to December 2019, during each 12 hour shift, a uniformed patrol constable spent an average of 3 hours and 58 minutes on Calls for Service, 6 hours and 29 minutes on Administrative/Investigative, leaving a total of 1 hour and 12 minutes for Proactive activities during their 12 hour shift.



The Activities Tracked within the CAD / MDT system

<i>CFS - Call for Service</i>	DP - Dispatched ER - Enroute IP - In Progress OS - On Scene PT - Prisoner Transport TR - Prisoner Transport OS / RW - Report Writing while On Scene while on a file. CU - Cover Unit while on a file	
<i>Administrative/Investigative</i>	61 - Break 62 - Meals CT - Court CU - Cover Unit (while not on a file) CW - Car Wash DS - Document Service DT - Detachment ES - Escort Duties HQ - Headquarters (Green Timbers) IN - Followup Investigation MT - Meeting	NA - Not Available OC - On Call (Backup) OT - Other Transport OV - Out of Vehicle RW - Report Writing (while not on a file) SD - Special Duty ST - Station Relief SV - Surveillance TN - Training TV - Travel VM - Vehicle Maintenance 90 - Sign On - (Moved from Proactive Feb 01/16)
<i>Proactive</i>	90 - Sign On BC - Bar Check EF - Enforcement (Street Checks) FP - Foot Patrol IS - In Service OA - Out and Available PS - Person Stop RB - Road Block SB - Standby TS - Traffic Stop	
<i>Officer Initiated</i>	All CFS-type activities that occur against an ONVIEW or Officer Initiated File activity.	

Detachment Front Counter – October through December 2019:

Number of persons attending front counter for assistance –	2,725
Average number of persons attending per weekday –	- 44
Total number of persons attending 2019	- 12,200
Total number of phone calls received by front counter –	2,600
Average number of phone calls received per weekday –	42
Total phone calls received 2019	- 15,561

Detachment Performance Plan Initiatives

Police Community Relations

Alongside the General Duty Detachment members, the Traffic and Community Engagement (TRACE) members will be working hard to increase their visibility throughout the Cowichan Valley, not only to deter crime, but to become more approachable by community members.

Members will continue to focus on the following and the results for the Quarter are as follows;

1. Foot Patrols.....1,092
2. Bike Patrols.....21
3. Bar Walks.....221
4. School Zone Patrols/Liaison.....581



5. Chemainus Patrols.....	267
6. Business Walks.....	127

Community Members met with the Community Action Team and Minister Judy Darcy (Mental Health and Addictions) on October 16th in Duncan. The meeting gave an opportunity for Minister Darcy to see what was being done locally and a first hand look at some of the issues.

On December 11th, Mayor's Al Siebring and Michelle Staples joined employees of the North Cowichan/Duncan RCMP detachment to spread Christmas Cheer in carolling at several retirement homes in the Valley.



Reduce Crimes Against Persons/Vulnerable Persons

The Crimes Against Persons Unit will continue to focus on ensuring compliance not only with domestic violence occurrences, but to review and ensure established investigative standards are adhered to on all occurrences involving vulnerable persons (ie. Youth, individuals with disabilities, etc).

An Interagency Case Assessment Team (ICAT) is a partnership of local agencies (Police, child welfare, health, social service, victim support and other anti-violence agencies) to create a risk management plan to enhance interventions for victims, as well as monitoring, management and support for offenders in high risk Domestic Violence cases.

The Unit continues with the pilot project 'Car 60' program. The program provides a mobile unit, consisting of a uniformed police officer and a psychiatric nurse (Crisis Response Team), engaging with individuals with mental health or substance use issues. The program offers on-site support, crisis



intervention and referrals to appropriate services. The unit has taken over the majority of the Car 60 patrols in order to maintain a consistent approach building trust for clients/community.

The role of the Crimes Against Persons Unit includes the following;

1. Conduct Inter-Agency Case Assessment (ICAT) Team Files
2. Unit Review of All Sexual Assault/Sexual Interference Occurrences
3. Education Seminars to RCMP Officers regarding Crimes Against Persons
4. Review of all Mental Health Act occurrences.

For the Quarter, we took part in six (6) ICAT Team Files.

In December, the Detachments Crimes Against Persons Unit started the “Neighbors, Friends and Families” campaign. This is intended to providing the community with information and strategies on how to help prevent relationship violence. Several sessions took place in the Valley through December/January.

The Detachment will be seconding a 2nd member to the Crimes Against Persons Unit to help assist with the increasing number of calls for service and enhancing service delivery in order to help address issues at the earliest opportunity.

Reduce Substance Abuse

Consistently we have seen that the topic of substance abuse arises. This has been made a priority by all members of the detachment given its severity to affect all types of criminal activity. The Detachment Performance Plan includes our “Hot Spot” patrols by the membership. These are identified by Detachment personnel as being areas that are at high risk for criminal activity. Officers are urged to patrol, interact, investigate and address issues in order to stop the illegal behaviour from occurring.

The Detachment focus to reduce substance abuse is as follows;

1. Increase in Drug Projects and Drug Search Warrants
2. Increase in Hot Spot Patrols
3. Increase in Confidential Informants at the Detachment

The North Cowichan/Duncan RCMP Detachment continues to work closely with Island Health and the Community Action Team regarding the community’s social and economic issues. The RCMP urge the community to report Criminal Activity and never to assume that others have reported it.

For the Quarter, the Detachment conducted **4860** Hot Spot Patrols throughout the Cowichan Valley in an effort to reduce criminal activity and be more visible in the community. This is a huge number and the detachment membership makes every effort to patrol these areas.

Corridor Safety Office efforts are continuing. Black Bird Security Company, By-Law Officers and police are working in collaboration in efforts to clean up the area between Boys Road and Beverly Road.



2019-18748

On October 22nd, 2019 North Cowichan/Duncan RCMP Street Crime Unit began an investigation of Possession of a controlled substance for the purpose of trafficking. Subsequently, two males were arrested in their vehicle after exiting the drive thru of a local restaurant. A search revealed over \$3800.0 cash, prepackaged drugs and trafficking paraphernalia. Drugs certificates confirmed Cocaine, Methamphetamine and Fentanyl. Two males are currently before the Courts facing charges of Section 5(2) of the Controlled Drug and Substances Act.

Enhance Road Safety and Community Education

The North Cowichan/Duncan RCMP Detachment continues with its initiatives for Traffic Safety.

Our Detachment Officers strive to educate the users of Cowichan roadways by conducting enforcement and awareness campaigns, in addition to conducting criminal investigations and responding to other calls for service. There are three dedicated traffic resources at the Detachment; all are funded by the Municipality of North Cowichan.

For the fiscal year 2019/20 Detachment Performance Plan, we have committed to work on the following;

1. Distracted Driving Campaigns
2. Halalt First Nation Traffic Safety Campaigns
3. School Visitation Programs
4. Positive Ticketing Campaigns
5. Impaired Driving Campaigns
6. Speed Enforcement Campaigns

Several traffic campaigns, including “Light Up the Highway” took place during the quarter. Despite efforts, there have been an increase in the number of motor vehicle collisions and reports of impaired drivers. Police are also seeing an increase in the number of impaired by drug occurrences. Police are reminding motorists that despite the legalization of cannabis, it is still illegal to operate a motor vehicle while under the influence of drugs.

The Detachment receives a great deal of complaints of speeding throughout the valley. Typically, we will either deploy SpeedWatch to monitor traffic or officers to the area to conduct radar/speed enforcement and often, the visibility of SpeedWatch/Police results in very low, if any, speeding offences and unreliable statistics of an actual problem. The Detachment has recently purchased a ‘Black Cat’ speed detection device which will be used to confirm if there is an issue. The unit is deployed and uses radar to measure all traffic speed and provides a comprehensive report to Police on the dates/times of all traffic. No vehicle information is recorded however it provides an accurate report/picture of problem areas on where Police enforcement is needed most. We are looking to use the device this Spring in support of SpeedWatch.



The following table is an overview of alcohol and traffic related enforcement by North Cowichan/Duncan Detachment officers during October, November and December 2019:

North Cowichan/Duncan Detachment Quarterly Traffic Statistics 4th Quarter 2019					
	Municipality of North Cowichan	City of Duncan	Other Areas	Total Detachment Area	Year to Date Detachment
24 hour Suspension by Alcohol	4	0	2	6	19
24 hour Suspension by Drug	6	2	5	13	40
Immediate Roadside Prohibition	25	13	17	55	159
Prohibited Drivers (Prov & CC)	6	6	13	25	90
Vehicle Impounds	29	17	14	60	211
Violation Tickets	174	49	21	244	1094
Written Warnings	148	34	13	195	910
Distracted Driving	20	0	1	21	170

Traffic External Support:

We enjoy the support of two Provincial Traffic units who work across the southern part of Vancouver Island; South Island Traffic Services, who are based in Chemainus, as well as, the Nanaimo Integrated Road Safety Unit (IRSU). This is enforcement that we receive at no additional policing cost.

During the quarter, the following Campaigns took place:

- two (2) traffic campaigns in Halalt First Nation Territory
- two (2) Distracted Driving campaigns
- two (2) School programs
- nine (9) Impaired Driving campaigns

On October 22nd, Cpl Gelderblom and Cst Bolton went to Alex Aitken School and met with several students to talk about safety around vehicles. It was well received and timely as Halloween was just around the corner.

Build and Maintain Positive Relations Between RCMP and First Nations

The North Cowichan/Duncan RCMP Detachment recognizes the need for a strong relationship with our indigenous partners in the Cowichan Valley. The unit has been working very closely with Cowichan Tribes in strengthening community partnerships.

The Detachment focus for the RCMP to strengthen these relations is as follows;

1. Increase in RCMP Participation at Indigenous Events



2. Increase RCMP Interaction with Indigenous Youth
3. Increase in Foot Patrols to deter Substance Abuse and Illegal Camps
4. Increased Interaction with Businesses to Deter Crime

For the Quarter, the Detachment conducted the following:

- Attended fourteen (14) Indigenous Events
- Interacted with Indigenous Youth/attended Youth Events thirty (30) times
- Conducted one hundred fourteen (114) foot patrols to deter substance abuse/illegal camps
- Conducted one hundred twenty seven (127) Business Walks

Reduce Property Crime

One of our Crime Reduction Strategies is to identify Priority Offenders; persons who habitually and continually commit crime as a means of feeding their unlawful lifestyle. We work together with Crown, Probation, Corrections and other community partners to formally identify priority offenders and engage them with “pro-active” curfew and probation checks to encourage compliance with court conditions and curtail criminal activity.

The Detachment has been working much closer with the Warmland Restorative Justice Society. New processes are being put into place to ensure matters are dealt with in a more timely fashion.

The Detachment Priorities to Reduce Property Crime are as follows;

1. Restorative Justice Referrals
2. Priority Offender Designations
3. Curfew Checks

For the Quarter, members conducted three hundred and thirty-six (336) Curfew Checks to ensure individuals with specific Court Orders are complying with their conditions.

Two (2) additional Priority Offenders were designated by the Detachment for the Quarter. We have been seeing some successes in apprehending several priority offenders recently whom had outstanding warrants for their arrest.

There has been five (5) Restorative Justice referrals for the Quarter.

The 127 Business Walks that the memberships conduct aims to decrease property crime/shoplifting. We are continuing to work with businesses on best practices when it comes to preventing thefts from occurring.

Employee Wellness Initiative

The Detachment is continuing with the Employee Wellness Initiative.

Human Resources Status Report:

Established regular R.C.M.P. Officer Total: **60**



- **32** Municipality of North Cowichan- **24** Provincial- **4** First Nation's Community Policing
Recent news from the Province that there has been two additional positions approved for General Duty/Detachment policing. This will bump the **Provincial compliment to 26 positions** and are anticipated to arrive in early 2020. There have been several arriving members during this period;

- Cst Genifer Thiessen from Depot
- Cst Margo Eberle from Depot
- Cst David Starr from St Albert, Alberta
- Cst Craig Waite from Campbell River Detachment
- Cst Wes Richens from Shawnigan Lake Detachment

Other members are expected soon;

- Cst Lynn MacKenzie from Maskwacis Detachment, Alberta
- Cst Kyle Hicks from Depot
- Cst Jordan Symon from Depot
- Pauline Jacobs (Criminal Analyst) from Vancouver

The following members have departed;

- Cpl Kerry Howse (retired)
- Cst Jeannine Beattie (retired)
- Cst Kevin Houlgate (retired)
- Cpl Lita Watson promoted to Lake Cowichan Detachment Commander (Sergeant)
- Cst Felix Charette-Thibault to Salt Spring Detachment

Prisoner Statistics:

Reflected in the chart below is the breakdown of prisoners arrested in the various Detachment areas for the quarter:

North Cowichan/Duncan Detachment Prisoner Statistics 4th Quarter									
2019					2018				
	Municipal	Provincial	Duncan	Qtrter Total		Municipal	Provincial	Duncan	Total
October	61	45	32	138	October	50	60	33	143
November	43	42	42	127	November	39	54	24	117
December	50	39	27	116	December	37	65	38	140
Quarter Total	154	126	101	381	Quarter Total	126	179	95	400
Year to Date Total	599	606	438	1643	Year to Date Total	572	776	426	1774

Despite increased file counts, prisoner counts are lower than last year's counts.

Cowichan Community Policing and Crime Prevention Volunteer Programs and Services

Submitted by Carol-Ann Rolls -Manager, Volunteer Programs and Services



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During this quarter Community Policing continued focus on two programs – Speed Watch (Road Safety) and Block Watch.

Additional Block Watch Captains and Co-Captains were trained in October and November and the Program Manager attended several neighbourhood meetings for the new blocks. With each new block, there is additional administration time and the Program Manager has been assisted by the new volunteer in the office who is also a Block Watch Captain for her neighbourhood.

We have followed up with the newer blocks to ensure they have completed the requirements to be considered an active block and have their sign installed. We have 12 new signs to be placed in North Cowichan and 3 in Duncan. With the change in personnel at MOTI there has been a delay in getting signs up in Cowichan Bay and Area E. We hope to have a process in place for 2020.

The Program Manager has also been busy with home and business safety audits using the CPTED principles. We continue to promote the Business Watch program. We lack volunteers dedicated to that program so rely on shared information through the business networks and police. Plans for a CPTED workshop geared to businesses was deferred to the New Year in light of the Duncan-North Cowichan Safety Corridor initiative.

Despite some weather challenges Speed Watch volunteers have been diligent in doing roadside driver education. A committed group of parent volunteers from Bench School as well as the Duncan-North Cowichan teams contributed 270 hours on roadside this quarter. The Chemainus group primarily sets up in the school zone along Chemainus Rd as they are residents of the area. The Pedestrian Awareness campaign with ICBC saw 1500 personal reflectors distributed at various locations and community events and added 49 hours to the volunteer time contributed.

A lack of volunteers to cover regular shifts in the Community Policing Office, as well as provide coverage for volunteers off, has been a real challenge and the Program Manager has not been able to provide “double duty” in the office as well as own job requirements, so the office has had some closures throughout the quarter. A review of the office and its function has been suggested again. Rather “project admin-assistants” as done with Block Watch may be more appropriate.

Our Facebook page continues to be a good source of prevention information. It is somewhat discouraging when people opt not to implement a tip or two and are negative about the efforts we are making. There is definite frustration with the “justice system”.

After 16 years in the space and delivering programs, I finally have some time to do a purge and clean of the Duncan CPO, older files and resources. Cowichan Bay office remains underutilized without volunteers for the programs.

RCMP and CPAC Society are reviewing programs and services ownership and how those will be delivered in the future. It’s a time of change but also a chance to review the programs, establish priorities that continue to meet the community need and attract new volunteers to help achieve those goals.



**Cowichan Community Policing Volunteer Programs
4th Quarter 2019**

	October	November	December	Quarter Total	Year to Date Total
CPO Visitations/Contacts	496	460	298	1,254	4,918
Lock Out Auto Crime Audits	0	788	0	788	9,212
Number of Notices Issued	0	3	0	3	48
Speed Watch Vehicles Checked	2,403	7,279	1,243	10,925	54,679
% of Speeders >10km posted limit	38%	23%	26%	29%	31%
Mileage on Patrol (COP Jeep)	0	0	0	0	0
Safety Presentations/Safety Audits	5	6	3	14	42
Total Volunteer Hours	265	173	162	600	2,612
Number of Active Volunteers	20	18	19		

Cowichan Valley Regional Victim Services:

Victim Services in the North Cowichan/Duncan Detachment responds to critical incidents/crisis intervention call outs from police on a 24 hour, 7 day a week basis. Victim Services provide initial defusing, stabilization and act as a liaison between victims and emergency personnel, providing an invaluable service to the public and police alike.

**Cowichan Valley Regional Victim Services
4th Quarter 2019**

	October	November	December	Quarter Total	Year to Date Total
New Clients	94	87	85	266	1104
Females	75	65	63	203	849
Males	19	22	22	63	254
Calls For Service Attendance	12	16	16	44	119
Referrals By Area					
North Cowichan	43	43	33	119	514
Duncan	11	6	13	30	134
Cowichan Tribes/FNP	8	12	13	33	122
Provincial Areas	8	6	8	22	103
Total	70	67	67	204	873
Brief Service Files	7	0	1	8	39




The next Coffee and Conversation – Coffee with a Cop is set for Wednesday, April 1st, 2020 from 10:00 to 11:00 am at Gibby's Café and Catering – 2011 University Way. Please come out and meet with members of the Detachment and help build relationships with the Police (see below).

Respectfully submitted,

Inspector Chris Bear
OIC North Cowichan/Duncan Detachment

Join us for
Coffee and Conversation



coffee
WITH A COP

Building Relationships . . . One Cup at a Time

**No agenda or speeches,
just a chance to ask
questions, voice concerns,
and get to know the officers in your community**

**Wednesday
April 1st, 2020** **Gibby's Café
2011 University Way** **10am to 11am**



This event is presented by the:
North Cowichan / Duncan
RCMP Detachment
Questions? Please contact:
chris.swain@rcmp-grc.gc.ca
or call: 250-748-5522



GIBBY'S
Café & Catering





**NORTH COWICHAN/DUNCAN
DETACHMENT**

**QUARTERLY REPORT -
MUNICIPALITY OF NORTH
COWICHAN**

January – March 2020

Open Report

NCD QUARTERLY REPORT



January to March 2020 Open Report

Message from the Officer in Charge

This reporting period encompasses the first 3 month period of the calendar year 2020; January, February and March. The intent of this report is to provide the Mayor and Council with a brief overview of policing operations as they pertain to the Municipality of North Cowichan in particular, and the Cowichan Valley in general.

During the Quarter, several Crime Statistics are up for both the Municipality of North Cowichan and the entire Policing jurisdiction; this could be attributed to the statistical record keeping change.

In 2019, scoring for the RCMP Records changed where statistical data is no longer being recorded as “ZZZ” Codes (unsubstantiated). As a result, many of the occurrences that were not previously reported on the following pages are now being collected and are going to appear that there is a higher change in past Quarters. We will have to wait for future reports to see if there is any change to previous quarters. Please note that this change was made to all RCMP Detachments in British Columbia.

For the Quarter, we have seen increases in Arsons, Assaults, Break and Enters to businesses, 24 hrs suspensions and Drug Offences. Alarming trend is that a number of fires have been deliberately set in the greater Duncan area – these include fires which appear to have been started by individuals trying to stay warm and there are several that are dumpsters that have been set on fire. We do have several persons of interest and are investigating further into these. We are reminding the public to keep an eye out for these and to try and not leave items laying around/available to burn. Given the Covid 19 Pandemic, in March, procedures were changed overnight – closing of the front counter to the public, limiting contact between police and public, postponing trials, release of prisoners vs incarcerated and held for court and videoconferencing to name a few. In order to curb the spread of Covid 19, many accused persons have been released from jails on conditions. This has created a substantial increase in property crimes.

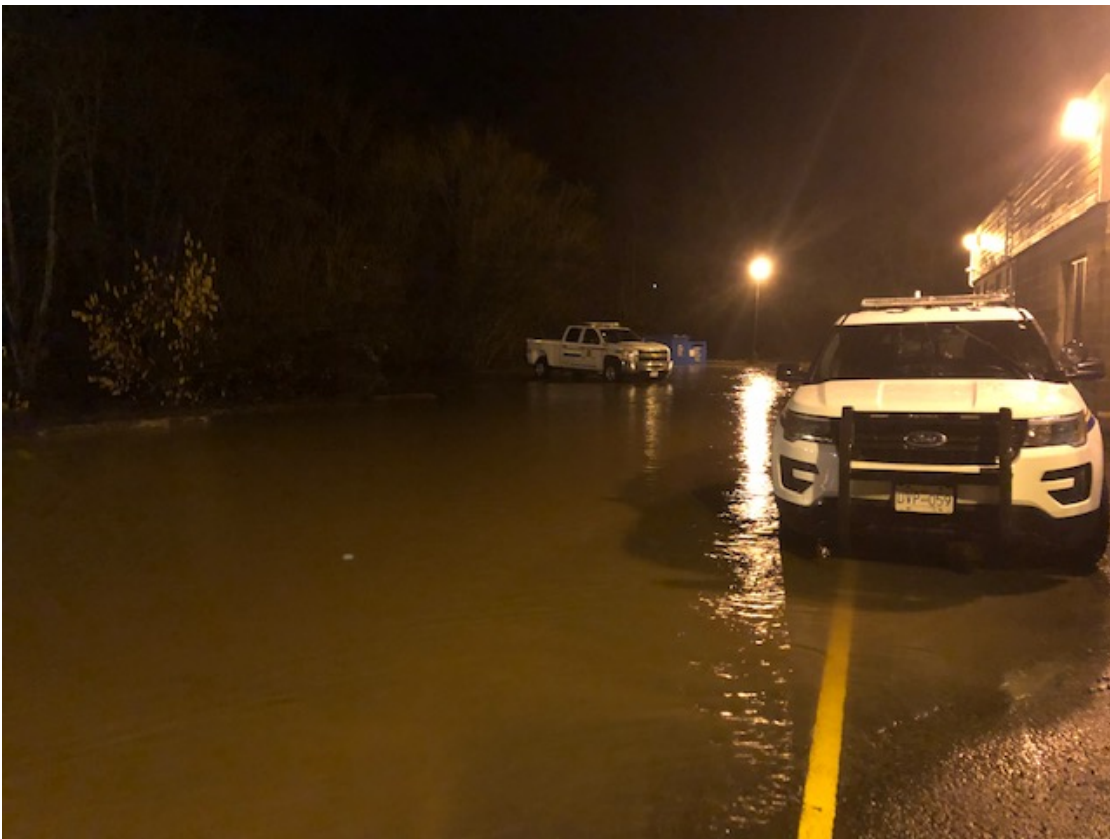
Some improvements over last year were noted; while Shoplifting was up slightly for North Cowichan, for the entire Policing jurisdiction it was down as was Disturbance calls. While these may be as a result of the stores ensuring social distancing and use of security guards at entrances, we are hopeful the downward trend in calls continues.

February saw a number of areas affected by the flooding. The highway south of Mt Sicker Road was flooded which affected a number of motorists including RCMP employees who reside north of Duncan. Temporarily, Ladysmith RCMP Detachment provided policing coverage for those north of the flood. Thankfully, the water receded and the road was again opened. The Detachment once again was very close to flooding. Assistance from the municipality was greatly appreciated as the detachment was again sandbagged (*see pictures of outside Detachment next page*).

The 2nd week of March saw the unprecedented Covid 19 Pandemic come to Vancouver Island. Almost immediately operations changed. A number of events were cancelled including courses, training and leave. In order to curb the spread, everyone needed to pull together to change the way we did business. Social distancing and Personal Protective Equipment was the topic at large. Also as a result, we saw Warmland Community Policing temporarily suspend operations.

We are extremely appreciative of the community for respecting and supporting one another during these times.





Open Report| 7/8/2019



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North Cowichan/Duncan Detachment has been approved for On-Line Crime Reporting which is being planned to start late May. While this will not replace having to contact eComm by phone, it is anticipated in alleviating some of the long wait times previously experienced.

North Cowichan/Duncan Detachment remains an extremely busy detachment with significantly high case load and calls for service. Recently, the Province of BC released the “Police Resources in British Columbia, 2018” report. See <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/statistics/police-resources.pdf> It outlines how much each community pays for policing, resourcing levels, crime statistics and work load by police officer.

Annual Performance Plan:

The North Cowichan/Duncan R.C.M.P. Detachment is guided by an Annual Performance Plan that addresses identified local policing priorities. These priorities are identified through consultation with elected officials, senior staff officers, the Community Policing Advisory Committee, Town Hall meetings and other groups. As such, our 2019/20 plan is focused on the following local issues that were consistently identified as priorities throughout the valley:

- 1) Build and Maintain Positive Relations Within the RCMP and With Our Partners;
Police/Community Relations – Visibility of Police
- 2) Reduce Crimes Against Persons – Violence/Domestic Violence/Vulnerable Persons/Mental Health Act
- 3) Reduce Substance Abuse
- 4) Enhance Road Safety
- 5) Indigenous Policing – Build and Maintain Positive Relations with Aboriginal communities
- 6) Reduce Property Crimes
- 7) Contribute to Employee Wellness

Crime Statistics:

During the quarter, **5,136** calls for service were received, compared to **5,350** calls in the same quarter in 2019.

This equates to **219 file / 4% decrease.**





North Cowichan / Duncan RCMP-GRC

Quarterly Report: North Cowichan

Compiled: 2020-04-26 by L. Paras, North Cowichan/Duncan Detachment

Crime Statistics for 2020.01.01 to 2020.03.31 - 2020 Quarter # 1

	Apr to Jun 2019	Jul to Sep 2019	Oct to Dec 2019	Jan to Mar 2020	Range - Low	Range - High	YTD (Cal) Previous	YTD (Cal) Current	% Change	Clr. Rate Prev Qrt	Clr. Rate Curr Qrt
Crimes Against the Person											
Arson (1629,2110)	0	2	3	13	0	6	3	13	333%	0%	8%
Assaults (1410,1430,1440,1460,1470,1480)	62	89	81	78	41	71	63	78	24%	68%	68%
Robbery (1610)	2	1	4	1	0	4	0	1	100%	50%	100%
Sex Offences (1310 to 1385)	8	8	13	12	6	12	13	12	-8%	46%	42%
Weapons Offences (1420,1450,1455,1457,3375,3310,3320,3330,3380)	21	29	22	17	12	22	11	17	55%	68%	47%
Crimes Against Property											
B&E - Bus. (2120 - 1)	26	12	22	27	12	23	27	27	0%	14%	19%
B&E - Res. (2120 - 2)	18	20	12	21	11	28	12	21	75%	17%	33%
B&E - Oth. (2120 - 3)	12	11	15	23	9	20	20	23	15%	0%	17%
Theft of Motor Vehicle (2135)	18	24	5	20	10	19	14	20	43%	20%	20%
Theft from Vehicle (2132,2142)	82	89	60	65	43	100	54	65	20%	3%	2%
Other Theft O/5000 (2130-13)	0	3	0	2	0	9	2	2	0%	N/A	50%
Other Theft U/5000 (2140)	99	99	93	74	65	91	75	74	-1%	15%	9%
Shoplifting (2133,2143)	35	22	36	37	23	40	30	37	23%	47%	57%
Mischief to Property (2170)	160	193	179	181	96	163	130	181	39%	27%	30%
Traffic Offences											
Non-Fatal Crashes Resulting in Injury (8130-2)	22	25	25	14	16	24	21	14	-33%	N/A	N/A
Crashes Resulting in Fatality (8130-1)	0	0	0	0	0	0	0	0	0%	N/A	N/A
24 hr. Susp. (8120-40, 50) * 24 Hr Susp also present on Impaired Op MV files.	5	2	5	9	1	6	1	9	800%	N/A	N/A
Impaired Op MV / IRP (8230-2,3,30,9240-1,2, 9250-1, 8120-41:45)	43	51	62	33	7	39	26	33	27%	N/A	N/A
Other Offences & Occurrences											
Cause Disturbance (3430)	119	132	110	87	321	440	78	87	12%	29%	37%
Drug Possession (4110,4120,4130,4911,4912,4913,4914,4150,4160)	58	74	54	78	28	59	46	78	70%	31%	42%
Drug Trafficking (4210,4220,4230,4921,4922,4923,4924,4925,4926,4250,4260)	27	34	17	23	0	20	25	23	-8%	24%	9%
Drug Production (4410,4420,4430,4952,4953,4961,4450,4460)	1	0	0	0	0	3	0	0	0%	N/A	N/A
Breach of Peace (8350)	56	60	45	48	38	53	56	48	-14%	N/A	N/A

If there is any discrepancy between the data shown within this report and the data released by E Division Headquarters, the latter shall prevail





North Cowichan / Duncan RCMP-GRC

Quarterly Report: North Cowichan / Duncan Detachment Area

Compiled: 2020-04-26 by L. Paras, North Cowichan/Duncan Detachment

Crime Statistics for 2020.01.01 to 2020.03.31- 2020 Quarter # 1											
	Apr to Jun 2019	Jul to Sep 2019	Oct to Dec 2019	Jan to Mar 2020	Range - Low	Range - High	YTD (Cal) Previous	YTD (Cal) Current	% Change	Clr. Rate Prev Qrt	Clr. Rate Curr Qrt
Crimes Against the Person											
Arson (1629,2110)	4	5	3	27	0	11	4	27	575%	0%	4%
Assaults (1410, 1430, 1440, 1460, 1470, 1480)	173	172	180	152	82	150	134	152	13%	68%	66%
Robbery (1610)	4	4	6	6	2	7	2	6	200%	67%	67%
Sex Offences (1310 to 1385)	22	22	27	25	13	24	27	25	-7%	44%	36%
Weapons Offences (1420, 1450, 1455, 1457, 3375, 3310, 3320, 3330, 3380)	47	54	50	37	25	43	35	37	6%	74%	51%
Crimes Against Property											
B&E - Bus. (2120 - 1)	57	37	54	67	30	56	55	67	22%	13%	9%
B&E - Res. (2120 - 2)	38	33	22	40	25	45	31	40	29%	14%	25%
B&E - Oth. (2120 - 3)	19	19	25	36	15	32	37	36	-3%	4%	14%
Theft of Motor Vehicle (2135)	25	40	20	31	18	30	22	31	41%	25%	19%
Theft from Vehicle (2132,2142)	147	140	103	140	81	167	113	140	24%	5%	2%
Other Theft O/5000 (2130-13)	0	8	1	4	0	15	2	4	100%	0%	25%
Other Theft U/5000 (2140)	176	177	155	132	123	166	127	132	4%	14%	8%
Shoplifting (2133,2143)	151	116	124	109	109	139	131	109	-17%	47%	53%
Mischief to Property (2170)	314	392	390	328	181	328	308	328	6%	32%	30%
Traffic Offences											
Non-Fatal Crashes Resulting in Injury (8130-2)	45	38	44	29	32	44	31	29	-6%	N/A	N/A
Crashes Resulting in Fatality (8130-1)	0	0	3	0	0	1	0	0	0%	N/A	N/A
24 hr. Susp. (8120-40, 50) * 24 Hr Susp also present on Impaired Op MV files.	8	3	10	13	2	9	6	13	117%	N/A	N/A
Impaired Op MV / IRP (8230-2, 3, 30, 9240-1, 2, 9250-1, 8120-41:45)	102	103	124	73	14	81	64	73	14%	N/A	N/A
Other Offences & Occurrences											
Cause Disturbance (3430)	248	251	211	167	672	889	162	167	3%	25%	35%
Drug Possession (4110, 4120, 4130, 4911, 4912, 4913, 4914, 4150, 4160)	151	167	132	158	49	127	96	158	65%	27%	31%
Drug Trafficking (4210, 4220, 4230, 4921, 4922, 4923, 4924, 4925, 4926, 4250, 4260)	55	53	33	38	0	36	43	38	-12%	12%	5%
Drug Production (4410, 4420, 4430, 4952, 4953, 4961, 4450, 4460)	1	0	0	1	0	4	0	1	100%	N/A	0%
Breach of Peace (8350)	96	114	86	87	70	98	102	87	-15%	N/A	N/A

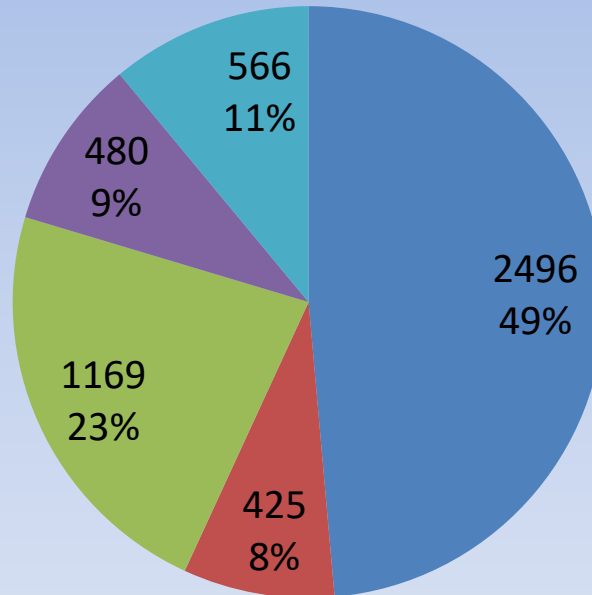
If there is any discrepancy between the data shown within this report and the data released by E Division Headquarters, the latter shall prevail.

Distribution of calls for service

The chart below illustrates where our calls for service have come from within our Detachment area. We have a total of 60 RCMP Officers working when we are at full strength. You can see below that from January 1st to March 31st, 2020, approximately **49%** of the calls we responded to were from within the Municipality of North Cowichan Policing jurisdiction. That **11%** came from the Cowichan Tribes/Indigenous Lands, **9%** came from the Provincial (CVRD) area and **23%** came from the City of Duncan. A small number, **8%** originated from people coming to the office directly.



North Cowichan/Duncan Detachment January 1, 2020 to March 31, 2020 5,136 Files



■ North Cowichan 32 Officers funded**
 ■ Detachment
 ■ City of Duncan ***
 ■ CVRD ***

Footnotes:

** 3 Municipally funded officers are dedicated to traffic enforcement.

*** These areas are policed collectively by 26 Provincially funded Officers



Quarter Top Files for the Municipality of North Cowichan

January to March 2020	1st Quarter File Count	% of North Cowichan's Total Files	% of Detachment's Total Files
Chemainus (NC5000)	318	11%	6%
Crofton (NC5010)	193	7%	4%
Maple Bay (NC5040)	225	8%	4%
Other North Cowichan (NC5020, NC5030)	1,760	60%	34%
Detachment - files not specific to an area	425	15%	8%
Total North Cowichan*	2,921	100%	57%
(*including Detachment files and files not specific to an area)			

Chemainus:

Number of Files

TRAFFIC-OTHER MOVING	37
SUSPICIOUS PERSON/VEHICLE/OCCURRENCE	20
THEFT FROM MOTOR VEHICLE UNDER \$5000	14
PROPERTY-LOST	11
CAUSE DISTURBANCE	10

Crofton

TRAFFIC-OTHER MOVING	17
SUSPICIOUS PERSON/VEHICLE/OCCURRENCE	16
MENTAL HEALTH ACT	16
THEFT-OTHER UNDER \$5000	10
UNSPECIFIED ASSISTANCE	8

Maple Bay

FALSE ALARMS	13
ASSAULT-COMMON	11
SUSPICIOUS PERSON/VEHICLE/OCCURRENCE	11
MENTAL HEALTH ACT	11
MSCHIEF-\$5000 OR UNDER	10

Other North Cowichan

MENTAL HEALTH ACT	88
MSCHIEF-LOSS ENJOY PROPERTY	88
SUSPICIOUS PERSON/VEHICLE/OCCURRENCE	86
CHECK WELL-BEING	77
CAUSE DISTURBANCE	74



General Duty Staffing Analysis (GDSA)

A General Duty Staffing Analysis is continuing at North Cowichan/Duncan Detachment and remains on-going.

The graph below illustrates how the 12 hour shift of a uniformed patrol constable is broken down into different activities. The types of activities that comprise Calls for Service (CFS), Officer Initiated (OI), Administrative/Investigative (Admin/Invest), and Proactive time are defined in the table following the pie chart.

The amount of time uniformed patrol constables have in their shift for proactive activities was up from the 4th quarter of 2019. The below pie chart shows the amount of Proactive time from **January to March 2020** to be **14%**, which equates to **8.4 minutes per hour** for Proactive activities in a uniformed patrol constable's 12 hour work day.

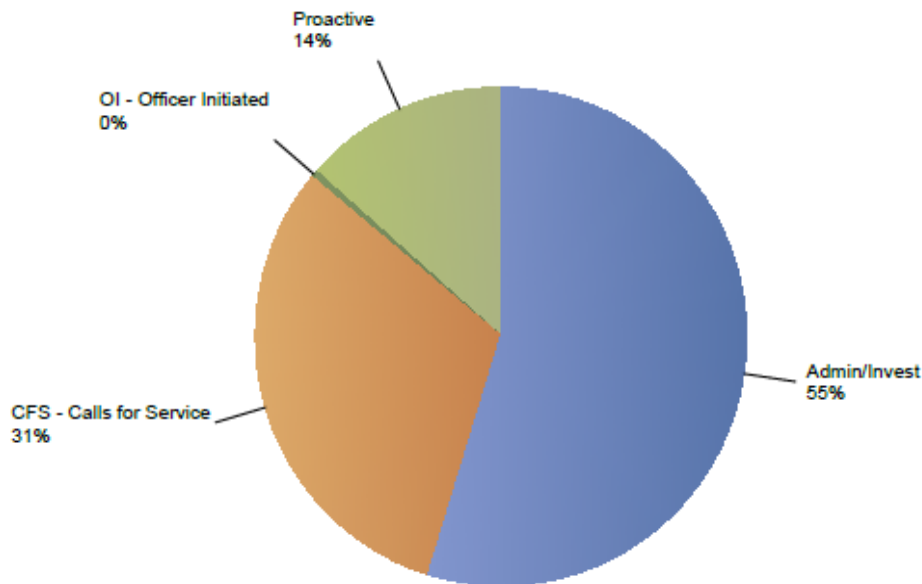
North Cowichan

2020-Jan-01 to 2020-Mar-31

Graphs represents reportable Detachment CAD transactions.

Detachment Overview

Based on watches; A, B, C, D



One percentage point is equivalent to 7.2 minutes. From January to March 2020, during each 12 hour shift, a uniformed patrol constable spent an average of 3 hours and 43 minutes on Calls for Service, 6 hours and 36 minutes on Administrative/Investigative, leaving a total of 1 hour and 40 minutes for Proactive activities during their 12 hour shift.



The Activities Tracked within the CAD / MDT system

<i>CFS - Call for Service</i>	DP - Dispatched ER - Enroute IP - In Progress OS - On Scene PT - Prisoner Transport TR - Prisoner Transport OS / RW - Report Writing while On Scene while on a file. CU - Cover Unit while on a file	
<i>Administrative/Investigative</i>	61 - Break 62 - Meals CT - Court CU - Cover Unit (while not on a file) CW - Car Wash DS - Document Service DT - Detachment ES - Escort Duties HQ - Headquarters (Green Timbers) IN - Followup Investigation MT - Meeting	NA - Not Available OC - On Call (Backup) OT - Other Transport OV - Out of Vehicle RW - Report Writing (while not on a file) SD - Special Duty ST - Station Relief SV - Surveillance TN - Training TV - Travel VM - Vehicle Maintenance 90 - Sign On - (Moved from Proactive Feb 01/16)
<i>Proactive</i>	90 - Sign On BC - Bar Check EF - Enforcement (Street Checks) FP - Foot Patrol IS - In Service OA - Out and Available PS - Person Stop RB - Road Block SB - Standby TS - Traffic Stop	
<i>Officer Initiated</i>	All CFS-type activities that occur against an ONVIEW or Officer Initiated File activity.	

Detachment Front Counter – January through March 2020:

Number of persons attending front counter for assistance –	2,400
Average number of persons attending per weekday –	- 38
Total number of persons attending YTD 2020	- 12,200
Total number of phone calls received by front counter –	3,677
Average number of phone calls received per weekday –	58
Total phone calls received YTD 2020	- 15,561

Detachment Performance Plan Initiatives

Police Community Relations

Alongside the General Duty Detachment members, the Traffic and Community Engagement (TRACE) members will be working hard to increase their visibility throughout the Cowichan Valley, not only to deter crime, but to become more approachable by community members.

Members will continue to focus on the following and the results for the Quarter are as follows;

1. Foot Patrols.....1,384
2. Bike Patrols.....not recorded
3. Bar Walks.....138
4. School Zone Patrols/Liaison.....484



5. Chemainus Patrols.....not recorded
6. Business Walks.....230

On February 26th, North Cowichan/Duncan RCMP took part in the annual anti-bullying day.



On February 27th, Inspector Bear was invited by Duncan Mayor Michelle Staples to a public meeting with the Cairnsmore Community group. It was good to see that the residents were meeting with one another to discuss the increase in crime in the area and what could be done. A review of the reports on file did not indicate what the community was seeing and that the reports of criminal activity needed to be reported to Police. Concerns from the community were brought back to the detachment personnel and request for patrols by officers be increased.

On March 3rd, Inspector Bear met with SD79 Board of Trustees and spoke with them on what current crime trends were in the Cowichan Valley and how the opioid crisis was affecting Policing.

The Detachment Senior Management team held two Community Planning Forums in March as part of community consultation; March 4th – Chemainus and March 5th – Cowichan Community Centre. This gave the community the opportunity to discuss where they felt Police efforts should be focused on. Officers were very appreciative of the time and input by the residents. The information is being compiled and will be presented to Mayors and Councils for input on how best to move forward with Policing efforts.



Reduce Crimes Against Persons/Vulnerable Persons

The Crimes Against Persons Unit will continue to focus on ensuring compliance not only with domestic violence occurrences, but to review and ensure established investigative standards are adhered to on all occurrences involving vulnerable persons (ie. Youth, individuals with disabilities, etc).

An Interagency Case Assessment Team (ICAT) is a partnership of local agencies (Police, child welfare, health, social service, victim support and other anti-violence agencies) to create a risk management plan to enhance interventions for victims, as well as monitoring, management and support for offenders in high risk Domestic Violence cases.

The Unit continued with the pilot project 'Car 60' program. The program provides a mobile unit, consisting of a uniformed police officer and a psychiatric nurse (Crisis Response Team), engaging with individuals with mental health or substance use issues. The program offers on-site support, crisis intervention and referrals to appropriate services. The unit has taken over the majority of the Car 60 patrols in order to maintain a consistent approach building trust for clients/community.

The role of the Crimes Against Persons Unit includes the following;

1. Conduct Inter-Agency Case Assessment (ICAT) Team Files
2. Unit Review of All Sexual Assault/Sexual Interference Occurrences
3. Education Seminars to RCMP Officers regarding Crimes Against Persons
4. Review of all Mental Health Act occurrences.

For the Quarter, we took part in nine (9) ICAT Team Files.

Very few patrols for the Car 60 Team which was halted in March given the Covid 19 pandemic.

The Detachment has internally moved a member to a 2nd member position on the Crimes Against Persons Unit to help assist with the increasing number of calls for service and enhancing service delivery in order to help address issues at the earliest opportunity. Cst Leanne Szalai was the successful candidate and has since started on the unit.

Both the December 2019 and January 2020 homicide investigations (2019-14214 and 2020-667) remain active investigations currently investigated by Vancouver Island Integrated Major Crimes Unit (VIIMCU).

Reduce Substance Abuse

Consistently we have seen that the topic of substance abuse arises. This has been made a priority by all members of the detachment given its severity to affect all types of criminal activity. The Detachment Performance Plan includes our "Hot Spot" patrols by the membership. These are identified by Detachment personnel as being areas that are at high risk for criminal activity. Officers are urged to patrol, interact, investigate and address issues in order to stop the illegal behaviour from occurring.



The Detachment focus to reduce substance abuse is as follows;

1. Increase in Drug Projects and Drug Search Warrants
2. Increase in Hot Spot Patrols
3. Increase in Confidential Informants at the Detachment

The North Cowichan/Duncan RCMP Detachment continues to work closely with Island Health and the Community Action Team regarding the community's social and economic issues. The RCMP urge the community to report Criminal Activity and never to assume that others have reported it. In early January, the RCMP met with leaders from the Cowichan Valley to discuss the rising calls for service around the homeless shelter. Police noted the drastic increase in calls for service at and around the shelter, including drug use, assaults and increasing seriousness of files. Numerous agencies agreed something needed to be done and as a result, increased patrols to help address criminal activity and clean the area were established throughout areas included in the Corridor Safety Initiative.

For the Quarter, the Detachment conducted **5965** Hot Spot Patrols throughout the Cowichan Valley in an effort to reduce criminal activity and be more visible in the community. This is a huge number and the detachment membership makes every effort to patrol these areas.

Street Crimes Unit (SCU) conducted three targeted Drug Investigations files for the quarter.

2020-2741 February 18, 2020

Since late February, several area RCMP Detachments have been investigating reports of drug use and drug trafficking activity at area high schools. SCU took conduct of the investigation and established that the suspects were using a popular social media app to conduct drug sales.

Following an investigation, two men, one being a youth, were arrested in Duncan on February 27th, 2020. Quantities of suspected MDMA and Shatter, a marihuana derivative and benzodiazepine, were seized. Officers also located an extendible baton and bear spray on the men. Both were released with specific conditions relating to these offences and are scheduled to appear in Duncan Provincial court in May, 2020.

2020-3153 February 25, 2020

On February 25, 2020 SCU members stopped a vehicle being driven by a known offender for driving while prohibited. The traffic stop lead to the male's arrest and the seizure of stolen property, fentanyl, methamphetamine, cash and other items consistent with drug trafficking. The vehicle was subsequently impounded. Two counts of Possession of a Controlled Substance for the Purpose of Trafficking, Possession of Stolen Property and Prohibited Driving are being pursued. The next scheduled court appearance has been set for August 18, 2020.

2020-3971 March 11, 2020

On March 11, 2020 SCU was conducting a drug enforcement project in the Lewis Street area for reports of open drug use and drug trafficking. Police observed a hand to hand transaction consistent with a drug transaction in front of the shelter. Both males were arrested and the suspected drugs trafficker was known to police. A search incidental to arrest resulted in the seizure of fentanyl, cash, knives, scale, and a cell phone. Both males were released with conditions specific to the offences and are scheduled to appear in Duncan Provincial court on June 23, 2020.



Enhance Road Safety and Community Education

The North Cowichan/Duncan RCMP Detachment continues with its initiatives for Traffic Safety.

Our Detachment Officers strive to educate the users of Cowichan roadways by conducting enforcement and awareness campaigns, in addition to conducting criminal investigations and responding to other calls for service. There are three dedicated traffic resources at the Detachment; all are funded by the Municipality of North Cowichan.

For the fiscal year 2019/20 Detachment Performance Plan, we have committed to work on the following:

1. Distracted Driving Campaigns
2. Halalt First Nation Traffic Safety Campaigns
3. School Visitation Programs
4. Positive Ticketing Campaigns
5. Impaired Driving Campaigns
6. Speed Enforcement Campaigns

The following table is an overview of alcohol and traffic related enforcement by North Cowichan/Duncan Detachment officers during January, February and March 2020:

North Cowichan/Duncan Detachment Quarterly Traffic Statistics 1st Quarter 2020					
	Municipality of North Cowichan	City of Duncan	Other Areas	Total Detachment Area	Year to Date Detachment
24 hour Suspension by Alcohol	7	2	1	10	10
24 hour Suspension by Drug	9	1	3	13	13
Immediate Roadside Prohibition	12	6	10	28	28
Prohibited Drivers (Prov & CC)	10	1	5	16	16
Vehicle Impounds	32	14	20	66	66
Violation Tickets	126	48	5	179	179
Written Warnings	146	20	1	167	167
Distracted Driving	7	3	0	10	10

Traffic External Support:

We enjoy the support of two Provincial Traffic units who work across the southern part of Vancouver Island; South Island Traffic Services, who are based in Chemainus, as well as, the Nanaimo Integrated Road Safety Unit (IRSU). Their enforcement and assistance is something we receive at no additional policing cost.

During the quarter, the following Campaigns took place:

- three (3) traffic campaigns in Halalt First Nation Territory



- two (2) Distracted Driving campaigns
- three (3) School programs
- two (2) Impaired Driving campaigns
- eight (8) speed enforcement campaigns

There has been no fatal collisions during this quarter.

2020-3970

At 10:45 AM on March 11, 2020, report of a motor vehicle incident in the 6000 block of the Trans-Canada Highway (TCH). The North Cowichan Fire Department and BC Ambulance Services were on scene treating one injured man in a workplace related incident. The injuries caused for the TCH to be shut down while the male was airlifted by helicopter to a Vancouver Island hospital with serious injuries. During the 45 minute closure, traffic was seriously congested however, once re-opened the traffic cleared quickly.

Build and Maintain Positive Relations Between RCMP and First Nations

The North Cowichan/Duncan RCMP Detachment recognizes the need for a strong relationship with our indigenous partners in the Cowichan Valley. The unit has been working very closely with Cowichan Tribes in strengthening community partnerships.

The Detachment focus for the RCMP to strengthen these relations is as follows;

1. Increase in RCMP Participation at Indigenous Events
2. Increase RCMP Interaction with Indigenous Youth
3. Increase in Foot Patrols to deter Substance Abuse and Illegal Camps
4. Increased Interaction with Businesses to Deter Crime

For the Quarter, the Detachment conducted the following:

- Attended one Indigenous Event
- Interacted with Indigenous Youth/attended Youth Events seventeen (17) times
- Conducted sixty-five (65) foot patrols to deter substance abuse/illegal camps

Efforts are still underway to identify the Corporal in charge of the First Nations Policing Unit. After great collaboration between Cowichan Tribes and the RCMP, approval was granted late in the fiscal year to approve renovation of a Community Policing Office at the Village Green Mall. With a short timeline to conduct extensive renovations, Gulf Pacific Group was able to complete the renovations and turn the keys over to RCMP on April 1st. The satellite office will provide office space for the First Nations Community Policing unit and at times, the Indigenous Policing Island District Advisory NCO, with a place ideally located to provide an enhanced Policing service to Cowichan Tribes. Once the Covid 19 pandemic has passed, a formal opening of the office will take place.

Reduce Property Crime

One of our Crime Reduction Strategies is to identify Priority Offenders; persons who habitually and continually commit crime as a means of feeding their unlawful lifestyle. We work together with Crown, Probation, Corrections and other community partners to formally identify priority offenders and engage them with “pro-active” curfew and probation checks to encourage compliance with court conditions and curtail criminal activity.



The Detachment Priorities to Reduce Property Crime are as follows;

1. Restorative Justice Referrals
2. Priority Offender Designations
3. Curfew Checks

For the Quarter, members conducted one hundred and ninety-five (195) Curfew Checks to ensure individuals with specific Court Orders are complying with their conditions.

Two (2) additional Priority Offenders were designated by the Detachment for the Quarter. We have been seeing some successes in apprehending several priority offenders recently whom had outstanding warrants for their arrest.

There has been five (5) Restorative Justice referrals for the year.

We are continuing with our strategy to reduce complaints of Shoplifting in urging stores to prevent well-known, high risk, repeat offenders from being permitted entry into stores. As stated previously, this quarter we have seen a decrease from last year's numbers.

Employee Wellness Initiative

The Detachment is continuing with the Employee Wellness Initiative.

A one day Equine Workshop was set up for First Responders in cooperation with the Cowichan Therapeutic Riding Association on March 21. Regrettably, due to Covid 19 the workshop was postponed. No new date has been set.

Covid 19 saw Leave Restrictions put into place, mandatory training sessions cancelled and a great deal of employees working remotely. We won't know the impact on employee wellness until this is behind us however should we see fire seasons similar to years past, RCMP may be quite busy through to the end of summer.

Human Resources Status Report:

Established regular R.C.M.P. Officer Total: **62**

- **32** Municipality of North Cowichan- **26** Provincial- **4** First Nation's Community Policing

There have been several arriving members during this period;

- Cst Lynn MacKenzie from Maskwacis Detachment, Alberta
- Cst Kyle Hicks from Depot
- Cst Jordan Symon from Depot
- Cst Clif Van Der Horst from Depot

The following members have departed;

- Cst Scott Harder to Nanaimo Detachment
- Cst Megan Kowalewich to Richmond Detachment

Pauline Jacobs (Criminal Analyst) is expected to arrive in May.



Prisoner Statistics:

Reflected in the chart below is the breakdown of prisoners arrested in the various Detachment areas for the quarter:

North Cowichan/Duncan Detachment Prisoner Statistics 1st Quarter									
2020					2019				
	Municipal	Provincial	Duncan	Total		Municipal	Provincial	Duncan	Total
January	50	23	36	109	January	58	49	39	146
February	57	24	30	111	February	42	34	31	107
March	43	44	34	121	March	35	68	48	151
Quarter Total	150	91	100	341	Quarter Total	135	151	118	404
Year to Date Total	150	91	100	341	Year to Date Total	135	151	118	404

Decreased file counts, new powers of release for Police and the Covid pandemic have added to decreased prisoner counts.

Cowichan Valley Regional Victim Services:

Victim Services in the North Cowichan/Duncan Detachment responds to critical incidents/crisis intervention call outs from police on a 24 hour, 7 day a week basis. Victim Services provide initial defusing, stabilization and act as a liaison between victims and emergency personnel, providing an invaluable service to the public and police alike.

Cowichan Valley Regional Victim Services 1st Quarter 2020					
	January	February	March	Quarter Total	Year to Date Total
New Clients	98	79	53	230	230
Females	71	61	34	166	166
Males	27	18	17	62	62
Calls For Service at scene	12	10	10	32	32
Referrals By Area					
North Cowichan	29	36	19	84	84
Duncan	9	10	6	25	25
Cowichan Tribes/FNP	10	11	8	29	29
Provincial Areas	15	8	6	29	29
Total	63	65	39	167	167
Brief Service Files	4	7	0	11	11



Respectfully submitted,

**Inspector Chris Bear
OIC North Cowichan/Duncan Detachment**





The Corporation of the District of North Cowichan

Bylaw No. 3766

Zoning Amendment Bylaw (1038 Herd Road), 2019

The Council of The Corporation of The District of North Cowichan enacts as follows:

1 Title

This Bylaw may be cited as "Zoning Amendment Bylaw No. 3766 (1038 Herd Road), 2019."

2 Administration

Zoning Bylaw 1997, No. 2950 is amended as follows:

2.1 ***Section 56 (4) [Density in the Residential Rural (R1) Zone], is amended by adding the following paragraph.***

2.1.1 Despite Section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 1038 Herd Road (PID: 023-168-501).

READ a first time on November 6, 2019

READ a second time on November 6, 2019

The November 20, 2019 public hearing for this bylaw was advertised in the Cowichan Valley Citizen on November 13, 2019 and November 15, 2019 and the municipality's website and notice board on November 8, 2019 in accordance with Section 466 of the *Local Government Act*.

A PUBLIC HEARING was held on November 20, 2019

The January 29, 2020 (second) public hearing for this bylaw was advertised in the Cowichan Valley Citizen on January 22, 2020 and January 24, 2020 and the municipality's website and notice board on the 15th day of January, 2020 in accordance with Section 466 of the *Local Government Act*.

A second PUBLIC HEARING was held on January 29, 2020

READ a third time on January 29, 2020

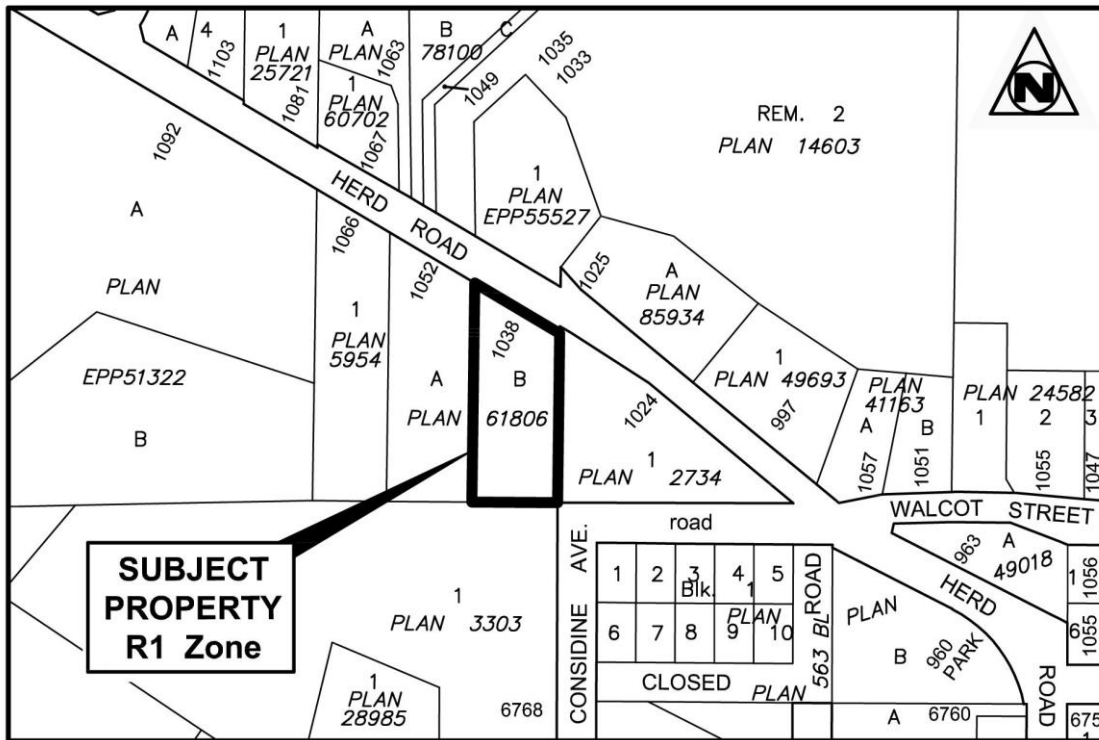
The SECTION 219 COVENANT was registered on the title on February 26, 2020 prohibiting any form of subdivision of the lands including strata subdivision and limit the maximum size of the second dwelling to 92 m².

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule



Report

Date May 6, 2020
To Council
From Mark Frame, General Manager, Financial and Protective Services
Subject Adoption of Financial Plan Amendment Bylaw No. 3791, 2020

File:

Endorsed:



Purpose

To amend the Financial Plan to align with the updated RCMP Detachment estimated costs and construction schedule and provide the public with an opportunity to submit their feedback to Council prior to adoption.

Background

At the April 29, 2020, Council meeting, Council gave three readings to North Cowichan/Duncan Integrated RCMP Facility Loan Authorization Bylaw No 3787, 2020. This allowed the process for seeking approval to undertake long-term borrowing for the construction of the new RCMP Facility to begin.

Discussion

The amount to be borrowed exceeded the amount in the April 15, 2020, Financial Plan, therefore the 2020 – 2024 Financial Plan needs to be updated to reflect the adjusted borrowing limit. Notice of this proposed amendment to the Financial Plan was posted on May 1, 2020, inviting the public to submit their feedback on the bylaw by email to info@northcowichan.ca by May 6, 2020. As per Council's decision on April 29, 2020, submissions received would be forwarded to Council at least 30 minutes prior to the meeting and acknowledged during the Public Input portion of the agenda.

The April 23, 2020 Class D estimate for the new RCMP Facility was \$49 million compared to the \$41 million estimate from November 12, 2018. The April 23, 2020 estimate includes \$6 million more in construction costs (including \$930,000 net-zero premium), \$1.1 million more in site development and \$1 million more in design contingency.

The initial Class D estimate was based on a notional 50,000 ft² building based on the RCMP space analysis. This estimate was based on standard ft² costs as of November 2018, plus estimates for soft costs and site development. This estimate was used to provide a magnitude of cost for the project.

The April 23, 2020 Class D estimate includes detailed budgets for each component of the building, soft costs (consultants), an allowance for furniture and fixtures, and site works specific to this site. The estimate is based on a 50,000 ft² Mass Timber building.

Implications

The Financial Plan Bylaw needs to be amended to reflect the increased cost of the project from \$41

million to \$49 million and the debt from \$40 million to \$48 million. As part of the statutory review process of Loan Authorization Bylaw No. 387, we must provide evidence that the capital and operating components for the new RCMP facility are included in the Financial Plan.

The updated construction schedule decreases the construction in 2020 and increases the construction in both 2021 and 2022.

Temporary borrowing will be used to finance construction and will be converted to debenture debt in the fall of 2021, 2022 and 2023.

	Original	Updated
2021	15,000,000	21,400,000
2022	20,000,000	24,400,000
2023	5,000,000	2,200,000
	40,000,000	48,000,000

The new scheduling for borrowing requires changes to the debt payments as well. Total debt payment will increase from \$2,923,628 to \$3,377,122.

	Original	Updated
2021	382,500	156,220
2022	1,250,736	1,683,751
2023	2,591,300	3,238,398
2024	2,923,628	3,377,122

The borrowing costs have been based on MFA's indicative rate of 2.92%, these rates are provided by MFA to estimate the interest rate over the term of the loan. The initial 10 years of the spring 2020 MFA issue was 1.99%. So interest rates could be lower for funds borrowed in 2021, reducing the annual payments. The amount borrowed cannot exceed \$48,000,000, but could be adjusted over 2021-2023 to match actual construction. This would be reviewed each year before the Financial Plan is adopted.

Recommendations

1. That Council give first, second and third readings to Five-Year Financial Plan Amendment Bylaw, No. 3791, 2020;
2. That Council adopts Five-Year Financial Plan Amendment Bylaw, No. 3791, 2020.

Attachment(s): Five-Year Financial Plan Amendment Bylaw, 2020, No. 3791



The Corporation of the District of North Cowichan

Five-Year Financial Plan Amendment Bylaw, 2020

Bylaw No. 3791

WHEREAS the British Columbia government has declared a provincial state of emergency to support the province wide response to the novel coronavirus (COVID-19) pandemic;

AND WHEREAS Ministerial Order No. M083 under the Emergency Program Act permits the Council of The Corporation of The District of North Cowichan to adopt a bylaw on the same day that it receives third reading;

NOW THEREFORE, the Council of The Corporation of The District of North Cowichan enacts as follows:

- 1 This bylaw may be cited as "Five-Year Financial Plan Amendment Bylaw No. 3791, 2020".
- 2 Five-Year Financial Plan Bylaw, No. 3785, 2020 is amended by deleting Schedule 1 and inserting in its place the Schedule 1, attached to and forming part of this Bylaw.

READ a first time on
READ a second time on
READ a third time on
ADOPTED on


CORPORATE OFFICER

PRESIDING MEMBER

Schedule 1
Proposed Expenditures, Funding Sources and Fund Transfers

Item	Column 1 Description	Column 2 2020	Column 3 2021	Column 4 2022	Column 5 2023	Column 6 2024
1	Revenues					
2	Property Taxes	32,791,046	35,444,985	37,300,524	39,326,720	40,516,082
3	Parcel Taxes	4,768,833	4,976,803	5,181,382	5,408,413	5,625,274
4	User Fees	10,517,059	12,760,122	13,699,951	14,587,950	15,072,981
5	Other	7,822,563	7,813,863	26,626,394	9,428,294	2,479,930
6		55,899,501	60,995,773	82,808,251	68,751,377	63,694,267
7	Expenses					
8	General Operating	34,649,632	35,696,658	36,595,860	37,350,856	38,087,569
9	Sanitary Sewer Operating	3,438,677	2,967,500	3,034,131	3,101,343	3,147,438
10	Water Operating	3,094,164	3,165,760	3,235,700	3,237,680	3,284,990
11	Interest on Debt	932,857	1,133,972	1,820,783	2,408,796	2,452,062
12	Amortization	9,757,400	9,787,400	9,811,400	9,811,400	9,814,400
13		51,872,730	52,751,290	54,497,874	55,910,075	56,786,459
14	Annual Surplus / (Deficit)	4,026,771	8,244,483	28,310,377	12,841,302	6,907,808
15	Add back: Unfunded Amortization	9,757,400	9,787,400	9,811,400	9,811,400	9,814,400
16	Capital Expenditures					
17	General Capital	21,034,285	33,270,970	30,583,800	8,051,046	7,930,831
18	Sanitary Sewer Capital	2,159,465	4,679,043	25,499,340	17,297,578	1,743,577
19	Water Capital	2,555,000	1,565,900	3,985,450	1,796,120	1,226,100
20		25,748,750	39,515,913	60,068,590	27,144,744	10,900,508
21	Proceeds from Borrowing	(4,000,000)	(23,100,000)	(20,900,000)	0	0
22	Principal Payments on Debt	1,089,460	1,094,565	1,967,848	3,167,753	3,240,612
23	Transfers to or between Reserve Funds	(1,901,479)	1,864,589	1,540,547	397,136	1,157,500
24	Transfers to or between Accumulated Surplus	(7,152,560)	(1,343,184)	(4,555,208)	(8,056,931)	1,423,588
25		(11,964,579)	(21,484,030)	(21,946,813)	(4,492,042)	5,821,700
26	Financial Plan Balance	0	0	0	0	0

Report

Date	May 6, 2020	File:
To	Council	
From	Martin Drakeley, Manager, Fire and Bylaw Services	Endorsed: 
Subject	Adoption of Mutual Aid Agreement Repeal Bylaw, No. 3790 and Authorization of Cowichan Valley Mutual Aid Agreements	

Purpose

The purpose of this report is to consider repealing the existing Mutual Aid Agreement Bylaw and authorize the Mayor and Corporate Officer to execute a new Mutual Aid Agreement with neighbouring communities to provide fire services during emergencies.

Background

The present *Cowichan Valley Fire Department Regional Mutual Aid Agreement*, adopted by bylaw in 1989, is a no-charge reciprocal system of emergency response and assistance available to local Fire Departments throughout the region. Cowichan Valley Fire Departments agree that mutual aid has proved to be a valuable tool for their departments, however, the Fire Chiefs have expressed concerns that the existing agreements are out of date, too difficult to administer, and that due to their narrow focus they do not represent a regional approach.

On April 14, 2020, staff received the attached Cowichan Valley Fire Department Regional Mutual Aid Agreement for review and consideration. In addition to the new agreement having been reviewed by the Cowichan Valley Regional District Board (CVRD) and their solicitors, it was developed in consultation with, and is supported by, each party's fire chief, the CVRD Fire Rescue Services Coordinator and North Cowichan's Manager of Fire and Bylaw Services.

Discussion

Mutual aid agreements are prevalent throughout the fire service in British Columbia and across Canada. North Cowichan, under Mutual Aid Agreement Bylaw 1989, No. 2474, has established agreements with Ladysmith, Sahtlam, Duncan, Cowichan Bay and Shawnigan to cooperate in fire fighting through the provision of resources and equipment. This new agreement proposes to include additional fire departments from the Malahat to North Oyster.

An important element of fire emergency preparedness planning is to make arrangements that will ensure adequate assistance in the form of qualified personnel, services, equipment, or materials to initiate and sustain an effective response. Mutual aid agreements provide an opportunity for all parties to obtain valuable resources when required during an emergency, as fire departments may become strained during larger-scale events, thereby necessitating the need for those additional resources.

Mutual aid also provides back-up protection to a fire department when the local fire department is attending a fire or emergency. This system enables the department to respond to any other fire or emergency within the fire protection area if required. If the local fire department is unable to respond,

the next closest neighbouring fire department (who has the resources available) will provide mutual aid.

Prior to adopting this regionally-based mutual aid agreement, parties should repeal any mutual aid bylaws or terminate any existing agreements. However, this regional mutual aid agreement would also not prevent any of the parties from entering into a separate agreement to provide additional mutual aid for services such as specialty rescue, hazmat services, etc.

Options

1. Repeal the current bylaw and authorize the Mayor and Corporate Officer to sign the Cowichan Valley Fire Department Regional Mutual Aid Agreement.
2. Direct staff to negotiate revisions to the existing mutual aid agreement under Bylaw No. 2474 and opt out of the regionally-based agreement.

Implications

The ability to share resources is an effective, cost-efficient method to supplement existing fire service resources. As a result of participating in this new regionally-based mutual aid agreement, North Cowichan fire departments will benefit from being able to draw resources from 13 other departments.

There is no additional cost or demand for reimbursement when resources are acquired from another participating fire department, except where the equipment supplied, is lost or damaged. In extreme cases, firefighting consumables may be requested for replacement or reimbursement.

Recommendations

1. That Council give first, second and third readings to Mutual Aid Agreement Repeal Bylaw, No. 3790, 2020.
2. That Council adopt Mutual Aid Agreement Repeal Bylaw, No. 3790, 2020.
3. That Council authorize the Mayor and Corporate Office to sign the Cowichan Valley Fire Department Regional Mutual Aid Agreement.

Attachments:

1. Cowichan Valley Fire Department Regional Mutual Aid Agreement
2. Mutual Aid Agreement Repeal Bylaw 2020, No. 3790
3. Mutual Aid Agreement Bylaw 1989, No. 2474



175 Ingram Street
Duncan, BC V9L 1N8
www.cvr.bc.ca

Office: 250.746.2500
Fax: 250.746.2513
Toll Free: 1.800.665.3955

April 14, 2020

The District of North Cowichan
PO Box 278-7030 Trans Can Hwy
DUNCAN BC V9L 3X4
ATTENTION: Mark Frame

Please accept the attached Cowichan Valley Fire Department Regional Mutual Aid Agreement for your review and consideration. The CVRD Board approved entering into agreement with the eight other authorities having jurisdiction over their fire departments.

Mutual Aid Agreements provide an opportunity to obtain valuable resources when required during an emergency when Fire Departments may find that their own resources quickly become strained. This necessitates obtaining additional resources. The ability to share resources is an effective, cost-efficient method to supplement existing resources. This Regional Mutual Aid Agreement is a no-charge reciprocal system of emergency response and assistance available to local Fire Departments throughout the region.

Implementing a single, regional mutual aid agreement provides the ability of fire departments to legally and promptly access resources should they be needed and available, allow all parties to terminate any outdated or other existing agreements, and operate under a single agreement. However, this regional mutual aid agreement would also not prevent the parties from entering into any one-off agreement as they see fit.

The Cowichan Valley Fire Department Regional Mutual Aid Agreement has been reviewed by the Cowichan Valley Fire Chiefs Association, individual Fire Chiefs, CVRD Public Safety, CVRD Legislative Services and CVRDs legal counsel. All the chiefs have contributed towards the language and development of the agreement and support implementation. The Fire Chiefs have also expressed concerns that existing mutual aid agreements are either out of date, too difficult to administer, or are narrowly focused and do not represent a regional approach. All the Fire Departments have agreed that mutual aid has proven to be a valuable tool for assistance between the fire departments.

This agreement may be signed in counterparts, each of which shall be an original and all of which, when taken together, shall be one and the same document. Once complete the CVRD will send each jurisdiction a final signed copy. Please sign enclosed agreement and return to:

The Cowichan Valley Regional District
175 Ingram Street
DUNCAN BC V9L 1N8
ATTENTION: Public Safety Division

If you have any questions please do not hesitate to contact me.

Regards,

Jason deJong, ECFO
Fire Rescue Services Coordinator

Enclosure: (1)
JJ/ge

AGREEMENT FOR SERVICES

THIS AGREEMENT dated for reference this _____ day of _____, 2020.

BETWEEN:

COWICHAN VALLEY REGIONAL DISTRICT

175 Ingram Street
Duncan BC V9L 1N8

(the "Regional District")

AND:

THE CITY OF DUNCAN

PO BOX 820
200 Craig Street
Duncan BC V9L 3Y2

("Duncan")

AND:

THE DISTRICT OF NORTH COWICHAN

PO BOX 278
7030 Trans Canada Highway
Duncan BC V9L 3X4

("North Cowichan")

AND:

THE TOWN OF LAKE COWICHAN

PO BOX 860
39 South Shore Road
Lake Cowichan BC V0R 2G0

("Lake Cowichan")

AND:

THE TOWN OF LADYSMITH

PO BOX 220
410 Esplanade
Ladysmith BC V9G 1A2

("Ladysmith")

AND:

THE COWICHAN BAY IMPROVEMENT DISTRICT

PO BOX 1039
Duncan BC V9L 3Y2

("Cowichan Bay")

AND:

THE MILL BAY FIRE PROTECTION DISTRICT

PO BOX 192
Mill Bay BC V0R 2P0

("Mill Bay")

AND:

THE SHAWNIGAN LAKE IMPROVEMENT DISTRICT

PO BOX 3
Shawnigan Lake BC V0R 2W0

("Shawnigan")

AND:

THE THETIS ISLAND IMPROVEMENT DISTRICT

PO BOX 2-1
Thetis Island BC V0R 2Y0

("Thetis Island")

(hereinafter called the "Parties")

WHEREAS:

- A. Under section 263(1)(b) of the *Local Government Act*, the CVRD may make agreements with a public authority respecting the undertaking, provision and operation of its services;
- B. Each of the Parties is a public authority as defined in the Schedule to the *Community Charter* which applies to all the Parties because of section 2 of the Schedule to the *Local Government Act*;
- C. Duncan, North Cowichan, Lake Cowichan and Ladysmith have the power under sections 8(1) and 11(2) of the *Community Charter* to make this Agreement;

- D. Cowichan Bay, Mill Bay, Shawnigan and Thetis Island have the power under their respective letters patent and under section 697(1) and 697(2)(g) of the *Local Government Act* to make this Agreement;
- E. All of the Parties provide the service of fire protection and maintain their own Emergency Resources; and
- F. The Parties consider it to be to their mutual benefit to co-operate in the fighting of fires and other emergency-related incidents.

NOW THEREFORE, THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and provisions herein contained, the Parties covenant and agree as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

- a) **"Ancillary Equipment"** means firefighting, emergency and lifesaving equipment, and water supply.
- b) **"Area of Jurisdiction"** means the territorial area over which each Party has legal authority to provide Emergency Operations services.
- c) **"Emergency"** includes any or all of the following:
 - 1. Fire Emergency;
 - 2. Rescue Emergency;
 - 3. Medical Emergency; and
 - 4. Emergency Standby Services.
- d) **"Emergency Operations"** means fire suppression, First Responder Program medical aid, auto extrication and rescue, and Emergency Standby Services.
- e) **"Emergency Resources"** means persons and equipment designated by a Party for the purpose of Emergency Operations, all or a portion of which may be made available to the other Party to assist in Emergency Operations, but does not include Ancillary Equipment.
- f) **"Emergency Standby Services"** means the provision of Emergency Resources by the Providing Party to the fire station of the Requesting Party for the purpose of standing by in the event that an Emergency occurs in the Requesting Party's Area of Jurisdiction that cannot be brought under control by the use of local Emergency Resources within the Requesting Party's Area of Jurisdiction.
- g) **"Fire Chief"** means the Fire Chief of a Party and includes any person appointed or designated by the Fire Chief to act on behalf of the Fire Chief.

- h) **"Fire Emergency"** means a real or anticipated fire that, in the opinion of the Fire Chief or Officer in Charge, endangers the lives, safety, welfare, or well-being of people, or the safety or fabric of buildings or structures and that cannot be brought under control by the use of local firefighting resources within the Area of Jurisdiction.
- i) **"First Responder Program"** means an emergency medical assistants training program established under the *Emergency Health Services Act* and its regulations.
- j) **"Incident Commander"** means the individual responsible and in charge of an Emergency in accordance with the BC Emergency Management System incident command system or as defined in the applicable fire department or regional district operational guidelines and bylaws.
- k) **"Medical Emergency"** means a real or anticipated medical emergency that, in the opinion of the Fire Chief or Officer in Charge, endangers the lives, safety, welfare, or well-being of people and that cannot be brought under control by the use of local Emergency Resources within the Requesting Party's Area of Jurisdiction.
- l) **"Officer in Charge"** means the senior officer of a fire department in attendance at an Emergency.
- m) **"Party"** means a Party to this Agreement.
- n) **"Providing Party"** means a Party receiving a request for assistance under this Agreement.
- o) **"Requesting Party"** means a Party requesting assistance under this Agreement.
- p) **"Rescue Emergency"** means a real or anticipated rescue assistance situation that, in the opinion of the Fire Chief or the Officer in Charge, endangers the lives, safety, welfare, or well-being of people, or the safety or fabric of buildings or structures and that cannot be brought under control by the use of local Emergency Resources within the Requesting Party's Area of Jurisdiction.

2.0 COOPERATIVE ASSISTANCE

- 2.1 The Parties agree to provide Emergency Operations services to each other's Area of Jurisdiction in accordance with the terms of this Agreement.
- 2.2 Subject to Article 4.0, each Providing Party shall, upon request of the Officer in Charge of the Requesting Party, dispatch Emergency Resources to assist in Emergency Operations in the Requesting Party's Area of Jurisdiction, as authorized by their respective bylaws.
- 2.3 Parties participating in this Agreement are responsible for advising the Requesting Party of their service level, capability of providing Emergency Standby Services, and confirming that their provision of Emergency Standby Services is supported by appropriate operational guidelines, policy and periodic interagency training.
- 2.4 As a courtesy, each Party agrees to inform the other Party when a request for assistance is a possibility, including under circumstances where a Party has declared a state of local emergency pursuant to the *Emergency Program Act*.

3.0 OPERATION MANAGEMENT AND JURISDICTIONS

- 3.1 The incident command system will be used at all Emergencies under this Agreement. The Officer in Charge of the Requesting Party shall be in command of fire crews of the Providing Parties and will communicate with all fire departments in a manner to ensure coordinated operations.
- 3.2 The Incident Commander at the location of an Emergency shall direct use of Emergency Resources and Ancillary Equipment, and in the case of Emergency Resources and Ancillary Equipment supplied by a Providing Party, the Incident Commander shall give direction to the Officer in Charge of the Providing Party.
- 3.3 Any and all agents, servants or employees of each of the Parties, while engaged in the performance of any work or services required to be performed by the Parties under this Agreement shall not be considered employees of any other Party and a Party shall not be responsible for any act or omission of any person other than one of its own agents, servants, or employees, except as provided in this Agreement.
- 3.4 Each Party to this Agreement will retain decision-making authority within their own Area of Jurisdiction
- 3.5 Where a Fire Chief or Officer in Charge determines that an Emergency exists, he or she may in his or her sole and absolute discretion decide whether to request assistance response from another Party.

4.0 AVAILABILITY OF EMERGENCY RESOURCES

- 4.1 The Fire Chief of a Providing Party shall determine whether Emergency Resources under his or her jurisdiction are available to be dispatched for the purposes of section 2.2 of this Agreement depending on whether the emergency equipment is in good repair and the Emergency Resources are not required or anticipated to be required in the Providing Party's Area of Jurisdiction. The Fire Chief of the Providing Party shall communicate that decision to the Fire Chief or Officer in Charge of the Requesting Party as soon as is reasonably possible.
- 4.2 Nothing in this Agreement shall be interpreted as requiring a Fire Chief of a Providing Party to dispatch or make available Emergency Resources to a Requesting Party where the Fire Chief reasonably considers that the Emergency Resources are or may be required by the Providing Party.
- 4.3 A Requesting Party shall not request assistance in Emergency Operations unless or until its Emergency Resources are deployed or are in use to deal with an Emergency, except where it requires specialized equipment that it does not possess and the other Party does possess.
- 4.4 The Fire Chief of the Providing Party has discretion regarding the number of personnel and type of equipment that may be dispatched under this Agreement.
- 4.5 Where the safety of Emergency Resources and Ancillary Equipment is a concern, or where good fire-fighting practices are not applied, the Officer in Charge of the Providing Party has sole discretion on the application and following of directions given by the Officer

in Charge of the Requesting Party, as these directions relate to the Emergency Resources and Ancillary Equipment of the Providing Party.

- 4.6 Emergency Resources and Ancillary Equipment supplied by a Providing Party pursuant to this Agreement may be recalled at any time if the Fire Chief of the Providing Party has determined in his or her sole discretion that it is required in the Providing Party's Area of Jurisdiction.

5.0 EQUIPMENT AND WATER SUPPLY

- 5.1 Notwithstanding any other provision of this Agreement, Ancillary Equipment (including, but not limited to port-a-tanks) must be provided by the fire department of the Requesting Party and such equipment must not be dispatched outside the respective Areas of Jurisdiction of the Parties, except in cases of immediate need where the Requesting Party does not have the requisite Ancillary Equipment, and where the Providing Party has a duplication of the requisite Ancillary Equipment.
- 5.2 When responding to an Emergency, each Party to this Agreement will have the use of the closest water supply of another Party, regardless of jurisdiction, if the factors of time, life, and safety warrant.

6.0 COST

- 6.1 Emergency Resources and Ancillary Equipment supplied by a Providing Party under this Agreement shall be supplied at the expense of the Providing Party and that Party shall not demand reimbursement from the Requesting Party except as set forth in section 6.2 of this Agreement.
- 6.2 Ancillary Equipment supplied to a Requesting Party under this Agreement, and used by the Requesting Party, shall be the responsibility of the Requesting Party and any loss or damage to the equipment shall be the responsibility of the Requesting Party. In extreme cases, firefighting consumables may be requested for replacement or reimbursement to the providing party.

7.0 EMERGENCY RESOURCES

- 7.1 The Requesting Party may, at any time during an Emergency, and as a matter of caution, request additional Emergency Resources from a Providing Party should the Incident Commander determine that this assistance will be beneficial in mitigating the Emergency, or that it may provide an additional level of safety to personnel.
- 7.2 A Requesting Party may request Emergency Resources of the other Parties to be on standby, if all the Requesting Party's Emergency Resources are out of service due to a prolonged incident or unforeseen Emergency. The Fire Chiefs of the Requesting and Providing Parties shall determine what Emergency Resources will be required, how and where these standby Emergency Resources will be staged.
- 7.3 The Parties agree that, except as provided in section 6.2 and 10.1, no money payments will be made between the Parties with respect to costs incurred by a Providing Party providing Emergency Resources or Ancillary Equipment under this Agreement.

8.0 FIRE CHIEF'S OR OFFICER'S IN CHARGE DETERMINATION

- 8.1 The determination of a Fire Chief or Officer in Charge on any matter that he or she has authority to determine under this Agreement shall be final.

9.0 RELEASES OF RESOURCES

- 9.1 As soon as the Emergency giving rise to the request for assistance has been brought under control, Emergency Resources and Ancillary Equipment supplied under this Agreement shall be released first before any of the Requesting Party's Emergency Resources or Ancillary Equipment are released.

10.0 INDEMNIFICATION

- 10.1 The Requesting Party shall indemnify and save harmless the Providing Party, its elected and appointed officers and officials, employees, agents, and servants from any and all claims, causes of action, suits and demands whatsoever arising out of the assistance rendered by the Providing Party, its elected and appointed officers and officials, employees, agents, and servants under this Agreement, the failure to respond to a request for assistance pursuant to this Agreement, or, the failure to render adequate assistance under this Agreement, except where the Responding Party, or any of its elected or appointed officers or officials, employees, agents, or servants, has in relation to the provision of assistance under this Agreement, been negligent.
- 10.2 In the event that a Party acts independently of a request for assistance under this Agreement by a Requesting Party, then the Party shall not be entitled to indemnity pursuant to section 10.1, but shall be responsible for their own legal liabilities and shall accordingly indemnify and save harmless the Requesting Party under this Agreement for any and all liabilities, actions, damages and claims of whatever nature or kind arising out of the independent act of the Party.
- 10.3 No Party to this Agreement shall be liable in damages to any other Party for failing to respond to a request for assistance under this Agreement or for failure to render adequate assistance under this Agreement.

11.0 INSURANCE

- 11.1 Each Party shall procure and maintain in force at their own cost during the Term of this Agreement a comprehensive general liability insurance policy, policies, or program with a limit of not less than Five MILLION (\$5,000,000.00) DOLLARS inclusive per occurrence for bodily injury (including death), personal injury and property damage. The policy, policies, or program must include but not be limited to the following coverage/provisions:
- (a) all premises and operations necessary or incidental to the performance of this Agreement;
 - (b) products and completed operations;
 - (c) "Broad Form" property damage;
 - (d) blanket contractual liability; and

(e) cross liability.

11.2 In the event that a Party proposes to withdraw from insurance coverage provided by the Municipal Insurance Association (MIA), the withdrawing Party shall provide the other parties with a minimum ninety (90) days' written notice of the proposed effective date of withdrawal from MIA so that each of the other Parties may either satisfy itself, in its sole discretion, that appropriate insurance coverage will be in place for the remainder of the Term or serve notice of withdrawal from this Agreement on the withdrawing Party pursuant to section 12.1 of this Agreement.

11.3 Each Party shall maintain WorkSafe BC coverage and other required occupation health and safety coverage for its own personnel.

12.0 WITHDRAWAL

12.1 Any Party may withdraw from this Agreement by providing sixty (60) days' written notice, delivered in accordance with this Agreement, to the other Parties.

13.0 WAIVER AND AMENDMENTS

13.1 The waiver by a Party or Parties of any failure on the part of another Party or Parties to perform in accordance with any of the terms or conditions of this Agreement must not be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

13.2 This Agreement may only be amended by written agreement of the Parties in the form of a formal amending agreement.

14.0 NOTICE

14.1 It is hereby mutually agreed that any notice required to be given under this Agreement will be deemed to be sufficiently given if:

- (a) Delivered at the time of delivery; and
- (b) Mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

if to CVRD:
175 Ingram Street
Duncan, BC V9L 1N8
Attention: Jason de Jong
Email: Jason.DeJong@cverd.bc.ca

if to Duncan:
P.O. BOX 820
Duncan, BC V9L 3Y2
Attention: Paige MacWilliam
Email: paige@duncan.ca

if to North Cowichan:
P.O. BOX 278
Duncan, BC V9L 3X4
Attention: Mark Frame
Email: mark.frame@northcowichan.ca

if to Lake Cowichan:
P.O. BOX 860
Lake Cowichan, BC V0R 2G0
Attention: Joe Fernandez
Email: jfernandez@lakecowichan.ca

if to Ladysmith:
P.O. BOX 220
Ladysmith, BC V9G 1A2
Attention: Guillermo Ferrero
Email: gferrero@ladysmith.ca

if to Cowichan Bay:
P.O. BOX 1039
Duncan, BC V9L 3Y2
Attention: Gordon Fraser
Email: cbid@cbvfr.com

if to Mill Bay:
P.O. BOX 192
Mill Bay, BC V0R 2P0
Attention: David Slade
Email: dslade@telus.net

if to Shawnigan:
P.O. BOX 3
Shawnigan Lake, BC V0R 3W0
Attention: Chris Shields
Email: info@shawniganimprovementdistrict.com

if to Thetis Island:
P.O. BOX 2 – 1
Thetis Island, BC V0R 2Y0
Attention: Keith Rush
Email: keithrush17@gmail.com

Unless otherwise specified herein, any notice required to be given under this Agreement by any Party will be deemed to have been given if mailed by prepaid registered mail, or sent by facsimile transmission, or delivered to the address of the other party set forth on the first page of this Agreement or at such other address as the other Party may from time to time direct in writing, and any such notice will be deemed to have been received if mailed or faxed, seventy-two (72) hours after the time of mailing or faxing and, if delivered, upon the date of delivery. If normal mail service or facsimile service is interrupted by strike,

slow down, force majeure or other cause, then a notice sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the notice must utilize any other such services which have not been so interrupted or must deliver such notice in order to ensure prompt receipt thereof.

16.0 HEADINGS

- 16.1 Section and paragraph headings are inserted for identification purposes only and do not form a part of the Agreement.

17.0 LANGUAGE

- 17.1 Wherever the singular or neuter are used throughout this Agreement, the same shall be construed as meaning the plural or the body corporate or politic as the context so requires.

18.0 LAW APPLICABLE

- 18.1 This Agreement shall be construed in accordance with, and governed by, the laws applicable in the Province of British Columbia.

19.0 COUNTERPARTS

- 19.1 This Agreement may be executed in counterparts, each of which shall be an original and all of which, when taken together, shall be deemed to be one and the same instrument, notwithstanding variations in format or file designation which may result from the electronic transmission, storage and printing of copies of this Agreement from separate computers or printers. Facsimile or scanned signatures shall be treated as original signatures

IN WITNESS WHEREOF the Parties hereto have set their hands and seals as of the day and year first above written.

COWICHAN VALLEY REGIONAL DISTRICT by)
its authorized signatories:)

_____)
Name:)

_____)
Name:)

THE CITY OF DUNCAN by its authorized)
signatories:)

_____)
Name:)

_____)
Name:)

THE DISTRICT OF NORTH COWICHAN by its)
authorized signatories:)

_____)
Name:)

_____)
Name:)

THE TOWN OF LAKE COWICHAN by its)
authorized signatories:)

_____)
Name:)

_____)
Name:)

THE TOWN OF LADYSMITH by its authorized)
signatories:)

_____)
Name:)

_____)
Name:)

THE COWICHAN BAY IMPROVEMENT)
DISTRICT by its authorized signatories:)

_____)
Name:)

_____)
Name:)

THE MILL BAY FIRE PROTECTION DISTRICT)
by its authorized signatories:)

_____)
Name:)

_____)
Name:)

THE SHAWNIGAN IMPROVEMENT DISTRICT)
by its authorized signatories:)

_____)
Name:)

_____)
Name:)

THE THETIS ISLAND IMPROVEMENT)
DISTRICT by its authorized signatories:)

_____)
Name:)

_____)
Name:)



The Corporation of the District of North Cowichan

Mutual Aid Agreement Repeal Bylaw, 2020

Bylaw 3790

The Council of The Corporation of the District of North Cowichan enacts as follows:

1. This bylaw shall be cited as "Mutual Aid Agreement Repeal Bylaw, No. 3790, 2020"
2. Mutual Aid Agreement Bylaw 1989, No. 2474 is hereby repealed.

READ a first time on
READ a second time on
READ a third time on
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 2474

A BY-LAW TO AUTHORIZE THE DISTRICT OF NORTH COWICHAN TO ENTER INTO AN AGREEMENT WITH THE CITY OF DUNCAN, THE TOWN OF LADYSMITH, THE COWICHAN BAY IMPROVEMENT DISTRICT, THE COWICHAN VALLEY REGIONAL DISTRICT, AND THE SHAWNIGAN IMPROVEMENT DISTRICT FOR THE USE OF FIRE-FIGHTING EQUIPMENT AND PERSONNEL OF EACH MEMBER COMPONENT

WHEREAS pursuant to the provisions of the "Municipal Act" the Council may, by by-law, enter into an agreement for the use of fire-fighting equipment and personnel upon such terms and conditions as may be agreed upon;

AND WHEREAS the Councils of The Corporation of the District of North Cowichan, The Corporation of the City of Duncan, The Corporation of the Town of Ladysmith, the Board of Trustees of the Cowichan Bay Improvement District, the Board of the Cowichan Valley Regional District, and the Board of Trustees of the Shawnigan Improvement District have agreed upon the terms and conditions under which they co-operate in the fighting of fires, such terms and conditions being outlined in Schedule "A" of this by-law;

NOW THEREFORE, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:

1. The Municipal Council of The Corporation of the District of North Cowichan is hereby authorized to enter into and carry out the terms and conditions of an agreement with The Corporation of the City of Duncan, The Corporation of the Town of Ladysmith, the Cowichan Bay Improvement District, the Cowichan Valley Regional District, and the Shawnigan Improvement District in the form set out and attached hereto and forming part of this by-law, such agreement to be called Schedule "A", to cover the joint use of the fire-fighting equipment and personnel of each member component to the said agreement; and the Mayor and Clerk are hereby authorized and empowered to execute the said agreement on behalf of The Corporation of the District of North Cowichan.

2. By-law No. 2271 is hereby repealed.


3. This by-law may be cited as the "Mutual Aid Agreement By-law 1989".

Received First Reading on the 1st day of November 1989.

Received Second Reading on the 1st day of November 1989.

Received Third Reading on the 1st day of November 1989.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 15th day of November 1989.



H.R. Hollett,
Mayor



J.S. Dias,
Municipal Clerk

SCHEDULE "A"

THIS AGREEMENT MADE IN SEXTUPLET the day of 1989.

BETWEEN: THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
(hereinafter called "North Cowichan")
OF THE FIRST PART:

AND: THE CORPORATION OF THE CITY OF DUNCAN
(hereinafter called "Duncan")

OF THE SECOND PART:

AND: THE CORPORATION OF THE TOWN OF LADYSMITH
(hereinafter called "Ladysmith")

OF THE THIRD PART:

AND: THE COWICHAN BAY IMPROVEMENT DISTRICT
(hereinafter called "Cowichan Bay")
OF THE FOURTH PART:

AND: COWICHAN VALLEY REGIONAL DISTRICT (SAHTLAM)
(hereinafter called "Sahtlam")

OF THE FIFTH PART:

AND: THE SHAWNIGAN IMPROVEMENT DISTRICT
(hereinafter called "Shawnigan")

OF THE SIXTH PART:

WHEREAS North Cowichan, Duncan, Ladysmith, Cowichan Bay, Sahtlam, and Shawnigan each maintain their own fire fighting equipment and personnel;

AND WHEREAS North Cowichan, Duncan, Ladysmith, Cowichan Bay, Sahtlam, and Shawnigan consider it to be to their mutual benefit to co-operate in the fighting of fires;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and provisos herein contained, the parties hereto covenant and agree as follows:

1. In the event that the Fire Chief or Officer in Charge of either North Cowichan, Duncan, Ladysmith, Cowichan Bay, Sahtlam, or Shawnigan requires assistance to fight a fire, then upon his request, and provided the equipment and personnel are not required by the other Fire Chief for service in his own district (or jurisdiction), the equipment and personnel shall be dispatched to assist at the fire in the first district.

2. Fire equipment and personnel assisting at a fire shall be under the direction of the Fire Chief in the district where the fire is located, provided, however, that the said equipment and personnel may be recalled at any time by the Fire Chief of the said district. Directions by the Fire Chief of the district where the fire is located shall be given to the Fire Chief or Officer in Charge of the equipment and personnel of the other districts and personnel shall be responsible to their own senior officers only.

3. Fire equipment and personnel requested to respond to a second fire in any district or jurisdiction shall be under the complete charge of the responding officer, even though equipment from the district where the fire is located may also be used.

4. North Cowichan, Duncan, Ladysmith, Cowichan Bay, Sahtlam, and Shawnigan shall not be liable for any loss, injury, or damage occasioned to or by the equipment or personnel of the other parties hereto.

5. No remuneration shall be involved under this agreement, but the district or jurisdiction requesting aid shall provide gas and oil for the equipment used.

6. Any member component of this agreement may terminate partnership to the said agreement by giving the other member components of this agreement 90 days' notice in writing by registered mail.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on the day and in the year first above written.

THE CORPORATE SEAL OF THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN was hereunto affixed in the presence of:



Mayor

Municipal Clerk

THE CORPORATE SEAL OF THE CORPORATION OF THE CITY OF DUNCAN was hereunto affixed in the presence of:

Mayor

City Clerk

THE CORPORATE SEAL OF THE CORPORATION OF THE TOWN OF LADYSMITH was hereunto affixed in the presence of:

Mayor

Municipal Clerk

THE SEAL OF THE COWICHAN BAY IMPROVEMENT DISTRICT was hereunto affixed in the presence of:

Chairman, Board of Trustees

Secretary, Board of Trustees

THE SEAL OF THE COWICHAN VALLEY REGIONAL DISTRICT was hereunto affixed in the presence of:

Chairman, Board of Directors


Secretary, Board of Directors

THE SEAL OF THE SHAWNIGAN IMPROVEMENT DISTRICT was hereunto affixed in the presence of:

Chairman, Board of Directors

Secretary-Treasurer.

Report

Date	May 6, 2020	Prospero No. DPV00001 Folio No. 08660-004 File No. 3060-20 19.01
To	Council	
From	Anthony Price, Planning Technician	Endorsed: 
Subject	Development Permit with Variance Application No. DPV00001 for 6812 Stoney Hill Road	

Purpose

The purpose of this report is to provide Council with staff's analysis of the Development Permit with Variance application received for 6812 Stoney Hill Road to relax the side yard and the watercourse setbacks to allow the construction of a garage over the same footprint as the existing accessory storage building.

Background

Land use Context

The subject (waterfront) property, located at 6812 Stoney Hill Road (see attachments 1 & 2), which is outside of the Urban Containment Boundary, is 2.02 ha (4.94 ac) in size and zoned Rural Zone (A2) in the Zoning Bylaw (see attachment 3). In 2008, Madrone Environmental Services Ltd (Madrone), conducted a Riparian Areas Regulation (RAR) Assessment report (see attachment 6) which determined that the adjacent watercourse is not subject to the RAR. The staff analysis determined that this application met the Development Permit Area 3 (DPA-3) guidelines, allowing the issuance of a Building Permit for the current single-family dwelling and accessory storage building and further permitted the placement of the single-family dwelling within 7.5 metres of the natural boundary of the ocean and 10 metres from the adjacent watercourse.

The marine backshore shows substantial signs of disruption from past land alteration. In 2018 a winter storm blew down several trees, further altering the property's natural condition.

Proposal

The applicant proposes to relocate the existing accessory storage building on the property and construct a new garage in its place, requiring a variance of Sec. 13(1)(c) of Zoning Bylaw No. 2950 that prohibits a building or part thereof to be constructed, altered, moved, or extended within 15 m (49.21') from the natural boundary of any watercourse (see attachment 8). A letter of rationale from the applicant has been included as attachment 5, indicating a desire for this new accessory building to accommodate a vehicle and provide space for woodworking and a secure location for the applicant's tools. Due to this highly constrained site, the proposal will also require minor alterations to the existing septic field, which will require sign-off from a Registered Onsite Wastewater Practitioner. In addition, a relaxation of Sec. 52(6)(d) of the Zoning Bylaw No. 2950 (attachment 9) is requested to relax the north side yard setback from 3 to

2.5 metres to maintain the existing setback and protections from the adjacent watercourse.

Discussion

The proposal is subject to DPA-3 and DPA-4 guidelines. Key considerations include the protection of watercourses, coastal areas, terrestrial habitat, sensitive ecosystems and endangered species including the provision of stable and accessible building sites and sediment and erosion control. The applicable DPA guidelines have been addressed through an Ecological Assessment report completed by Trystan Willmott on November 6 2019 (attachment 7). The key findings of the Ecological Assessment report are highlighted as follows:

- *Watercourses*: the subject property contains a low magnitude ephemeral watercourse that does not provide habitat for fish. The 2008 environmental assessment completed by Madrone confirmed that this watercourse is not subject to RAR, but is still protected under Section 13 (1)(c) of the Zoning Bylaw No. 2950. The proposed development will be 1.5 metres further away from the adjacent watercourse, compared to the existing storage building and will not contribute negatively to the watercourse function and vegetated riparian fringe. Trystan Willmott went further to say that "even if RAR were to apply to the watercourse, it would be associated with a 10-metre SPEA, which is outside of the proposed construction area".
- *Coastal areas*: the proposed development will be located 23.7 metres from the natural boundary of the ocean. It will be located within the 30-metre marine buffer area, but will not contribute to any further disruption of sensitive lands. A review of the Sensitive Ecosystem Inventory mapping for eastern Vancouver Island did not reveal any sensitive ecosystems on or near the subject property.
- *Terrestrial habitat*: migratory bird species protected under the Migratory Bird Convention Act are known to visit and breed in terrestrial habitats within the subject property. The breeding season is documented to occur from March 25th to August 10th for the subject properties location. The proposed development is unlikely to disrupt bird nesting activity, but as a protective measure, no clearance of vegetation including ground cover is to be conducted during the documented nesting season.
- *Endangered species*: Bald eagles and their nests are federally protected. Stoney Hill Point has a number of documented eagle nests that are protected by the following: 100 metre no disturbance area, 200 metre breeding season no development area and a 1000 metre no blast radius. The closest documented nest tree is approximately 600 metres away. The proposal will not require blasting and is not expected to result in any eagle nest disruption.
- *Stable and accessible building sites*: the proposed site has been previously prepped and levelled for the original 2008 development. The proposed land alterations will be minor in nature and involve pouring a slab concrete foundation. The existing storage shed will be relocated upland outside of the development permit areas.
- *Erosion and sediment control*: based on the proposed development, measures have been identified to prevent potential sources of erosion. The measures are outlined as follows: limit the extent of vegetation clearance, complete clearing activities during dry times of the year, mulch exposed areas with straw, protect any piles of fill or soil generated during construction with a temporary polyethylene sheeting, and avoid compaction of any exposed areas that remain after construction is complete.

The relaxation of the side yard setback from 3 metres to 2.5 metres is not expected to negatively affect

the property to the north (PID: 016-473-132) as it is a heavily treed vacant bare land parcel with similar dimensions as the subject property.

Options

Option 1: That a development permit with variance application DPV00001 be approved, and a development permit be issued for the construction of a new accessory structure at 6812 Stoney Hill Road that varies Section 13(1)(c) and Section 56 (6)(d) of Zoning Bylaw No. 2950 by reducing the required setback from a watercourse from 15 metres to 10.5 metres and the required north side yard setback from 3 metres to 2.5 metres.

Option 2: That development permit with variance application DPV00001 for the construction of a new accessory structure at 6812 Stoney Hill Road, as proposed, be denied.

Implications

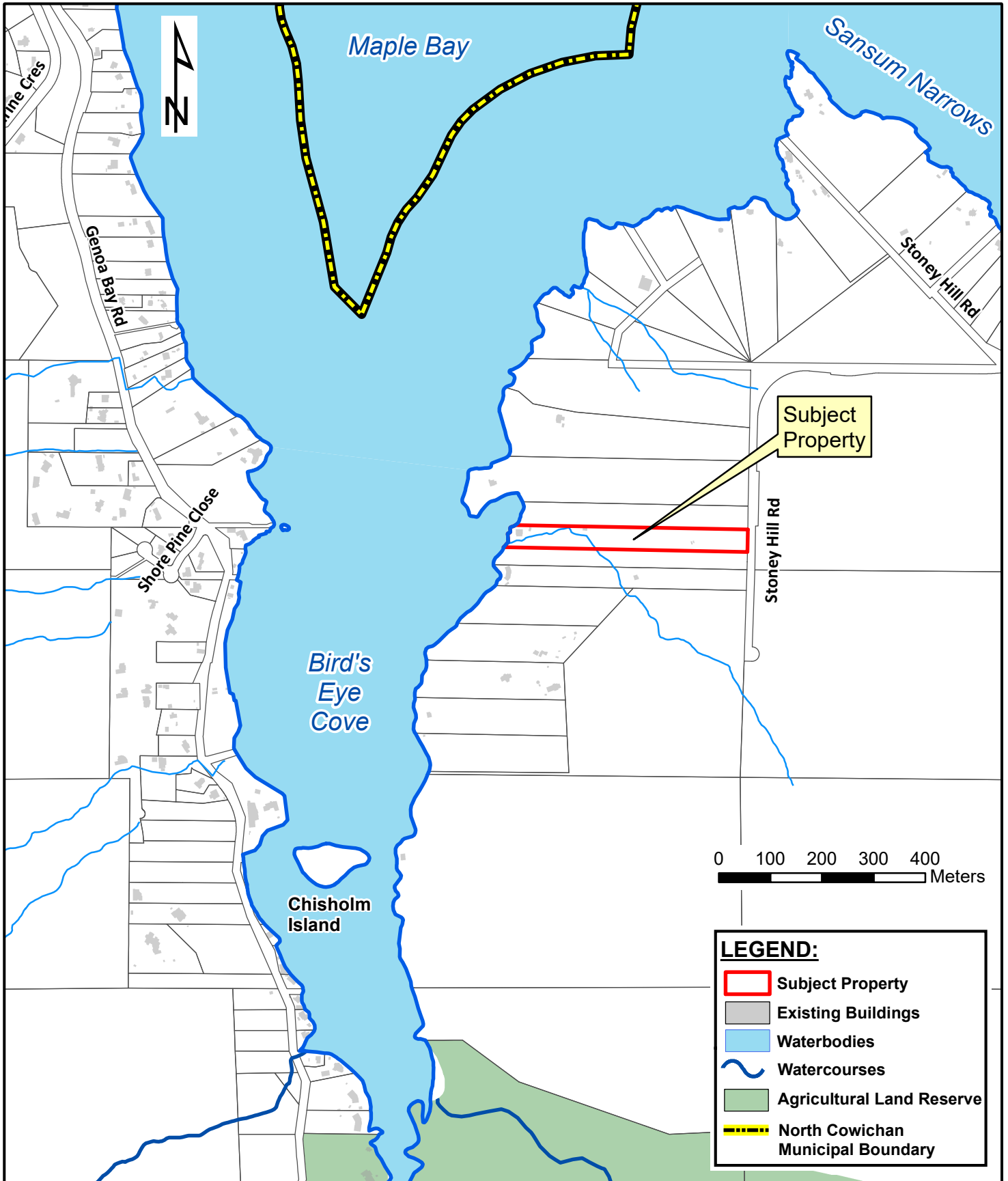
The proposed Development Permit, should Council authorize the variances requested, will mitigate environmental impacts and require the applicant to adhere to the protective measures outlined in the Ecological Assessment Report (attachment 7).

Recommendation

That Council authorize the issuance of development permit with variance application DPV00001, and a development permit issued for the construction of a new accessory structure at 6812 Stoney Hill Road that varies Section 13(1)(c) and Section 56 (6)(d) of Zoning Bylaw No. 2950 by reducing the required setback from a watercourse from 15 metres to 10.5 metres and the required north side yard setback from 3 metres to 2.5 metres.

Attachments:

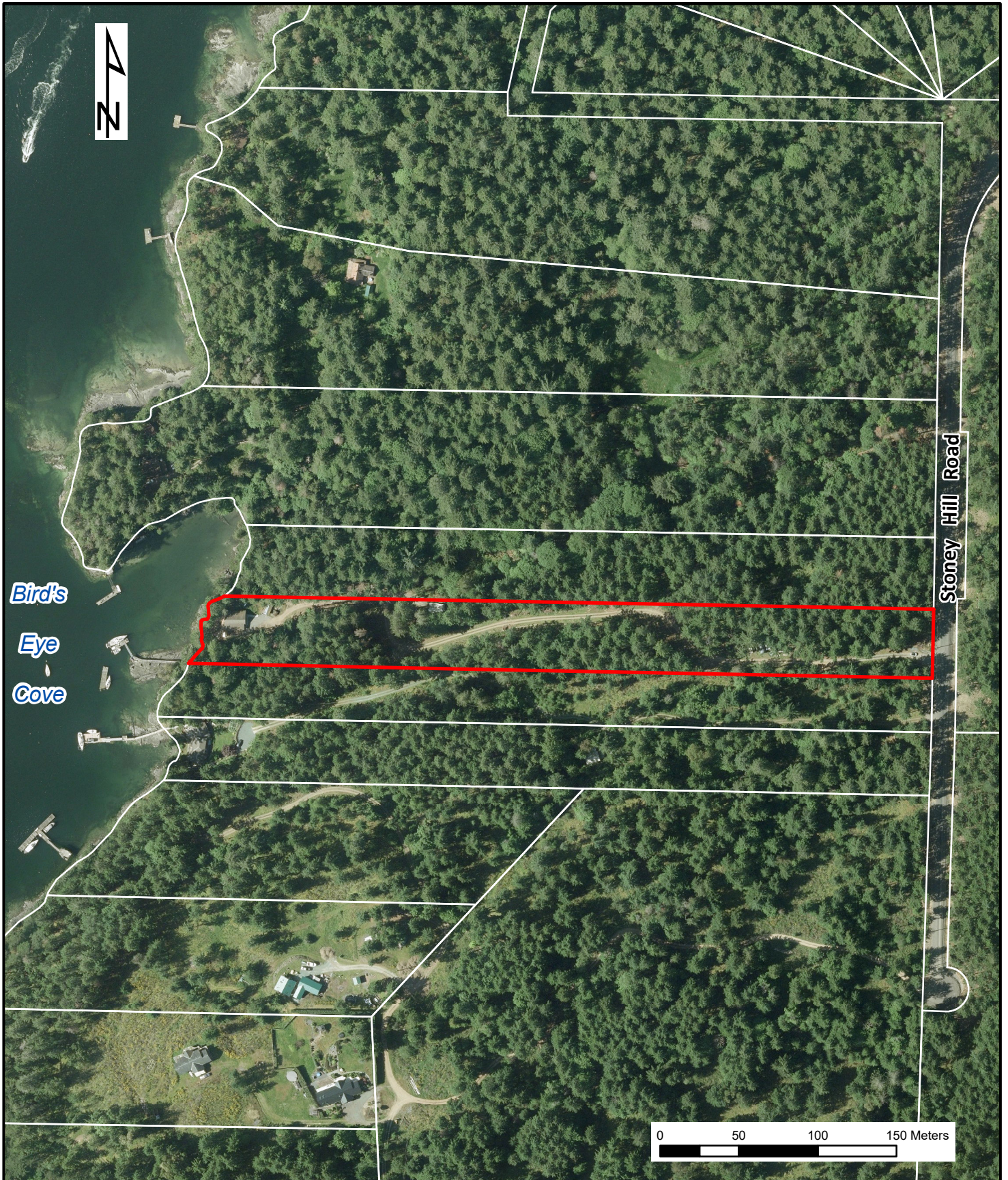
1. Location Map
2. Orthophoto
3. Zoning Map
4. Site Plan 2020-02-19
5. Letter of Rationale 2020-01-08
6. RAR Assessment Report by Madrone 2008-06-16
7. Ecological Assessment By Trystan Willmott 2019-11-06
8. Sec. 13(1)(c) Watercourses
9. A2 Rural Zone
10. DPV00001 Draft Permit



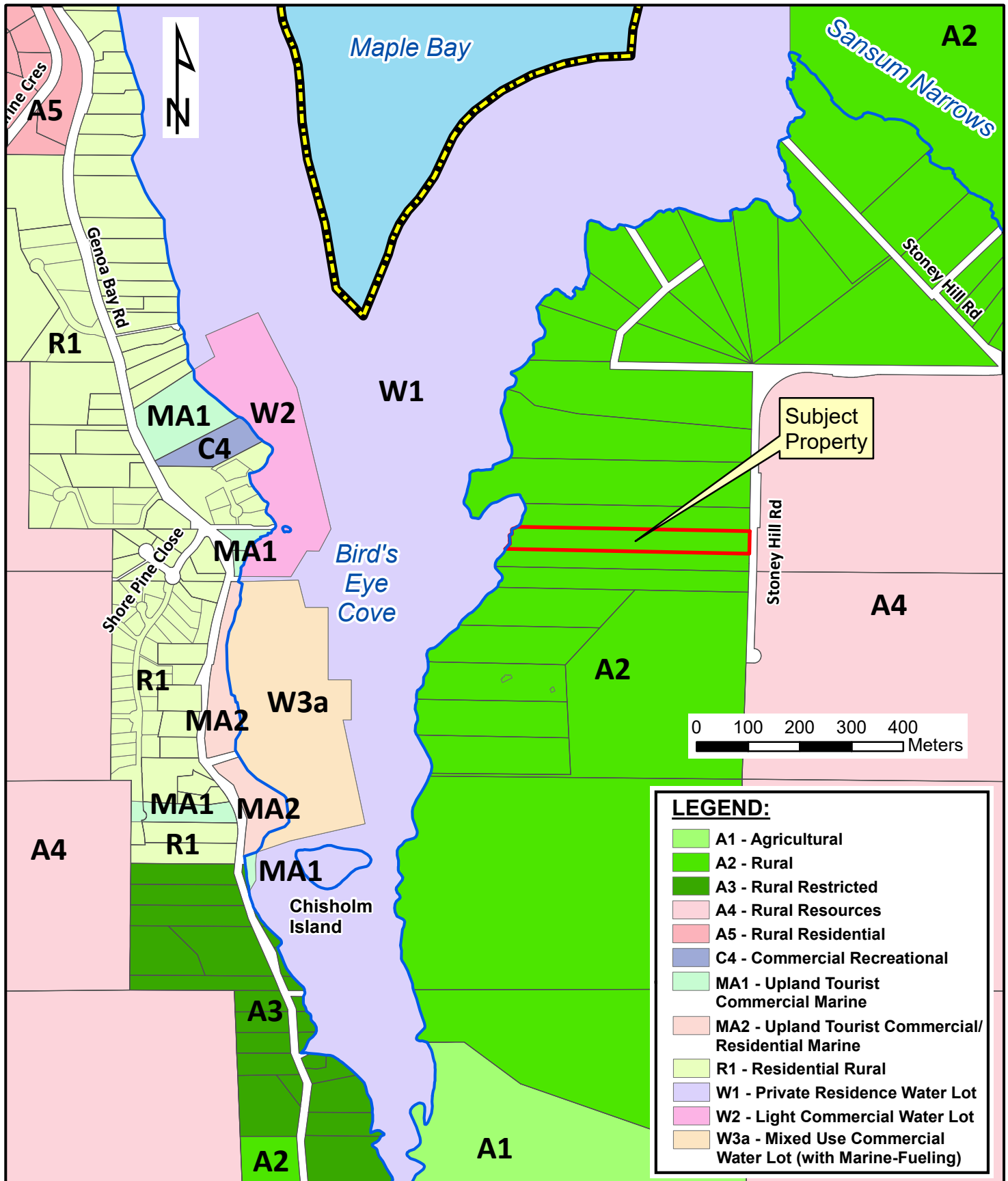
LOCATION MAP

6812 Stoney Hill Road

DATE:	January 10, 2020
TYPE:	Dev. Permit with Variance
FILE#:	DPV00001



	ORTHOPHOTO MAP (Orthophoto is from 2017 aerial photography) 6812 Stoney Hill Road		DATE: January 10, 2020
			TYPE: Dev. Permit with Variance
			FILE#: DVP00001

**LEGEND:**

- A1 - Agricultural
- A2 - Rural
- A3 - Rural Restricted
- A4 - Rural Resources
- A5 - Rural Residential
- C4 - Commercial Recreational
- MA1 - Upland Tourist Commercial Marine
- MA2 - Upland Tourist Commercial/Residential Marine
- R1 - Residential Rural
- W1 - Private Residence Water Lot
- W2 - Light Commercial Water Lot
- W3a - Mixed Use Commercial Water Lot (with Marine-Fueling)

Note: Lot B is Subject to Development Permit 08.16

SITE PLAN OF PART OF
LOT B, SECTION 3, RANGE 6,
COMIAKEN DISTRICT,
PLAN 51112.

SCALE 1 : 250



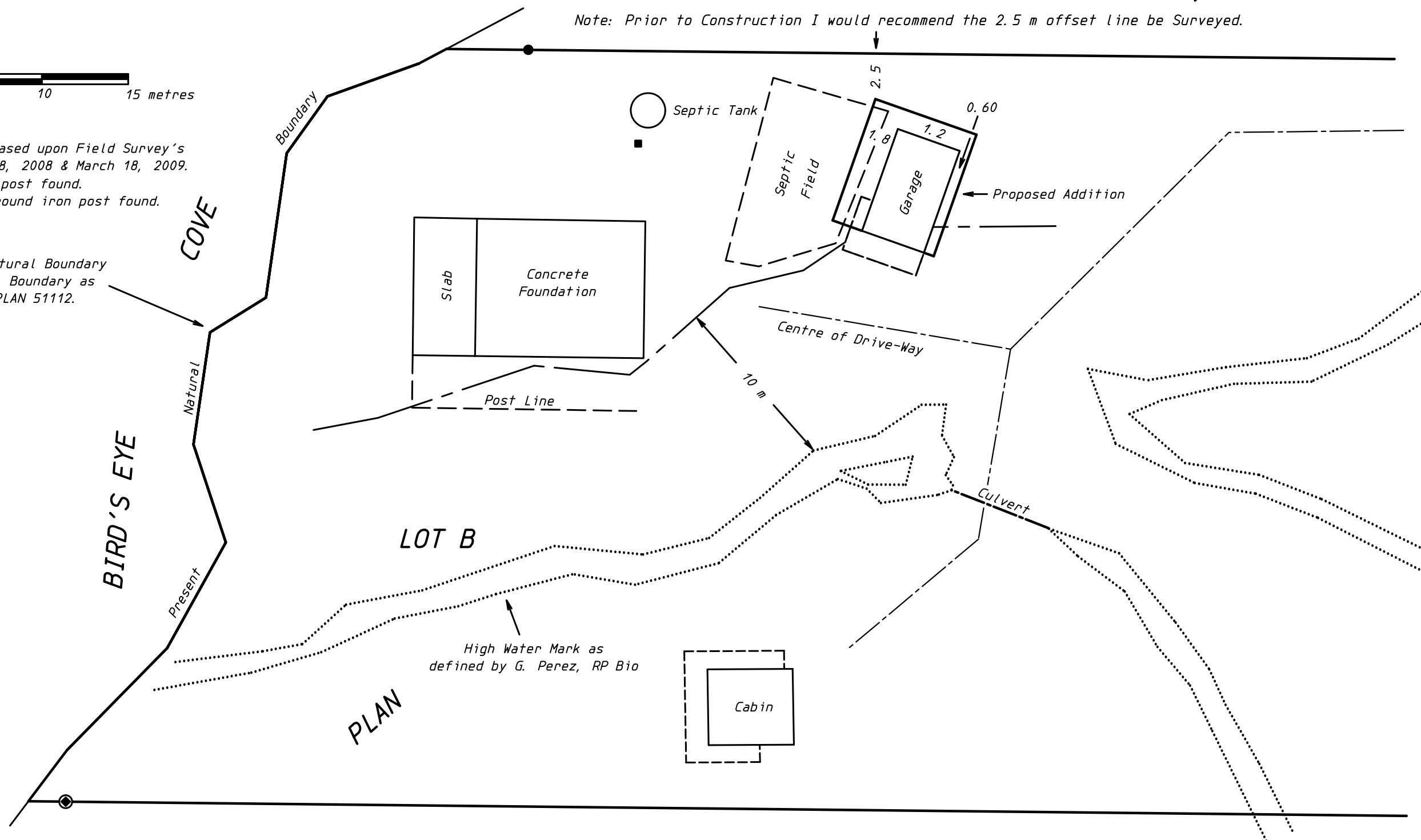
All distances are in metres.

Note: Information shown is based upon Field Survey's
conducted on January 28, 2008 & March 18, 2009.

● denotes standard iron post found.

⊙ denotes non-standard round iron post found.

Present Natural Boundary
& Natural Boundary as
shown on PLAN 51112.



SOUTH 1.7 CHAINS
(DD 12871)

KENYON WILSON
PROFESSIONAL LAND SURVEYORS
221 CORONATION AVE.
DUNCAN, B. C. V9L 2T1 (250) 746-4745
FILE 07-6654A.PIC Feb 18th, 2020

From: Doug Baragar *FOIPPA Sec. 21*
Sent: Wednesday, January 8, 2020 8:00 AM
To: Anthony Price
Subject: Garage

The existing building has a garage roll up door, but that is the only similarity to an actual garage. It's built on stilts above the ground and can only be entered by steps. A ramp must be put in place for even a wheelbarrow to access. It is just a storage building with a wood floor.

A new building would allow entry of a vehicle or a yard tractor (which has sat outside in the weather for 8 years), and allow a space for my wood working and tools. At present my table saw and other wood working tools are located under the front deck of our house which is exposed to the environment and exposes our neighbors to the noise. Also the security of my tools and equipment that a proper building would bring, plus many other advantages.

With the creek on the south side, a steep hill to the east, a neighboring property line to the north and the ocean and septic field to the west, our only place to build is over this existing building

Sent from my iPad

DEVELOPMENT RATIONALE LETTER

DOUG BARAGAR
6812 STONEY HILL RD.
DUNCAN B.C.

TO DEVELOP A 20 X 24 FT. (6.096 X 7.315 METRE) GARAGAGE OVER AN EXISTING STORAGE BUILDING FOOTPRINT OF 12 X 20 FT. (3.657 X 6.096 METRE).

THE NEW CONSTRUCTION WILL EXTEND FROM THE EXISTING STRUCTURE FOOTPRINT,

WEST 6 FT. (1.828 METRE)

NORTH 4 FT. (1.219 METRE)

EAST 2 FT. (.609 METRE)

SOUTH 0 FT (METRE)

EXISTING FOOTPRINT = 240 SQ FT (22.293 SQ METRE)

NEW DEVELOPMENT = 480 SQ FT (44.592 SQ METRE)

A DECK EXTENDS AROUND THE EXISTING BUILDING ON THE SOUTH AND WEST SIDE, WHICH WILL BE REMOVED.

THE PLAN IS TO MOVE THE EXISTING BUILDING.

MADRONE
environmental services ltd.

June 16, 2008

Doug Baragar
Box 2034
Prince George, BC V2H 2J6

**Exemption from Riparian Areas Regulation: Lot B, Section 3, Range 6,
Comiaken District – Birds Eye Cove**

Dear Mr. Baragar:

Following an on site meeting today with you, representatives from the Ministry of Environment (Pete Law) and Fisheries and Oceans Canada (Steve Voller), I am pleased that we have now resolved the issue of whether the drainage on your property should be considered under the provincial Riparian Area Regulations (RAR).

The professional opinion of all parties involved (including mine) is that due to a lack of vital habitat pre-requisites, the drainage does not represent fish habitat. The drainage does not, therefore, apply to the RAR (refer to note in Appendix from Peter Law – Ecosystem Biologist). You are not required to employ the services of a Qualified Environmental Professional (QEP) to complete an assessment under the RAR. In addition, you are not required to prove non fish presence in the drainage, based on the inability to perform fish presence/absence exercises such as minnow-trapping or electroshocking, due to a lack of available habitat.

Dossier 07.0353

I understand that you have no plans to alter the drainage from its current natural state, which is a positive step in preserving the intrinsic value of the drainage, despite the fact that it does not support fish. I believe that the local government (District of North Cowichan) will be applying the Development Permit (DP) process for your proposed development in order to help maintain the integrity of the creek and connected marine habitat. Despite being a non-fish bearing system, the drainage still qualifies as a “stream” under the provincial Water Act. The Federal Fisheries Act also applies, as the drainage connects directly to potential fish habitat in the ocean.

In order to comply with these regulations and ensure that development activities do not compromise the integrity of the creek or the connected marine habitat, the recommendations listed below should be followed:

Stormwater Management/Flooding Concerns

The goal of stormwater management is to return stormwater to natural hydrological pathways. During most development activities, the area covered by impermeable surfaces such as driveways and rooftops increases, which results in an increase in surface run-off and a decrease in natural infiltration. I spoke with you about your plans for management of run-off from the impermeable roof top of your proposed dwelling, and I am satisfied that you have a workable solution in place. I understand that you will be guiding rainwater from the rooftop rain-leaders into a trench lined with drainrock in front of the house. The rock-lined trench will act as an infiltrator and will encourage infiltration as opposed to surface run off.

During the site visit, you expressed concern about the culverts under the gravel driveway plugging up with debris during high flow events in the winter months. Both Mr. Law and Mr. Voller also expressed some concern over the adequacy of these culverts to cope with high flow events. There is the potential for water to overflow these culverts (if plugged), leading to overland flow down-slope and potential flooding and sediment mobility issues. You have been diligent in keeping these culverts clear, although I understand you wish to remove the culverts and daylight the drainage in this location. Your preference would be to put a bridge across the drainage instead of the culverts. Mr. Voller stated that removing the culverts and erecting a bridge would be a positive step, as it would help return the drainage to a more natural course and would also decrease the flooding risk.

Due to the fact that the drainage falls under the jurisdiction of the provincial Water Act, the appropriate permits must be obtained prior to pulling out the culverts and constructing the bridge. All instream works are covered by Section 9 of the Water act, and application forms for carrying out instream works are located at the following URL:

http://www.env.gov.bc.ca/wsd/water_rights/licence_application/section9/index.html

Sediment and Erosion Control

Sediment is a deleterious substance under the Federal Fisheries Act. It is therefore important to ensure that sediment does not become mobilized and transported into the drainage during development activities. The following steps are recommendations for sediment and erosion control during the development phase:

- Cover all soil/fill stockpiles with tarps to prevent mobilization by rainwater.
- Ensure that areas to be cleared/graded are kept to an absolute minimum.
- Carry out major grading/site preparation during the dry summer period.
- Apply temporary covers, such as geotextiles, to relatively small bare areas.
- Combine mulching with seeding to manage more extensive bare areas and decrease the potential for sediment mobilization from rain splash. Straw mats, or other rolled erosion control products, should be used on steeper slopes instead of loose straw, where they can be stapled into position.
- Retain vegetation cover where possible, for as long as possible, to reduce erosion and mobilization of sediment.
- Construct ditches that intercept run-off from disturbed sites and direct it into sediment traps (settling ponds). It should be noted that settling ponds are a secondary measure that will capture mobilized sediment should control at the source, using the methods above, be ineffective.
- Install gravel access pads at the main site access to reduce the amount of sediment leaving the site.
- Regular sweeping (as opposed to washing, which mobilizes sediment) of impermeable surfaces.

House Placement

Your proposed house footprint is at least 10 m from the high water mark of the drainage. This is an adequate setback for the construction of the dwelling, and will maintain the natural integrity of the drainage and the stream banks. The house footprint respects a 7.5 m foreshore setback, which has been professionally surveyed and marked in the field. The foreshore setback will help to ensure the integrity of the forest/ocean interface zone.

The house setback will also allow for a flood protection area. It is likely that the stream is inundated up to the top of bank at least once every 5 years, as identified by Mr. Law.

Due to the configuration of your lot, there are limited options for the placement of a dwelling. The current proposed house footprint represents a realistic, workable location that fits with the above-mentioned setbacks, which will result in minimal vegetation clearance/site disturbance. The house footprint area is flat and is currently grassed with a moderate cover of Scotch broom (*Cytisus scoparius*).

Maintenance of Riparian/Foreshore Vegetation

To maintain bank stability and to ensure the drainage remains in its natural state, riparian vegetation should remain undisturbed, at least below the top of bank on both sides. Scotch broom is prolific on site, especially in more open areas. The removal of this species and the planting of native vegetation in its place is encouraged. Establishment of native vegetation will eventually shade out the broom, which is shade intolerant.

The treed nature of the site adds to the intrinsic value of the area, both from a biological and aesthetic perspective. Efforts should be made to maintain the cover of trees in the development area, although trees deemed to be a danger to people or property can be removed, if necessary.

The 7.5 m marine foreshore setback area should remain in its natural state and should not be disturbed. Disturbance includes activities such as building of temporary or permanent structures and the removal of vegetation. The foreshore "riparian" zone is currently well vegetated with a diverse cover of shrubs and mature trees. Replanting in this area is not required.

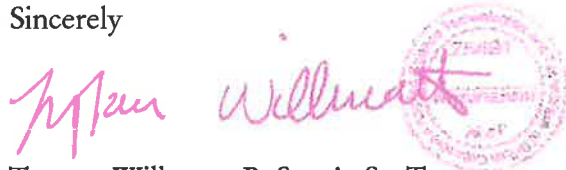
Use of Pesticides and Fertilizers

The drainage on site provides direct connectivity to the ocean. If pesticides and/or fertilizers are used in proximity to the drainage, there is the potential for transportation of these chemicals into the drainage and the adjacent foreshore/marine habitat. Given the proximity of the drainage to potential (future) garden/lawn areas, usage of pesticides and fertilizers (e.g. for gardening/lawn maintenance) is not recommended.

The recommendations listed above should form the basis of your application for a DP through the District of North Cowichan.

If you have any further questions or comments, please do not hesitate in contacting the undersigned.

Sincerely



Trystan Willmott, B. Sc., A. Sc. T.

Madrone Environmental Services Ltd.



APPENDIX A – Mr. PETER LAW

Appendix A. Opinion of Peter Law: Ecosystem Biologist, MoE.(received by email on 12th June 2008)

I attended this property (below) this morning to determine if the RAR should apply to a small stream.

Property owner: Doug Baragar

Property ID: Lot B, Section 3, Range 6, Comiaken District, Plan 51112

In my opinion, this is not a fish bearing stream, so the RAR should not be required for building permits.

The building site should be subject to flood protection setbacks, as this stream does have the potential to flash flood due to the topography and terrain in the area.

Peter Law

Ecosystem Biologist*

Ministry of Environment

Vancouver Island Region

2080 Labieux Road

Nanaimo BC V9T 6J9

*Habitat Officer under the Water Act - Section 9

Peter.Law@gov.bc.ca

Phone: (250) 751-3229

Fax: (250) 751-3103

November 6, 2019

Doug Baragar
6812 Stoney Hill Road
Duncan, BC. V9L 6Y6
dwbaragar@gmail.com

Dear Mr. Baragar,

RE: 6812 Stoney Hill Road – Ecological Assessment

I understand that you are proposing to remove an existing storage shed and construct a larger storage area on part of the same footprint on your property at 6812 Stoney Hill Road, Duncan, BC. The proposed construction occurs in Development Permit Area (DPA) 3 – Natural Environment, as determined by the local government (Municipality of North Cowichan - MNC). Specifically, the coastal component of DPA-3 applies, which consists of a 30 m horizontal distance inland from the natural boundary of the ocean. In addition, a 15 m watercourse setback applies to the proposed development.

In order to ensure that the proposed construction does not impact negatively upon sensitive shoreline or watercourse features, an Ecological Assessment (EA) was conducted. The EA focused on a desktop assessment of known sensitive features, but also involved a field visit to check specific site conditions and determine the potential for negative impacts.

Background

In 2008, I was involved in assessing the watercourse on the subject property as part of an assessment being conducted by Madrone Environmental Services Ltd. (Madrone). The focus of this previous assessment was to determine whether the provincial Riparian Areas Regulation (RAR) applied to the watercourse. The RAR protects the features and functions of fish habitat from development activities through the establishment of riparian setbacks (referred to as Streamside Protection and Enhancement Areas – SPEAs). Any development activities within 30 m of a “stream” (as defined in the

Regulation) requires the completion of an assessment by a Qualified Environmental Professional (QEP) to determine the dimensions of the SPEA and establish appropriate measures to ensure protection of the SPEA. In this case, development of the property in the form of the construction of a residence within 30 m of the watercourse was the trigger for the RAR involvement.

Based on a site visit conducted by both provincial and federal representatives (Ministry of Environment and Fisheries and Oceans Canada) in 2008, the RAR was not considered to apply to the watercourse. The reasoning for this determination was due to the fact that the RAR applies to potentially fish bearing watercourses, or watercourses that connect by surface flow to potential fish habitat. As the watercourse in question does not provide fish habitat and does not connect to any other potentially fish bearing freshwater habitat, it is not considered a "stream" under the RAR. As such, no SPEA applies to the stream and no QEP assessments are required for development proposals within 30 m of the watercourse. Despite the fact that the RAR does not apply, a default 15 m watercourse setback, established by the MNC, is applicable to development on the property.

The site was developed in 2008 through the construction of a residence and access driveway. As per previously established guidelines and approvals, the residence was constructed within 7.5 m of the natural boundary of the ocean and within the 15 m watercourse setback area. Madrone's previous involvement was limited in scope to assessing the watercourse and establishing the applicability of the RAR.

Proposed Development

The development would involve extending the existing footprint of a storage area that occurs close to the northern property boundary to incorporate a new structure. The footprint would be extended by 1.2 m to the north, 1.8 m to the west and 0.6 m to the east (refer to the attached site plan). The storage area would not extend any further to the south in comparison to the existing footprint. The existing footprint equals 22.2 m², which does not include the "deck" that extends around the southern and part of the western perimeter of the storage area; the new footprint would be 43.8 m².

In terms of encroachment into DPA-3, the western extension of the footprint would be located 23.7 m from the natural boundary of the ocean, as measured in the field. The southern edge of the storage area is currently 9 m from the high-water mark of the watercourse (as measured in the field), and the new footprint would come no closer than this. An existing wooden deck would be removed from the southern edge of the existing structure, which currently extends approximately 1.5 m into the watercourse setback. As such, the new structure would be located 10.5 m from the edge of the watercourse.

The development would involve removing the existing storage area, and potentially moving it upslope (in a location beyond the 30 m DPA and outside the watercourse setback). Once the structure has been removed/moved, preparing the footprint for the new structure would involve minor excavations to level the ground, followed by pouring a concrete slab for the foundation. The new structure would consist of a timber-framed storage area with a bay-door opening on the southern side providing access to and from the driveway.

Based on the location of a septic field, construction of the new storage area would require removal of one of the field's distribution lines. I understand that this modification to the septic area has been discussed and approved by a Registered Onsite Wastewater Practitioner.

Desktop Assessment

Sensitive and Rare Ecosystems

An ecosystem is defined as a portion of landscape with relatively uniform dominant vegetation; a sensitive ecosystem is one that is fragile and/or rare. Sensitive ecosystems are particularly valuable in that they provide critical habitat for Species at Risk, are often associated with a high level of biodiversity, and can provide wildlife travel corridors. Due to historical pressures associated with anthropogenic modifications to the land, numerous ecosystems that occur within the Coastal Douglas Fir moist maritime (CDFmm) biogeoclimatic subzone, in which the subject property is located, are considered to be rare and susceptible to disturbance.

In order to gain an insight into the known distribution of sensitive ecosystems, the Sensitive Ecosystem Inventory (SEI) mapping for eastern Vancouver Island was accessed, to determine the extent of sensitive ecosystems throughout the general study area. This check of the SEI mapping database did not reveal the occurrence of any listed sensitive ecosystems on or near the subject property.

Rare Element Occurrences

The Ministry of Environment's (MoE) Conservation Data Centre (CDC) maintains a database of potentially occurring red and blue listed animal and plant species for BC. This database (using the mapping function) was checked to determine whether any rare plants, animals or ecosystems are documented as occurring on or near the subject property.

Based on the background research conducted, the red-listed Douglas-fir / dull Oregon grape (zonal – site series 01) plant community (polygon 52629) was shown to occur throughout the subject property (Figure 1). This ecosystem occurs over the majority of

Stoney Hill Point, as it represents the plant association that develops under “average” conditions of soil moisture and soil nutrients in the CDF mm subzone.

Wildlife Tree Atlas

Depending upon the scope of development-related activities, there is always the potential for indirect noise-related disturbance to sensitive life phases of nesting birds. As such, the Wildlife Tree Atlas was accessed to determine the distribution of Wildlife Trees (e.g. raptor nests) on or around the subject property. Local knowledge and previous work conducted in the general study area related to Bald Eagle (*Haliaeetus leucocephalus*) nests was also used to help interpret the distribution of nesting territories in relation to the subject property.

Monitoring of Bald Eagle nesting behaviour by Madrone staff in 2015 (unrelated to the subject property) confirmed that there is a cluster of nests on the north western tip of Stoney Hill Point, as indicated in the Wildlife Tree Stewardship Atlas: BAEA 104-018; BAEA 104-005; BAEA 104-004 (former nest); and BAEA 104-023 (BAEA 104-018 is the closest nest to the subject property). In 2015, breeding was confirmed at a new nest located close to the northern tip of Stoney Hill Point (approximately 1 km from the subject property). As per the Wildlife Tree Stewardship Atlas, the closest documented raptor nest is approximately 75 m to the north of the subject property (Figures 1 and 2). This nest, known to have supported Bald Eagles, was last confirmed to be active in 2001. The nest is associated with registration number BAEA 104-018. Field assessments by Madrone staff in May 2019 that were unrelated to the subject property confirmed that the BAEA 104-018 nest tree has blown down.

Other assessments in the Stoney Hill area conducted by Madrone staff in April 2019, which were unrelated to the subject property, indicated that the nest that was discovered in 2015 was likely to have been active during the 2019 breeding season. This assumption was based on observations of nest condition and anecdotal evidence from nearby landowners of Bald Eagles being at the nest during the early breeding season.

Field Assessment

A site visit was conducted on February 6th, 2019. During this assessment, the proposed construction footprint was assessed to determine whether any specific sensitive elements occurred and to determine the potential for negative impacts to nearby sensitive features. The proposed construction footprint was also assessed in terms of proximity to the natural boundary of the ocean and proximity to the watercourse. When considering the ocean and watercourse setback areas, particular attention was given to the extent of existing biological function in the freshwater riparian zone and the marine backshore zone. Site photos were taken during the assessment, which are attached to this report.

General Site Description

From Stoney Hill Road, the subject property slopes steeply down to Bird's Eye Cove. The driveway follows this steep slope, providing access to the residence. Beyond the developed portion of the property in the marine backshore zone, the majority of the property is vegetated with mature forest consisting mainly of Douglas-fir (*Pseudotsuga menziesii*).

DPA-3 Considerations

Marine Backshore Biological Function

The marine backshore zone, which is encompassed by the 30 m coastal component of DPA-3, has been historically impacted by development activities on the subject property. The footprint of the residence occurs 7.5 m from the natural boundary of the ocean. Between the residence and the ocean, a fringe of mature Douglas-fir, arbutus (*Arbutus menziesii*) and western redcedar trees (*Thuja plicata*) occurs. In this fringe, shrub vegetation consists mainly of salal (*Gaultheria shallon*) and oceanspray (*Holodiscus discolor*). Sword fern (*Polystichum munitum*) is the dominant herb in the vegetated fringe along the immediate backshore zone. This fringe of vegetation is providing biological function and important ecosystem services in the form of bank stability, shading over the adjacent foreshore and nutrient input into the marine environment.

In the foreshore zone, a raised walkway has been constructed, which provides access to a floating dock. A concrete pathway, which leads to a clear span bridge over the subject watercourse, provides access through the backshore zone from the residence to the walkway.

Several trees had blown down in the 30 m zone during the December 2018 storm event and some damaged trees had also been removed for safety reasons. Beyond the functioning backshore fringe, tree coverage is generally sparse throughout the remainder of the 30 m zone, with disturbance footprints associated with the driveway, lawn area, septic field, septic tank and propane tank.

In the area of the proposed construction, the ground consists of disturbed fill. To the east (upslope), where the existing footprint would be expanded by a distance of 0.6 m, the fill has been colonized by a sparse coverage of native shrubs (mainly salal). To the north, where the footprint would be expanded by 2 m, the ground coverage generally consists of disturbed ground, with a sparse coverage of salal. To the west, where the existing footprint would be expanded by 1.2 m, the surface consists of maintained lawn over the septic field. Based on the vegetation characteristics in the area of the proposed construction and the minimal footprint, the development proposal will have no impact upon the biological function of the marine backshore zone.

Listed Ecosystem

Functioning examples of the red-listed Douglas-fir / dull Oregon grape (zonal – site series 01) plant community occur on the subject property to the east of the developed western segment of the property. As noted, this plant community occurs over the majority of the Stoney Hill Peninsula, as it represents the community that develops on average (“zonal”) sites of soil moisture and soil nutrients. Apart from the fringe of vegetation along the foreshore and fringe of treed vegetation in the riparian zone of the watercourse, there are no functioning examples of the listed ecosystem in the 30 m marine backshore zone, based on the fact that the property has been developed. The proposed new storage area represents a minimal disturbance footprint over previously disturbed fill. As a result, the proposed construction of the storage area will not have any impacts upon any functioning rare ecosystems.

The property owner is encouraged to maintain the integrity of the forested stands to the east of the developed segment of the property. This will help to preserve representative, functioning examples of the red-listed plant community on the Stoney Hill Peninsula. The property owner must also maintain the integrity of the fringe of vegetation that occurs in the immediate backshore zone.

Bald Eagle Breeding Behaviour

Bald Eagle nests are legally protected under Section 34 (b) of the provincial *Wildlife Act*. In addition, Section 34 states that a person cannot “injure, molest or destroy” a nest site. Development activities have the potential of injuring, molesting or destroying a nest site (e.g. if the development activity results in birds abandoning a nest). The implementation of protective buffers around nests helps prevent nest abandonment. The spatial extents of specific buffers extend onto the subject property (Figure 2), which requires discussion.

The buffers indicated in Figure 2 and described here have been developed through the application of Best Management Practices included in the provincial government document “Guidelines for Raptor Conservation” (Ministry of Environment 2013). It is assumed that all the documented nest sites with buffers that extend into the subject property will be active by default during the 2020 breeding season.

Buffer Designations:

- Permanent no development buffer: 100 m around each nest tree, whether deemed active or not. No site disturbance is permitted at any time of year inside this buffer.
- Seasonal development-related buffer: 200 m around active nest sites. The intent is to limit or avoid loud noises during the breeding season inside this buffer. The

breeding season generally extends from February 5th to August 31st. If a nest site can be deemed inactive in any given season, there would be no restrictions inside the 200 m buffer, but development activities would not be permitted inside the permanent 100 m buffer.

- Seasonal no blasting buffer: 1000 m around active nest sites. No blasting is permitted inside this buffer during the breeding season (February 5th to August 31st). Again, if a nest site can be deemed inactive in any given season, blasting can occur within this zone, but not within the 100 m buffer. Development activities (including blasting) may proceed inside seasonal buffer areas prior to the August 31st breeding season end date, depending on the precise date that chicks fledge and leave an active nest.

As per Figure 2, the 1000 m no-blasting buffers associated with nests BAEA 104-004, BAEA 104-005, BAEA 104-023 and the new (2015) nest located between BAEA 104-023 and nest BAEA 104-004 extend onto the subject property. No buffers apply to the BAEA 104-018 nest, as the nest tree has blown down. Based on the development proposal and the fact that no blasting will be required, there is no reasonable potential for the proposed construction activities to have any negative impacts on Bald Eagle nesting behaviour.

Watercourse Setback Considerations

As previously established in 2008, the watercourse that flows close to the southern property boundary is a non-fish-bearing system that flows ephemerally. The watercourse does not represent a "Stream" under the RAR definitions, but a default 15 m watercourse setback, established by the MNC, applies. A variance from this setback will be required to allow for the proposed development to occur. As noted, the existing footprint of the storage area is located 9 m from the high-water mark of the watercourse. With the removal of the existing "deck", the new footprint will be located 10.5 m from the high-water mark of the watercourse (refer to site plan).

From the edge of the proposed construction footprint, the watercourse setback area comprises the property driveway, with an inconsistent fringe of functioning riparian vegetation approximately 5 m wide occurring between the southern edge of the driveway and the high-water mark of the watercourse. The riparian zone is generally continuous for a distance of at least 5 m adjacent to the southern edge of the watercourse. This fringe of vegetation consists of scattered mature Douglas-fir trees, with salal and sword fern making up the dominant understorey vegetation.

While the footprint of the existing structure will be increased, the new structure will be located further back from the edge of the watercourse, with the removal of the "deck" around the current storage area. Currently, the vegetated fringe along the margins of the

watercourse (located beyond the footprint of the driveway) is providing biological function in the form of bank stability. Three young Douglas-fir trees have recently been removed from the riparian fringe, due to hazards created after the December 2018 storm. The lower stems and roots of these trees remain in place, which will help maintain function in the form of bank stability.

In terms of potential impacts to the function of the watercourse setback area, it should be noted that the subject watercourse is a low magnitude system that flows on an ephemeral (not seasonal) basis, which does not provide habitat for fish. It would be important to maintain the function of the existing vegetated riparian fringe, based on the fact that it is providing an ecosystem service in the form of bank stability. From a biological perspective, constructing the new storage area in the proposed footprint would not impact negatively upon any riparian attributes, as it would be located away from the existing vegetated fringe.

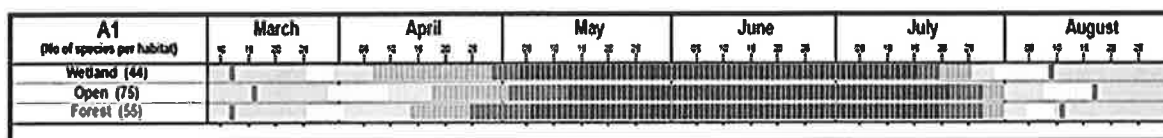
Even if the RAR were to apply to the watercourse, it would be associated with a 10 m SPEA, which would be based on maintaining the features and functions of riparian areas with regard to fish habitat. The proposed structure, being 10.5 m from the high-water mark of the watercourse, would be located beyond any SPEA. The fact that the driveway occurs between the watercourse and the proposed construction footprint decreases the value of any vegetation in terms of riparian function on the northern side of the driveway.

General Mitigation Measures

Breeding Birds

The provincial *Wildlife Act* (Section 34C) affords protection to nesting birds, and it is illegal to possess, take, injure, molest or destroy the nest of a bird when the nest is occupied by a bird or its eggs. In addition to Section 34C of the provincial *Wildlife Act*, migratory birds are also afforded protection under the federal *Migratory Birds Convention Act* (Section 6). It is illegal to destroy or take a nest, egg or nest shelter of a migratory bird. Migratory birds covered under the *Migratory Bird Convention Act* include a number of species known to visit and likely to breed in terrestrial habitats within the subject property. With the exception of raptors, common black bird species, and some game birds, all birds and their nests are protected under the *Migratory Bird Convention Act*, including Species at Risk.

The breeding season for bird species that may breed in the subject property has the potential to occur from March 25th to August 10th, as identified in the nesting calendar for zone A1 where the subject property is located (see below). The blue markers in the Table below, taken from Environment Canada, show extreme dates predicted for some atypical parts of the nesting zone where nesting could occur earlier or later (i.e., between March 12th and March 25th or between August 10th and August 12th).



Legend for calendars: Number of species in percentage (Blue markers show extreme dates predicted for some atypical parts of the nesting zone where nesting could be earlier or later)



Long description for nesting calendars in zone A

The figure presents a set of 15 calendars showing the proportion in percentage of federally protected species that are predicted to be actively nesting on a given date from March to September for three habitat types: wetlands, open and forest and for five nesting zones: A1, A2, A3, A4 and A5. On each day, the percentage of species is shown according to one of the following six categories: 0 percent, less than 5 percent, 6 to 10 percent, 11 to 20 percent, 21 to 40 percent, 41 to 60 percent and 61 to 100 percent. In addition, markers show extreme dates predicted for some atypical parts of the nesting zone where nesting could occur earlier or later.

For nesting zone A1, within the species used, there are 55 species known to nest in forest habitats. The percentages of species actively nesting are: less than 5 percent from March 26 to 30 and from August 8 to 9, 6 to 10 percent from March 31 to April 1 and from August 5 to 7, 11 to 20 percent from April 2 to 13 and from August 1 to 4, 21 to 40 percent from April 14 to 24 and from July 28 to 31, 41 to 60 percent from April 25 to May 5 and from July 20 to 27, 61 to 100 percent from May 6 to July 19. The markers are on March 12 and August 11. The rest of the calendar dates are zero percent.

NESTING CALENDAR - ZONE A1 MIGRATORY BIRD NESTING PERIODS, AS PER ENVIRONMENT CANADA

Because of the characteristics of the construction footprint, it is unlikely that there will be any bird nesting activity. Based on the potential (albeit low) for nests to occur, however, in the vegetated areas to the east and north of the existing structure, mitigation should be applied. To avoid potential impacts to nesting birds or their habitats, and to comply with current legislation requirements, development activities that lead to the loss of potential nest sites (i.e. the clearance of any vegetation, including ground cover) must be suspended between March 25th and August 10th. If activities cannot be suspended during this period, the specific disturbance footprints would need to be checked for nest sites, as per applicable nest-search protocols, prior to disturbance to prevent impacts to nesting birds. Based on the size and composition of the construction footprint, checking for nesting behaviour would not be an onerous task.

Hydrocarbon Management

In addition to being clean (i.e., free from leaks and excessive grease/oil on the body) and in good working order, any heavy equipment working anywhere on site (e.g. excavator) must contain a small, storable emergency spill containment kit with at least a 30 litre sorbent capacity containing (at least) the following:

- 20 absorbent pads (for oil, gas and diesel);
- 2 3"x 4' absorbent socks;

- 2 disposal bags; and
- 1 pair of Nitrile gloves.

Refueling of all machinery must occur at least 30 m back from the high tide line, and also at least 30 m away from the watercourse.

Concrete Management

The use of concrete will be required for construction of the foundation for the new structure. Uncured concrete and related materials containing limestone products are alkaline. Accidental spills of uncured concrete into water, therefore, have the ability to change the pH to unacceptable levels, leading to direct toxicity to aquatic organisms. Based on the location of the proposed structure and characteristics of the topography, the potential for any uncured concrete to enter the marine environment or the watercourse is extremely low. Care must still be taken, however, to ensure that concrete that is used does not enter any body of water.

During the construction of the foundation for the new structure, the focus must be on preventing the spillage of concrete. There are minimal guidelines as to the proper use of carbon dioxide diffusers as a means of neutralizing the strong alkalinity associated with uncured concrete, should a spill into water occur. All concrete forms must be structurally sound. Concrete pours must occur during favourable weather conditions to reduce the curing time and to reduce the potential for uncured concrete to become mobilized. Care must also be taken when pouring concrete to ensure that it is placed only in the desired locations and that concrete splatter beyond the confines of the forms is avoided.

Erosion and Sediment Control

Based on the size of the construction footprint and minimal amounts of excavation required, the potential for the migration of sediment either into the watercourse or marine environment is very low. Nonetheless, it is important to try to limit the operation of heavy machinery and exposure of soils during the construction. This will help to minimize the potential for erosion and associated sediment mobilization.

The main goal of Erosion and Sediment Control (ESC) in this case is to prevent sediment from entering the marine environment either directly or via the watercourse. The following ESC measures, which focus on the control of potential erosion sources, as opposed to the capture of sediment, must be implemented during the construction phase:

- Limit the spatial extent of vegetation clearance to the absolute minimum;
- Complete clearing activities during dry periods of weather;

- Mulch exposed areas with straw. The mulch should be applied evenly at a thickness of 2.5 cm - 5.0 cm and should cover at least 80% of exposed areas;
- To protect any stockpiles of fill or soil that are generated during construction activities, temporary polyethylene sheeting should be used to cover the material and prevent it from being displaced by rain and/or surface flowing water; and
- In order to inhibit erosion, exposed areas that remain after the storage area has been constructed should be left in a roughened state, and compaction avoided (where applicable to do so). Compaction generally leads to decreased infiltration and increased surface erosion, as a result of surface-flowing water. Compacted areas are prone to the formation of rills and gullies, which have the ability to detach and entrain sediment. Surface roughness and loose soils not only encourage infiltration and the prevention of surface erosion, but also provide preferred growing conditions for vegetation. Compacted, smoothed surfaces are generally unsuitable for vegetation establishment.

Closing

The proposed construction of a new storage area, which would involve extending an existing footprint, represents a minimal disturbance footprint. The disturbance would occur close to the upper edge of the 30 m coastal segment of DPA-3 over a previously disturbed footprint. Tree removal would not be required, and preparation of the site would only involve clearance of a minimal amount of native vegetation. The proposal would not impact negatively upon any functioning examples of rare ecosystems, nor would it affect any wildlife attributes.

While the development would require a variance to a default 15 m watercourse setback, the footprint of the existing structure would be moved further back from the watercourse. In addition, the watercourse in question is a low magnitude, ephemeral system that does not provide habitat for fish. The proposed construction would not impact negatively upon the function of the existing riparian fringe that extends along the watercourse.

Despite the low risk to ecological resources, the implementation of the mitigation measures listed in this report is required for the duration of the construction process.

DOUG BARAGAR
ECOLOGICAL ASSESSMENT - 6812 STONEY HILL RD

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Please let me know if you have any questions or concerns.

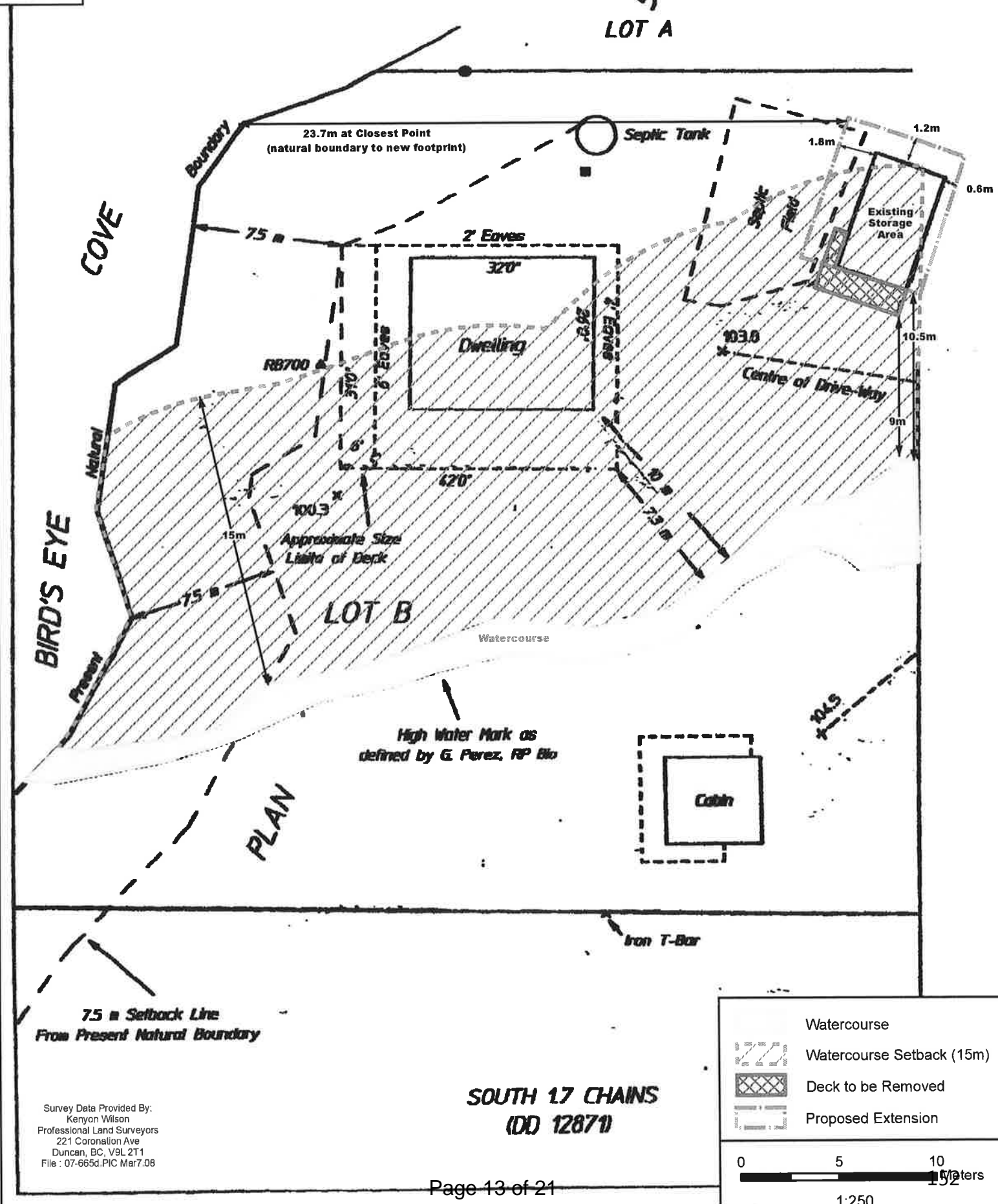
Yours sincerely,

A handwritten signature in black ink, appearing to read "Trystan Willmott". The signature is fluid and cursive, with the first name "Trystan" and last name "Willmott" clearly distinguishable.

Trystan Willmott, B.Sc., A.Sc.T.
Trystan.willmott@madrone.ca

MADRONE ENVIRONMENTAL SERVICES LTD.

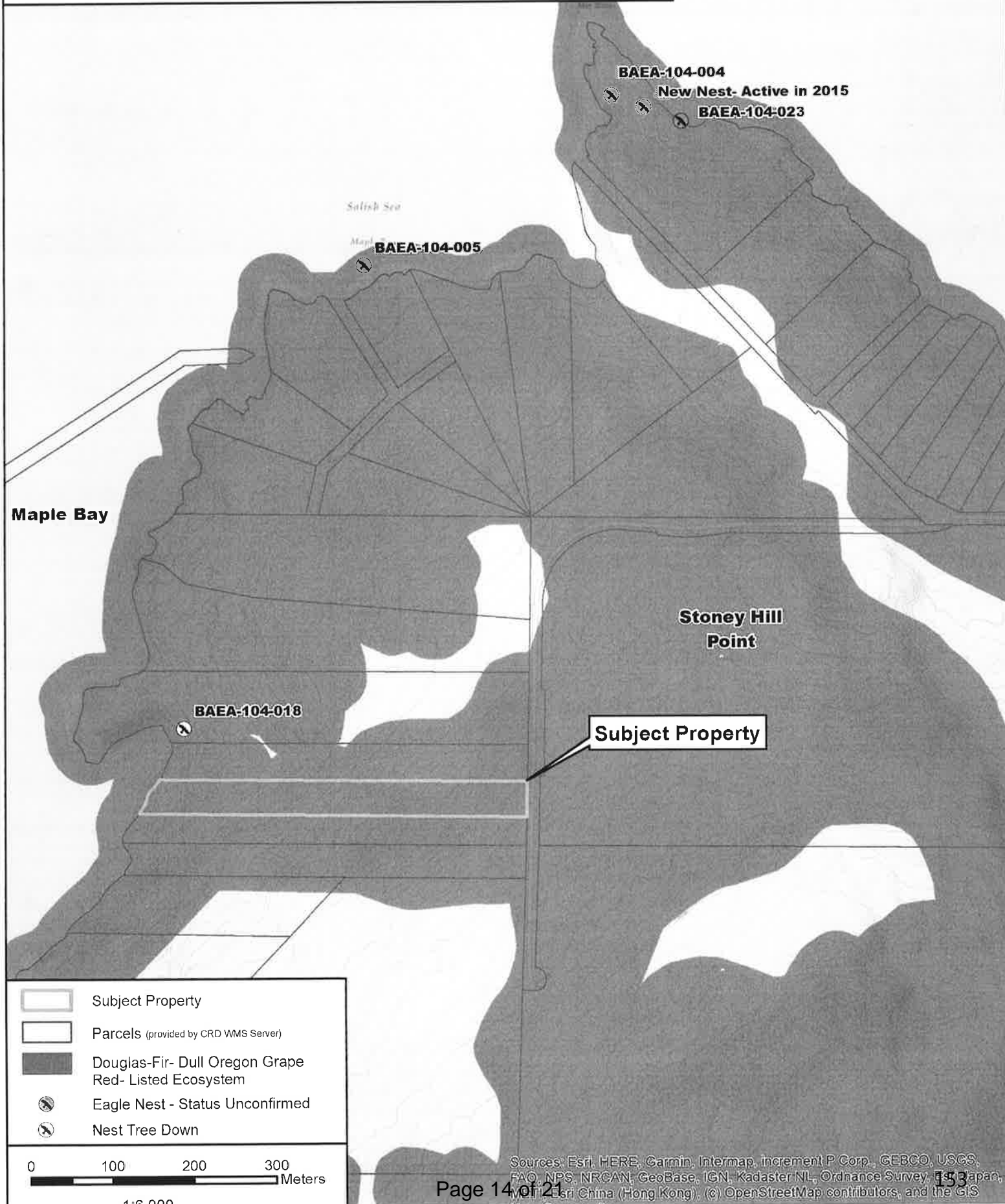
Site Plan





PROJECT: Ecological Assessment - 6812 Stoney Hill Road		LOCATION: North Cowichan, BC	CLIENT: Doug Baragar	ATTACHMENT No. 7 18.0597	
ASSESSED BY: Trystan Willmott, B.Sc., A.Sc.T.	FIELD DATE: February 6, 2019	MAP SCALE: 1:6,000	MAPPING DATE: October 29, 2019	DRAWN BY: Jessica Yellowlees	

FIGURE 1: Overview Showing Distribution of Documented Sensitive Habitats and Rare Elements

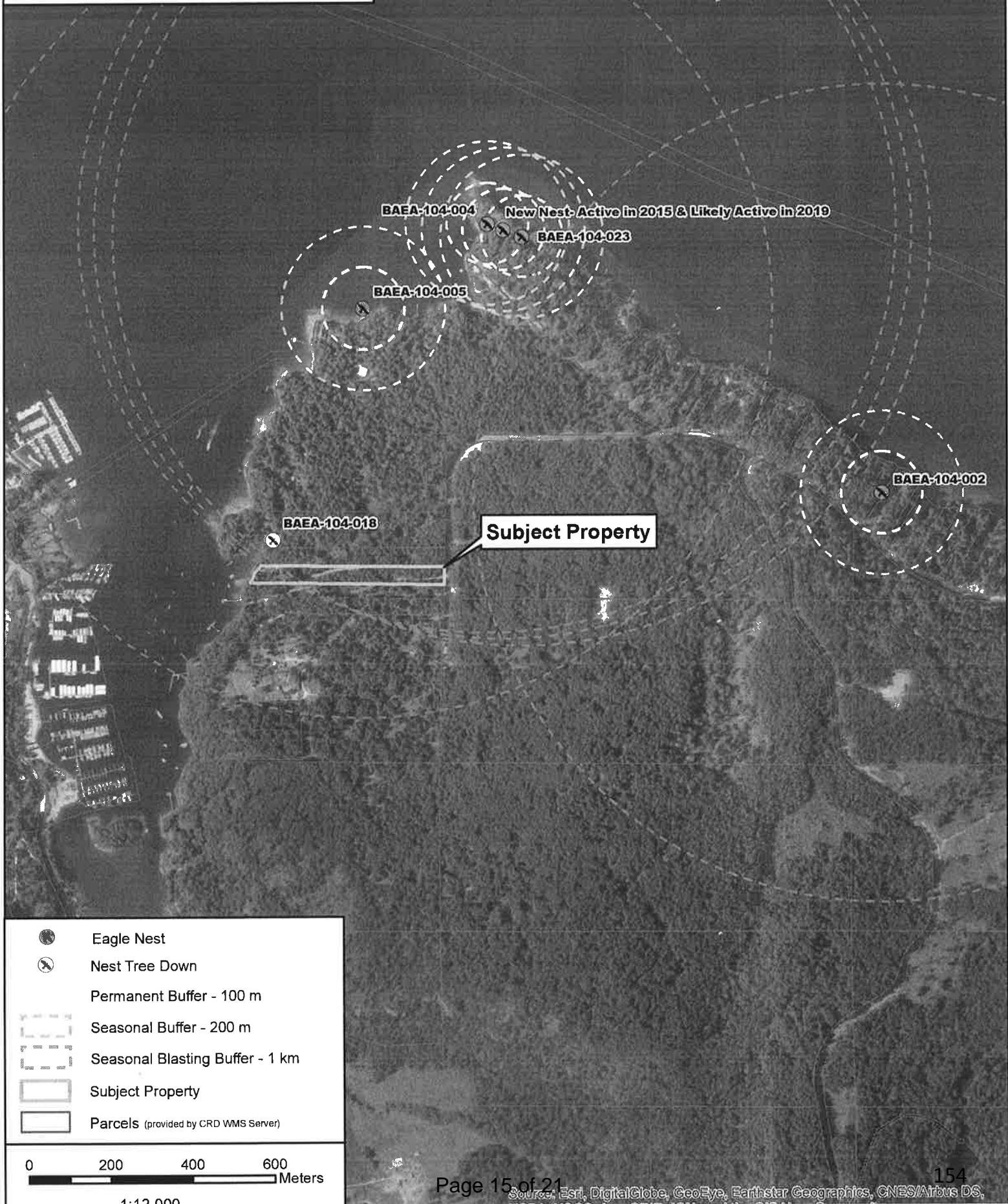




PROJECT: Ecological Assessment - 6812 Stoney Hill Road		LOCATION: North Cowichan, BC	CLIENT: Doug Baragar	ATTACHMENT 7 DOSSIER NO.: 18.0597
ASSESSED BY: Trystan Willmott, B.Sc., A.Sc.T.	FIELD DATE: February 6, 2019	MAP SCALE: 1:12,000	MAPPING DATE: October 29, 2019	DRAWN BY: Jessica Yellowlees



FIGURE 2: Bald Eagle Nests and Protective Buffers



Site Photos



PHOTO 1: LOOKING NORTH FROM THE DRIVEWAY TOWARDS THE EXISTING STORAGE AREA.



PHOTO 2: LOOKING NORTH WEST TOWARDS THE EXISTING STORAGE AREA. THE BACK OF THE RESIDENCE CAN BE SEEN FURTHER TO THE WEST. THE "DECK" WOULD BE REMOVED FROM THE FRONT AND SIDE OF THE STRUCTURE AND THE NEW FOOTPRINT WOULD NOT EXTEND ANY FURTHER TO THE SOUTH THAN THE EXISTING FOOTPRINT.

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PHOTO 3: LOOKING NORTH ALONG THE EASTERN WALL OF THE EXISTING STORAGE AREA. THE NEW FOOTPRINT WOULD BE EXPANDED 0.6 M TO THE EAST IN THE APPROXIMATE HIGHLIGHTED AREA.



PHOTO 4: LOOKING EAST ALONG THE NORTHERN WALL OF THE EXISTING STORAGE AREA. THE NEW FOOTPRINT WOULD BE EXPANDED 1.2 M TO THE NORTH IN THE APPROXIMATE AREA HIGHLIGHTED. THE TREES IN THE BACKGROUND WERE REMOVED FOLLOWING THE DECEMBER 2018 STORM. THESE PARTICULAR TREE STUMPS ARE LOCATED OUTSIDE THE 30M DPA-3.

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PHOTO 5: LOOKING NORTH EAST ALONG THE WESTERN WALL OF THE EXISTING STORAGE AREA. THE NEW FOOTPRINT WOULD BE EXPANDED 1.8 M TO THE WEST IN THE APPROXIMATE AREA HIGHLIGHTED. THE RAISED DECK WOULD BE REMOVED.



PHOTO 6: LOOKING EAST FROM THE EDGE OF THE NATURAL BOUNDARY OF THE OCEAN THROUGH THE MARINE BACKSHORE ZONE TOWARDS THE EXISTING STORAGE AREA (HIGHLIGHTED). THE NORTHERN EDGE OF THE RESIDENCE CAN BE SEEN TO THE RIGHT.

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PHOTO 7: LOOKING WEST FROM THE WESTERN EDGE OF THE EXISTING STORAGE AREA THROUGH THE MARINE BACKSHORE ZONE TOWARDS BIRD'S EYE COVE.



PHOTO 8: LOOKING NORTH ALONG THE VEGETATED FRINGE THAT OCCURS IN THE IMMEDIATE MARINE BACKSHORE ZONE ALONG THE WESTERN EDGE OF THE PROPERTY.

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PHOTO 9: LOOKING SOUTH ALONG THE VEGETATED FRINGE THAT OCCURS IN THE IMMEDIATE MARINE BACKSHORE ZONE ALONG THE WESTERN EDGE OF THE PROPERTY.



PHOTO 10: LOOKING SOUTH ALONG THE PATHWAY AND BRIDGE OVER THE SUBJECT WATERCOURSE THAT PROVIDES ACCESS TO AN INTERTIDAL WALKWAY AND FLOATING DOCK.

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PHOTO 11: LOOKING WEST ALONG THE WATERCOURSE THAT FLOWS ALONG THE SOUTHERN PROPERTY BOUNDARY. NOTE FUNCTIONING RIPARIAN FRINGE.



PHOTO 12: LOOKING NORTH OVER THE RIPARIAN FRINGE THAT PARALLELS THE SUBJECT WATERCOURSE TOWARDS THE EXISTING STORAGE AREA (HIGHLIGHTED). NOTE DRIVEWAY FOOTPRINT BETWEEN THE WATERCOURSE AND THE PROPOSED CONSTRUCTION FOOTPRINT.

Schedule 8: DPV00001 Sec. 13(1)(c) Watercourses

"yard, rear" means that portion of the lot, extending from one side lot line to another, between the rear lot line and a line drawn parallel thereto at a distance prescribed by the minimum setback of the zone in which the lot is located. The depth of such yard shall mean the perpendicular distance between the rear lot line and the parallel line. In the case of a lot where the side lot lines intersect at a point, the rear yard shall be established in accordance with the definition of "lot line, rear";

"yard, side" means that portion of the lot, extending from the front lot line to the rear lot line, between the side lot line and the line drawn parallel thereto at a distance prescribed by the minimum setback of the zone in which the lot is located. The width of such yard shall mean the perpendicular distance between the side lot line and the parallel line;

"zone" means the areas into which the District is divided in accordance with this Bylaw, and attached schedules, and for which specific regulations are outlined; and

"zoning map" means the map marked Schedule "C" attached hereto and made part of this Bylaw. [BL3302]

- 12.1** Unless specifically included in a definition, the sale, distribution or trade of cannabis and its derivatives is excluded. [BL3688]

PART 4 – GENERAL REGULATIONS

Watercourses

- 13** (1) Despite any other provisions of this Bylaw, other than section 80.2 (7) (d), no building or part thereof shall be constructed, altered, moved, or extended, nor shall any mobile unit, manufactured home, structure, or fill be located: [BL3323]
- (a) within 7.5 m (24.6') from the natural boundary of the sea, or
 - (b) within the riparian assessment area, unless the requirements of the *Riparian Areas Regulation* of the British Columbia *Fish Protection Act* have been met;
 - (c) within 15.0 m (49.21') from the natural boundary of any other watercourse or source of water supply, excluding wells.

Flood Control Requirements

- 14** (1) The underside of the floor system of any building, structure or manufactured home used for habitation, business, or storing goods which can be damaged by water must not be lower than the flood construction level established under subsection (2). [BL3457]
- (2) The flood construction level is, where applicable,
- (a) shown on the Flood Construction Level Map for the lower Cowichan River and Somenos Area, marked Schedule "K", attached to and forming part of this bylaw,
 - (b) shown on the floodplain area map designated pursuant to the Canada/British Columbia Floodplain Mapping Agreement (1988) for the Chemainus River,
 - (c) 3.0 m above the natural boundary of the Chemainus River and Cowichan River where not identified in paragraphs (a) and (b),
 - (d) elevation 27.4 m (Geological Survey of Canada (G.S.C.) datum) surrounding Quamichan Lake,
 - (e) 1.5 m above the natural boundary of the sea, any lake, watercourse, intermittent pond, or swamp in the immediate flood hazard area not identified above, or
 - (f) not lower than 0.6 m above the 200-year flood level as established by a qualified professional engineer.

General Exemptions

- 15** (1) The restrictions established by sections 13 and 14 of this Bylaw shall not apply to on-loading and off-loading facilities associated with water-oriented industries within the Industrial Heavy Zone (I2), to portable sawmills, nor to other bona fide water lot uses. Main electrical switchgear shall be placed above the flood construction level, and electrical circuits extending into areas that flood shall be provided with cut-off switches.
- (2) Section 14 shall not apply to:

Rural Zone (A2)**Permitted Uses**

- 52 (1) The permitted uses for the A2 zone are as follows:
- Accessory Dwelling Unit
 - Agriculture
 - Agricultural Storage
 - Assisted Living
 - Bed and Breakfast
 - Community Care Facility
 - Craft Distillery
 - Forestry Use
 - Greenhouse
 - Home-based Business
 - Kennel
 - Manufactured Home
 - Riding Stable
 - Single-Family Dwelling
 - Supportive Housing
 - Temporary Trailer (subject to "Temporary Trailer Permit Bylaw 1976", No. 1685)
 - Two-Family Dwelling [BL3302, BL3457, BL3520]

Minimum Lot Size

- (2) The minimum permitted lot size for the A2 zone is 2 hectares (4.94 acres).

Minimum Frontage

- (3) The minimum permitted frontage for the A2 zone is 75.0 m (246.06').

Density

- (4) The maximum permitted density in the A2 zone is one residential building per lot, except in the following circumstances:
- (a) where land is not within the Agricultural Land Reserve, and is at least two hectares (4.94 acres) in area, a maximum of two residential buildings are permitted with a maximum of two dwelling units;
 - (b) where land is within the Agricultural Land Reserve, and is at least two hectares (4.94 acres) in area, additional dwelling units may, with Agricultural Land Commission approval, be permitted for bona fide farm labour;
 - (c) where a temporary trailer is permitted, subject to the Temporary Mobile Home Permit Bylaw;
 - (d) despite paragraph (a), a maximum of two residential buildings with a total combined maximum of three dwelling units is permitted on 941 Arbutus Avenue (PID 000-232-556);
 - (e) despite paragraph (a), a maximum of two residential buildings with a total combined maximum density of two dwelling units is permitted on the following properties:
 - (i) 3252 Gibbins Road (PID 006-360-378);
 - (ii) 3286 Gibbins Road (PID 004-555-562);
 - (iii) 3276 Gibbins Road (PID 002-343-789);
 - (iv) 3240 Gibbins Road (PID 002-742-501);
 - (v) Lot 1..., Plan 21749, Banks Road (PID 002-705-087);
 - (vi) B-3228 Gibbins Road (PID 001-252-267);
 - (vii) Lot 4..., Plan 8636, Cliffs Road (PID 005-586-429);
 - (viii) 3088 Cliffs Road (PID 005-586-445);
 - (ix) Lot 5..., Plan 8636, Cliffs Road (PID 005-586-437);
 - (x) Part of Lot 11..., Plan 2785, Banks Road (PID 006-360-742);

- (xi) Part of Lot 1..., Plan 9537 (PID 005-338-859);
 - (xii) A-3228 Gibbins Road (PID 000-041-874);
 - (xiii) 3248 Gibbins Road (PID 028-738-071);
 - (xiv) 3246 Gibbins Road (PID 028-738-080);
 - (xv) Lot A..., Plan 10506 (PID 005-267-412);
 - (xvi) 3186 Gibbins Road (PID 005-409-292).
- [BL3287; BL3697]

Maximum Lot Coverage

- (5) The maximum permitted lot coverage for the A2 zone is 10% of the lot area.

Minimum Setbacks

- (6) The minimum permitted setbacks for the A2 zone are as follows:
 - (a) Single-Family Dwellings and Two-Family Dwellings
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 8.0 m (26.25')
 - (b) Mobile Homes
 - Yard, Front, 30.0 m (98.42')
 - Yard, Side, 12.0 m (39.37')
 - Yard, Rear, 12.0 m (39.37')
 - (c) All Other Principal Buildings
 - Yard, Front, 30.0 m (98.42')
 - Yard, Side, 30.0 m (98.42')
 - Yard, Rear, 30.0 m (98.42')
 - (d) Accessory Buildings and Structures (Excluding Fences)
 - Yard, Front, 8.0 m (26.25')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 8.0 m (26.25')
 - (e) Temporary Trailers
 - To be sited in accordance with the provisions of "Temporary Trailer Permit Bylaw 1976", No. 1685.

Maximum Building Height

- (7) (a) The maximum permitted building height for buildings, containing one or more dwelling units, within the A2 zone is 9.0 m (29.53').
- (b) Despite the foregoing, the height of other farm buildings is subject to the provisions of the ACNBC Farm Building Code 1995.

Conditions of Use

- (8) The conditions of use for the A2 zone are as follows:
 - (a) Bed and breakfast uses may have no more than six sleeping units and may be conducted in a maximum of one accessory building (with no kitchen) and/or one dwelling unit.
 - (b) Limited farm sale of agricultural products may be sold directly to the public provided that:
 - (i) a minimum of 50% of the agricultural products offered for sale are produced on the land;
 - (ii) the covered retail sales area does not exceed 100 m² (1076.4 sq. ft.); and
 - (iii) the retail sales are clearly ancillary to the farm use.
 - (c) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that
 - (i) the number of residents does not exceed ten, including resident staff,
 - (ii) the use is within a single-family dwelling unit only, which for clarity does not include a two-family dwelling,

- (iii) approval from the Agricultural Land Commission is obtained, where the property is within the Agricultural Land Reserve,
 - (iv) valid health permits for septic systems or on-site wastewater treatment systems are obtained, and
 - (v) each single-family dwelling unit may contain this use where the property is two hectares (4.94 acres) or greater and has two single-family dwelling units.
- (d) despite section 52 (1), "campground (seasonal)" is a permitted use on 3042 River Road, and "campground (short-term)" is a permitted use on 8701 Chemainus Road, 8682 and 9090 Trans-Canada Highway, and 3800 Gibbins Road for a maximum of 25 campsites during a gathering for an event. [BL3662]
- (e) [Repealed; BL3697].
- (f) a maximum of 14 gatherings for an event with up to 150 attendees, and 20 events with up to 20 attendees, are permitted per year on 3800 Gibbins Road.
[BL3083, BL3302, BL3323, BL3521, BL3554, BL3662]

Development Permit with Variance

Permit No: DPV00001/19.01

Registered Owner: Douglas Wilson Baragar and Roberta Lee Bilous

Subject Property: 6812 Stoney Hill Road **Folio:** 08660-004

Description of Land:
Parcel Identifier: 016-473-141
Legal Description: LOT B, SECTION 3, RANGE 6, COMIAKEN DISTRICT, PLAN 51112

Proposal: **Development Permit (Natural Environment) with Variance, to replace an Accessory Structure**

1. This permit is issued subject to compliance with all relevant District of North Cowichan bylaws.
2. This permit applies to the lands described above, and any buildings, structures, and other development thereon (hereinafter called 'the Lands').
3. Pursuant to section 498 of the *Local Government Act* (RSBC 2015, c. 1), this permit varies Section 13(1)(c) and Section 56 (6)(d) of Zoning Bylaw No. 2950 by reducing the required setback from a watercourse from 15 metres to 10.5 metres and the required north side yard setback from 3 metres to 2.5 metres.
4. The Lands are subject to this permit shall be developed strictly in accordance with the terms and conditions of this permit and in accordance with the following schedules:

Schedule 1: DPV00001 Location Map

Schedule 2: DPV00001 Orthophoto

Schedule 3: DPV00001 Zoning Map

Schedule 4: DPV00001 Site Plan 2020-02-19

Schedule 5: DPV00001 Letter of Rationale 2020-01-08

Schedule 6: DPV00001 RAR Assessment Report by Madrone 2008-06-16

Schedule 7: DPV00001 Ecological Assessment By Trystan Willmott 2019-11-06

Schedule 8: DPV00001 Sec. 13(1)(c) Watercourses

Schedule 9: DPV00001 A2 Rural Zone

5. Pursuant to section 504 of the Local Government Act, this permit will lapse two years from the date of the Development Permit approval unless construction, in accordance with the terms and conditions of this permit, has substantially started.

6. Further to Condition 5, construction is considered to be substantially started when a valid building permit for the development has been issued and shall not have lapsed; and excavation or construction works associated with the development hereby approved must have commenced to the satisfaction of the Director of Development Services. Demolition does not constitute construction.
7. This permit does not constitute a building, sign or awning permit or a subdivision approval. The applicant may contact the Development Services Department to determine whether further permits are required in association with the development hereby approved.
8. Section 13 of the Heritage Conservation Act protects heritage (archaeological) sites and heritage objects. This permit does not authorize the alteration of any such site or object. The permit holder is responsible for ensuring compliance with the Heritage Conservation Act, including taking any steps required to determine whether or not the subject property contains a heritage (archaeological) site or heritage object. Under section 36 of the Heritage Conservation Act, it is an offence to alter a heritage (archaeological) site or heritage object without first obtaining a permit to do so from the Province of British Columbia.

Authorized Works

9. Authorization for works within Development Permit Area 3 (Natural Environment), is limited to the siting and construction of an accessory structure in accordance with SCHEDULES 4, 5 and 7.

Environmental Protection

10. No clearance of vegetation including ground cover is to be conducted during the documented nesting season, March 25 to August 10.
11. Limit extent of vegetation clearance, complete clearing activities during dry times of the year, cover exposed areas with straw, protect any piles of fill or soil generated during construction with a temporary polyethylene sheeting, and avoid compaction of any exposed areas that remain after construction is complete.

Date of Development Variance Permit Approval/Issue by Council or its Delegate:

This permit was approved and issued on _____, **2020**.

This permit expires on _____, **2022**.


The Corporation of the District of North Cowichan

Designated Municipal Officer

Report

Date May 6, 2020 File:

To Council

From Megan Jordan, Manager, Communications & Public Engagement Endorsed: 

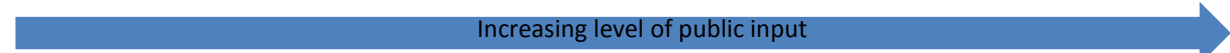
Subject Proceeding with Digital Engagement on the Official Community Plan Update Project

Purpose

To seek direction from Council on moving forward with public engagement on the Official Community Plan Update Project (the "OCP Update") during the COVID-19 crisis.

Background

On March 18, 2020, at their Regular Council Meeting, Council decided to pause all public engagement activities in response to the COVID-19 crisis, in alignment with orders from the Provincial Health Officer and senior levels of government. This was done to protect staff and the public and to slow the spread of COVID-19 in our community. Now that COVID-19 has started to slow in B.C., Council has directed staff to work with consultants of major projects to explore options for public engagement to continue safely.

Increasing level of public input 					
	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide balanced and objective information and assist employees in understanding the problem, alternatives, opportunities, and/or solutions.	To obtain public feedback on analysis, alternatives, and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide

The OCP Update is a major project, involving significant engagement ranging from “inform” to “collaborate” on the IAP2 spectrum of public participation.

Appended to this report is a framework proposing how to continue public engagement for the OCP Update.

Discussion

Since the OCP Update is in the very early stages of engagement, there are limited proposed public engagement activities planned during the period of May to October 2020. As a result, the proposed strategy for moving forward with engagement on the OCP Update is to do digitally focused engagement between May to October, then pause to re-assess if in-person engagement can proceed in a safe and fulsome way. Originally, engagement activities would have started in June, this timeline can likely still be accommodated, but staff and the consultant will require some time to re-group after the pause in work due to COVID-19.

Staff and the consulting team will continue to monitor orders from the Provincial Health Officer and senior levels of government when considering resuming in-person engagement. In September staff will bring a report back to Council about how to safely proceed with engagement. If engagement must proceed digitally at this time, the engagement plan will be revised to reflect this.

There were two public engagement events scheduled between May and October for the OCP; however, there are numerous meetings planned for Community Ambassadors, the Advisor Group, and Project Steering Committee. Since these cannot happen in-person at this time, a suite of digital options have been provided. These groups have been asked about participating in digital meetings and have indicated support for the proposed tools below.

Below is a summary of the methodology, tools, and actions proposed for the period of May to October 2020:

Methodology	Tools	Actions
Project Updates and Media Releases	MNC Website	Project updates and media releases will be posted on the MNC website at all project milestones
Online Survey	PlaceSpeak	Video/graphic and written informational resources along with a discussion board/survey to solicit feedback on proposed reduction tactics and models
Council Workshop	Zoom or WebEx	Interactive sessions including a presentation, Q&A, discussion, and gathering feedback

Methodology	Tools	Actions
OCP Volunteer Meetings	Phone Zoom	May include the need for Zoom presentations, but could be conference calls for updates, discussions, and feedback.
Project Steering Committee Meetings	Phone Zoom	May include the need for Zoom presentations, but could be conference calls for updates, discussions, and feedback.
Stakeholder Meetings	Phone Zoom	May include the need for Zoom presentations, but could be conference calls for updates, discussions, and feedback.
Self-Guided Community Tours	PlaceSpeak Social Media	Residents can do virtual tours or can take physical tours of certain areas (or their neighbourhoods) to explore community character. This can be filmed or documented with photos to be shared in PlaceSpeak, or through Social Media. <i>Note: there may be privacy concerns posting on social media, this will require more investigation.</i>
Email updates	Campaigner	News releases and key updates will be sent to those who have subscribed for email updates. These will also be sent to stakeholders and, volunteers. Direct invites to participate in the PlaceSpeak Topic, online survey, and self-guided-tours can be sent to these groups, too.
Social Media	Facebook and Twitter	Organic (unpaid) social media posts will be used to help inform the public of this project and link to the webpage/PlaceSpeak topic. There will be a light sustained information campaign to re-introduce the public to this project through social media.

Methodology	Tools	Actions
Social Media Ads	Facebook	Paid social media ads will be used to promote the online survey
News Paper Ads	Cowichan Valley Citizen, Chemainus Courier	Newspaper ads will be used to inform the public of this project and drive to the website/digital engagement on PlaceSpeak

Options

1. Approve the interim digital measures and direct staff to proceed with public engagement at this time; or,
2. Reject the interim digital measures and direct staff not to move forward with public engagement until such time as staff can safely proceed entirely with in-person engagement.

Implications

Financial – Increasing digital advertising and newspaper ads could result in increased cost to North Cowichan. At this time, there are no anticipated additional costs or modifications to the project budget from the consulting team.

Time – The essential structure of the OCP work plan remains the same; however, due to the pause on engagement precipitated by COVID-19, the OCP update will take 6-8 weeks longer. The target completion for the adoption of the OCP is now August 2021 (instead of June 2021).

Demographic – some members of the public may be left out of the engagement process due to lack of technical savvy; little or no access to a computer and a good internet connection; or, preference for analogue and in-person engagement. Considerations have been made to provide technical support or analog alternatives to mitigate this risk during the engagement process.

Social – Some individuals may be too distracted by the COVID-19 pandemic to engage fully and deeply at this time.

Engagement Fatigue – While engagement fatigue was always a risk, it will be increased if this engagement goes ahead, along with Climate Action and Energy Plan, Joint Utilities Board Sewage Outfall Relocation, and the Municipal Forest Reserve. These engagements will rely heavily on PlaceSpeak (more than pre-COVID-19) and run concurrently. As a result, all engagements may receive a lower rate of participation, especially given there will be four open, competing topics in PlaceSpeak.

Security and Privacy – Measures must be taken to ensure that all new digital platforms and tools used meet the security and privacy needs of North Cowichan. This may require increased tech support from the consultant, and increased review from North Cowichan's IT staff.

Capacity – Increased social media content and more use of PlaceSpeak may result in an increased need for Communications and Public Engagement staff to monitor and moderate online comments and feedback.

Recommendation

That Council approve the interim digital engagement activities proposed and direct staff to proceed with public engagement on the Official Community Plan Update.

Attachments:

- Proposal for Interim Digital Engagement on the OCP Update Project



April 29, 2020

District of North Cowichan
7030 Trans-Canada Highway
Duncan, BC V9L 6A1

Attention: Chris Hutton, Community Planning Coordinator

RE: Proposal to Resume OCP Engagement Digitally in a Safe and Fulsome Way

Dear Chris:

As you know, on March 18, 2020 the Municipality North Cowichan Council put a temporary hold on public engagement, due to the COVID-19 crisis and public health orders. The District has now asked for a proposal to resume OCP engagement digitally in a safe and fulsome way. This proposal outlines a thoughtful, intentional approach to allow engagement to proceed using on-line (digital) tools and techniques until it is safe to resume in-person activities and events.

When considering on-line engagement during this time we need to be sensitive to the following issues:

- The digital divide – not everyone has access to a computer, or is computer literate, especially if libraries/community centres are closed;
- The hard to reach - How digital engagement might amplify existing challenges to engage certain demographics
- State of mind - We must also be sensitive to the state of mind of the public and volunteers, be mindful of their priorities during this time of crisis and allow extra time for feedback.

Methodology

Given the uncertainties around the current COVID-19 crisis relating to in-person engagement activities, we are proposing supplementing the work plan with creative digital engagement options including a variety of virtual meetings platforms, including on-line surveys, video or teleconference meetings and online workshops.

In addition, we are proposing self-guided exercises to help the public get fresh air and exercise and look at their community from the perspective of the project's thematic objectives. This might include photo and video submission, self-guided tours, and other activities that people can do while practicing social distancing.

Subject to Council approval, over the next 2-3 months we propose a 'light' outreach to the public to re-introduce the OCP project and help them become familiar with the digital tools that we propose to use, such as Place Speak and Zoom. This timeline will also allow extra time for people with competing priorities to review materials when they are able.

This period would involve updating the website with the background papers, social media to generate interest, mail drops, local media outreach and newsletter updates. We suggest targeting

the end of July for our first public survey which gives the public time to become familiar with the digital tools and the context for the OCP update.

Tools

The following table provides a summary of the tools that can be used to conduct digital engagement with the various groups we need to engage with.

Group	Virtual Notification Method	Virtual Meeting Tools	Lead Resource
Council	Circulation of Agenda	Webex meeting	Project team and Corporate Admin.
Project Steering Committee	Called by Project Director with agenda per Terms of Reference	Email comments and phone-based or Google Hangouts or Zoom meetings.	Project team
OCP Volunteers	Called by Project Manager with agenda per Terms of reference	Email comments and phone-based meetings. Possible use of Google Hangouts or Zoom.	MODUS
Stakeholders	Direct email invite	PlaceSpeak, Google Hangouts or Zoom presentations, surveys.	MODUS
Public engagement	Advertising through on-line and traditional media, educational and promotional videos, website, newsletter, mail drop. Outreach through Community Ambassadors	PlaceSpeak, surveys.	MODUS

Cost

Given that we propose using existing North Cowichan's tools such as PlaceSpeak and MODUS has existing licenses for Zoom, we do not anticipate any extra cost associated with the shift to digital engagement.

Privacy and Security

Security and privacy concerns related to video-conferencing need to be examined in light of recent concerns regarding Zoom conferencing.

Timeline

The essential structure of the OCP work plan remains the same; however, due to the *Council's* pause on engagement, the OCP update will take 6-8 weeks longer. The target completion for the adoption of the OCP is now August 2021 (instead of June 2021).

Risks and Benefits

The risks associated with moving to on online engagement are:

- Some people don't have access to technology such as computers (need to ensure mixed methods such as mail drops, paper surveys)
- Engagement is less relationship-focussed than when it is conducted in person
- People may be distracted and focussed on other priorities right now
- It may be harder to reach some audiences while we cannot offer in-person activities.

The benefits are that:

- More people may become more involved since there is less time and travel commitment;
- Engagement may be more accessible for people with mobility challenges;
- Families with young children may have more time/ ability for online engagement rather than attending an event.

We look forward to continuing our work with you and discussing this proposal with you further.

Sincerely,

MODUS Planning Design & Engagement Inc.




Suzy Lunn, RPP

Senior Planner

Report

Date May 6, 2020 File:

To Council

From Megan Jordan, Manager, Communications & Public Engagement Endorsed: 

Subject Proceeding with Engagement on the Future of the Municipal Forest Reserve

Purpose

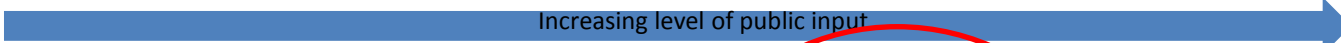
To consider revisions to the Municipal Forest Reserve (MFR) Engagement Plan (the "Plan"), and provide direction to staff on whether to proceed with public engagement during the COVID-19 pandemic.

Background

In early 2019 Council directed staff to carry out meaningful public engagement, both deep and broad, on the future management of our forests to determine the highest and best use of our MFR. Then on July 3, 2019, after receiving a report on the implications of collaborating with the University of British Columbia (UBC), 3GreenTree Consulting, and Coastal Douglas Fir Conservation Partnership, Council resolved to support a collaboration with UBC et al. The purpose of this collaboration would be to perform a technical review of our forest management practices and provide a recommendation for future forest management with input from the public.

On January 29, 2020, Council approved Lees and Associates' (the "Consultants") draft engagement plan and directed staff to proceed with public engagement. However, in March the emerging COVID-19 pandemic caused Council to put a 90-day pause on public engagement activities. Now that the effects of COVID-19 have begun to stabilize in B.C., staff was directed to explore options for Council's consideration that could allow public engagement to proceed virtually or otherwise.

A proposal outlining changes to the Plan (originally approved by Council) with increased emphasis on digital engagement is appended to this report.

Increasing level of public input 					
	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide balanced and objective information and assist employees in understanding the problem, alternatives, opportunities, and/or solutions.	To obtain public feedback on analysis, alternatives, and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public

	Inform	Consult	Involve	Collaborate	Empower
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide

Public engagement on the future of the MFR will be extensive and in-depth, falling at the “involve” and “collaborate” levels on the IAP2 Spectrum of Public Participation.

To enable staff to move forward with public engagement on the future management of the MFR, Lees and Associates are proposing shifting to a model of increased digital engagement. To ensure that engagement is as inclusive as possible, a mix of digital and in-person engagements was originally proposed. In-person outreach strategies in the original Plan were going to be key in reaching those individuals who are typically difficult to engage. Despite having safer alternatives to these outreach strategies in the appended proposal, it will be difficult to engage this demographic in a meaningful way until in-person engagement can be resumed.

Since the UBC Partnership Group requires public input to make a recommendation to Council on the Interim Forest management Plan (Covering September 2020 - December 2021), UBC et al has determined the proposed digital engagement methodology in Round One is sufficient. This includes:

- Twenty stakeholder calls;
- One additional Working Group Meeting;
- One Forestry Advisory Committee Meeting; and
- One Online Survey

Due to the temporary hiatus on public engagement, it's likely that the UBC Partnership Group's recommendation for the Interim Management Plan will be delayed by 6-8 weeks. Should Council decide to proceed with digital engagement, staff will work with UBC et al to develop a revised timeline for when the Interim Forest Management Plan could be ready for Council's consideration.

It should be noted that feedback collected in both Round One and Round Two of the public engagement process will help inform the Long-Term Forest Management Plan, as well as the Interim Plan. Without the use of in-person outreach strategies, it will be more difficult to incorporate feedback from those who are typically difficult to engage. As a result, the voice of this demographic could be largely absent in the feedback for the Interim Management Plan. Despite this, the UBC Partnership Group believes they can obtain enough feedback through the proposed digital methods in Round One to proceed with a recommendation to Council. However, staff are concerned about carrying on with digital engagement in Round Two.

In order to satisfy the engagement criteria, it may be more beneficial to proceed with Round Two engagement as it was approved in the original Plan in January 2020, thus resuming in-person engagement once it can be carried out safely. Round Two engagement is now scheduled to begin in January 2021. Staff and the Consultants will continue to monitor orders of the Provincial Health Officer and senior levels of government on an ongoing basis to determine whether Round Two can safely proceed with in-person engagement at this time.

Below is a summary of the methodology, tools, and actions proposed:

Methodology	Tools	Actions
Stakeholder phone calls	<ul style="list-style-type: none"> Phone 	Suggested adding in 4 additional stakeholder calls (20 total)
Working Group (WG) Meetings	<ul style="list-style-type: none"> Zoom 	Suggested adding one (or more) extra WG Meeting
Digital Visioning Wall	<ul style="list-style-type: none"> PlaceSpeak Zoom 	Digital discussion where members of the public can build consensus and identify their vision for the future of the MFR
Posters	<ul style="list-style-type: none"> Digital graphic/Info Posters Hard copy graphic/info posters 	Digital versions in PlaceSpeak, and hard copies around town in key locations in lieu of popups to drive people to PlaceSpeak/the Engagement web page and help reach those who are typically hard to engage
Two (2) Online Surveys	<ul style="list-style-type: none"> Simple Survey through PlaceSpeak Fillable PDF on our website 	Two online surveys to receive feedback from the public on their vision and values pertaining to the future of the MFR <i>Note: Could alternatively do one extended survey instead of two</i>
Public Forums	<ul style="list-style-type: none"> Zoom PlaceSpeak 	4, 2-hour online interactive webinar events with presentations by staff/UBC, followed by breakout sessions to gather feedback. Alternative, less technologically demanding options through PlaceSpeak - where the public can watch a replay of the presentation and fill out a self-directed workbook.
Virtual Forest Tours	<ul style="list-style-type: none"> PlaceSpeak YouTube 	Video of forest tour posted in PlaceSpeak and/or on YouTube for the public to watch and learn about the MFR. <i>Note: these could potentially be done face-to-face if the Provincial Health Officer's orders are relaxed and physical distancing practices can be observed</i>
Statistically Valid Phone Survey	<ul style="list-style-type: none"> Phone 	Occurring in Phase 2 in January 2021– a statistically representative sample of residents to get input on the future management of the MFR.

Options

1. Approve the changes to the Plan and direct staff to proceed with public engagement at this time;
or,
2. Reject revisions to the Plan and uphold the moratorium for public engagement on this project until staff can safely proceed with the original engagement plan as approved by Council.

Implications

Financial – Increasing digital engagement and adding additional survey questions, stakeholder phone calls, and working group meetings could lead to a higher cost than the original amount budgeted in the RFP. Increased demand for technical support to utilize digital platforms could also mean increased costs for the Consultant's time.

Time – There has already been a significant delay in engagement and a loss of momentum due to the pause in engagement precipitated by COVID-19. To accommodate fulsome digital engagement we will require more time for participation, longer time to notify the community about engagement activities and events, and wider participation windows. As a result, the timeline, as originally presented in the Plan, has now been extended. This could have implications on the Interim Forest Management Plan as UBC will not receive the completed engagement results in June.

Demographic – Some members of the public may be left out of the engagement process due to lack of technical savvy; little or no access to a computer and a good internet connection; or, preference for analogue and in-person engagement.

Social – Although a concerted effort has been made to ensure that digital engagement will be as fulsome as possible, some may feel the process was inequitable and only available to a portion of the public. The future management of the MFR is of great interest to the community and is highly contentious; there is a potential risk for those dissatisfied with the outcome of engagement to attack the process and be critical of moving engagement forward during a public health crisis. Conversely, some individuals may be too distracted by the COVID-19 pandemic to engage fully and deeply at this time.

Engagement Fatigue – While engagement fatigue was always a risk, the risk will be increased if this engagement goes ahead, along with the Official Community Plan, Climate Action and Energy Plan, and Joint Utilities Board Sewage Outfall Relocation projects. Originally, these engagements would have used PlaceSpeak (to a lesser extent) and would have had phased launches. Now, due to the pause in engagement brought on by COVID-19, these projects will likely launch and run concurrently in PlaceSpeak. As a result, all engagements may receive a lower rate of participation. Members of the public may need to prioritize one engagement, and may not be able to participate in all.

Security and Privacy – Measures must be taken to ensure that all new digital platforms and tools used meet the security and privacy needs of North Cowichan. For example, meeting links should not be posted publicly, and the public must consent to be filmed if a working group or public forum is to be recorded.

Capacity – Increased IT support from the Consultants could pose a potential risk, and reduce the capacity for moderating online events or carrying out other relevant work. In addition, it could require a substantial amount of staff's time to support increased engagement through PlaceSpeak, and to administrate more frequent online events. IT staff may also be adversely affected by the increased demand to investigate proposed digital platforms and tools to ensure they meet the security and privacy needs of the Municipality, ensure staff know how to use these platforms, and that staff have the correct tools to do so.

Recommendation

That Council approve the revisions to the Plan for public engagement on the future of the Municipal Forest Reserve and direct staff to move forward with:

- Digital engagement that sufficiently fulfills the University of British Columbia's needs to make a recommendation on the Interim Management Plan which includes increased stakeholder interviews, an additional working group meeting, an online survey, and a Forest Advisory Committee meeting;

- Continuation of the original Plan for Round Two public engagement, beginning January 2021, on the Municipal Forest Reserve.

Attachments:

- Proposal for Digital Public Engagement on the Future of the Municipal Forest Reserve

April 29, 2020

District of North Cowichan
7030 Trans-Canada Highway
Duncan, British Columbia V9L 6A1

Attention: Megan Jordan

Dear Megan

Re: Options for Remote Public Engagement for the Municipal Forest Reserve

Thank you for the opportunity to provide a proposal for remote engagement options to support decision-making by Council regarding the Municipal Forest Reserve. We have approached this proposal by reviewing the existing Engagement Plan and highlighting where changes to engagement methodology, tools, timeline, or costs would be needed. We have also included discussion of where there may be opportunities and challenges, and potential strategies to address issues that could impede a “fulsome and transparent” process.

Methodology

Given the uncertainties around the current Covid-19 crisis and the feasibility of conducting in-person engagement, we can provide creative remote engagement options including online questionnaires, video or teleconference meetings, remote workshops, and other engagement sessions using our professional platforms of Zoom, Microsoft Teams, Simple Survey, PlaceSpeak, Mural (collaboration platform) or other platforms preferred by the District. The essential structure of the methodology remains the same, with most changes to engagement occurring in the tools we propose. If conditions change, we would resume a mix of digital and in-person engagement methods at the earliest opportunity.

Risks and Benefits

Many of the risks of the project remain the same, such as discerning between residents and non-residents and keeping discussions focused on the MFR.

- Avoiding engagement fatigue is an increased risk given the multiple draws on people at the moment, as well as multiple concurrent projects at MNC.
- It is an increased risk in terms of facilitating challenging and emotional conversations without face-to-face interaction.
- There may be an increase in facilitation and management needed if the community dialogue expands onto multiple online platforms; moderation of online discussions to keep people on-topic and ensure respectful dialog.

- Digitally focused engagement may reduce access those who are not tech savvy and those without access to good internet or computers. There may be feedback that the process was not fulsome and fair as a result.
- There may be increased costs due to the need for tech support and different communication methods.

While there are some increased risks, there are also lots of potential benefits.

- Improved accessibility by providing more options to be involved with lower time commitment and more flexible timing.
- More online options mean greater potential to reach youth and young families who would be unlikely to attend a 4-hour in-person workshop.
- By recording and posting presentations, we can increase access to technical information in clear, concise, and accessible ways.
- Most of these opportunities are much more scalable, so we can expand engagement to meet demand without adding substantially to the cost.

Schedule

- Round 1 was supposed to be complete by June -> Round 1 now to be complete by August 2020
- Break from engagement for UBC to complete the Interim Plan September – December; this window also allows for follow-up and continued engagement opportunities, if needed
- Round 2 now be from January 2021-March 2021

Given the current demands and challenges the community is facing, we are suggesting Round 1 engagement be extended through the summer. Originally, engagement was to conclude by June. This relaxation of the schedule will allow more time for people to participate. We will actively track participation rates and will respond with extend response times and increased outreach, if needed.

However, this schedule change means that the UBC Partnership Group will not have complete engagement results until the end of August, which could have implications for completion of the Interim Management Plan.

Tools

The following table outlines the tools originally proposed in the Engagement Plan along with proposed changes, notes on the methods and tools, risks and mitigation strategies, and the cost implications.

Engagement Tool	Original Approach	Proposed Changes	Methodologies & Tools	Risks & Mitigation Strategies	Cost Implications
Stakeholder Interviews* IAP2 Consult	<ul style="list-style-type: none"> 16 interviews in progress by phone or email 	<ul style="list-style-type: none"> Interview options could be expanded to offer videoconferencing Recommend four (4) additional interviews 	<ul style="list-style-type: none"> Zoom, Microsoft Teams or Skype Telephone 	<ul style="list-style-type: none"> Telephone option can avoid any technology issues 	<ul style="list-style-type: none"> Cost neutral for current # of interviews Recommend an allowance for up to four (4) additional interviews @ \$250 per
Working Group IAP2 Involve	<ul style="list-style-type: none"> 4 in-person working group meetings – 1 completed 	<ul style="list-style-type: none"> 3 remaining meetings proposed 1 additional meeting is proposed (not as a result of Covid-19) 	<ul style="list-style-type: none"> Better-bandwidth options: <ul style="list-style-type: none"> Videoconferencing: Zoom, Microsoft Teams or Skype Use of online whiteboard and consultant screensharing Low-bandwidth options: <ul style="list-style-type: none"> Teleconference with meeting materials sent via email 	<ul style="list-style-type: none"> Technological concerns – always allow for “tech time” to orient participants Include lower bandwidth options, if preferred 	<ul style="list-style-type: none"> Tools are cost neutral Recommend one (1) additional working group meeting @ \$1,600

Engagement Tool	Original Approach	Proposed Changes	Methodologies & Tools	Risks & Mitigation Strategies	Cost Implications
Outreach and Public Pop-Ups IAP2 Inform	<ul style="list-style-type: none"> • Fact sheets • Mail-out of project info sheet • Posters at key community locations • Social Media posts • Email distribution list of interested people and organizations • Media and advertising for project awareness, public engagement opportunities, and project updates 	<ul style="list-style-type: none"> • Outreach is even more important for remote engagement. • Working Group participation will be even more important for outreach and to encourage participation 	<ul style="list-style-type: none"> • Additional Posters: <ul style="list-style-type: none"> ○ Focus posters on places people may pass on walks, trailheads, community bulletin boards, parks • Additional Newspaper Advertisements: <ul style="list-style-type: none"> ○ Cowichan Valley Citizen ○ Chemainus Valley Courier ○ Valley Voice • Weekly or more DNC Social Media posts during engagement windows • Short videos to catch attention and highlight key info • Video clips introducing engagement opportunities and describing (remote) public forums 	<ul style="list-style-type: none"> • Additional posters (ensure safety of staff when posting) • Newspaper advertisements – Published once per week instead of twice • DNC Social media outlets – Potential need for active moderation by account holders, similar to social media platforms • Short videos – Need to conform with project messaging and be suitable for the platform 	<ul style="list-style-type: none"> • Cost neutral for consultant scope for print, advertising, and social media posts • Videos could potentially be done by filming presentations that we will be doing already, for no additional charge, with available tech provided by UBC (to be confirmed). • Additional videos would be kept simple (i.e. photos, text) but would require planning and editing; cost dependent on staff capabilities, number, and complexity

Engagement Tool	Original Approach	Proposed Changes	Methodologies & Tools	Risks & Mitigation Strategies	Cost Implications
Online Surveys IAP2 Consult	<ul style="list-style-type: none"> Round 1 online survey Round 2 online survey 	<ul style="list-style-type: none"> Round 1: Add 2 additional open-ended questions to allow additional feedback Integrate an online “Visioning Board” and discussion forum on Place Speak. 	<ul style="list-style-type: none"> PlaceSpeak survey Vision for the MFR brainstorming board on PlaceSpeak Provide downloadable PDF version of the survey 	<ul style="list-style-type: none"> No additional risks 	<ul style="list-style-type: none"> Round 1 Online Survey to include up to 2 additional open ended questions/vision board and discussion forum @ \$1,600
Public Forums IAP2 Involve	<p>Round 1</p> <ul style="list-style-type: none"> (2) in-person events ~4 hours each <p>Round 2</p> <ul style="list-style-type: none"> (2) in-person events ~3 hours each 	<p>Round 1</p> <ul style="list-style-type: none"> (4) online events ~2 hours each with (2) half hour break-out discussions in facilitated small groups <p>Round 2 (if physical distancing continues)</p> <ul style="list-style-type: none"> (4) online events ~2 hours each with (2) half hour break-out discussions facilitated small groups 	<ul style="list-style-type: none"> Better-bandwidth options (priority for Round 1): <ul style="list-style-type: none"> Online Workshop Event: Zoom (preferred) Use of online whiteboard and screensharing from host Low-bandwidth options: <ul style="list-style-type: none"> Downloadable PDF self-directed workbook (please see description attached) 	<ul style="list-style-type: none"> Security concerns – require sign-up and password to join meeting Have dedicated tech person for each event to address technological issues and help participants troubleshoot Benefit: Easy to add more events to meet demand 	<ul style="list-style-type: none"> Cost neutral for online workshops For more than 4 events: additional event cost would be ~\$2,000 assuming 4 facilitators and a tech person Additional costs would apply for formatting and content for a self-directed workbook (not currently recommended)

Engagement Tool	Original Approach	Proposed Changes	Methodologies & Tools	Risks & Mitigation Strategies	Cost Implications
Onsite Tours IAP2 Inform or Consult	<ul style="list-style-type: none"> The details for onsite tours have not yet been determined 	<ul style="list-style-type: none"> Conduct a tour of key sites and post to YouTube OR Create an interactive map using GoogleEarth or other platform Link through the MFR website and PlaceSpeak Promote via small clips on social media 	<ul style="list-style-type: none"> Video tour Interactive map-based site tour with photos and descriptions for key locations 	<ul style="list-style-type: none"> No additional risks Benefits are reduced risk and increased accessibility 	<ul style="list-style-type: none"> This was not included in the original contract Planning and implementing a remote tour would cost ~\$2,500, offset by staff time, depending on method and quality
Phone Survey IAP2 Consult	<ul style="list-style-type: none"> Round 2 Integrate and cross-reference with Round 2 online survey 	<ul style="list-style-type: none"> No change 	<ul style="list-style-type: none"> Telephone 	<ul style="list-style-type: none"> No additional risks 	<ul style="list-style-type: none"> No change

Tools

- Zoom – working Group meetings, public workshops, capability of using the white board for note-taking and break out rooms for small group discussions
- Videos – recorded presentations; site tour; use mini-clips for social media and outreach
- Outreach – increased social media presence, distribution of posters, mail-out, leverage Working Group community networks
- Online Survey – expanded range of questions; Downloadable/printable PDF could be made available upon request
- PlaceSpeak – expand use of PlaceSpeak including Simple Survey, vision board, discussion forums
- Social Media – increase posting frequency; include videos to catch attention
- Website – continue to keep website materials up to date and coordinate with PlaceSpeak

Costs

- We have aimed to keep these proposed changes within the existing project budget. We will do this by eliminating travel costs and leveraging our technical capabilities.
- The need for additional engagement with the Working Group was identified prior to the engagement pause and Covid-19 social distancing recommendations.
- We had also already been considered adding a second online survey over the summer, but we could instead do an expanded online survey #1 with more open-ended questions.


Current Total Project Budget \$99,750.00

Potential Additional Costs:

- Four (4) additional stakeholder interviews = \$1,000
- One (1) additional Working Group meeting @ \$1,600
- Two (2) additional open-ended questions through Online Survey or Vision Board @ \$800 per question to compile and code the answers = \$1,600
- Remote site tour planning and implementation for public @ \$2,500 (depends on method, quality)
- Additional remote public forums @ \$2,000 each (to be determined)
- Video editing (no original budget) – dependent on video length, number of videos, and formats (to be determined, could be offset by staff time)

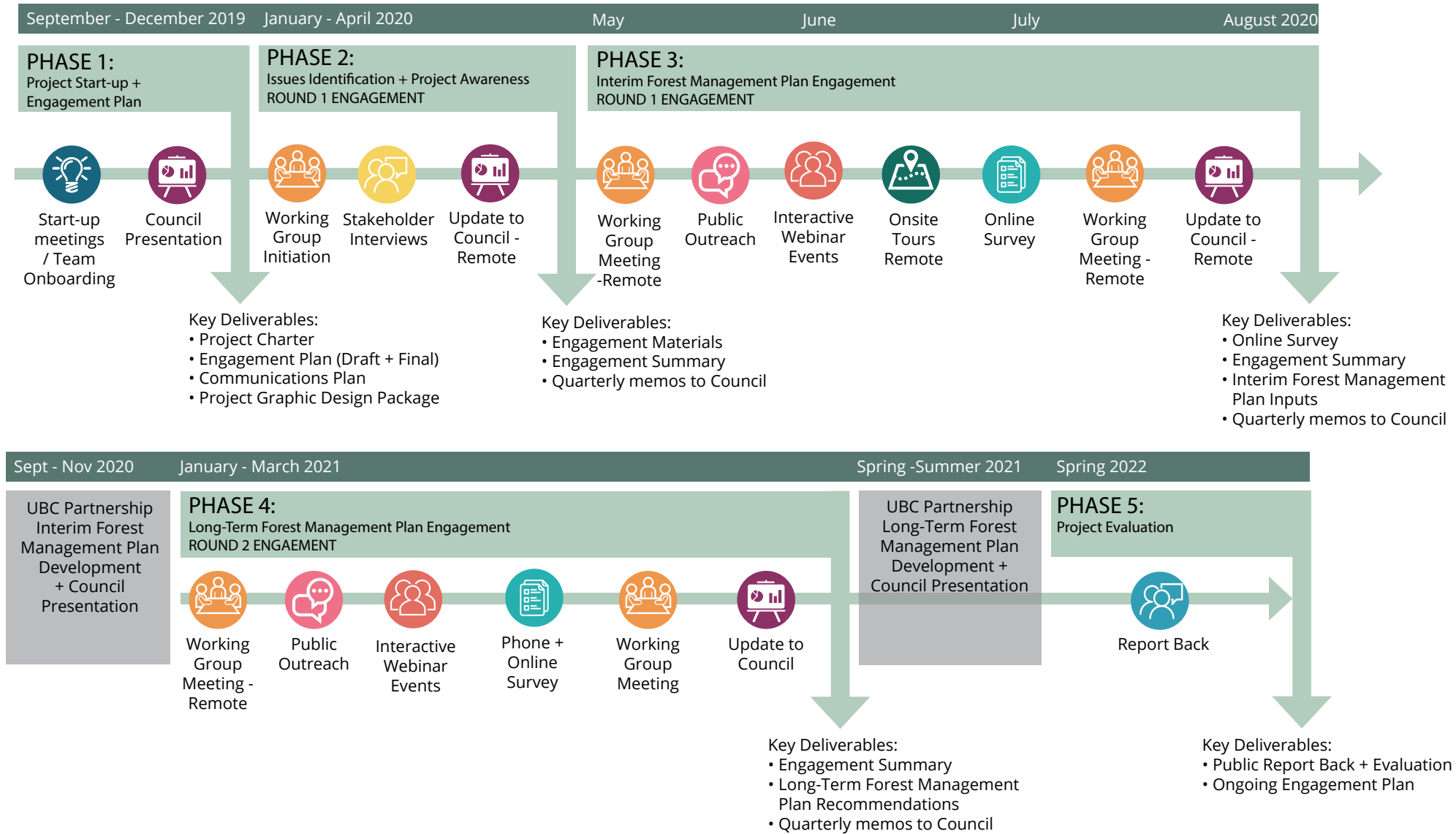
We look forward to discussing these options further and continuing to ensure the public engagement process is inclusive, accessible, and fulsome.

Sincerely,



Megan Turnock, MSc, MLA
Senior Associate

SCHEDULE





Digital Vision Board



What

An opportunity for District of North Cowichan residents to share their vision for the future of the Municipal Forest Reserve from home using SMS, Social Media Platforms such as Facebook or Twitter, or over Zoom using the whiteboard feature.



Why

- Participants can envision their ideal future for the municipal forest reserves without being bogged down with too many details or restrictions
- Promotes peer learning and consensus building within the community
- Promotes creativity



How

1. Identify the key question you will ask participants
2. Post the question on social media, in Zoom using the whiteboard feature, or arrange a phone number to receive feedback
3. Advertise your the Vision Board campaign throughout the community to encourage participation
4. Share the participants visions



Where & When

This activity can be used at public forums, stakeholder workshops, or be used to gather feedback through social media platforms.



Self Lead Workbook



What

An opportunity for District of North Cowichan Working Group Members to share their vision for the future of the Municipal Forest Reserve from home using a self directed brainstorming exercise.



Why

- Allows participants more time to process and think through their responses.
- Can be used as an educational opportunity.
- Allows participants who do not feel comfortable voicing their opinions publicly with an opportunity to be heard.



How

1. Identify information and key questions you will provide to participants
2. Develop workbooks with space for participants ' responses
3. Distribute workbook to Working Group members
4. Gather feedback



Where & When

This activity can be used to gather feedback from Working Group members, but there us also an opportunity to adapt this tool to be distributed to Stakeholders and the larger North Cowichan community.



Hopes & Fears



What

At the beginning of an event, participants record their hopes and fears about the future to share with others. Taking a quick poll of the participants' concerns and excitement about the upcoming project builds trust and helps steer the conversation.



Why

- Creates an atmosphere of openness
- Sets participants at ease
- Participants get to know one another
- Common themes can be identified early on



How


1. Using the Whiteboard function in Zoom, ask participants to identify their hopes and fears related to the Future of the Municipal Forest Reserve
2. Moderator makes note of common themes
3. Open a discussion with participants around common hopes and fears
4. Record the discussion and take these comments into consideration



Where & When

This activity can be used at public forums or stakeholder workshops.

Report

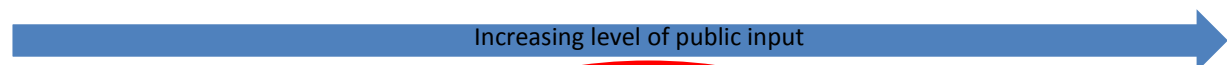
Date	May 6, 2020	File:
To	Council	
From	Megan Jordan, Manager, Communications & Public Engagement	Endorsed: 
Subject	Proceeding with Digital Engagement on the Climate Action and Energy Plan Update Project	

Purpose

To seek approval from Council to move forward with public engagement on the Climate Action and Energy Plan Update (the "CAEP Project") during the COVID-19 crisis.

Background

On March 18, 2020, at their Regular Council Meeting, Council decided to pause all public engagement activities in response to the COVID-19 crisis, in alignment with orders from the Provincial Health Officer and senior levels of government. This was done to protect staff and the public and slow the spread of COVID-19 in our community. Now that COVID-19 has started to slow in BC, Council has directed staff to work with public engagement consultants to explore options for consideration that could allow public engagement to continue safely.

Increasing level of public input 					
	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide balanced and objective information and assist employees in understanding the problem, alternatives, opportunities, and/or solutions.	To obtain public feedback on analysis, alternatives, and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide

Appended to this report is a framework proposing how to carry out public engagement on the CAEP Update Project.

Discussion

Originally, staff and the consultant had arranged an open house meeting on April 6th to engage the public on the CAEP Update Project. Members of the public, Council, and members of the former Environmental Committee could listen to a presentation from consultants and staff on the results of the modelling work completed to date; learn about the emission reduction targets chosen by Council, and hear the productive strategies to reduce Green House Gas Emissions in North Cowichan. Due to limitations on gatherings, ordered by the Provincial Health Officer, this is no longer a feasible approach to engagement.

To enable staff to move forward with public engagement, and keep this project in line with the schedule, SSG Environmental Consultants are proposing shifting to digital engagement, whereby hosting a digital open house and an online survey. This will also allow the project to meet scheduled commitments for the funding agreement with the Federation of Canadian Municipalities

While there will be an opportunity for input at the “involve” and “collaborate” level of the IAP2 spectrum, the main goal of this engagement is to inform the public, Council, and stakeholders about the CAEP update. This will not be a broad in-depth engagement as extensive engagement was already achieved when the original CAEP was created. This engagement will be focused on tactics to reach reduction targets and will be summarized into a “what we heard” report, incorporated into the strategy where appropriate and then presented to Council with the final version of the CAEP.

Below is a summary of the methodology, tools, and proposed actions:

Methodology	Tools	Actions
Project Updates and Media Releases	MNC Website	Project updates and media releases will be posted on the MNC website at all project milestones
Digital Open House	PlaceSpeak	Video/graphic and written informational resources along with a discussion board/survey to solicit feedback on proposed reduction tactics and models
Workshop	Zoom or WebEx	A presentation explaining the business-as-usual, CleanBC Plan, and Low-carbon Scenario modelling outputs and scope of potential actions and policies to achieve 80% emissions reductions by 2050. This presentation can be given live with a Q&A session following, or it could be pre-recorded. With either approach, the webinar can be posted to PlaceSpeak. An event will be created in Eventbrite for registration, once the first 30 people have registered and registration closes, the event link will be circulated to participants ahead of the meeting to ensure it is secure.

Methodology	Tools	Actions
Email updates	Campaigner	News releases and key updates will be sent to those who have subscribed for email updates. These will also be sent to members of the defunct Environmental Committee. Direct invites to participate in the digital open house can be sent to this list, too.
Social Media	Facebook and Twitter	Organic (unpaid) social media posts will be used to help inform the public of this project and link to the webpage/PlaceSpeak topic
Social Media Ads	Facebook	Paid social media ads will be used to promote the digital open house
News Paper Ads	Cowichan Valley Citizen, Chemainus Courier	Newspaper ads will be used to inform the public of this project and drive to the website/digital engagement on PlaceSpeak

Options

1. Approve the digital engagement proposal and direct staff to proceed with public engagement at this time; or,
2. Reject the digital proposal and direct staff not to move forward with public engagement until such time as staff can safely proceed with in-person engagement.

Implications

Financial – Increasing digital advertising and newspaper ads could result in increased cost to North Cowichan. At this time, there are no anticipated additional costs or modifications to the project budget from the consulting team.

Time – Originally, the open house for this project was scheduled for early April but had to be cancelled due to COVID-19. If staff can continue with this project as proposed in this report, the project timeline will be delayed by approximately 60 days, but will not have any negative implications overall. If digital public engagement does not move forward this project may be delayed for an additional 6-12 months, depending on the restrictions in place in response to COVID-19.

Demographic – some members of the public may be left out of the engagement process due to lack of technical savvy; little or no access to a computer and a good internet connection; or, preference for analogue and in-person engagement. Considerations have been made to try and mitigate this risk during the engagement process.

Social – Some individuals may be too distracted by the COVID-19 pandemic to engage fully and deeply at this time.

Engagement Fatigue – If this engagement goes ahead, along with the Official Community Plan, Joint Utilities Board Sewage Outfall Relocation, and the Municipal Forest Reserve, there is an increased risk for engagement fatigue as these engagements will rely heavily on PlaceSpeak (more than pre-COVID-

19) and run concurrently. As a result, all engagements may receive a low rate of participation, especially given there will potentially be four open, competing topics in PlaceSpeak.

Security and Privacy – Measures must be taken to ensure that all new digital platforms and tools used meet the security and privacy needs of North Cowichan. This may require increased tech support from the consultant, and increased review from North Cowichan’s IT staff.

Capacity – Increased social media content, and more use of PlaceSpeak may result in an increased need for Communications and Public Engagement staff to monitor and moderate online comments and feedback.

Recommendation

That Council approve the digital engagement proposal and direct staff to proceed with public engagement on the Climate Action and Energy Plan Update.

Attachments:

- Proposal for Digital Engagement on the CAEP Project

North Cowichan Climate Action and Energy Plan Update

Online Engagement Program (draft)

Background

The engagement component of the North Cowichan CAEP Update is being performed online due to the circumstances presented by the COVID-19 pandemic, which inhibits the originally proposed in-person engagement activities. Four engagement activities were originally proposed in Phase 3 of the project:

- 3.1 Inventory/BAU presentation and actions review (community)
- 3.2 Prioritization workshop (staff and stakeholders)
- 3.3 Implementation roundtable planning (community)
- 3.4 Phase 3 interim report

We propose the following online engagement elements and activities in order to achieve the same or similar outcomes to those intended in the original Phase 3 tasks, as described below. The main goal of the engagement remains to seek inputs on energy and emissions policy and action development, and their implementation pathways. All activities are open to Council members, staff, stakeholders, and the public. The online program components aim to engage participants at the Inform, Consult, Involve, and Collaborate levels of the IAP2 Engagement Spectrum. The Phase 3 interim report will comprise a summary of the online engagement feedback collected from participants.

CAEP Update Online Engagement Program Elements

PlaceSpeak

Based on North Cowichan's ongoing success using PlaceSpeak, CAEP Update engagement elements will be presented using this platform. A CAEP topic will be created with project information and activities housed within it.

PlaceSpeak Digital Open House Elements

Project landing page

Introduction to project and explanation of Topic content and ways to participate.

CAEP background page (in resources section)

Previous CAEP info

Brief summary of original CAEP highlights with link to municipal website and report.

CAEP Progress

Brief summary of progress on original CAEP with links to any appropriate staff and Council materials.

CAEP Update project info

Brief explanation of CAEP Update project.

Project Information Discussion Board

Webinar/Zoom presentation

A presentation explaining the business-as-usual, CleanBC Plan, and Low-carbon Scenario modelling outputs and scope of potential actions and policies to achieve 80% emissions reductions by 2050. This presentation can be given live with a Q&A session following, or it could be pre-recorded. With either approach, the webinar can be posted to the project information page.

New CAEP modelling results summary

Static information with some energy and emissions information for the three scenarios as well as a link to the CityInSight interactive dashboard with North Cowichan scenario analysis data and maps.

Public input elements

Topic discussions

A discussion forum on potential actions and policies for each of these topics: energy efficient buildings, clean transportation, waste and wastewater, renewable energy, industrial energy efficiency, carbon sequestration, and complete, compact communities.

Action prioritization survey

A ranking survey to gauge the importance of potential actions and policies in each of the above topics.

Implementation survey

A written input survey to get information pertinent to potential action and policy implementation. Elements include: timing (near, medium, long terms), partners, funding sources and support programs, challenges to address, opportunities to support the efforts, etc. for each potential action or policy.

Promotion

The online engagement elements will be promoted through several Municipally-led channels, including:

- Municipal Facebook and Twitter feeds
- Email
- Social media ads
- Newspaper ads
- The Municipal website

Accessibility Implications

It is anticipated that there will be both positive and negative impacts associated with switching to exclusively online engagement methods.

Potential positive impacts	Potential negative impacts
<ul style="list-style-type: none">• Increased accessibility for those unable or disinclined to attend in-person engagement events.• Ability for participants to engage at convenient times for them, as many times as they like.• Various engagement components allow participants to provide input through the mechanisms they are most comfortable with.• Potentially increases the demographic reach of the project by being accessible to many.	<ul style="list-style-type: none">• Exclusive to those with internet access and comfortability with digital platforms.• Can exclude those whose form of participation is in-person engagement events.

There is also a general concern about engagement fatigue as there are several parallel municipal planning processes requiring public engagement that are happening concurrently. This may result in low engagement turnout or confusion between projects.

Financial Implications

There are no anticipated addition costs or modifications to the project budget from the consulting team.


Schedule Implications

The public engagement component of the project has been delayed, but this is not expected to significantly impact the project deadline.

Report

Date April 25, 2020 File:

To Council

From Megan Jordan, Manager, Communications & Public Engagement Endorsed: 


Subject Proceeding with Safe Engagement on the Joint Utilities Board Sewage Outfall Project During the COVID-19 Pandemic

Purpose

To seek approval from Council to move forward with public engagement on the Joint Utilities Board Sewage Outfall Relocation Project ("the JUB Project") during the COVID-19 crisis. This appended proposal sets out a way forward with public engagement and is not an interim measure until in-person engagement can resume.

Background

On March 18, 2020, at their Regular Council Meeting, Council decided to pause all public engagement activities in response to the COVID-19 crisis, in alignment with orders from the Provincial Health Officer and senior levels of government. This was done to protect staff and the public and slow the spread of COVID-19 in our community. Now that COVID-19 has started to slow in B.C., Council has directed staff to work with public engagement consultants to explore options for consideration that could allow public engagement to continue safely.

Increasing level of public input 					
	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide balanced and objective information and assist employees in understanding the problem, alternatives, opportunities, and/or solutions.	To obtain public feedback on analysis, alternatives, and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide

Appended to this report is a framework proposing how to carry out public engagement on the JUB Project.

Discussion

Originally, the plan to engage the public on the JUB Project included an open house in Cowichan Bay, where residents and businesses were more likely to be impacted by the pipeline route, as well as some in-person meetings. In-person meetings would have been done on an ad hoc basis depending on whether there was a need/interest. Due to the limitations on gatherings, as ordered by the Provincial Health Officer, this is no longer a feasible approach to engagement.

To enable staff to move forward with public engagement, JCA Judith Cullington & Associates are proposing to adjust their approach to include safe engagement options such as a 'virtual' (video) open house and webinar, along with some optional Zoom sessions instead of in-person community meetings. A suite of options has been included for those who are not technologically literate, or who have little to no access to a computer or good internet connection.

Much of the process of informing the public has not changed. The main goal of this engagement is to inform; however, we will be consulting and gathering feedback on potential routing options – which could affect some members of the public more than others.

Below is a summary of the methodology, tools, and actions proposed:

Methodology	Tools	Actions
Project Updates (newsletter) and detailed reports	MNC Website	Project updates are created and posted on the MNC project webpage regularly. These will be uploaded into PlaceSpeak, too.
Virtual Open House and online discussion	PlaceSpeak, social media, information through project partners and stakeholder organizations	Video/graphic and written informational resources along with a discussion forum to solicit feedback on proposed routes
<i>Optional:</i> webinars with highly interested members of the public and potentially impacted residents and stakeholders along proposed routes	Webinars via Zoom	1-3 webinar sessions will be held, in addition to the virtual open house, if the need/desire is present. These will be more interactive, can include a presentation, breakout sessions, and a Q&A.
Email updates	Campaigner	News releases at project milestones and key updates will be sent to subscribers

Methodology	Tools	Actions
Media releases	Cowichan Valley Citizen, other local media	Opportunity for people without computers to learn more can request hard copy information. <i>Note: the Cowichan Valley Citizen is only publishing hardcopy papers once per week due to COVID-19</i>
Social Media Ads	MNC Facebook	Ads linking to the PlaceSpeak engagement and website will be utilized to maximize online reach
Newspaper Ads	Cowichan Valley Citizen, other local media	Large full-page ads will be taken out that drive to our website and PlaceSpeak Topic to learn more and engage
<i>Optional: Mail drop</i>	Canada Post	Only to areas directly affected by possible pipeline routes. This will help reach those who prefer analogue information/engagement. The mail drop could include a brief mail-back survey.

Options

1. Approve the safe engagement proposal and direct staff to proceed with public engagement at this time; or,
2. Reject the safe engagement proposal and direct staff not to move forward with public engagement until such time as staff can safely proceed with in-person engagement.

Implications

Financial – At this time there are no anticipated impacts to the overall cost of the project. While some costs will be added, there are also some anticipated savings (i.e. not hosting an open house or in-person meetings).

Timeline – If staff can move forward with public engagement at this time there will be no implications to the overall timeline. However, if public engagement cannot move forward the public opportunity to comment on pipeline route options will be considerably curtailed.

Demographic – some members of the public prefer in-person opportunities and discussion. Considerations have been made to try and mitigate this risk during the engagement process.

Social – Although a concerted effort has been made to ensure that engagement can move forward safely and be as fulsome as possible, some may feel the process was inequitable and only available to a portion of the public. Moreover, some individuals may be too distracted by the COVID-19 pandemic to engage fully and deeply at this time.

Engagement Fatigue – If this engagement goes ahead, along with the Official Community Plan, Climate Action and Energy Plan, and the Municipal Forest Reserve, there is an increased risk for engagement fatigue as these engagements will overlap. As a result, all engagements may receive a low rate of participation, especially given there will potentially be four open, competing topics in PlaceSpeak. However, for the JUB project, much of the target audience lies outside North Cowichan so this overlap will not apply for these residents.

Recommendation

That Council approve the safe engagement proposal and direct staff to proceed with public engagement on the Joint Utilities Board Sewage Outfall Relocation Project.

Attachments:

- Proposal for Safe Engagement on the JUB Project

JUB Outfall Relocation Project

Safe Public Engagement Framework

27 April 2020

During the pandemic, orders from the Provincial Health Officer and senior levels of government preclude gatherings such as public open houses. This proposal describes how input on the JUB STP Outfall Project (the “project”) can proceed safely and allow the project to move forward to meet funding deadlines despite the restriction caused by the COVID-19 pandemic.

Target Audiences

This proposal refers to **public** engagement only. Government-to-government consultation with First Nations and engagement with stakeholder groups will continue via virtual meetings.

The target audience for this project reaches beyond North Cowichan residents to include Duncan and Areas D and E of the CVRD, (i.e. residents and businesses served by the Central Sector Liquid Waste Management Plan).

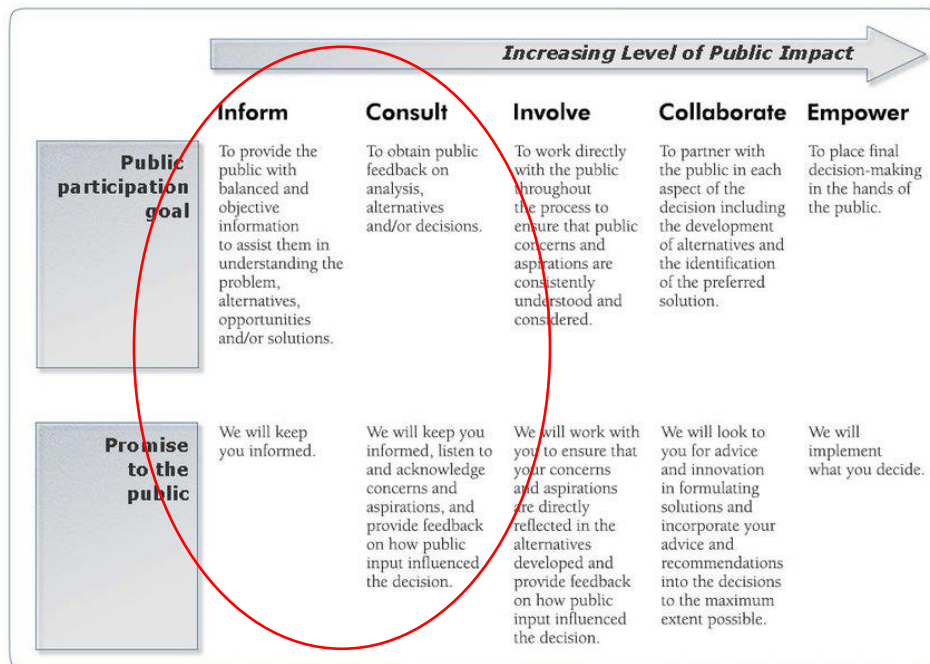
Some additional focus will be given to residents in the Cowichan Bay area, as they are most likely to feel the temporary impacts of pipeline construction and other project works. Staff will be continuing conversations with relevant CVRD Area Directors regarding reaching out to their residents.

Methodology

This is the second round of public engagement on the outfall relocation project. The first round was conducted in 2015/2016 (led by the CVRD with support from the MNC and City of Duncan) and involved public consultation on various options for relocating the outfall from the Cowichan River including (but not limited to) a location in or at the edge of Cowichan Bay which is now the proposed option.

The purpose of this second round of engagement is to inform the public about the next stages of the project, and to provide them with an opportunity to comment on proposed routing options. **Public input will be one of many factors influencing the eventual choice of pipeline routing.** Other factors are related to cost, cultural, archeological and environmental considerations. As shown in the image below, this engagement falls in the Inform/Consult part of the IAP2 engagement spectrum (over).

This public engagement should provide diverse ways for interested individuals to learn about and comment on the project, notably the land and marine pipeline routing options.



Outreach (Information Out)

Information about the project will be provided to the public through:

- ♦ Regular updates to the project website (northcowichan.ca/JUB). All reports and newsletters are/will be posted here.
- ♦ Emails to subscribers and stakeholders. Individuals can subscribe to receive information updates (northcowichan.ca/subscribe).
- ♦ A short YouTube video that acts as a “virtual open house” (explaining the project).
- ♦ PlaceSpeak (online engagement). Project information will be provided on the JUB PlaceSpeak site, including links to the YouTube “virtual open house” and a survey.
- ♦ Media releases to local media outlets.
- ♦ Social media postings on North Cowichan accounts.
- ♦ A large (repeated) ad in the Cowichan Valley Citizen newspaper that explains the project, and provides a phone number for people to call and get additional information mailed to them.
- ♦ Information through partners (e.g., City of Duncan, CVRD) and stakeholder groups.

- ♦ A mail drop to residents/businesses in the Cowichan Bay area.*
- ♦ Webinars with groups of people who would like additional information and an opportunity to comment.*

* optional additional tactics

Tools for Inreach (Information In)

Given the pandemic, the time allowed for public comment will be considerably extended (e.g., to the end of August). Interested individuals will be able to provide comment in several ways:

- ♦ PlaceSpeak engagement. This online tool allows for input through dialogues, surveys and quick polls.
- ♦ Emails to engineering@northcowichan.ca or letters mailed to the Municipal Hall.
- ♦ If there are groups of people with specific concerns (e.g., fishers, Cowichan Bay businesses), webinars can be organized for information sharing and discussion.

At the end of the public consultation period, a summary of public input will be prepared.

Engagement Activities:

PlaceSpeak (online engagement)

- ♦ Informational resources
- ♦ Explanatory video (link to “virtual open house”) to convey technical information
- ♦ Maps with routing options
- ♦ A short survey through SimpleSurvey plug-in for additional feedback

Webinars targeted to concerned residents/those potentially affected by routing and construction

- ♦ As needed, webinars can be arranged for people who have a particular interest in the project and would like an opportunity to learn more and provide feedback. These will be facilitated by JCA/MNC staff as Zoom sessions. The budget includes 2–4 of these sessions.
- ♦ Webinars would include a presentation and Q&A.
- ♦ 10-30 people can be included in a session, an event will be set up on Eventbrite, the first to RSVP and fill up the open slots will then receive the meeting invite prior to the meeting. Additional meetings can be added if required.

Implications of Changing to Safe Engagement (no in-person activities)

As originally planned, the public engagement process already included digital options such as use of the North Cowichan website and the PlaceSpeak digital engagement platform.

Elements that will not go forward include a public open house and in-person meetings with community groups.

Risks

1. There is a risk that information will be hard to understand. The project includes considerable technical information, including diverse options for pipeline routing and many sources of input to be considered. Some of this information is best explained in-person, especially where knowledgeable staff can respond to specific questions from the public.
 - ⇒ Mitigation: The consultant will:
 - Prepare a short video that 'walks' people through the various pieces of information, much as they would have done through open house boards. This will focus on using plain language, as well as simple maps and images.
 - Add a 'frequently asked questions' to the website/PlaceSpeak engagement: if people call or email with enquiries they can be directed to the website or this information can be mailed.
 - If there is sufficient interest, host up to 4 webinars to allow for discussion.
2. If the MNC were to rely on digital engagement only, there would be a risk that people who do not have computers, who are not computer literate, or do not use social media are not made aware of the project and are not able to provide their input.
 - ⇒ Mitigation: In addition to digital engagement, the project will use local media to make people aware of the project, including large ads in the Cowichan Valley Citizen.
 - ⇒ People will be able to ask for hard copies of information and can provide input through emails or letters.
 - ⇒ A mail drop to people in the area most directly impacted (Cowichan Bay area) to ensure that everyone has been notified.

Budget Implications

Additional costs will be incurred for:

- ♦ YouTube/Professional Video for PlaceSpeak


- ♦ Optional mail drop

While there will be additional spending for a video and potential maildrop, other costs will no longer be necessary (like renting a facility for an in-person open house). As a result there is no anticipated increase to the overall budget at this time.

Timeline:

At this time, it is not anticipated that the project schedule will be affected by this revised process. Staff continue to move forward with the procurement of a professional services team to undertake the evaluation of route options as originally planned. The proposed engagement process will serve to share these route evaluations including costs, environmental and social impacts as originally planned.

Report

Date	May 6, 2020	
To	Council	
From	Mairi Bosomworth, Community Planner	Endorsed: 
Subject	Summary of Referral Responses for Cannabis Production Facilities in the Agricultural Land Reserve	

Purpose

To update Council on the responses received from the Cowichan Green Community and the Cowichan Agricultural Society concerning cannabis production facilities in the Agricultural Land Reserve (ALR).

Background

In May 2019 the Agricultural Land Commission (ALC) released an [updated bulletin](#) regarding significant changes to regulations regarding cannabis production facilities in the Agricultural Land Reserve (ALR). The bulletin clarified that all forms of cannabis production facilities are designated as farm use. However, unlike with other farm uses, local governments can regulate or prohibit certain kinds of cannabis production. The new regulation states that the use of agricultural land for producing cannabis lawfully may not be prohibited if:

1. The cannabis is produced outdoors in a field, or
2. Inside a structure that has a base consisting entirely of soil

This suggests that local governments can regulate or prohibit cannabis production in new structures that are not soil based.

Zoning Bylaw 2950 permits "ALR Cannabis Production Facility" on land that is in the ALR and is zoned Agricultural (A1) or Rural (A2). It also establishes minimum setbacks and other regulations specific to the ALR Cannabis Production Facility use (Attachment 1).

At its meeting on October 16, 2019, Council directed staff to refer the issue of cannabis production facilities in the ALR to the Cowichan Green Community and the Cowichan Agricultural Society, for comment. Referral responses from the two organizations have been received and are provided in this report for Council's information.

Discussion

A summary of referral responses are found below:

Cowichan Green Community (Attachment 2)

The Cowichan Green Community is supportive of prohibiting or restricting cannabis production facilities on ALR land within the allowable criteria permitted by the ALC. Creating new structures for cannabis

production that are non-soil-based impacts the future agricultural capability of the land by reducing the available soil-based land area for agricultural use. In addition, cannabis does not have food value, and reducing the future agricultural capability of the land for cannabis production increases food insecurity in the region.

Cowichan Agricultural Society (Attachment 3)

The Cowichan Agricultural Society believes that no blanket restriction on cannabis production in the ALR is appropriate. There are many farms with areas of soil whose agricultural capacity is extremely limited. Non-soil-based agricultural production (such as cannabis production) may be appropriate in those locations. In addition, it is also believed that blanket permission is equally inappropriate. There are many farms with large areas of high-value agricultural soils, and non-soil based agricultural production would be inappropriate in those locations. It is suggested that Council consider a policy that allows for a case-by-case assessment of whether or not any particular structure is appropriate for its particular location (such as a land assessment for agricultural capability). The Cowichan Agricultural Society considers it crucial to balance the need to improve the economics of local farms with the retention of agricultural land.

Recommendation

For Information (no recommendation).

Attachments:

- Attachment 1 – Section 40.3 (Cannabis Production Facility) of Zoning Bylaw 2950
- Attachment 2 - Referral response from Cowichan Green Community
- Attachment 3 - Referral response from Cowichan Agricultural Society
- Attachment 4 - ALC Bulletin May, 2019

Unused Motor Vehicles

- 40** No lot shall be used for auto wrecking unless such use is specifically permitted in that zone and all derelict motor vehicles are shielded from view from any property line.

Shipping Containers

40.1 Shipping containers may be placed on land provided they meet the following requirements:

- (a) within the Industrial Light Zone (I1) a maximum of two shipping containers per site are permitted where used for accessory storage;
- (b) within the Industrial Heavy Zone (I2) a maximum of one shipping container per every 0.4 hectares (1 acre) of land, up to a maximum of 10 shipping containers, is permitted where used for accessory storage;
- (c) where used for accessory storage purposes, placement of a shipping container must meet all accessory building setback requirements, with the exception of shipping containers within the I1 zone, which must either meet the setback requirements for accessory buildings, or be no closer to the front property line than the front wall of any principal building, whichever is greater;
- (d) within the I1 and I2 zones, shipping containers may be used as a building material in the construction of a principal or accessory buildings only if a development permit and building permit have been obtained;
- (e) a container may be used for the temporary storage of tools and materials during the construction or maintenance of any utility, building or structure for which a required building permit has been obtained and remains active, but the container must be removed prior to issuance of an occupancy permit, and
- (f) one container per lot intended for use as an emergency preparedness kiosk shall be permitted in all Private Institutional (PI) and Public Use (PU) zones. [BL3511]

Liquor sales in grocery stores prohibited

40.2 The sale of liquor in grocery stores is prohibited. [BL3651]

Cannabis Production Facility

- 40.3** (1) Subject to subsection (2), an ALR cannabis production facility is an additional permitted use on land in the Agricultural (A1) or Rural (A2) zones. [BL3741]
- (2) An ALR cannabis production facility under subsection (1) must
- (a) be setback a minimum of
 - (i) 30 m from a watercourse,
 - (ii) 15 m from property lines,
 - (iii) 30 m from residentially-zoned land, where a minimum 15 m buffer is provided on the adjacent residentially-zoned land,
 - (iv) 60 m from residentially-zoned land, where no minimum 15 m buffer is provided on the adjacent residentially-zoned land,
 - (v) 100 m from the urban containment boundary established in the Official Community Plan,
 - (vi) 100 m from the Agricultural Land Reserve boundary, and
 - (vii) 150 m from land dedicated, zoned, or otherwise identified as public parkland, Public Use (PU) Zone, or Public Conservation (PC) Zone;
 - (b) have a maximum lot coverage of 35%; and
 - (c) have a maximum building height of 15 m. [BL3597; BL3741]



Cowichan Green Community
360 Duncan St,
Duncan, BC V9L 3W4
250-748-8506 (ph/fx)
info@cowichangreencommunity.org

Via email: Mairi.Bosomworth@northcowichan.ca

Mairi Bosomworth, Community Planner
Municipality of North Cowichan
7030 Trans-Canada Hwy
DUNCAN BC V9L 6A1

Dear Mairi Bosomworth,

RE: Cannabis Production in the ALR

On November 14, 2019, Cowichan Green Community (CGC) received a letter requesting comments on the regulations on cannabis production in the Agricultural Land Reserve (ALR). CGC is appreciative of Council's interest as our core mandate is on all matters respecting food security. That said, we acknowledge that we are not farmers and so are not experts on best operating practices or the economics of specific crops and yields. We are however deeply concerned with land use and its impact on the community when used inappropriately.

The Agricultural Land Commission (ALC) has recently permitted cannabis production on ALR land as a farm use. The ALC has not imposed any limitations or restrictions on the lawful production of cannabis on ALR land. Local governments are permitted to regulate certain types of cannabis production, but not all cannabis production. Essentially, cannabis grown in soil, or soil-based structures, along with cannabis grown in existing buildings, may *not* be prohibited by a local government. However, all other forms of cannabis production can be restricted or prohibited by a local government (i.e. local government can restrict or outrightly prohibit cannabis production in new structures that are not soil based).

Overall, the CGC is supportive of prohibiting, or at least restricting, cannabis production facilities on ALR land within the allowable criteria identified by ALC. Creating new structures for growing cannabis which are non-soil based impinges on the future agricultural capability of the land through reducing the available soil-based land area for agricultural use. Cannabis crop does not have food value, and reducing the future agricultural capability of the land for cannabis production increases food insecurity in the region.

Note that the comments from CGC should not be used as a replacement for input from those directly impacted by agricultural land use policies, namely local farmers. The CGC looks forward to the reintroduction of the Agricultural Advisory Commission as a means of having a strong agricultural voice and presence in North Cowichan through which CGC might contribute.

Sincerely,
Nadeane Nelson, Board Chair
Cowichan Green Community

**COWICHAN AGRICULTURAL SOCIETY
AND FARMER'S INSTITUTE**

5855 CLEMENT STREET,
DUNCAN, B.C. V9L 3W2
COWICHAN.AGRICULTURAL.SOCIETY@GMAIL.COM

December 5, 2019

Mayor and Council,
Municipality of North Cowichan

Re: Cannabis Production on Agricultural Land in North Cowichan

Thank you for the opportunity to provide input on this issue.

Recognizing that local government may not prohibit the lawful production of cannabis grown outdoors in a field or in a structure with a base composed of soil, we understand the prohibition of cannabis production facilities that may be considered by Council to be limited to new structures whose base does not consist of soil.

It is our position that no blanket restriction is appropriate. There are many farms with areas of soil whose agricultural capacity is extremely limited. Non-soil based agricultural production may well be appropriate in those locations.

We are also agreed that a blanket permission is equally inappropriate. There are many farms with large areas of high value agricultural soils, and non-soil based agricultural production would be utterly inappropriate in those locations.

Combining these two insights, we hope that Council will consider policy that allows for a nuanced, case-by-case assessment of whether or not any particular structure is appropriate to its particular location. Given the economic challenges facing our local agricultural community, we do not have the luxury of limiting options for farmers. We recognize that a level of effort would be necessary to implement such site-specific policy, but feel that this is an important step to take. Likely, the determination of agricultural capacity for a proposed site would need to be made by an independent third party with expertise in soil assessment and agricultural economics.

We cannot afford to let a single opportunity to improve the economics of local farms go by, and we also cannot afford to let a single acre of good soil be paved over.

Furthermore, in order to provide advice on agricultural issues such as this, North Cowichan should establish an Agricultural Advisory Committee.

sincerely,



Nick Neisingh, President
on behalf of Cowichan Agricultural Society and Farmer's Institute



INFORMATION BULLETIN 04 CANNABIS PRODUCTION IN THE ALR

August 15, 2018

SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (**ALCA**) and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, BC Reg. 171/2002 (the **ALR Regulation**), in relation to cannabis production in the agricultural land reserve (**ALR**). The ALCA and ALR Regulation will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA and the ALR Regulation. All other applicable laws, regulations and bylaws related to cannabis production must also be complied with.

RECENT REGULATORY CHANGES

The ALR Regulation has recently been amended. The changes came into force on July 13, 2018. Section 2(2)(p) of the ALR Regulation, which designated as farm use “the production of marihuana in accordance with the Marihuana for Medical Purposes Regulation, SOR/2013-119 (Canada)”, has been repealed. The following has been added as **section 2(2.5)** to the ALR Regulation:

The lawful production of cannabis is designated as farm use for the purposes of the [ALCA] if produced outdoors in a field or inside a structure

- (a) that has a base consisting entirely of soil, or
- (b) that was, before the date on which this section came into force,
 - (i) constructed for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis, or
 - (ii) under construction for the purpose referred to in subparagraph (i), if that construction
 - (A) was being carried out in accordance with all applicable authorizations and enactments, and
 - (B) continues without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry, and

that has not been altered since that date to increase the size of its base or to change the material used as its base.

Section 2(1.1) of the ALR Regulation provides:

The activities designated under [section 2 of the ALR Regulation] as farm uses for the purposes of the [ALCA] must not be prohibited

- (a) by any local government bylaw except a bylaw under section 552 of the *Local Government Act*, or
- (b) by a law of the applicable treaty first nation government, if the activity is undertaken on treaty settlement lands.

GENERAL INTERPRETATIVE PRINCIPLES

The ALCA prohibits “non-farm use” of land in the ALR unless the owner of the land successfully makes an application to the Agricultural Land Commission for permission to undertake that use or that use is expressly permitted under section 3 of the ALR Regulation: ALCA, section 20. Sections 20(3), 25 and 34 of the ALCA and Part 10 of the ALR Regulation are among the provisions relevant to non-farm use applications.

A “non-farm use” is a “use of land other than a farm use”: ALCA, s. 1.

The form of cannabis production described in section 2(2.5) of the ALR Regulation is designated as farm use. Therefore, producing cannabis on the ALR in the manner described in section 2(2.5) of the ALR Regulation does not require a non-farm use application to the Agricultural Land Commission.

However, section 2(2.5) of the ALR Regulation does not designate as farm use:

- cannabis production that does not meet the description in section 2(2.5). Having regard to the regulatory framework, this information bulletin treats forms of cannabis production that are not described in section 2(2.5), together with all activities associated with forms of cannabis production not described in section 2(2.5), as non-farm uses.
- non-production activities associated with the cannabis production described in section 2(2.5). Having regard to the regulatory framework, this information bulletin treats those activities as non-farm uses except to the extent that they fall into exceptions found elsewhere in section 2 or 3 of the ALR Regulation.

PLACEMENT OF FILL IN THE ALR

Placement of fill onto land in the ALR for any reason related to cannabis production, **whether it is a form of production described in section 2(2.5) of the ALR Regulation or not**, cannot be undertaken without a successful non-farm use application to the Agricultural Land Commission. That is, if a producer wishes to place fill on the land even for the purpose of cannabis production described in section 2(2.5) of the ALR Regulation, he or she will not be able to do so without obtaining permission from the Agricultural Land Commission through a non-farm use application.

This is because section 20(2) of the ALCA generally defines the placement of fill as a non-farm use, subject to certain exceptions. Those exceptions do not apply to cannabis production.

Though sections 2(4) and (5) of the ALR Regulation designate as farm use certain fill placement related to uses designated under sections 2(2)-(2.2) of the ALR Regulation, cannabis production is addressed in section 2(2.5), so sections 2(4) and (5) do not apply. Please consult the Agricultural Land Commission's Bylaw No. 2 – Placement of Fill in the ALR and Policy L-23 – Placement of Fill for Soil Bound Agricultural Activities.

CANNABIS PRODUCTION IN THE ALR

Section 2(2.5) of the ALR Regulation requires that to be designated as farm use, production of cannabis must meet various requirements including that the production is "lawful". The production of cannabis is not lawful unless it is licensed by the Government of Canada (excluding exemptions for personal cultivation). As such producers need to be very careful about taking steps in reliance on section 2 of the ALR Regulation without first ensuring that federal preconditions (as well as preconditions that other governments may impose) are or will be met before production occurs.

Field Production

Lawful production of cannabis in the ALR **outdoors in a field** is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission.

Soil Based Structure Production

Lawful production of cannabis in the ALR **inside a structure that has a base consisting entirely of soil** is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission. Note:

- The base – that is, what the structure rests on – must be "entirely" of soil in order for production in it to qualify under section 2(2.5)(a) of the ALR Regulation. Production in a structure that has a base consisting partly of a material other than soil, even if the non-soil material constitutes a very small portion of the base, does not qualify under section 2(2.5)(a) of the ALR Regulation. Structures that do not have a base consisting entirely of soil are structures that have a base consisting partly or entirely of other materials, such as structures with cement footings or a cement floor.
- "Soil" means material native to the property, not material brought onto the property for the purpose of creating the base or for any other purpose. If imported onto the property, the material is "fill", the placement of which requires a non-farm use application: ALCA, section 20.

Production in Existing Structures

Lawful production of cannabis in the ALR **inside a structure that had been, before July 13, 2018, constructed for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis**, is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission. Note:

- Existing structures used for the lawful production of cannabis do not have to have a base made entirely of soil.

- The structure must not have been altered on or after July 13, 2018 to increase the size of its base or to change the material used as its base.
- The structure must have been built for the purpose of growing “crops”. Livestock are not crops and, as such, production of cannabis in a converted livestock barn is not designated as farm use under section 2(2.5) of the ALR Regulation.

Production in Structures that Were Under Construction

If the requirements outlined in the bullet points set out later in this paragraph are met, lawful production of cannabis **inside a structure** (even if its base is not entirely soil) **that was under construction before July 13, 2018 for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis**, is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission. For a structure to have been “**under construction**” before July 13, 2018, ground disturbance (such as excavation for laying foundation) must have commenced before that date; it would not be sufficient for the property owner to have made a permit application or received a permit for construction before July 13, 2018. The further requirements for lawful cannabis production to be designated under this portion of section 2(2.5) of the ALR Regulation are as follows:

- The pre-July 13, 2018 construction was being carried out in accordance with all applicable authorizations and enactments.
- The construction must continue without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry.
- The construction must not be altered on or after July 13, 2018 to increase the size of the structure’s base or to change the material used as its base.

Other Cannabis Production

Cannabis production not described in section 2(2.5) of the ALR Regulation is not designated as farm use. Neither that production nor activities related to that production (such as the construction, maintenance or operation of a building or structure, or processing of the cannabis) can be undertaken without a successful non-farm use application to the Agricultural Land Commission.

CONSTRUCTING, OPERATING OR MAINTAINING CANNABIS PRODUCTION FACILITIES

A non-farm use application to the Agricultural Land Commission is not required in order to construct, maintain or operate a building, structure, driveway, ancillary service or utility that is **necessary for the lawful production of cannabis described in section 2(2.5) of the Regulation**: ALR Regulation, section 2(3). Note:

- Section 2(2.5)(a) of the ALR Regulation refers to lawful production of cannabis inside a structure “that has a base consisting entirely of soil”. Construction, maintenance or operation of the soil-based structure necessary for that production can be undertaken without applying to the Agricultural Land Commission.

- Section 2(2.5)(b) refers to lawful production of cannabis inside a structure that meets certain requirements addressed earlier in this information bulletin. Completion of the structure referred to in section 2(2.5)(b)(ii), and maintaining and operating either that structure or the structure referred to in section 2(2.5)(b)(i), can be undertaken without applying to the Agricultural Land Commission.
- Other than as described in section 2(2.5) of the ALR Regulation, a building or structure is unlikely to be necessary for the form of cannabis production described there, as section 2(2.5) already addresses where the production is located. Possible exceptions may be a small washroom facility or small office for a required supervisor no greater than necessary for that form of cannabis production to occur on the land.
- Though associated with the form of cannabis production described in section 2(2.5), construction, maintenance or operation (including for a conference centre) of a building, structure, driveway, ancillary service or utility that is not necessary for that production on the land, may not occur without a successful non-farm use application to the Agricultural Land Commission. Proponents of such uses should be prepared to justify in their application materials why such use, both in that nature/scale and at all, is appropriate in the ALR rather than, for example, in an industrial park outside the ALR.

Construction, maintenance or operation of a building, structure, driveway, ancillary service or utility necessary for a form of cannabis production that is not described in section 2(2.5) of the ALR Regulation cannot be undertaken without a successful non-farm use application to the Agricultural Land Commission.

STORING, PACKING, PREPARING OR PROCESSING CANNABIS

Storing, packing, preparing or processing cannabis yielded by the form of cannabis production described in section 2(2.5) of the ALR Regulation (and construction, maintenance or operation of a building, structure, driveway, ancillary service or utility necessary for that storing, packing, preparing or processing) can be undertaken without a non-farm use application to the Agricultural Land Commission if at least 50% of the cannabis being stored, packed, prepared or processed is produced on the “farm” (for this purpose being one or several parcels of land or tenured areas of Crown land that are being occupied or used together for designated or other farm uses), or produced by an association as defined in the *Cooperative Association Act* to which the owner of the farm belongs: section 2(2)(c) of the ALR Regulation.

Storing, packing, preparing or processing cannabis yielded by a form of production not described in section 2(2.5) of the ALR Regulation is not designated as farm use. These activities cannot be undertaken without a successful non-farm use application to the Agricultural Land Commission.

LOCAL GOVERNMENT

Local governments can have an important role to play in the regulatory framework related to cannabis production.

However, local government bylaws may not prohibit the lawful production of cannabis in the ALR if it is produced as described in section 2(2.5) of the ALR Regulation.

Local governments also play a role when non-farm use applications related to cannabis production and associated activities are made to the Agricultural Land Commission. Sections 25 and 34 of the ALCA are among the relevant provisions that they should consult.

FURTHER EXPLANATORY NOTES

Also note the following:

- The word “necessary” (for a designated farm use) figures in several of the above-discussed scenarios. It is within the purview of the Agricultural Land Commission to determine whether and to what extent activities are “necessary”.
- In determining whether an activity is “necessary” to a designated farm use, the Agricultural Land Commission may consider whether the nature and size of the activity are proportionate to the designated farm use.
- If someone claims that an activity is “necessary” for a designated farm use that has not yet commenced, the Agricultural Land Commission may require satisfactory evidence that the proposed use is in fact going to occur, and that the nature and size of activity characterized as “necessary” (such as construction of a driveway) will in fact be necessary to that use.
- Except for exemptions for personal cultivation, the “lawful” production of cannabis required for section 2(2.5) of the ALR Regulation requires licensing at the federal level. As noted earlier in this information bulletin, producers need to be very careful about taking steps in reliance on section 2 of the ALR Regulation without first ensuring that federal preconditions (as well as preconditions that other governments may impose) are or will be met before production occurs.
- For the purposes of sections 2(2)(o) and 4 of the ALR Regulation, structures in which cannabis is produced are not considered to be “greenhouses”. Section 2(2.5) of the ALR Regulation does not use the term “greenhouse” for any of the structures it describes. This indicates that under the ALR Regulation the concepts were to be treated as distinct and not to be confused.