

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, December 16, 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 lived stream webcast at www.northcowichan.ca/agendas.

2. APPROVAL OF AGENDA

2.1. Approval of Consent Agenda

6 - 53

Purpose: To adopt all recommendations appearing on the Consent Agenda in one motion. Any item may be moved out at the request of any Council member for discussion or debate, before the agenda is approved. Items removed from the Consent Agenda will be placed under New Business.

Recommendation:

That the Consent Agenda be approved.

2.2. Approval of Regular Agenda

Recommendation:

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

3. ADOPTION OF MINUTES

3.1. Regular Council meeting held December 2, 2020 for adoption

54 - 59

Recommendation:

That Council adopt the minutes of the Regular Council meeting held December 2, 2020.

4. MAYOR'S REPORT

5. DELEGATIONS AND PRESENTATIONS

5.1. A Voice for Our Children

60 - 66

Purpose: To update Council and provide further context on A Voice for Our Children advocacy group's efforts to have 5878 York Road Island Health Wellness and Recovery Center moved to a more suitable location.

6. PUBLIC INPUT

Public Input submissions sent to Agenda@northcowichan.ca by 5:00 p.m. on December 15, 2020 will be circulated to Council by way of an Addendum at 6:00 p.m. on December 15, 2020, and can be viewed by visiting www.northcowichan.ca/agendas.

7. BYLAWS

- 7.1. Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 for adoption** 67 - 71
- Purpose: To consider adoption of Nuisance Abatement and Cost Recovery Bylaw No. 3804, which received first three readings at the December 2, 2020 Regular Council meeting. The Bylaw establishes regulations in relation to nuisance abatement and the process for imposing costs that may be recovered and applied as property taxes when a property owner has failed to mitigate a nuisance on their property.
- Recommendation:
That Council adopt Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020.
- 7.2. Nuisance Abatement Bylaw Amendments for first three readings** 72 - 85
- Purpose: To enable Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 and/or the Controlled Substance Bylaw No. 3803, 2020 to be enforced by municipal ticket and for fees to be established for remedial work completed by the District.
- Recommendation:
1. That Council give first, second and third readings to Fees and Charges Amendment Bylaw No. 3813, 2020.
 2. That Council give first, second and third readings to Municipal Ticket Information System Amendment Bylaw No. 3812, 2020.
- 7.3. Animal Responsibility Amendment Bylaw No. 3808, 2020 (Trial Off-Leash Dog Parks) for first three readings** 86 - 95
- Purpose: To introduce Animal Responsibility Amendment Bylaw No. 3808, 2020 so that Council may consider implementing a trial period for expanding off-leash beach access for dogs, including adding signage and providing public education.
- Recommendation:
1. That Council gives first, second and third readings to Animal Responsibility Amendment Bylaw No. 3808, 2020.
 2. That Council directs staff to proceed with the animal control signage and education campaign as presented.
 3. That Council directs staff to prepare a report to Council which includes a review of the trial 2021 off-leash beach access dog locations, public input, additional costs occurred, and recommendations on whether to make these locations permanent, on or before November 30, 2021.

7.4. Zoning Bylaw Amendment Application No. ZB0000131 (3325 Henry Road) - Detached Second Dwelling 96 - 143

Purpose: To introduce Zoning Amendment Bylaw, 2020, No. 3811, which proposes a site-specific zoning amendment to permit the construction and use of a detached second dwelling at 3325 Henry Road.

Recommendation:

That Council give first and second readings to "Zoning Amendment Bylaw (Second Dwelling – 3325 Henry Road), 2020" No. 3811 and,

That a Public Hearing be scheduled for Zoning Amendment Bylaw (Second Dwelling – 3325 Henry Road), 2020, No. 3811 and notification be issued following requirements of the *Local Government Act*.

8. REPORTS

8.1. Request to support affordable housing funding application – 9090 Trans-Canada Highway 144 - 152

Purpose: To consider a request for a letter of support for inclusion with a funding application for affordable housing at 9090 Trans-Canada Highway.

Recommendation:

That the Mayor be authorized to provide a letter supporting Mr. Kelln's funding application to the Canadian Mortgage and Housing Corporation for a manufactured home park at 9090 Trans-Canada Highway.

8.2. Consultation for OCP Update Project 153 - 194

Purpose:

1. To update Council on the consultation steps taken so far, and to be taken in the coming months, in relation to the OCP Update Project in accordance with the OCP Engagement Plan (Attachment 2); and
2. To seek confirmation of those consultation steps taken so far and to be taken in the coming months, and affirm which governmental organizations and authorities should specifically be consulted as part of the OCP Update Project (Attachment 2).

Recommendation:

That Council approves the consultation steps taken so far, and to be taken in the coming months, in relation to the OCP Update Project in accordance with the OCP Engagement Plan;

That Council approves the intergovernmental consultation list for the OCP Update Project, and the approach outlined and OCP Engagement Plan in the Community Planning Coordinator's December 16, 2020 report;

And That Council confirm that the consultation referenced above, once complete, satisfies the requirements of section 475 of the *Local Government Act*.

8.3. First Nations Relationship Training 195 - 196

Purpose: To consider the recommendation made by the Committee of the Whole on December 2, 2020, regarding First Nations Relationship Training.

Recommendation:

That staff be directed to coordinate the "Working Effectively with Indigenous People" virtual training through Indigenous Corporate Training Inc. at the cost of \$4,500 on Friday, January 22, 2021.

8.4. City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement 197 - 204

Purpose: To consider the proposed revisions to the City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement.

Recommendation:

That Council approve the updated City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement as attached to the December 16, 2020 report from the Deputy Corporate Officer and include it in the next Joint Council meeting agenda for endorsement.

8.5. Development and Building Fees Review 205 - 207

Purpose: To provide Council information on our current development and building permit fees and compare with other local governments.

Recommendation:

That Council receives the development and building fees review report for information.

8.6. January 13, 2021, Regular Council Meeting Date Conflict 208 - 209

Purpose: To reschedule or cancel the first regular Council meeting in January 2021.

Recommendation:

That Council cancel the regular Council meeting scheduled for Wednesday, January 13, 2021, and direct staff to coordinate a special meeting should any urgent matters arise prior to the January 20, 2021 regular meeting.

9. NOTICES OF MOTIONS

10. UNFINISHED AND POSTPONED BUSINESS

10.1. Affordable Housing 210 - 214

Purpose: So that Councillor Douglas may move the motion he introduced and gave notice on at the November 18, 2020 regular meeting and which was postponed from the December 2, 2020 regular meeting.

Recommendation:

That Council direct staff to work with the Cowichan Housing Association to develop an affordable housing policy and implementation strategy.

11. NEW BUSINESS

11.1. Bill C-250 seeks to remedy problematic anchorages

215 - 221

Purpose: To consider providing a letter of support to Alistair MacGregor, MP for Bill C-250 which seeks to amend the *Canada Shipping Act* to prescribe a specific area in and among the southern Gulf Islands where the proposed National Marine Conservation Area is to be established and prohibit the anchoring of freighter vessels.

12. QUESTION PERIOD

A 10-minute recess to be provided to give the public an opportunity to submit their questions by email to QP@northcowichan.ca regarding the business discussed at this meeting. Questions will be read out in the order they are received.

13. CLOSED SESSION

Recommendation:

That Council close the [date of meeting] Regular Council meeting at ___ p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- (90)(1)(c) - labour relations or other employee relations;
- (90)(1)(e) - disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 90(1)(g) - litigation or potential litigation affecting the municipality; and
- 90(1)(m) - a matter that, under another enactment, that being section 16(1)(a)(iii) of the *Freedom of Information and Protection of Privacy Act* related to intergovernmental relations or negotiations with an aboriginal government, is such that the public may be excluded from the meeting.

13.1. Minutes from the December 2, 2020 Council Closed meeting for adoption

13.2. Closed under section 90(1)(e) Land, and 90(1)(m) FOIPPA s. 16 - Relations with an Aboriginal Government

13.3. Closed under section 90(1)(c) Labour Relations

13.4. Closed under section 90(1)(g) Potential Litigation

13.5. Closed under section 90(1)(c) Other Employee Relations

14. RISE AND REPORT

15. ADJOURNMENT

Municipality of North Cowichan

Consent Agenda

December 16, 2020

CONSENT AGENDA groups correspondence received by Council, which may require a response or action, into one agenda item called the consent agenda (Roberts Rules of Order calls it a “consent calendar”). This allows

Council to publicly acknowledge receipt of those items in a unanimously agreed to vote instead of filing multiple motions. Any item may be moved out of the consent agenda at the request of any Council member, before approval of the agenda. Items removed from the Consent Agenda will be placed under New Business.

Pages

1. Draft Committee Minutes

2. Correspondence

Recommendation:

That the following correspondence is received for information purposes only:

- | | | |
|------|--|----|
| 2.1. | September 23, 2020 letter from Somenos Marsh Wildlife Society requesting that the current RCMP facility located at 6060 Canada Avenue be repurposed into a constructed wetland | 1 |
| 2.2. | November 4, 2020 letter from the City of Port Moody requesting that Council reach out to the Premier and Provincial Ministers in support of their resolution regarding Flood Risk Mitigation through Green Infrastructure and Natural Assets | 3 |
| 2.3. | November 25, 2020 email from a Sooke resident to the Premier regarding the establishment of a COVID 19 Task Force similar to Ontario | 7 |
| 2.4. | November 30, 2020 email from BC Achievement Foundation regarding the 2021 Community Awards - nominations are now open | 11 |
| 2.5. | November 30, 2020 email from BC Economic Development Association regarding upcoming virtual economic development events | 13 |
| 2.6. | December 1, 2020 email from a resident regarding the crisis in the lack of community reporting | 15 |
| 2.7. | December 2, 2020 (November 30, 2020) letter from the City of Vernon to the Premier and Provincial Ministers requesting support for universal no-cost access to all prescription contraception available in BC under the MSP | 19 |
| 2.8. | December 2, 2020 (December 1, 2020) letter from the City of Fort St. John to the UBCM regarding scheduling meetings with Ministers during the UBCM Convention | 21 |

2.9.	December 4, 2020 letter from Ombudsperson BC regarding Quarterly Reports July 1 - September 30, 2020	24
2.10.	December 4, 2020 email from a resident regarding North Cowichan working with the Cowichan Housing Association to develop an Affordable Housing Policy and Implementation Strategy	28
2.11.	December 7, 2020 email from a resident regarding an immediate and mandated ban on logging old-growth trees and ecosystems in BC	30
2.12.	December 9, 2020 email from a resident regarding Kaspas Road traffic and the Mount Tzouhalem parking lot	34
2.13.	December 9, 2020 email from a resident regarding suggestions for the forest review	41
2.14.	December 10, 2020 email from a resident regarding the Kaspas Road parking lot and comments in relation to a review of the Parks and Trails Master Plan	43



September 23, 2020

Re: North Cowichan property at 6060 Canada Avenue

To North Cowichan Mayor and Council

The SMWS would like to formally request that the 2.92 Acre property, located at 6060 Canada Avenue and currently the home of the RCMP detachment, be repurposed into a constructed wetland when the RCMP leave the building for their new headquarters on Drinkwater Road.

There are several benefits in building a constructed wetland at this site. They are:

- * Critical new habitat created for overwintering salmon smolts
- * Creation of additional spawning grounds for adult Coho, Chinook and Chum salmon
- * Additional flood deterrents in an area that floods regularly
- * Provides a buffer to stream surges during heavy rains
- * Improved storm water filtration using wetland plants to remove contaminants
- * Contribution to tackling climate change through wetland creation Carbon Credits
- * Excellent funding and partnership opportunities with the SMWS and Cowichan Tribes
- * Creation of an additional Open Air outdoor education experience
- * Demonstrates that North Cowichan considers natural assets value vs development value
- * Appreciation from Cowichan Tribes for creating and enhancing salmon habitat
- * The catalyst to return the Mary and Phillips street wetlands to their original condition
- * Removal of the underlying hog fuel will improve water quality entering Somenos Lake
- * The property is identified in the council-approved Somenos Management Plan as a potential addition to the S'amunu /Somenos Conservation Area.

We are making this request now since the Canada Avenue rebuild is in the design stage and, should the building and underlying ground be removed for the wetland construction, it would be important to include the future needs of the wetland in the current planning for the Canada Avenue improvements.

We are also making this request now as a hydrological study is planned for the area and it is important that a potential wetland construction project in the area be included within the hydrological study parameters.

Looking back in history, the municipal property was once part of a larger wetland that was filled causing Bings Creek to be diverted to each side of the property eliminating the single stream that existed before the filling. Flood issues in the area subsequently increased with the diversion of the creek to 2 arms flowing eastwards through small culverts under Canada Avenue. The constructed wetland is a great opportunity to return the property to what it once was, a large thriving wetland for fish and flood management.

A constructed wetland at this site, tentatively named the S'amunu Wetland, is part of the SMWS GreenStreams Strategy to improve the water quality and fish production potential of the Somenos watershed. Phase 1 of the Strategy is being applied to the Bings & Menzies Creeks watershed.. We have now completed a Level 1 & 2 Watershed Assessment for Phase 1 which supports building a constructed wetland at this site. Ideally, with the proposed improvements of the Mary and Philip streets culvert, the potential for returning to what was originally a large wetland, is achievable.

The potential for this property to be repurposed as a constructed wetland was discussed at the Somenos Management Committee during the update of the Somenos Management Plan (SMP) and it was agreed that the property could be used as a constructed wetland. Council approved the SMP and the map that shows the property being a potential addition to the S'amunu/Somenos Conservation Area.

The constructed wetland project would be the SMWS's second wetland construction project in partnership with North Cowichan since completing the Beverly Street wetland project that already treats a significant amount of downtown Duncan and North Cowichan's urban storm water runoff. Future constructed wetland projects are also being considered for the north end of the conservation area to treat the Cowichan Commons storm water runoff and to manage the future runoff from the Bell McKinnon area as development increases in conjunction with the new hospital.

Thank you for this consideration and, should you support this proposal, we look forward to further discussion on this matter and working again with you in the future.

Sincerely

Paul Fletcher, President SMWS

c/c Somenos Management Committee

November 4, 2020

To All British Columbia Municipalities,

On November 3, 2020 Council passed the attached resolution regarding Flood Risk Mitigation through Green Infrastructure and Natural Assets.

Port Moody City Council is requesting that your Council consider supporting the need for flood risk mitigation and reach out to the Minister of Environment & Climate Change Strategy, the Minister of Municipal Affairs and Housing, the Minister of Agriculture, and the Premier of British Columbia.

In the 2020 UBCM convention, a resolution regarding Flood Risk Mitigation through Green Infrastructure and Natural Assets was slated to be NR16. However, because of a new format and timing constraints, members did not get to vote on this critical environmental protection piece, which was sponsored by the LMLGA executive. As BC faces the challenges of a climate crisis and rebuilding the economy in a more resilient manner, the creation of fish-friendly flood infrastructure is a critical part of a just recovery.

Our current flood protections drastically impact the lives of fish and other species and rarely take into account diffusing polluted water runoff before it ends up in our watersheds. And of course, protecting our fish protects ecosystems as a whole, which in turn protects food webs and keystone species, food security and food sovereignty, and protect fisheries jobs. Nature-based flood-control solutions that provide both flood protection and fish passage are currently not required by regulators or by funding programs for upgrades of existing structures, even though they are well proven to be effective. In fact these win-win solutions provide excellent return on investment and can make our communities even safer from flooding, but are severely underfunded here in BC.

A major flood with our current infrastructure would be catastrophic, upgrading flood infrastructure needs to be a high priority for capital spending. The solution can be one that provides multiple benefits that creates green jobs, helps us adapt to climate change, advances reconciliation and UNDRIP commitments, while also improving recreational and aesthetic values and of course, is economically smart.

Expanding on this last point:

- Existing flood mitigation funding can be leveraged for multiple benefits: studies have found that investment in ecosystem services generates significant economic value and helps communities avoid millions of dollars in future costs.
- In addition, investing in natural flood control is often cheaper and more efficient than investing in “grey” infrastructure not just in Canada but across the world.
- And finally, data from the United States show that short-term economic benefits – jobs and other economic spinoffs – from watershed restoration projects are

equivalent to other kinds of public infrastructure works. For example, a \$1M investment in watershed restoration creates between 13 and 22 jobs, and \$2M to \$3.4M in economic activity.

Reducing storm water-related impacts also reduces our communities' exposure to water pollution and flooding-related health hazards and their associated health outcomes, such as waterborne illness, respiratory disease and asthma associated with mold and bacteria, vectorborne disease, stress, injury, and death. Trees, bushes, and greenery have the ability to absorb air pollutants and trap airborne particulates on their leaves, reduce surface and air temperatures. And because it more resilient to climate related impacts it reduces the need to fix grey infrastructure, which saves money for our residents.

Green infrastructure, such as fish-friendly flood infrastructure, also provides a plethora of co-benefits. Such projects increase exposure to the natural environment, reduce exposure to harmful substances and conditions, provide opportunity for recreation and physical activity, promote community identity and a sense of well-being, and provides economic benefits at both the community and household level. These benefits are all known to directly or indirectly benefit public health. The degree to which the environmental, social, economic, and public health benefits of green infrastructure are realized is dependent on a number of factors, including the design, installation, and maintenance of the green infrastructure features.

Evidence is clear that holistic innovative solutions seem more expensive in the short-term, but provincial political will is needed to reap a myriad of co-benefits that far outweigh the upfront costs. Local governments are dedicated to climate solutions; however, with our only means of funding being property taxes, the province needs to come to the table as a funding partner.

We strongly encourage all BC Local Governments to consider the benefits healthier, reconnected ecosystems can have not just in the next year or two, but into the future as we work to build back a better BC. We hope you join us to advocacy to the Provincial Government to support this initiative through grants and funding as part of a just and green economic recovery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Vagramov', is written over a light blue dotted rectangular background.

Mayor Rob Vagramov
City of Port Moody



City of Port Moody
Council Resolution
November 3, 2020

THAT the following resolution regarding Flood Risk Mitigation Through Green Infrastructure and Natural Assets be endorsed by the City of Port Moody and forwarded for consideration at the 2021 Lower Mainland Local Government Association and subsequent Union of British Columbia Municipalities convention as recommended in the report dated October 12, 2020 from Councillor Amy Lubik regarding Flood Risk Mitigation Through Green Infrastructure and Natural Assets Lower Mainland Local Government Association and Union of British Columbia Municipalities Consideration:

Whereas the side channels, tributaries and sloughs of the Fraser and other large rivers have deep value to First Nations as historic transportation corridors, sites of food cultivation and harvest, refuge and gathering places; many of these same waterways are or were valuable recreational fishing, boating and swimming sites but are no longer safe and accessible for these activities;

And whereas these waterways provide moderating effects for localized and riverine flooding and valuable habitat for wild salmon and other important species; And whereas there is no current requirement or standard practice for treating these natural and manmade waterways as valuable natural assets for their provision of the aforementioned ecosystem services:

Therefore be it resolved that Union of British Columbia Municipalities request that the federal and provincial governments remove constraints and implement requirements for incorporating green infrastructure and nature-based solutions in flood management to ensure effective flood risk mitigation while maintaining or restoring social, cultural and ecological co-benefits for these systems;

And be it further resolved that Union of British Columbia Municipalities request that the federal and provincial governments promote natural assets as a viable emergency planning solution and provide appropriate funding through the Disaster Mitigation Adaptation Fund,



Investing in Canada Infrastructure Program, Community Emergency Preparedness Fund, Emergency Management BC and other similar emergency planning and mitigation funds.

AND THAT a letter advocating for Flood Risk Mitigation Through Green Infrastructure and Natural Assets as part of a provincial climate resilience strategy, as well as economic green stimulus package, be sent to the Minister of Environment, the Minister of Municipal Affairs and Housing, the Minister of Agriculture, and the Premier of BC;

AND THAT Port Moody write to all other municipalities in BC asking them to write letters of support to the aforementioned ministries.

-----Original Message-----

From: [REDACTED] FIPPA s. 22(1)

Sent: Wednesday, November 25, 2020 12:31 PM

To: wsorichta@courtenay.ca; parksandrecreation@nanaimo.ca; councillor.moglove@campbellriver.ca; councillor.babchuk@campbellriver.ca; councillor.kerr@campbellriver.ca; pgrove@islandstrust.bc.ca; office@tofino.ca; corporateservices@tofino.ca; info@ucluelet.ca; mnoel@ucluelet.ca; afortune@ucluelet.ca; rarnott@comox.ca; mayor@courtenay.ca; mayor.baird@cumberland.ca; councillor.brown@cumberland.ca; mayor.council@nanaimo.ca; mayor@duncan.ca; rod.peters@lakecowichan.ca; Council ; towncouncil@ladysmith.ca; admin@sidney.ca; mayor.adams@campbellriver.ca

Subject: A British Columbia & Regional Approach for COVID 19 Management & Vaccination/Immunization Task Force Strategy - Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2)

Importance: High

WARNING: This message contains text patterns or links matching known malware campaigns. Please treat this email with extreme caution.

Hi Mayors and Councilors on Vancouver Island,

Sent to you out of professional courtesy, respectfully,

[REDACTED] Master Corporal (Retired), CD, C.P.M.
residence

From: [REDACTED] FIPPA s. 22(1)

Sent: Wednesday, 25 November, 2020 11:11 AM

To: ana.popham.mla@leg.bc.ca ; rob.fleming@bcndp.ca ; rob.fleming.MLA@leg.bc.ca ; Adam.Olsen.MLA@leg.bc.ca ; Douglas.Routley.MLA@leg.bc.ca ; Jennifer.Rice.MLA@leg.bc.ca ; sheila.malcolmson.MLA@leg.bc.ca ; michelle.stilwell.MLA@leg.bc.ca ; claire.trevena.mla@leg.bc.ca ; Mitzi.Dean.MLA@leg.bc.ca ; Sonia.Furstenau.MLA@leg.bc.ca ; Scott.Fraser.MLA@leg.bc.ca ; Fin.Minister@gov.bc.ca ; carole.james.mla@leg.bc.ca ; david.eby.mla@leg.bc.ca ; Melanie.Mark.MLA@leg.bc.ca ; Adrian.Dix@gov.bc.ca ; premier@gov.bc.ca ; mtait@sooke.ca Cc: Paul.Manly@parl.gc.ca ; Randall Garrison ; Michelle.Rempel@parl.gc.ca

Subject: A British Columbia & Regional Approach for COVID 19 Management & Vaccination/Immunization Task Force Strategy - Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2)

Dear Premier Horgan, my Member of Legislative Assembly for my Riding in Sooke, BC, and Members of Legislative Assembly (MLA) for Vancouver Island,

As my MLA for Sooke, BC, I am certain you have been made aware of the Ontario COVID 19 Task Force announcement this week by Premier of Ontario Doug Ford, naming General (Retired) Rick Hillier as the Task Force Commander. This will be one of many factors that will save Premier Ford and his government from a Vote of NO CONFIDENCE being held this week in Ontario, and a wise decision. I served under General Hillier, while he was both the Army Commander and Chief of Defence Staff, and Ontario has just "scooped" one of the best Commanders in the fight against COVID 19 and charge towards a broad Vaccination/Immunization program in Ontario.

Ontario Appoints New Ministers' COVID-19 Vaccine Distribution Task Force | Ontario Newsroom
<https://news.ontario.ca/en/release/59318/ontario-appoints-new-ministers-covid-19-vaccine-distribution-task-force> <<https://news.ontario.ca/en/release/59318/ontario-appoints-new-ministers-covid-19-vaccine-distribution-task-force>>

Premier Horgan, I have no doubt and confidence that you have also assembled a similar Task Force for the rollout of a Vaccination/Immunization program in British Columbia, although with high probability, without the same “A” List star power as a former NATO Task Force Commander and Military Senior Four Star General. I urge you to consider in your Task Force & Working Groups to consider the military assets you do have at your disposal, and to consider them in your provincial strategy. CFB Esquimalt in Victoria, and the many Armouries across the Province, that provide secure locations, with military security and support if required (highly recommended).

<https://www.canada.ca/en/department-national-defence/news/2020/07/canadian-forces-health-services-group-welcomes-new-commander-and-surgeon-general.html>

Canadian Forces Health Services Group - Rear-Admiral Rebecca Patterson assumed command of the Canadian Forces Health Services Group (CF H Svcs Gp) this summer. Rebecca has deployed as a member of OP SCALPEL with 1 Canadian Field Hospital during the Persian Gulf Conflict in 1991 (Saudi Arabia), OP DELIVERANCE in support of the Canadian Airborne Regiment in 1993 (Somalia), and OP ATTENTION with the NATO Training Mission – Afghanistan (Kabul) 2011-2012, where she was responsible for leading a multinational team tasked to assist the Afghan National Army and Afghan National Police to re-establish their medical education and training system.

Premier Horgan, Rebecca is not a Doctor, but a Nurse, and has the background and skills to deliver and support a Provincial Vaccination/Immunization program to support BC, and to assist a National Strategy. Her specific experience with the Canadian Airborne Regiment and “Lessons Learned” with Mefloquine is a bonus to address the questions that will be raised by many of your 5.3+ Million BC Residents about one or more of the COVID 19 Vaccine Candidates for SARS-CoV-2. In my letter to your office in Langford dated 4 November 2020, I repeated on several occasions that I am NOT an “Anti-Vaxxer” by any means, but many people on Vancouver Island I interact with are scared to death about taking some of the vaccines that are currently in distribution and/or in trials right now.

<https://www.cbc.ca/news/canada/ottawa/veteran-mefloquine-somalia-malaria-1.3869580>

<https://www.who.int/publications/m/item/draft-landscape-of-covid-19-candidate-vaccines>

SINOVAC’s COVID 19 Vaccine Candidate was my favorite and one I am most comfortable with, as it is from the 2003 SARS (Severe Acute Respiratory Syndrome), and was described to me as an Anti-Body with “Tiger Claws” that latches onto the structure of a SARS-CoV-2 cell, then kills it. Brazil received their Vaccines weeks ago.

<https://www.reuters.com/article/health-coronavirus-brazil-sinovac-idUSKBN2840EI>

The CANSINO’s COVID 19 Vaccine Candidate that Justin Trudeau and Patty Hadju (Health Minister) tried to get trials on in Canada, and is a 99.9% probability to be ZMAPP, is a Canadian invented EBOLA Virus Vaccine, and one that also shows high success rates, but comes with it many questions and concerns, most from the “Sheeple”. Canada invented it, tried to get the product from China, it was shut down

under high probability because of our Chinese Prisoner Meng Wanzhou, being held in Canada under extradition Hearings. and is also used for the EBOLA Virus.

<https://ipolitics.ca/2020/08/17/canada-bound-vaccine-blocked-by-chinas-customs-was-created-with-canadian-tech/>

Some military friends of mine were joking “That China has been the exporter of several of the worlds top virus strains that have become worldwide pandemics for over a century, including COVID 19, which originated in Wuhan City, China in patient ZERO suffering from Pneumonia like symptoms requiring breathing assistance in December 2019. It is in fact the reason why they changed the name when dealing with the public, calling it The Coronavirus instead of SARS2. When it is finally Africa’s time to cause a worldwide pandemic, if it is an airborne version of the EBOLA Virus, we will not have to worry, as we are already vaccinated for it”!

<<https://i.redd.it/5k42odsdc41.png>> <https://www.theelephant.info/wp-content/uploads/2020/04/china_epidemics.jpg> <https://assets.weforum.org/editor/Dbj7ziTX91M8-zK5h_KGJHqNne0zXaiGLqBIOZUg7A.PNG>

[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/technical-guidance/naming-the-coronavirus-disease-\(covid-2019\)-and-the-virus-that-causes-it](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/technical-guidance/naming-the-coronavirus-disease-(covid-2019)-and-the-virus-that-causes-it)

Premier Horgan, China has been using Chinese Peoples Liberation Army (PLA) Mandatory Service Soldiers as their Guinea Pigs for a SARS-CoV-2 vaccine. The Chinese Academy of Military Science (AMS), which is a fluffy name for the Chinese Army Biological Warfare Program cut out the Lab Mice, Rabbits, and Monkeys from the testing, going right to Human Trials. Who would want Pamela Anderson and PETA Protesting outside of their military Biological Warfare Laboratories for animal cruelty, when testing humans, and quickly, seemed more “Humane”! China was the source of the virus and is well ahead of the vaccine game.

<https://www.cbc.ca/news/health/covid-vaccine-approved-military-use-china-1.5630947>
<<https://www.cbc.ca/news/health/covid-vaccine-approved-military-use-china-1.5630947>>

Premier Horgan, Along with the Military Doctors, and Civilians who provide Vaccinations, Inoculations, Flu Shot Boosters, and required Pre-Tour of Duty Drugs like MEFLOQUINE (Ugh!) at Military Medical In Routine (MIR), Medical Technicians at the Qualification 6A Level (QL6A) are qualified, and you can fact check, to provide injections, are qualified as Physicians Assistants (PA’s), much like Para Medics are qualified to provide an injection to a person. They can be, amongst your BC Medical Services Assets another asset for vaccine injections in BC. Do not discount this in your Task Force and Working Groups.

<https://forces.ca/en/career/medical-technician/> <<https://forces.ca/en/career/medical-technician/>>

Premier Horgan, as a Constituent in your riding, I am one of your 5.3+ million concerned BC Residents who are anxious to an end to this COVID 19 Fatigue and stress it is causing our province and nation. I live in a very family oriented community in Sooke, close to Journey School, and Ecole Pourier, where friends of mine were scared to send their children to school this year, many of them first year at school. Imagine Premier Horgan, how that makes me feel, a 30 year decorated soldier, who was commended for my actions in combat by the Governor General, working in operations overseas where people are scared to send their children to school, or worse, their schools were destroyed by war or natural disasters. The

picture I attached is several of us rebuilding a playground outside of a school that was destroyed by war, using our Combat Engineers and Materials to build them a playground. No Child in Canada or their parents should ever be made to feel scared to go to school in our country...ever!

Premier Horgan, you do not have to work inside, or within a box on this one, there is no box! That is why your counterpart in Ontario Premier Doug Ford and Ontario is going this one on their own, with General (Retired) Rick Hiller. My best friend is a self made millionaire in Wealth Management, living in Calgary. Bashar told me after 9/11 attacks and after the last World Market Crash, "[REDACTED]", sometimes you do not have to ask how much the water is to put out the fire. You just get the water, put out the fire, and worry about how much it cost later". Premier Horgan we just have to put out the fire! FIPPA s. 22(1)

Do not ever hesitate to contact me for "Brain Storming" ideas on your COVID 19 Vaccination Task Force, I am always at your disposal for solutions. "Leaders provide solutions to problems, not create problems!" I am at the end of my 35+ years maximum pensionable service with the Canadian Government, serving 30 1/2 years with the Canadian Armed Forces Army Logistics Branch, and 4+ with the Federal Public Service under the Veterans Hiring Act. I own a home in Calgary that I have been renting out to a family since I was moved here in July 2017, and will be making my decision in the next few months about moving back to Calgary, Alberta, where I am in the home riding of Conservative MP Michelle Rempel, or staying in BC.

Respectfully,

[REDACTED], Master Corporal (Retired), CD, C.P.M.
[REDACTED] residence

FIPPA s. 22(1)

Deadline for nominations: January 31, 2021

[View this email in your browser](#)

A promotional banner for the BC Achievement Community Award. The top left features the award's logo, a stylized blue and purple flower-like shape. To its right, the text "BC Achievement Community Award" is written in blue. Below this, the words "NOMINATE NOW" are prominently displayed in large, bold, white letters. Underneath, it says "Nominations Open Nov 30 – Jan 31" in white. At the bottom, the website "BCACHIEVEMENT.COM" and the hashtag "#NOMINATENOWBC" are listed in white. The background of the banner is a collage of diverse people's faces, with a large, detailed image of a gold award medal on the left side.

**BC Achievement
Community Award**

**NOMINATE
NOW**

**Nominations Open
Nov 30 – Jan 31**

**BCACHIEVEMENT.COM
#NOMINATENOWBC**

Nominate now for the 2021 Community Award

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

Nominate a deserving individual who raises the quality and character of your community for the 18th annual Community Award. Nomination forms are online at bcachievement.com

Elevate excellence, share success and inspire change.



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From: **British Columbia Economic Development Association** 11/30/2020 11:22 AM
To: **Council**

Upcoming Virtual Economic Development Events

Don't miss these upcoming economic development events - from the comfort of your own desk!

BRE: Building Strong and Resilient Business Communities - Vancouver Island & Coast/Mainland Southwest

January 11th to 23rd, 2021. Four, 2.5 hour online sessions

Registration Fee: BCEDA Member \$300 Non-Member \$350

The best way to manage a Business Retention and Expansion program is by the community itself – not by consultants or hiring a polling firm. This course will teach you the who, why, what and ways to do BRE, provide you with information on tools, and provide you with tips on running successful BRE programs.

BRE: Building Strong and Resilient Business Communities - Thompson Okanagan & Kootenays

February 1st to 11th, 2021. Four, 2.5 hour online sessions

Registration Fee: BCEDA Member \$300 Non-Member \$350

The best way to manage a Business Retention and Expansion program is by the community itself – not by consultants or hiring a polling firm. This course will teach you the who, why, what and ways to do BRE, provide you with information on tools, and provide you with tips on running successful BRE programs.

2021 BC Economic Summit: Economic Revival - Charting a Path Forward for BC Communities

March 8th to 11th, 2021

Registration Fee: BCEDA Member \$325 Non-Member \$425 BCEDA Member Group \$1,250

BCEDA Non-Member Group \$1,750

Now is the time to focus on supporting community-based efforts to rebuild strong and resilient economies. The BC Economic Summit will bring together diverse perspectives on community and business recovery to help leaders identify potential opportunities and to inspire new ways of thinking about local challenges with increased inclusivity and collaboration.

2021 Western Economic Development Course

May/June 2021 Dates TBA

Registration Fee: BCEDA Member \$600 Non-Member \$700

Join economic development professionals from Western Canada at the premier program

offering concentrated focus in the basic concepts, methods and strategies of local economic development. Whether you're new to economic development or not, this course will provide you with fresh tools and ideas you will be able to implement in your community. Participants are eligible to earn credits towards EcD and/or CeCD Certification.

If you no longer wish to receive these messages, please [click here](#) to unsubscribe

Message sent by The BCEDA Team < info@bceda.ca >

British Columbia Economic Development Association | 5428 Highroad Crescent | Chilliwack, BC
V2R 3Y1

From: [REDACTED] FIPPA s. 22(1)

Sent: Tuesday, December 1, 2020 8:48 AM

To: Council

Subject: The crisis in the lack of community reporting: Sound familiar in Cowichan?

Dear MLAs, Mayors, Councillors and Directors:

The story below from the New York Times underlines a crisis in the vast lack of local news coverage in communities across North America — and right here in our little Cowichan Valley. With ad revenues down, especially during the pandemic, money just isn't around to hire more trained reporters even if the owners of The Citizen and Juice FM wanted to.

That means Cowichanians are not getting the in-depth reporting they deserve. Instead we get mediocre, 'daily-bone' reportage of important issues bridging school boards and councils, taxation, opinions, the environment, arts and sports, Crofton Pulp Mill, crime, health, education, farming, business and much more.

We receive the low-hanging fruit of breaking news, photos, press releases, cops, courts and traffic accidents, plus some sports, arts, human interest and historical stories.

That's far from enough.

Investigative journalism is crucial, but it just isn't being done in our traditional community media.

Reactive, simple stories, plus low-impact editorials and letters pages, just scratch the surface of what goes on in Cowichan and in other communities across this continent.

Advertising is thick on the Citizen's pages, and in its weekly hefty stack of flyers.

Juice airs some basic news but doesn't play local musicians regularly, if at all.

On-line media comprising the excellent Discourse, and the Island's respected Tyee, help fill those news gaps but they too struggle economically to spread coverage that doesn't simply arrive on doorsteps.

More professional reporters are needed to cover things on the ground — and to draw folks to bill-paying advertising.

Frankly, we need more expensive, but far less, advertising to ensure its messages are read and heard, but not buried.

Most folks just accept what they get in their mail box or on their car radio, turning instead to blogs and social media lousy with misinformation, rumour and gossip, not professional reporting.

Little wonder voter turnouts are so slow: people are distracted and busy, and don't seem to know or really care about their community until something major happens that affects them directly.

Yes, without philanthropists, entrepreneurs or co-op start-ups to launch newspapers, stations and other local media, this tragic trend will continue to foster an ill-informed public, busy paying debts now and wondering about community news and culture later.

Our local political bodies don't seem to care (or maybe just lack solutions) if crucial issues affecting their citizens and taxpayers are covered in the press, as long as new releases are sent out and websites are updated.

Their reaction is sure made all the more tricky given Covid 19's surreal restrictions preventing realistic, face-to-face meetings.

But now is the time for creative thinking from our elected, paid leaders and staff to help better inform valley folks where they live, work and play — and not just on virtual municipal sites.

Conversely, locals must seek out the news and information and opinion they need, not merely want.

Cowichan folks still seem hungry for news and events affecting them whether through smaller distance meetings, mail-outs, posters, and more hard copy, in addition to website intel.

One avenue for local coverage vanished forever when Black Press closed the venerable Cowichan News Leader Pictorial in May 2015 after a bitter five-month, legal strike that started on Dec. 1, 2014.

The strife concerned Black's proposed two-tier wage system and was sparked by toxic burnout among its committed, unionized award-winning staffers.

Sadly, after closure of a paper that had covered Cowichan since about 1910, not a peep was heard by our local politicians, many of whom got NLP ink during their political careers and campaigns.

Aside from some private regrets, curiosity and condolences, nothing was officially heard from our arts community, nor our sports community nor our business, police, health and education communities, nor other local groups and services — public and private — about the disturbing demise of a local press that had well served them and our valley for generations.

Call it apathy, a mystery, good intentions, ignorance, lack of time, or social regression — but also call it tragic given the loss of any free press's informative role in democracy.

Cowichan was made much poorer five years ago with less press coverage of our great community and its artists, families, teams, volunteers, heroes, leaders, history, ecology and far more.

Still, the thorny catch-22 remains: without hard-working employees and press profits in a free-enterprise, democratic society, we're much poorer, and more at risk, with less local ink.

A cornerstone of democracy, collapsing

In the internet's early days, it seemed to have the potential to crush traditional print media. But its impact has turned out to be more nuanced.

The internet has instead been a boon for some publications with a national audience. The New York Times [has never had](#) as many subscribers or readers — or employed as many journalists — as it does today. [The Atlantic](#), [The Washington Post](#) and some others are also thriving.

It's [at the local level](#) that the digital revolution has been as destructive as feared.

Hundreds of local news organizations have folded, as their advertising revenue disappears, and the pandemic is exacerbating the crisis. At least 60 local newsrooms have closed since March, [according to Poynter](#). Some of them were

more than a century old, like The Eureka Sentinel, in Nevada; The Mineral Wells Index, in Texas; and The Morehead News, in Kentucky.

This isn't a story of [creative destruction](#), in which nimble new entrants replace older companies. Often, nothing replaces a shuttered newsroom, leaving communities without any independent information about local government, schools and businesses. ([A recent Times investigation](#) found that some partisan groups have begun posing as local publishers, trying to pass off political propaganda as news.)

There are consequences for society. When a community's newspaper closes, voter turnout and cross-party voting tend to decline, while political corruption and government waste rise, [academic research has found](#). A democracy struggles to function when its citizens can't stay informed.

What can be done? Eventually, savvy entrepreneurs may figure out how to make local news profitable. But several have tried in recent years, [without success](#). For the foreseeable future, the only reliable answer seems to involve philanthropy. Americans have long accepted that the arts, higher education and organized religion all depend on charitable giving. Local journalism is now in the same category.

"We need philanthropists across the country to embrace robust local journalism," Sarabeth Berman, the chief executive of [the American Journalism Project](#), which funds local news sites, told me. "If you care about education, you need to worry if school boards and charter boards are covered. And if you care about the environment, you should make sure reporters like [Ken Ward Jr.](#) are covering coal country in West Virginia."

There are [many other shining examples](#) of the new nonprofit journalism. But even more communities receive little to no high-quality coverage.

I decided to write about this topic this morning, because today is Giving Tuesday, when people take a break from online shopping to focus on charitable giving. If you are worried about the state of local news, you can donate [through NewsMatch](#), which matches donations to local publications, or to [your local public-radio affiliate](#).

If you want different giving ideas, try [my colleague Nicholas Kristof's more global suggestions](#) or The Times's [Neediest Cases Fund](#), which focuses on economic hardship.

From: Maria Doyle <MDoyle@vernon.ca>

Sent: Wednesday, December 2, 2020 9:23 AM

Subject: City of Vernon Letter of Support regarding no cost access to all prescription contraception

Good day,

Please find attached a copy of a letter from Mayor Cumming addressed to Premier Horgan, Minister Dix, Minister Robinson, and MLA Harwinder Sandhu Vernon-Monashee, requesting consideration of universal no-cost access to all prescription contraception available in BC and that all BC municipalities write to support this initiative as well.

Maria Doyle

Sr. Executive Assistant to Mayor & Chief Administrative Officer

Office: 250.550.3572 | www.vernon.ca



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File: 0410-31

November 30, 2020



THE CORPORATION OF THE CITY OF VERNON

3400 - 30TH STREET VERNON, BRITISH COLUMBIA V1T 5E6

TELEPHONE (250) 545-1361 FAX (250) 545-4048

OFFICE OF THE MAYOR

Premier John Horgan
Box 9041, STN PROV GOVT
Victoria, BC V8W 9E1

Selina Robinson, Minister of Finance
email: Fin.Minister@gov.bc.ca

Adrian Dix, Minister of Health
PO Box 9050 ST PROV GOVT
Victoria, BC V8W 9E2

Harwinder Sandhu, MLA Vernon-Monashee
email: harwinder.sandhu@bcndp.ca

Council, at their Regular meeting held on Tuesday, October 13, 2020, passed the following resolution:

"WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities; and

WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system; and

WHEREAS contraceptive methods such as condoms or vasectomies are available at low cost, no cost, or are covered by BC's Medical Services Plan, whereas all contraceptive methods for people with uterus (such as birth control pills, intrauterine devices, or hormone injections) have high up-front costs, making access to contraception unequal and gendered;

THEREFORE BE IT RESOLVED

THAT the City of Vernon write to the Provincial Minister of Finance, the Provincial Minister of Health, the Premier of BC, and the local MLA supporting universal no-cost access to all prescription contraception available in BC under the Medical Services Plan; and

THAT this letter be forwarded to all BC municipalities asking to write their support as well

CARRIED."

Thank you for your consideration.

Yours truly,


Victor I. Cumming
Mayor

Copy: Mayor & Council
W. Pearce, CAO
BC Municipalities

[From: Christina Brace](#)
[Sent: Tuesday, December 1, 2020 11:02 AM](#)
[To: jjustason@ubcm.ca](#)

[info@whistler.ca](#); [webmaster@whiterockcity.ca](#); [rcoupe@williamslake.ca](#); [cao@zeballos.com](#) **Subject:**
UBCM Convention Schedule

Good afternoon,

Please see the attached letter from Lori Ackerman, Mayor of the City of Fort St. John, regarding the UBCM Convention schedule.

Thank you,

Christina Brace

Admin Assistant II

Direct 250 787 5794

City Hall | 10631 100 Street | Fort St. John, BC | V1J 3Z5

[Fort St. John COVID-19 Municipal Updates](#)

[Fort St. John](#)

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December 1, 2020

File # 0230-20

Email: jjustason@ubcm.ca

Union of BC Municipalities
Suite 60 - 10551 Shellbridge Way
Richmond, BC V6X 2W9

Attention: Jamee Justason

Dear Ms. Justason,

Reference: **UBCM Convention Schedule**

City Council has been reviewing its memberships in various organizations, taking into consideration the value provided by the organization versus the expense to be a member. At the July 27, 2020 Council meeting, Council had a robust discussion regarding this topic as well as the current format of the annual UBCM Convention.

The resolutions session, in which many municipalities contribute submissions for discussion, are debated at the same time as individual local government Minister meetings are scheduled. Both are important to attend which leaves local government elected officials conflicted with competing priorities since their resolution submission(s) may be discussed at the same time as they are scheduled to meet with a Minister.

Since the 2020 UBCM convention is virtual, this allowed the Ministers meetings to be scheduled from September 14 to 18 with the convention itself taking place from September 21 to 24. It is recognized that the alternate format was developed due to the pandemic although this change may bode well to incorporate as part of the regular convention schedule moving forward. This would allow local government elected officials to participate in the convention as well as attend requested Minister meetings.

It is acknowledged that UBCM is undertaking a review of its existing resolution process to streamline the number and content of submissions which may result in the number of resolutions being reduced.

... 2

It would be appreciated if UBCM could provide an update on members' response to the resolution submission process changes and the change in Minister meeting scheduling.

If you have any questions, please contact me at (250) 787-8160 or by email at lackerman@fortstjohn.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'Lori Ackerman', with a long horizontal flourish extending to the right.

Lori Ackerman
Mayor

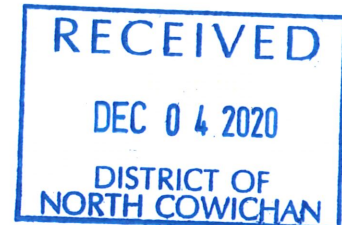
cc member municipalities



OMBUDSPERSON
BRITISH COLUMBIA

His Worship Al Siebring
Mayor
Municipality of North Cowichan
PO Box 278
DUNCAN BC V9L 3X4

November 30, 2020



Dear Mayor Siebring,

RE: Quarterly Reports: July 1 – September 30, 2020

This package of documents details the complaint files the Office of the Ombudsperson closed for **the Municipality of North Cowichan** between July 1 and September 30, 2020. No action is required on your part, however we hope that you will find this information useful and share it within your organization.

These reports provide information about the complaint files we closed regarding your organization within the last quarter, including both files we investigated and files we closed without investigation. Files currently open with the office are not included in these reports.

Enclosed you will find detailed reports containing the following:

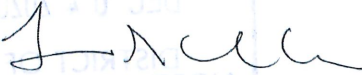
- A one-page report listing the number of files closed and the category under which they were closed. The categories we use to close files are based on the sections of the *Ombudsperson Act*, which gives the Ombudsperson the authority to investigate complaints from the public regarding authorities under our jurisdiction. A more detailed description of our closing categories is available on our website at: <https://bcombudsperson.ca/assets/media/QR-Glossary.pdf>.
- *If applicable:* Copies of closing summaries written about the complaint files we investigated. These summaries provide an overview of the complaint received, our investigation and the outcome. Our office produces closing summaries for *investigated* files only, and not for enquiries or those complaints we chose not to investigate.
- *If applicable:* A summary of the topics identified in the complaint files closed during the quarter. We track general complaint topics for all complaints we receive, and when applicable, we include authority-specific and/or sector-specific topics for your organization and/or sector. Our office tracks the topics of complaints we investigate and those we close without investigation, but not for enquiries. Because complaints to our office are confidential, we do not share complaint topic information if we received too few complaints to preserve the complainants' anonymity.

If your organization received too few complaints to produce a summary of complaint topics but you would like further information about the complaints our office received about your organization, our Public Authority Consultation and Training (PACT) Team can provide further details upon request.

Finally, we have been tracking complaints related to the COVID-19 pandemic under the general heading of "COVID-19." If you would like more detailed information about those complaints, please contact our PACT Team.

If you have questions about our quarterly reports, or if you would like to sign up for our mailing list to be notified of educational opportunities provided by our Public Authority Consultation and Training Team, please contact us at 250-508-2950 or consult@bcombudsperson.ca.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jay Chalke".

Jay Chalke
Ombudsperson
Province of British Columbia

Enclosures



Type of complaint closure	# closed
Enquiries – Many people who contact us are not calling to make a complaint, but are seeking information or advice. These contacts are classified as <i>Enquiries</i> to distinguish them from <i>Complaints</i> , which are requests that our office conduct an investigation.	1
Complaints with No Investigation – Our office does not investigate every complaint it receives. First, we determine whether we have authority to investigate the complaint under the <i>Ombudsperson Act</i> . We also have discretion to decline to investigate for other reasons specified in the <i>Ombudsperson Act</i> .	1
Early Resolution Investigations – Early Resolution investigations provide an expedited process for dealing with complaints when it appears that an opportunity exists for the authority to take immediate action to resolve the issue. Typical issues that are addressed through Early Resolution include timeliness, communication, and opportunities for internal review.	0
Complaint Investigations – When we investigate a complaint we may conclude with a determination that a complaint is not substantiated, or with a negotiated settlement of the complaint, or with public findings and recommendations. We may also exercise discretion to cease investigation for a number of other reasons specified in the <i>Ombudsperson Act</i> .	Total: 0
<i>Reason for closing an Investigation:</i>	
Pre-empted by existing statutory right of appeal, objection or review.	0
<i>Investigation ceased with no formal findings under the Ombudsperson Act.</i>	
More than one year between event and complaint	0
Insufficient personal interest	0
Available remedy	0
Frivolous/vexatious/trivial matter	0
Can consider without further investigation	0
No benefit to complainant or person aggrieved	0
Complaint abandoned	0
Complaint withdrawn	0
Complaint settled in consultation with the authority - When an investigation leads us to conclude that action is required to resolve the complaint, we try to achieve that resolution by obtaining the voluntary agreement of the authority to settle the complaint. This allows matters to be resolved fairly for the complainant and authority without requiring a formal finding of maladministration.	0
Complaint substantiated with formal findings under the <i>Ombudsperson Act</i> .	0
Complaint not substantiated under the <i>Ombudsperson Act</i> .	0
Ombudsperson Initiated Investigations – The Ombudsperson has the authority to initiate investigations independently from our process for responding to complaints from the public. These investigations may be ceased at the discretion of the Ombudsperson or concluded with formal findings and recommendations.	0



All Local Government
Municipality of North Cowichan

The tables below summarize the complaint topics we are tracking for your sector and/or authority and the number of times this topic was identified in the files (investigated and non-investigated complaints) that were closed in the most recent quarter.

If you would like more information on the types of complaints we receive, please contact our Prevention Initiatives Team: email us at consult@bcombudsperson.ca or call us at 250-508-2950.

Sector-Specific Complaint Topics - All Local Government

Business Licensing	1	0%
Bylaw Enforcement	54	19%
Council Member Conduct (incl. Conflict of Interest)	138	48%
Official Community Plan/Zoning/Development	31	11%
Fees/Charges (incl. Taxes)	14	5%
Open Meetings	4	1%
Services (incl. Garbage, Sewer, Water)	11	4%
Response to Damages Claim	5	2%
Other	28	10%

General Complaint Topics - All Local Government

COVID-19	2	1%
Disagreement with Decision or Outcome	80	23%
Accessibility	4	1%
Delay	12	3%
Administrative Error	3	1%
Treatment by Staff	15	4%
Communication	34	10%
Process or Procedure	188	53%
Review or Appeal Process	5	1%
Employment or Labour Relations	1	0%
Other	9	3%

From: [REDACTED] FIPPA s. 22(1)
Sent: Friday, December 4, 2020 2:59 PM
To: Info <Info@northcowichan.ca>
Subject: Re: Council Matters for December 2, 2020

Municipal staff should not be working with the CHA. The CVRD just got voter consent via referendum, to create a service to provide that type of support to the CHA. Why should MNC taxpayers have to pay for a duplication of effort that was supposed to be handled at the CVRD. If the CVRD does not want to do the job, MNC taxpayers should not have to pay for that function at the CVRD.

[REDACTED] FIPPA s. 22(1)
6030 Stonehouse Place

On Thu, Dec 3, 2020 at 5:13 PM Municipality of North Cowichan <info@northcowichan.ca> wrote:
Trouble viewing this email? Read it online

Council met for about three and a half hours during our Regular Council meeting on December 2, 2020.

First, Council heard from Sandy Munns and Judy Stafford from the Cowichan Green Community, who came to speak to Council about their lease on 2431 Beverly Street. North Cowichan purchased this property in 2009. The Cowichan Green Community has been leasing the property since 2015 and their current lease expires in July 2021. The Cowichan Green Community is seeking an extended 10-year lease with North Cowichan that would include amendments for installation of a commercial kitchen and warehouse space, and connection to municipal water and sewer. This would help support their future goals of expanding their programs and services.

Next, Council adopted the Housing Agreement Bylaw and leases for the new proposed affordable housing projects on Sherman Road and Willow Street. The full lease agreements for both properties and the Bylaw can be found on pages 65-160 in the agenda.

Council considered replacing the current Nuisance Bylaw and the Untidy and Unsightly Premises Bylaw with two new regulatory bylaws; the Controlled Substance Bylaw and the Nuisance Abatement and Cost Recovery Bylaw. Both of these aim to speed up the process for dealing with violations. The Controlled Substance Bylaw is largely the same as the Nuisance Bylaw, however, it includes modernized language and updated regulations to reflect the decriminalization of personal production of cannabis. Regulations have been expanded to provide authority to Inspectors to enter onto properties to conduct inspections, post notices, carry out remedial work, or discontinue water services, where appropriate.

The Nuisance Abatement Bylaw seeks to establish a process for imposing costs that may be recovered and applied as property taxes when a property owner has failed to mitigate a

nuisance on their property. Nuisance includes noise, odours, garbage, offensive materials, overgrown vegetation, graffiti, and other offences. Similar to the Controlled Substance Bylaw, this bylaw also requires property owners/occupiers to take action to clean up the property and authorizes North Cowichan to carry out remedial work when the owner fails to take action. Council gave first, second and third reading to both bylaws, and will adopt them at a future meeting.

Council granted a Temporary Mobile Home Permit (TMHP) for 5855 Menzies Road to allow a mobile home to be placed on the property in addition to the principal single-family dwelling. For more information on the application, see pages 219-233 of the agenda.

As 2020 comes to an end, Council considered the proposed 2021 Council and Committee of the Whole public meeting schedule. Council decided to continue holding Committee of the Whole meetings every second Tuesday at 6:00 pm and accepted staff's proposed schedule with a couple of minor amendments. The first regular Council meeting in January will begin at 4:00 pm, instead of 1:30 pm, and the second regular Council meeting in September will be held on Tuesday, September 21, instead of September 22.

Next, Council approved a Committee of the Whole recommendation to include an RCMP Office Supervisor/Police Support Services position in the 2021 budget, effective January 1, 2021. This position would be funded by converting a part-time position to a full time one and covering the balance of the cost through savings in the existing RCMP contract. As a result, this position does not require an increase in the budget.

Lastly, under new business, Council considered a motion to direct staff to work with the Cowichan Housing Association to develop an Affordable Housing Policy and Implementation Strategy. Due to possible implications on staff capacity in undertaking this work, Council decided to defer consideration until the next Council meeting to allow for the second round of staff's Business Plan Presentations to occur on December 8, 2020. Departmental Business Planning is the first step in Council's annual budget deliberations and provides insight into staff's work prioritization to action Council's Strategic Plan over the coming year.

Our next meeting will take place electronically on Wednesday, December 16, 2020, at 1:30 pm.

Thank you for reading and staying informed!

Al Siebring, Mayor
Municipality of North Cowichan
T 250.746.3117
E Mayor@northcowichan.ca

Municipality of North Cowichan
7030 Trans-Canada Hwy
Duncan British Columbia V9L 6A1
Canada

From: [REDACTED] FIPPA s. 22(1)
Sent: Monday, December 7, 2020 2:28 PM
To: Al Siebring <mayor@northcowichan.ca>; Christopher Justice <christopher.justice@northcowichan.ca>; Council Support <CouncilSupport@northcowichan.ca>; Debra Toporowski <debra.toporowski@northcowichan.ca>; Kate Marsh <kate.marsh@northcowichan.ca>; Michelle Martineau <michelle.martineau@northcowichan.ca>; Rob Douglas <rob.douglas@northcowichan.ca>; Rosalie Sawrie <rosalie.sawrie@northcowichan.ca>; Sarah Nixon <sarah.nixon@northcowichan.ca>; Ted Swabey <Ted.Swabey@northcowichan.ca>; Tek Manhas <tek.manhas@northcowichan.ca>
Subject: Fwd: old growth

Dear Mayors, Councillors and Directors:

After reading Leadnow's timely plea, found below, I humbly urge our Cowichan politicians to write our Forests Minister and premier to demand an immediate and mandated ban on logging old-growth trees and ecosystems in B.C. How can local voters and our politicians talk about fighting climate change, and invoking urgent green initiatives, while this tragic, short-sighted industrial practice continues in the woods? Apologies in advance if my local municipalities and CVRD board have already written our provincial brass to request this crucial logging ban.

Yours sincerely and respectfully,

[REDACTED] FIPPA s. 22(1)
Duncan, B.C.

Begin forwarded message:m

From: Cherry Tsoi - Leadnow <leadnow@leadnow.ca>
Subject: Re: old growth
Date: December 7, 2020 at 11:45:39 AM PST
To: [REDACTED]
Dear [REDACTED] FIPPA s. 22(1)

This is hugely disappointing. Less than two months after Premier Horgan promised to protect old growth forests from logging, he's silently standing by as centuries-old trees are slashed down on Vancouver Island. [1]

If the BC government doesn't take action on their promise to protect old growth forests now, there won't be any stands of precious ancient trees left to save.

Newly sworn in Minister of Forestry Katrine Conroy has a mandate to fulfill — and it includes protecting irreplaceable old growth forests from logging. **Let's welcome Minister Conroy by showing her that 92% of British Columbians demand old growth protection now, before it's**

too late – and that we’re not afraid to pile on the pressure. [2,3] *It could spur her into action and give her reason to immediately stop all logging of old growth.* [Will you send Minister Conroy a message now?](#)

Send a message to the new Minister of Forestry

In October, the BC NDP made the protection of old growth forests a clear priority in their election campaign. Premier Horgan even issued a statement declaring old growth forests irreplaceable, and promising to protect them. [4]

More than that, he promised to implement the ***full slate of proposals*** from the old growth strategic review panel — including immediately protecting ecosystems of ancient trees at high risk. [5,6]

But right now, an active blockade is trying to stop loggers from felling magnificent old growth trees at Fairy Creek — some, nearly 2,000 years old — and belonging to the last unlogged old-growth valley on southern Vancouver Island. [7,8]

If the BC Government is serious about its election promises to protect old-growth, they would stop the logging of precious old growth forests now — including at Fairy Creek. [Will you send a message to the Forestry Minister to fulfill her mandate to protect old growth from logging and stop cutting down ancient trees now?](#)

Send a message to the new Minister of Forestry

Back in September, we shared exciting news with the Leadnow community that the old growth review panel had produced a report full of recommendations to protect old growth forests, and it seemed that the BC government was on board.

It’s up to us now to hold their feet to the fire and urge the implementation of **all of the report’s recommendations immediately, before there is no old growth left to protect.**

[Will you send a message to the new Minister of Forestry urging](#)

immediate action to stop logging of ancient trees and implement all of the recommendations from the old growth review panel as promised?

<https://act.leadnow.ca/stop-old-growth-logging/>

In solidarity,
Cherry and Peter for Leadnow

Sources

- [1] CBC; <https://www.cbc.ca/news/canada/british-columbia/conservationists-demand-fast-action-from-b-c-s-new-forestry-minister-on-protection-for-old-growth-trees-1.5820911>
- [2] CTV; <https://bc.ctvnews.ca/defending-the-last-of-british-columbia-s-old-growth-forests-from-industrial-logging-1.5027750>
- [3] Minister Conroy's Mandate Letter; <https://news.gov.bc.ca/files/FLNR-Conroy-mandate.pdf>
- [4] Premier Horgan's Statement on Old Growth Forests; <https://www.bcndp.ca/latest/new-approach-old-forests>
- [5] see [4]
- [6] Old Growth Review Panel's Recommendations; <https://engage.gov.bc.ca/app/uploads/sites/563/2020/09/STRATEGIC-REVIEW-20200430.pdf>
- [7] Victoria News; <https://www.vicnews.com/news/battle-of-fairy-creek-blockade-launched-to-save-vancouver-island-old-growth/>
- [8] Ancient Forest Alliance; <https://www.ancientforestalliance.org/media-release-fairy-creek/>

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: <http://www.leadnow.ca/donate>

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[Leadnow.ca](http://www.leadnow.ca), PO Box 2091, Stn Terminal, Vancouver, BC, V6B 3T2 — 1-855-LEADN0W | 1-855-532-3609

[Unsubscribe](#)

From: [REDACTED] FIPPA s. 22(1)
Sent: Wednesday, December 9, 2020 1:00 PM
To: Council <council@northcowichan.ca>
Subject: Kaspas Road Madness

Our once peaceful quiet neighborhood has turned into a huge parking lot on a busy highway road.

The trail society advertised how amazing mt. Tzouhalem is and to park in the parking lot at the end of Kaspas Road.

<https://www.tourismcowichan.com/blog/cowichan-valley-vancouver-islands-mountain-bike-playground/>

They also added it to trail forks app.

Every website states, go to Kaspas Road and every bike teachers says to always meet at kaspas parking lot. There are at least 3 bike companies that do business out of our neighborhood. Dirt Gromes, <https://www.nextlevelriding.ca/> and <https://nolanriding.com/>

North Cowichan enlarged the parking lot a couple years ago, added a bike wash, tools, washrooms, huge map. Feels like they're catering to the tourists from Victoria, and us tax payers are in Walmart parking lot hell.

Ppl let their dogs run up to our houses and pee and poo in our yards, my older neighbor was almost t-boned trying to leave his house yesterday and another lady yesterday was trying to turn into her driveway when a kid on his bike almost smacked into her car.

We've been complaining to Don about all this. It's been getting worse. No one wants to go outside on weekend's now.

We're supposed to stay local, but the older neighbors can't walk down their sidewalk for fear of covid and getting ran over so they hide in their houses on weekends.

The trail Stewartship society wants to sweeten mt. Tzouhalem even more!!! They want to put a skills park and adventure park up from, u guessed it, KASPA parking lot.

They also plan on making a new 'uphill' riding trail from KASPA parking lot to make riding up easier for beginners, and good for ppl taking lessons.

There's word on the street, N. Cow plans on another 60 space car lot on top of Kingsview by the round about. That would be wonderful if that actually happened, to release some pressure from our road.

My neighbors and I would LOVE to have our road calm down on the weekends again. We don't know why North Cowichan isn't advertising the other perfectly good mountains!!!

Mt. Prevost has TONS of trails!!! They don't even have a parking lot. And that gate gets shut every summer due to fires. Pls make a HUGE parking lot there and be sure to add stuff for the tourists like a washroom, signs, bike wash, and tools. What about Maple Mountain? THERE R NO NEIGHBORS near that tiny parking area. It is Not in ppl's neighborhood. There's tons of trail there.

Pls make a HUGE parking lot there and be sure to add stuff for the tourists like a washroom, signs, bike wash, and tools. Also pls add the skills park and adventure park and it will be nice to have an easy uphill trail dug in there at MAPLE MOUNTAIN.

WHY does EVERYTHING need to be from our Kaspera parking lot? Go put your Disneyland stuff on Maple mt or Mt. Prevost!

Also there are line ups on weekends of people wanting to wash their bikes with the handles. Person after person touching these handles with NO sanitation between people is how covid gets spread.

We really appreciate the counsel showing interest in our horrible, busy tourist destination neighborhood.

Please see attached screen shots.

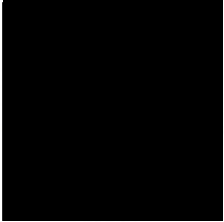
Thank you.

 FIPPA s. 22(1)



Replies

FIPPA s. 22(1)



FIPPA s. 22(1)



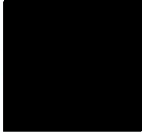
Where are the kids this Saturday (11:15 class)?

3w

Like

Reply

FIPPA s. 22(1)



FIPPA s. 22(1)



FIPPA s. 22(1)

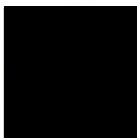
always Mt.
Tzouhalem - Kaspas Road

3w

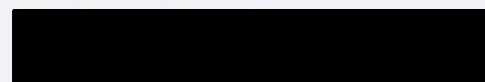
Like

Reply

FIPPA s. 22(1)



FIPPA s. 22(1)



thanks!

FIPPA s. 22(1)

3w

Like

Reply

Dirt Groms >

 Private group · 237 Members

FIPPA s. 22(1)



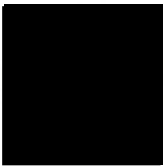
+ Invite

Rooms

Announcements

Watch Party

FIPPA s. 22(1)



Write something...

 Live

 Photo

 Room

New Activity

SORT

FIPPA s. 22(1)

FIPPA s. 22(1)



 Admin · Nov. 21 · 

Sweet group riding today (1 of 4 groups). We had an awesome ride. ❤️😊





www.trailforks.com › ... › Duncan

Mount Tzouhalem Mountain Biking Trails | Trailforks

At the end of Kaspas Rd there is large municipal parking lot. Recently upgraded with washroom, expanded parking and bike wash. Links.

Rating

3.8 ★★★★★ (69)



^ Access



Easiest access is from a parking lot at the head of Kaspia Road (~ 30 spaces). The mountain can also be reached from **Genoa Bay** (most difficult ascent). Trails are open year-round, except during periods of high fire hazard, for non-vehicular traffic.^[3]

∨ References

∨ External links



Last edited 1 month ago by Ponderosapi...



RELATED ARTICLES



Fort Victoria (British Columbia)





Victoria Trails



Tzouhalem Road. Continue to follow Tzouhalem Road for about 5km.

Turn right onto Maple Bay Road and follow this route until you reach Kingsview Road. Turn right onto Kingsview Road, then drive straight through the roundabout and continue straight past the elementary school on your left as you drive up the hill.

Turn right onto Sansum Drive and then at the first street, make another right onto Salish Road.

When you reach the stop sign at the end of Salish Road, turn left onto Kaspas Road and drive up to the end of the street in the cul-de-sac. There is a dirt drive way with signage for the Mount Tzouhalem parking lot. Drive up the dirt drive way and find a place to parking, ensuring not to block access to the driveway and the metal gate.

Additional Information

Dog-Friendly



Dogs are permitted on the trails on Mount



From:

FIPPA s. 22(1)

Sent: December 9, 2020 4:17 PM

To: Agenda ; Al Siebring ; Christopher Justice ; Rob Douglas ; Rosalie Sawrie ; Kate Marsh ; Tek Manhas ; Debra Toporowski

Subject: Suggestions for the Forest Review

Mayor and Council,

I watched the Forestry Budget Presentation at the last Committee of the Whole Meeting and have a suggestion to offer.

This is in relation to getting the Forest Review done as quickly as possible given the negotiations with First Nations.

There may be a way to keep UBC working while delaying the Public Engagement portion of the review (for Nation to Nation negotiations).

The current approach is to do the Public Engagement first then map the possible scenarios based on the public input.

Why not reverse this process and do the scenario mapping first?

There are not that many scenarios to map.

You have the current logging approach, some less intrusive approaches and carbon offsets (or a combination of the 3).

Much of the research has already been completed.

The scenario mapping can continue without affecting the Nation to Nation negotiations. Most of this work is behind the scenes.

Using this approach, you can go the public later with clear, understandable options, with pros and cons, and skip the initial phase.

These options can always be fine-tuned when you get more feedback from the Public

I was on the Forestry Working Group and we didn't really understand the available options - making it very difficult to go the public with Discussion Guides and Surveys.

The Forest Review should just present a clear set of options for managing the Forest Reserve (regardless of who owns the Mountains). There is no reason for it not to proceed.

Please do not fall into the trap of interim logging. Keep the pressure on to get this done during this Council term.

Thanks



FIPPA s. 22(1)

Subject: FW: Kasper Road parking lot bedlam.

From: [REDACTED] FIPPA S. 22(1)
Sent: December 10, 2020 8:39 AM
To: Council <council@northcowichan.ca>; Council Support <CouncilSupport@northcowichan.ca>
Subject: Kasper Road parking lot bedlam.

To the Council of North Cowichan

From [REDACTED] Kasper Road. FIPPA S. 22(1)

I would greatly appreciate if my concerns as discussed below are brought to the attention of members at your next meeting, to be held I believe, on 16 December 2020.

Municipality of North Cowichan Meeting 24 November 2020

I watched the video of your meeting on 24 November 2020 and noted that several members still have the need to catch up and actually read the Parks and Trails Master Plan (PTMP) and as Rob Douglas suggested that it also needs to be reviewed and changed if necessary. I would suggest that it is changed as a matter of urgency.

I recently learned from Don Stewart, by email, that absolutely no impact studies were undertaken with regard to the extension to the car park at Kasper, with regards to: *noise, erosion, pests, disease, litter, access, impact on the neighbour hood, increase in volume of traffic, width of roads, full car park, volume of visitors, social impact, advertising the facility across Canada, etc?* Email correspondence below this one, read from the bottom up.

I have ploughed through the 314 pages of the Parks and Trails Master Plan and cannot find any reference to any impact studies either, save possibly for those done for the actual trails themselves. How can this be? Don't get me wrong, I am all for promoting North Cowichan as a tourist destination, I have been in tourism all my life and still depend on it, but this gross negligence reveals that little care or thought has gone into the PTMP.

In the slide show of that meeting 24 November, Key Performance Indicators, revealed that in 2018 there were 35 kms of trails, 2019 85 kms, 2020 110 kms and by 2021 150 kms, that's more than 4 times increase, yet parking hasn't increased to accommodate this. I wonder how many car parking spaces there were at all the trail heads combined, Maple, Prevost, Sicker, Tzouhalem, et al in 2018 to service 35kms compared to what it is currently and to what is for the proposed 150 km in 2021.

Don Stewart said he cannot anticipate what the numbers of visitors will be, he quoted a natural annual progression of 5%, well this has not been the case, increase in trails by over 400%, installation of bike facilities and advertising across Canada as a biking destination has wrecked the natural progression. I am not against the Municipality of North Cowichan (MNC) becoming a biking destination, it can be good for local businesses and tourism, if managed correctly, but so far we have not seen that.

In Portugal where we spend our winters we own a rural property half way up a small mountain with views to the coast, similar to Kasper in many respects and we get two kind of bikers here, the Lycra clad with skinny racing tires and mountain bikers who have made their own trails all over the place. There are no problems like we have at Kasper though, because the municipalities do not get involved, there are no designated car parks, bikers ride their bikes from home to here, or if they use a vehicle they park it at any public car parking space or supermarket space and ride how many kilometres it might be from there because bikes and bikers are capable of that! There are no bike washes, they wash their bikes at home. Because of this there are no concentrations of bikers all clamouring for one place, they are spread out, they make up their own minds where they would like to go. Is this low key, no, we have international events with huge trucks and coaches following the races with helicopters filming it a few time a year, the rest of the time the bikers are there but are spread out. The Kasper problem is because MNC have concentrated bikers in one location and pandered to them with a bike wash and "Royal Facilities" rather than let them spread out over the whole region and find their own way.

Several errors in the PTMP are obvious here are just some of the main ones.

1. Gross negligence in not doing impact studies on anything but the trails themselves.
2. There should have been at least half a dozen venues chosen to spread the load, probably more, with or without the Royal Facilities and promoted equally except for Kasper that should have remained low key as it is accessed through a residential area. The choice of using Kasper in what was once a quiet residential area as the Guinea pig is frankly unfathomable.
3. I have heard from MNC that the increase in the parking lot at Kasper was to ease the congestion at that time, but seeing what has actually been done with it begs the question if the increase in the parking lot was part of the PTMP in the first place.
4. Increasing trails by over 400% in 3 years and advertising MNC as a biking destination across Canada should have given a clue to what the increase in volume over and above the nominal 5% increase.
5. Sure, Covid has had an effect on volume, but let this not become a scapegoat for what has happened, we saw the increase in traffic well before Covid this why the extension to the Kasper parking lot was made in the first place, to ease the congestion there. However this, what has become a hollow gesture to the residents of Kasper, was hijacked by MNC and Royal facilities added for bikers and

advertised across Canada. It will be another mistake by MNC to suggest that there will be a drop in volume after Covid. Why, because folks that have spent up to \$5000 on bikes, all the gear and accessories, maybe a truck to transport them and having developed a passion for the sport are not likely to give it up in a hurry.

6. The PTMP has the provision: That in high activity areas they have to provide a minimum of 10 parking spaces, "10", frankly unbelievable, and speaks volumes about the lack of thought and effort put into understanding what impact this program and it's implementation would have.

7. PTMP States that properties values in the close proximity to a park will increase by 20%, "Really"? This is not the opinion shared by those effected in the "Properties", where values have not increased in line with other properties in the area. Recourse is under consideration.

8. For profit commercial activity was not anticipated or catered for, so why is it being allowed?

9. All forest areas pose a fire risk in the summer months, if Tzouhalem catches fire then many residential houses may well be lost, this was not addressed either.

10. MNC have provided traffic counts on two of the access roads to Kaspas parking lot. Taking into account generous allowances for residents going back and forth more than 50% of this traffic is going to the Kaspas Parking lot. This August count was done at a time when traffic was noticeably quieter than in the Springtime and again more recently in the Fall where it is estimated that more than two thirds of that traffic is heading to the Kaspas lot. Not only is it the volume but also the reckless speed at which some of these visitors drive. The road widths, side walks and property accesses in this neighbourhood were designed for residential use not for Highway type traffic and overflow parking.

11. Since the increase in the parking at Kaspas and the promotion of it as a biking destination we have seen dozens of deer and quail been maimed and killed, not by residents who are aware of them but by speeding and careless forest visitors.

12. It is only a matter of time before someone gets hurt or killed by the sheer volume of reckless speeders on these residential roads. It is on record that MNC have been warned about this on numerous occasions and will be held accountable.

I seriously wonder what would the MNC attitude be to a private enterprise being opened in the Properties that would attract the volumes of traffic that the Kaspas lot has attracted? My bet is that it would be closed down without hesitation.

It is time for professionalism and MNC need to admit to and own the problem that they alone have created and stop making excuses. Waiting for Covid, waiting 6-12-18 months to build an overflow parking is **not** a short term solution which is what is required right now. Nor is it a long term solution either it is a band-aid solution.

What needs to be done urgently is to control and reduce the numbers using Kaspas, it is no good procrastinating and having meeting after meeting which resolves nothing. The problem was highlighted in 2016 and nothing constructive has been achieved.

Emergency measures need to be taken to correct the MNC errors of judgement and the disastrous failings in the PTMP

Measures to resolve the current problem, in no particular order and not limited to.

Ban commercial activity in Tzouhalem and move them elsewhere.

Promote at least half a dozen other venues with adequate free (free for now) parking.

Stop advertising Tzouhalem and Kaspas as a biking destination now.

Stop advertising MNC as a biking destination until the PTMP has been reviewed and adjusted and the failings have been resolved.

Open bike washes and the same Royal facilities in the other venues.

Make it resident only parking in Kaspas, Salish, Sansum and Chippewa.

Make the Kaspas parking lot Pay and Display, the rates determined and regularly adjusted with consultation with Kaspas residents to manage the volume correctly. It is not acceptable that pay parking raises liability issues for MNC, this is a poor excuse, other municipalities throughout the world do this, including others in BC. We used to live on Sunshine Coast and they have pay and display parking there. It just requires some thought and effort and appropriate disclaimers to implement. Revenues from Pay and Display to pay for other upgrades, parking violators fined and prosecuted.

Remove the signs from Kingsview directing drivers to the Kaspas parking lot.

Open a temporary car park at the roundabout at the junction of Kingsview and Nevilane, part of this land is owned by a developer and part will be public road, it already caters for some off road parking of which the developer has not objected to, it just needs a machine in there to level some areas, the developer will not object if approached correctly, again it just needs some thought and effort.

Move the future bike skills park and adventure playground to another venue, the properties is a residential area, this will not change and should not be subjected to the bedlam we have currently, ever. I do not accept that this is a case of residents not wanting development in their own back yard because other venues, Maple, Sicker, Prevost and a host of others do not have residential neighbourhoods that have to be driven through, parked in and abused!

Start the 60 place car park at the junction of Kingsview and Nevilane now in 2020 not later.

I look forward to MNC doing something positive and in a timely manner, years of meetings and correspondence have achieved nothing so far.

Sincerely

 FIPPA S. 22(1)

Email correspondence between Don Stewart regarding impact studies.Read form the bottom up.

Afternoon [REDACTED], FIPPA S. 22(1)

Have received confirmation that no impact studies were conducted for the development of the parking lot in 2018. The expansion in 2018 was triggered by area residents concerns of parking in front of their driveways, to move that traffic back into a parking lot.

Attached is the Sensitive Ecosystem Inventory for Mount Tzouhalem as referenced in my previous emails.

Would also refer you to page 113 forward in our Parks and Trails Master Plan regarding trails within the Municipal Forest Reserves.

No other impact studies or documents exist.

Please let me know if you have any other questions.

Many Thanks,

Don Stewart
Director Parks & Recreation
Municipality of North Cowichan
250.746.3193

From: [REDACTED] FIPPA S. 22(1)
Sent: Saturday, November 14, 2020 3:03 AM
To: Don Stewart <Don.Stewart@northcowichan.ca>
Subject: Re[2]: Impact studies

Good morning Mr Stewart

Re: Impact studies.

Thank you for your reply. Please let me know what your Forester finds when looking back in their records and what, if any, this process included in the way of impact studies. Similarly, as you offered, please confirm if any impact studies were undertaken for the expansion of the parking lot in 2018.

Thank you also for providing the background to the trails network and the formulation and maintenace of it. Where can I obtain a copy of the "*sensitive ecosystem inventory against the existing trail network*" to which you refer.

In the information that you have kindly provided so far, lack of and or no reference to, is made to anyof the impact studies that I asked for in my original request? Forgive me if any are included in the "*sensitive ecosystem inventory against the existing trail network*". No doubt this will be answered upon receipt of a copy of the document.

Discounting, for the time being, impact studies that are particular to the trails themselves, is it correct to assume then that no impact studies were completed with regards to the rest, namely: *noise, erosion, pests, disease, litter, access, impact on the neighbour hood, increase in volume of traffic, width of roads, full car park, volume of visitors, social impact, advertising the facility across Canada, etc?*

I look forward to hearing from you soon.

Kind regards

[REDACTED] FIPPA S. 22(1)

----- Original Message -----
From: "Don Stewart" <Don.Stewart@northcowichan.ca>
To: [REDACTED] FIPPA S. 22(1)
Sent: 2020-11-13 10:28:57 PM
Subject: RE: Impact studies

Afternoon [REDACTED], FIPPA S. 22(1)

In response to your question below I have asked our Forester to look back in their records regarding the process to develop the access point for the forest reserve into a parking area initially and thereafter.

I believe the first trigger was the original reservoir that was there (where the first part of the parking lot now exists) and when it was rebuilt in its new location (photos show it around 2003), that area became a parking spot for accessing the mountain. However, we will confirm if any formal process was put in place for this and approximately what year it occurred.

For the expansion of the parking lot in 2018, this was also originally triggered through Forestry and taken over by Parks and Recreation for the expansion of it by Parks and Recreation. The expansion of the parking lot was a capital project approved by Council.

For neither of these am I anticipating that there was not an impact study completed, but will confirm.

For the trail network, it has been developed organically over the decades by the public, without input or guidance from the Municipality. It wasn't until our Parks and Trails Master plan process was put into place, and thereafter was adopted by Council, that we turned to actively managing the trail network. This plan can be found at the following location:

<https://www.northcowichan.ca/EN/main/departments/parks-recreation/parks-and-trails-master-plan.html>

Within that plan under its recommendations (which can also be found on the same page but towards the bottom) it identifies that we are to applies strategies for the environment and its impact, specifically looking at Short term recommendations #17, 19, and 21. To that end we completed in 2018 a sensitive ecosystem inventory against the existing trail network to identify which trails, which were to be sanctioned, needed to be modified, moved or realigned.

Additionally, we have also adopted processes for the consideration of new trails which follow north American standards for the development of mountain biking trails. The website for those standards and processes can be found here:

<https://www.northcowichan.ca/EN/main/departments/parks-recreation/mountain-biking-hiking/trail-development.html>

For sustaining the trail network, we have a maintenance contract in place with the Cowichan Trail Stewardships for the sanctioned trail network on Maple Mountain and Mount Tzouhalem.

Thanks!

Don Stewart
Director Parks & Recreation
Municipality of North Cowichan
250.746.3193

From: [REDACTED] FIPPA S. 22(1)
Sent: Tuesday, November 10, 2020 9:27 AM
To: Al Siebring
Subject: Impact studies

Good afternoon Al Seibring

Concerning Kasp Road Craziiness- Tzouhalem problem

Obviously "Impact Studies" must have been done before the council committed to building the car park in the first instance, then extending it and adding the bike wash etc. also for the biking trails themselves and of course the impact of the venue being advertised across Canada.

I presume these would include, but are not limited to, impact on the environment, such as forestry, fauna and flora, safety of the public, noise, erosion, pests, disease, litter, access, impact on the neighbour hood, increase in volume of traffic, width of roads, etc

Could you kindly provide a comprehensive list of these Impact Studies and where one can obtain copies.

Thank you in advance.

[REDACTED] FIPPA S. 22(1)

Municipality of North Cowichan

Regular Council

MINUTES

December 2, 2020, 1:30 p.m.
Electronically

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Tek Manhas Councillor Kate Marsh Councillor Rosalie Sawrie Councillor Debra Toporowski
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Sarah Nixon, Deputy Chief Administrative Officer (D/CAO) Mark Frame, General Manager, Financial and Protective Services David Conway, Director, Engineering Clay Reitsma, Senior Manager, Engineering Don Stewart, Director, Parks and Recreation Rob Conway, Director, Planning and Building Shawn Cator, Director, Operations George Farkas, Director, Human Resources and Corporate Planning Jason Birch, Chief Information Officer Alyssa Meiner, Information Management Officer Megan Jordan, 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 1:30 p.m.

2. APPROVAL OF AGENDA

2.1 Approval of Consent Agenda

Item 2.3 [November 16, 2020 email from the Canadian Federation of Independent Business regarding the internal review of the development application for 3137 Henry Road] was removed from the Consent Agenda and added to the Regular Agenda under New Business, Item 11.2.

IT WAS MOVED AND SECONDED

That the Consent Agenda be approved:

1. That the following minutes be received for information purposes only:
 - October 28, 2020 OCP Advisory Group Minutes
 - October 22, 2020 OCP Community Ambassador Team Minutes

- October 20, 2020 OCP Community Ambassador Team Minutes

ADOPTED ON CONSENT

2. That the following correspondence is received for information purposes only:
 - 2.1. November 14, 2020 email from a resident regarding the use of municipal flag poles
 - 2.2. November 14, 2020 email from a resident regarding a request to purchase a building for the Neighborhood House in Chemainus
 - 2.4. November 16, 2020 email from a resident regarding signage and bylaw compliance officers hours to enforce parking on Kaspa Road near Mount Tzouhalem on weekends
 - 2.5. November 18, 2020 email from the Office of the Lieutenant Governor announcing the British Columbia Reconciliation Award (Note: Nominations Close - January 15, 2021)
 - 2.6. November 19, 2020 email from a Sooke resident asking why people continue to follow the restrictions put in place in relation to COVID-19
 - 2.7. November 19, 2020 email from a resident regarding the use of the alternative approval process for Crofton Fire Hall
 - 2.8. November 20, 2020 email from a resident regarding Council's decision to appeal the court decision in relation to the race track
 - 2.9. November 22, 2020 email from a resident regarding Council's decision to deny the Motorsport Track's request for expansion 9
 - 2.10. November 23, 2020 email from a resident inquiring why North Cowichan was not included in the Capital Regional District's Speculation Tax Plan.

ADOPTED ON CONSENT

2.2 Approval of Regular Agenda

Item 2.3 under the Consent Agenda was added to New Business as Item 11.2.

IT WAS MOVED AND SECONDED:

That Council adopt the agenda, as amended.

CARRIED

3. ADOPTION OF MINUTES

3.1 Regular Council meeting held November 18, 2020 for adoption

An error was noted in the November 18, 2020 Regular Council minutes and the words 'arrived at' was removed following Councillor Rob Douglas' name in the Members Present list.

IT WAS MOVED AND SECONDED:

That Council adopt the minutes of the Regular Council meeting held November 18, 2020, as amended.

CARRIED

4. MAYOR'S REPORT

Mayor Siebring had nothing to report.

5. DELEGATIONS AND PRESENTATIONS

5.1 Cowichan Green Community

Judy Stafford and Sandy Munns from the Cowichan Green Community provided a presentation in relation to the property they lease from North Cowichan located at 2431 Beverly Street that included a site history, related local municipal policies and plans, 2020 initiatives, the Garden Education Centre, and their goals looking forward. They asked that Council consider entering into a longer-term lease and that the lease be amended to include the installation of a commercial kitchen, warehouse space, and connection to municipal water and sewer. A copy of the presentation was included in the agenda.

6. PUBLIC INPUT

Council received no submissions via email prior to the meeting.

7. BYLAWS

7.1 Housing Agreement Bylaw and Leases for Willow Street and Sherman Road Affordable Housing Projects

IT WAS MOVED AND SECONDED:

That Council adopt Housing Agreement Bylaw 2020, No. 3805. (Opposed: Manhas)
CARRIED

IT WAS MOVED AND SECONDED:

That Council approve the lease with CLT0003 Community Society (Inc. No. SS0070806) for the affordable housing 3191 Sherman Rd site for a term of 99 years at a lease rate of \$10 and authorize the Corporate Officer to sign the lease and forms to register the lease on title. (Opposed: Manhas)
CARRIED

IT WAS MOVED AND SECONDED:

That Council approve the lease with CLT0003 Community Society (Inc. No. SS0070806) for the affordable housing site at 9800 Willow St for a term of 99 years at a lease rate of \$10 and authorize the Corporate Officer to sign the lease and forms to register the lease on title. (Opposed: Manhas)
CARRIED

7.2 Parks and Public Places Regulation Amendment Bylaw, 2020 No. 3806 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Parks and Public Places Regulation Amendment Bylaw, 2020, No. 3806. CARRIED

7.3 Municipal Ticket Information System Amendment Bylaw, 2020 No. 3807 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Municipal Ticket Information System Amendment Bylaw, 2020, No. 3807. CARRIED

7.4 Controlled Substance Bylaw No. 3803, 2020 for first three readings

IT WAS MOVED AND SECONDED:

That Council give first, second and third readings to Controlled Substance Bylaw No. 3803, 2020. CARRIED

7.5 Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 for first three readings

IT WAS MOVED AND SECONDED:

That Council give first, second and third readings to Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020. CARRIED

7.6 Zoning Amendment Application No. ZB000132 (Lot 7 Wellburn Place) for first two readings

IT WAS MOVED AND SECONDED:

That Council give first and second readings to Zoning Amendment Bylaw No. 3809, 2020 to permit a second residential dwelling building on Lot 7 of Wellburn Place;
And that a public hearing be scheduled for Bylaw No. 3809 in accordance with the *Local Government Act*. CARRIED

8. REPORTS

8.1 Temporary Mobile Home Permit Application for 5855 Menzies Road

IT WAS MOVED AND SECONDED:

That Temporary Mobile Home Application No. TTP00079 be approved and a permit be issued for a temporary mobile home located at 5855 Menzies Road, and that Council authorizes that the maximum width of the mobile home not to exceed 8.54 metres. CARRIED

8.2 2021 Schedule for Council and Committee of the Whole Meetings

IT WAS MOVED AND SECONDED:

1. That Council schedule regular Committee of the Whole meetings on the second Tuesday of each month in 2021, commencing at 6:00 p.m., with the exception of the September 2021 meeting, which shall be held on the first Tuesday (September 7, 2021) at 6:00 p.m.
2. That Council reschedule the following regular Council meetings:
 - first meeting in January from 1:30 p.m. on Wednesday, January 6, 2021, to 4:00 p.m. on Wednesday, January 13, 2021;
 - the first meeting in February from 1:30 p.m. on Wednesday, February 3, 2021, to 1:30 p.m. on Tuesday, February 2, 2021; and
 - the second meeting in September from 1:30 p.m. on Wednesday, September 15, 2021, to 1:30 p.m. on Tuesday, September 21, 2021
3. That Council cancel the July 7, 2021, and August 4, 2021, Regular Council meetings.

4. That Council approve the "2021 North Cowichan Council, Public Hearing and COW Schedule" as presented, and that public notice be provided in accordance with section 5 of the Council Procedure Bylaw. CARRIED

8.3 RCMP Office Supervisor/Police Support Services position

IT WAS MOVED AND SECONDED:

That Council direct staff to include a RCMP Office Supervisor/Police Support Services position in the 2021 Budget effective January 1, 2021. CARRIED

9. NOTICES OF MOTIONS

None.

10. UNFINISHED AND POSTPONED BUSINESS

None.

11. NEW BUSINESS

11.1 Affordable Housing

IT WAS MOVED AND SECONDED:

That Council postpone consideration of the motion *"That Council direct staff to work with the Cowichan Housing Association to develop an affordable housing policy and implementation strategy"* for two weeks. CARRIED

11.2 November 16, 2020 email from the Canadian Federation of Independent Business regarding the internal review of the development application for 3137 Henry Road [Consent Agenda Item 2.3]

The letter from the Canadian Federation of Independent Business regarding the property located at 3137 was discussed and a brief history and overview of the property was provided.

12. QUESTION PERIOD

Mayor Siebring called for a recess at 3:42 p.m. to allow viewers to submit questions via email on the matters discussed during the meeting. One email was received when the meeting reconvened at 3:52 p.m. but it was not a question related to any items on the agenda so it was not read out.

13. CLOSED SESSION

IT WAS MOVED AND SECONDED:

That Council close the December 2, 2020 Regular Council meeting at 3:53 p.m. to the public on the basis of the following sections of the *Community Charter*:

- (90)(1)(c) - labour relations or other employee relations;
- (90)(1)(e) - disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 90(1)(m) - a matter that, under another enactment, that being section 16(1)(a)(iii) of the Freedom of Information and Protection of Privacy Act related to intergovernmental relations

or negotiations with an aboriginal government, is such that the public may be excluded from the meeting; and

- 90(2)(b) - the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED

14. RISE AND REPORT

None.

15. ADJOURNMENT

Council adjourned the meeting at 5:56 PM to reconvene at the conclusion of the Committee of the Whole meeting. The meeting reconvened at 6:54 p.m.

Council adjourned the meeting at 7:57 p.m.

Certified by Corporate Officer

Signed by Mayor

DELEGATION APPLICATION for Virtual Meeting

Personal information is collected by the Municipality of North Cowichan under the authority of s.26(c) of the Freedom of Information and Protection of Privacy Act for the purposes of processing delegation requests. Should you have any questions about the collection of this personal information, please contact Information Management Officer, (250 746-3116; 7030 Trans-Canada Highway, Duncan, BC V9L 6A1.

Date: November 23, 2020
Name of Applicant: Florie Varga On behalf of: A Voice For Our Children
Address: 1711 Westlock Rd Duncan V9L 5N8
Email: Florie@florievarga.com Phone: 250 709 7063

I/We request to appear electronically as a delegation before:

☒ Council ☐ Committee of the Whole ☐ Forestry Advisory Committee

Please provide a brief overview of your presentation, below, and attach a one-page (maximum) outline of your presentation.
Please be specific.

Purpose: To update Council and provide further context on A voice for Our Children Advocacy Group's efforts to have the 5878 York Rd Island Health Wellness and Recover Center move to a more suitable location.

Ask: As part of this delegation, we will ASK North Cowichan Mayor and Council to consider a motion to expressly communicate with Premier Horgan and Island Health, on behalf of its citizens, the position that it does not support this location and advocate that the facility be moved to a more suitable location.

Overview: While the Recover and Wellness Centre's proposed services meet a community need, the facility's location at 5878 York Rd is unsuitable due to its proximity to four community schools and many recreation facilities. This affects approximately one quarter (2000+) of the community's pre-K to Grade 12 students. As a community, including our Mayor and Council, we are responsible for ensuring our children's physical safety and for nurturing their emotional and psychological well-being today and into the future. A Wellness Centre (safe injection site) and the resulting spillover effects at 5878 York Rd negatively expose our children to harm with potential long term impacts and jeopardizes our social responsibility to fulfill this societal responsibility.

Progress/Next Steps: The Advocacy Group anticipates meeting with Premier Horgan in the near future, as per his agreement on September 27, 2020, to work towards achieving our mandate. We have also secured a commitment from our MP, the Honourable Alistair MacGergor, to speak with Premier Horgan on this matter. We will be asking the School District Board to make the same motion as that we ask of North Cowichan Council.

Will you be requesting a grant or financial assistance? ☐ Yes ☒ No

I confirm that I have tested my ability to participate in a Webex Online meeting: ☒ Yes ☐ No

I would like a member of the North Cowichan IT team to connect with me to confirm my configuration: ☐ Yes ☐ No

Council and Committees welcome public comments, but as a courtesy to Council and Committees who deal with lengthy agendas, we request that you present your information clearly and concisely in ten minutes or less. All delegation applications along with supporting documentation and a copy of your presentation must be submitted for Council, Committee of the Whole or the Forestry Advisory Committee to legislativeservices@northcowichan.ca at least one week before the meeting is held. If the delegation consists of more than one person, please appoint one person to speak on behalf of your group.

To test your ability to participate in a Webex meeting, start a meeting at this site:
<https://www.webex.com/test-meeting.html>

Once you join the test meeting, use these instructions to test your webcam, speakers, and microphone:
<https://help.webex.com/en-us/bzg2s7/Test-Your-Speaker-and-Microphone-in-Webex-Meetings>

For Internal use only

Funding request (if any) reviewed by General Manager, Financial and Protective Services ☐ Yes

Request approved (date) _____ Date of Meeting _____

DELEGATION PROCEDURES

"Delegation" is the term used to define the process whereby an individual or a delegation appears before Council in order to make a presentation, enter a request for action, or bring Council up to date on a project, idea, or concept, or to provide further information on an issue currently before Council for a decision. The process is governed by the rules set out in Council Procedure Bylaw No. 3602. The bylaw states that a delegation may address Council at a regular council meeting with the permission of the Mayor or Council but must not permit a delegation to address a meeting of the Council regarding a proposed bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

APPLICATION PROCEDURES

To appear as a delegation a "Delegation Application" must be filled out and submitted to Legislative Services to legislativeservices@northcowichan.ca. It must include:

- Purpose of the presentation
- Proposed action of Council/Committee (must be within the authority of the District)
- Contact details of the person who will speak on behalf of the delegation

Once the application is received staff will respond to your request as soon as possible. If you are approved as a delegation, you will be scheduled for the first available meeting date. A copy of your presentation, supporting materials, and PowerPoint presentation (if applicable) **must be submitted one week in advance of the scheduled meeting date** so that a copy of the intended presentation can be provided to Council or Committee members for review prior to the meeting so they can properly consider your presentation. For virtual meetings, Council receives no more than three (3) separate delegations at a Council meeting, which may result in your request being moved to the next available meeting date.

FINANCIAL ASSISTANCE PROCEDURES

If requesting a financial contribution, please review the [Council Policy](#) and complete the [Grant-in-Aid Application](#).

NOTE: Grant-in-aid applications must be received no later than October 15th of each year for consideration in the following year's budget during deliberations in the fall. No Grant-in-Aid funds will be disbursed to the organization until after adoption of the Financial Plan (after May 15th yearly).

MEETING PROCEDURES

It is understandable if delegates are nervous speaking in a public forum that may be televised. Remember that Council is familiar with this process and is very understanding of any nervousness and tries to set a comfortable and welcoming scenario for all. Council encourages public participation and welcomes delegations and appreciates the public coming forward to be heard.

Prior to Meeting Date

Staff will confirm the date and time of the meeting you are scheduled to attend. Delegations must test their webcam, speakers, and microphone, and ability to participate in a Webex meeting at least two (2) days prior to the meeting (see page one for testing links).

During Meeting

- Delegations must join the virtual meeting at least 5 minutes prior to the start of the meeting as it is not possible to predict the exact time the delegation will be heard. Once you have joined the meeting you should turn your video and audio feeds off until addressed by the Mayor.
- Delegations will have a maximum of **ten (10) minutes** for the verbal or visual presentation; please do not go over time.
- Electronic Council and Committee meetings are held through the Webex virtual meeting platform and are live streamed. When the Mayor or Chair calls you, please turn your audio and video feeds on and introduce yourself by speaking in a clear voice.
- At the end of your presentation, clearly and succinctly summarize any requests being made to the Council or Committee. *Council or Committee members may ask questions if they feel clarification is necessary.*

Meeting Protocol

Please use the following forms of address, not first names, regardless of how well you know the members:

- The Mayor should be addressed as "Mayor <last name>" or as "Mr. Mayor" or "His Worship"
- The Councillors should be addressed as "Councillor <last name> "
- Staff should be addressed either by title, e.g., "Chief Administrative Officer, Director of Planning and Building,", or by name, e.g., Mr. Smith, Ms. Jones
- All delegations and responses to Council or staff or Committee members are addressed through the Mayor or the Chair, e.g. "Mayor Siebring, in response to the Council member who just spoke, ..."

Note: Council often does not make final decisions for requests at the meeting. Typically requests are referred to staff or another Committee for review, report, and recommendations to Council.

Thank you for taking the time to prepare for your delegation with Council. Your participation in our local government is greatly appreciated. - North Cowichan Mayor and Council.



November 23, 2020

North Cowichan Council Meeting - Delegation Presentation Overview

Re: Cowichan Valley Wellness and Recover Centre Re-Location

Presentation:

- 1 Overview of Issue and Ask
- 2 Response from Island Health, Ministerial Order M488
 - Response in other jurisdictions
 - Community support
- 3 Day in the Life of a North Cowichan Student (Cowichan High School, Quamichan High School, Alexander Elementary and Duncan Christian School)
 - Risks to physical safety
 - Risks to emotional and psychological well-being
- 4 Fiduciary Duty to the Community's Children
- 5 ASK for Motion: That North Cowichan Mayor and Council communicate to Island Health and Premier Horgan that it does not support the 5878 location and request a move to a more suitable location. (We will provide revised wording for the motion in the submitted presentation package)



Discussion Note

Date: December 9, 2020

Prepared for: North Cowichan Mayor and Council

Re: Location of Island Health Wellness and Recovery Centre (Safe Injection Site)
at 5878 York Rd, North Cowichan

Issue:

Island Health has identified a Wellness and Recovery Centre at 5878 York Street, North Cowichan. This facility will include a Safe Injection Site (SIS) and a federally funded pilot program targeted at the "most volatile and unpredictable addicted people" (according to an Island Health representative). The 5878 York Rd location is unsuitable due to its immediate proximity to four community schools and multiple recreational facilities affecting approximately one-quarter (2000+) of the community's students. Our children's physical safety and long term emotional and psychological well being is in danger.

Island Health chose this location with no public input or a community impact assessment; under Ministerial Order M488 (*health authorities, including Island Health, are to provide overdose prevention services during the opioid public health crisis as part of the health care services we deliver across the spectrum*). **A reasonable interpretation of Order M488, however, should not preclude upholding our societal (community) obligation to ensure the protection and well-being of our children and as is supported in principle in the 1991 Convention on the Rights of a Child.**

Background:

The Citizen Advocacy Group, A Voice For Our Children, was formed to advocate against locating the Wellness and Recovery Centre **at 5878 York Rd.**

Our Advocacy Group, the Clean-Up Cowichan Advocacy Group and Cowichan Valley citizens have undertaken the following activities to raise their concerns, bring awareness to and see a resolution to this negligent oversight in picking this location:

- Multiple letter campaigns to the Ministry of Health, Minister of Drug and Addictions, Chief Medical Officers, Minister of Education, local Duncan and North Cowichan Councils, MLA Sonia Furstenau, Board of Trustees and Superintendent of School District 79.
- Despite COVID gathering restrictions, a community march brought out over 300 citizens with only five days notice.
- An on-line and community-based petition with over 1400 signatures
- A Facebook support group with over 1000 members.

- Securing MP Alistair McGregor, who raised community concerns with Premier Horgan.
- A meeting with Premier Horgan, Minister Malcolmson of Mental Health and Addiction, MLA Sonia Furstenau and Dr Shannon Waters (Island Health).

Discussion:

The extensive efforts to bring awareness to what is currently occurring in the York Rd area and the associated compounding risks to our children from locating the Wellness and Recovery Centre at 5878 York Rd have been ignored by the Province (Premier and Minister of Mental Health and Addictions) and Island Health.

Once the facility opens and the client group is encouraged to attend this location, there will be no just cause to intervene with the known spillover effects of SISs. The deleterious environment will be magnified as the addicted and homeless congregate, purchase and utilize drugs on the streets; crime will increase and street debris will accumulate well beyond what our children will be able to navigate.

Island Health claims that it cannot separate recovery treatment from the SIS. Therefore as community advocates, we assert that this location (5878 York Rd) is not suitable for the whole of the Wellness and Recovery Centre, as evidenced below.

Threats to Physical Safety

The Injection site hours are 11 am-6 pm, only 7 hr a day in inside service. Studies from other areas also show that many users opt-out of using the SIS, choosing to inject outside on surrounding streets. Even during operating hours.

In 2019 the police responded to over 300 calls to the York Street area. In opening a SIS at this location; the relating issues are known to increase and further endanger our children:

- Reduced personal safety from incidences of unpredictable and volatile verbal, physical and sexual interaction.
- Health risks from physical proximity to new and used drug paraphernalia, condoms, feces, discarded used and unused Nalaxone kits.
- Addicted people buying and injecting/ smoking meth and other opioid drugs on the street. Drug dealers will always be in the area supplying the addicted.
- The genuine threat of children (particularly those already at risk) being lured into the cultures of drug trafficking, sex trafficking and organized crime.

Emotional and Psychological Well Being

The brain's prefrontal cortex, where executive, higher-level thinking and rational and discerning decision-making occurs, is not developed well into our 20s. This is compounded, by the known neuroscience, that the teenage brain is predisposed to risk (excitement) behaviour. (Siegel. 2011. Brainstorm: Power and Purpose of the Teenage Brain). We cannot expect our kids to think, rationalize and avoid risk like adults.

Many kids say that the street environment doesn't bother them anymore; they are used to it. They ignore or laugh at the unpredictable and volatile behaviour that they see every day.

This is not building resiliency. It is normalizing negative and traumatic experiences.

Increased Generalized Anxiety can result from ongoing stress due to independently witnessing traumatic events, such as open-air injections, overdoses, sexual explicit exposure, sexual intercourse, vandalism, theft, drug trafficking transactions, sex trafficking transactions and other criminal acts.

Exposing our children to the environments surrounding safe injection sites and expecting them to form rational responses in the face of danger, trauma, and normalization is negligent and a violation of our responsibility to provide them with a safe school and community environment.

Concern for the Addicted Persons in the Area

It is equally negligent on the part of Island Health to put the vulnerable addicted and homeless population at risk if a child is harmed or worse.

According to Rehabs.com, an American Addictions Centres Resource... *"In the early stages of the Meth high, the user experiences excitement, euphoria, racing thoughts, and rapid speech. The individual may have an increased sex drive during this early phase, and decreased impulse control. Energy and alertness are heightened, and the individual may feel an increase in physical strength. In the later stages of a meth high, the user becomes restless, nervous, violent, and psychotic."*

Cost of to Environment

Significant efforts to move the homeless/addicted populations away from the York Rd corridor and to clean up the area during daytime hours have improved students' day-to-day lives as they go to school, travel, socialize, and congregate in this area. These efforts are extensive and costly, with Bylaw officers, RCMP, Blackbird Security, CMHA staff, school district staff, and volunteers patrolling the area from 7:00 am to 4:30 pm.

Island Health has not provided resources in its site management budget to ensure these efforts continue. A critical question for North Cowichan is, what will happen when these efforts become unsustainable?

Request for Motion:

That North Cowichan Mayor and Council communicate to Island Health and Premier Horgan that it does not support the 5878 location for the Wellness and Recovery Centre, as the impacts and effects of the environment around these services put our Cowichan Valley children's physical safety in danger and jeopardizes their emotional and psychological well-being.

.

What the Children Witness, Navigate and Experience on York Rd and Other Adjacent Areas

Ambulance called



Daily debris



Known drug dealers



Ambulance call of overdose



Fellow smashes window, bylaw as no purview to take stick away



Blood filled...



Road to where kids enter McDonald's, Drug paraphernalia picked up daily





The Corporation of the District of North Cowichan

Nuisance Abatement and Cost Recovery Bylaw

Bylaw No. 3804

Contents

- 1 Citation
- 2 Severability
- 3 Definitions
- 4 Prohibitions
- 5 Nuisance Abatement
- 6 Costs Imposition
- 7 Collection
- 8 Costs
- 9 Repeal

WHEREAS, under Sections 8 and 64 of the *Community Charter*, Council may, by bylaw, regulate, prohibit and impose requirements in relation to nuisances; and

WHEREAS, under Sections 17 and 194 of the *Community Charter*, Council may impose costs and recover the costs of taking action in the event of a default by a person who fails to take action as Council directs:

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

PART 1 CITATION

- 1.1. This bylaw may be cited as "Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020".

PART 2 SEVERABILITY

- 2.1. If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

PART 3 DEFINITIONS

- 6.1. In this bylaw,

"NUISANCE" means:

- (a) noise, vibration, odour, dust, illumination or any other matter that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;
- (b) the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia that is liable to foul or contaminate the atmosphere;

- (c) refuse, garbage or other material that is noxious, offensive or unwholesome;
- (d) the accumulation of water on property;
- (e) unsanitary conditions on property;
- (f) overgrown grass, weeds or trees;
- (g) the carrying on of a noxious or offensive business activity;
- (h) graffiti and unsightly conditions on property; and
- (i) indecency and profane, blasphemous or grossly insulting language; and
- (j) anything which constitutes a nuisance at law.

PART 4 PROHIBITIONS

- 4.1. No person shall do any act or cause any act to be done which constitutes a nuisance.
- 4.2. No owner or occupier of real property shall cause or permit a nuisance on that real property.
- 4.3. Every owner or occupier who is required to take action under a Weeds, Graffiti and Litter Order or a Clean Up Order shall comply with that order.

PART 5 NUISANCE ABATEMENT

- 5.1. A person in contravention of sections 4.1 or 4.2 of this bylaw shall abate or cause to be abated the nuisance.
- 5.2. If a Bylaw Compliance Officer determines that real property contains grass, weeds or trees that are overgrown, graffiti or strewn litter, the Bylaw Compliance Officer may issue a Weeds, Graffiti and Litter Order.
- 5.3. A Weeds, Graffiti and Litter Order must:
 - (a) be in writing;
 - (b) identify the person who must fulfill the requirement;
 - (c) be posted in a conspicuous location on the property;
 - (d) be sent by regular mail to the owner's address;
 - (e) be sent by regular mail to the occupier of the property if the occupier is the person who must fulfill the requirement;
 - (f) provide the owner or occupier of the property with no less than 5 business days to fulfill the requirement after the date the Weeds, Graffiti and Litter Order was posted on the property and sent;
 - (g) advise that a person may request that the Manager of Fire and Bylaw Services reconsider the Weeds, Graffiti and Litter Order in accordance with this Bylaw; and
 - (h) advise that upon default, the District may fulfil the requirement set out in the Weeds, Graffiti and Litter Order and seek recovery of the cost under section 17 of the *Community Charter*.
- 5.4. A person may request that the Manager of Fire and Bylaw Services reconsider a Weeds,

Graffiti and Litter Order by delivering written submissions regarding the request to the District's corporate officer at least two days prior to the expiration of the time for compliance set out in the Weeds, Graffiti and Litter Order and providing an e-mail or postal address to which the response of the Manager of Fire and Bylaw Services should be sent.

- 5.5. If a timely request for reconsideration of a Weeds, Graffiti and Litter Order is made, the Manager of Fire and Bylaw Services may do any of the following:
- (a) affirm the Weeds, Graffiti and Litter Order;
 - (b) cancel the Weeds, Graffiti and Litter Order;
 - (c) affirm and extend the time for compliance with the Weeds, Graffiti and Litter Order; or
 - (d) modify the Weeds, Graffiti and Litter Order to accommodate a request by the affected person.
- 5.6. If a Bylaw Compliance Officer determines that a nuisance, other than a nuisance that may be the subject of a Weeds, Graffiti and Litter Order, exists on real property, the Manager of Fire and Bylaw Services may issue a Clean Up Order.
- 5.7. A Clean Up Order must:
- (a) be in writing;
 - (b) identify the person who must fulfill the requirement;
 - (c) be personally served on or sent by registered mail to the owner of the property at the owner's address;
 - (d) be personally served on or sent by registered mail to the occupier, if the occupier of the property is the person must fulfill the requirement;
 - (e) be sent by regular mail to the occupier of the property if:
 - (i) the address of the property is different from the owner's address; and
 - (ii) the owner of the property is the person who must fulfill the requirement;
 - (f) be sent by regular mail to each holder of a registered charge in relation to the property whose name is included on the assessment roll, if any, at the address set out in that assessment roll and to any later address provided to the District;
 - (g) be posted in a conspicuous place on the property;
 - (h) provide the owner or occupier with no less than 30 days to fulfill the requirement after the date the Clean Up Order was posted on the property and sent;
 - (i) advise that a person may request that Council consider the Clean Up Order in accordance with this bylaw; and
 - (j) advise that, upon default, the District may fulfil the requirement set out in the Clean Up Order and seek recovery of the cost under section 17 of the *Community Charter*.
- 5.8. If a Manager of Fire and Bylaw Services concludes that a person is evading receipt of a Clean Up Order, the Manager of Fire and Bylaw Services may request that Council, by resolution, authorize steps to be taken to deliver notice to that person as an alternative to compliance with section 5.7(c) or (d) of this bylaw.

- 5.9. A person may request that Council reconsider a Clean Up Order by delivering a request in writing to the District's Corporate Officer at least two weeks prior to the expiration of the time for compliance set out in the Clean Up Order.
- 5.10. If a timely request for reconsideration of a Clean Up Order is made, Council must hear the representations of the requestor at a Council meeting and may do any of the following:
- (a) affirm the Clean Up Order;
 - (b) cancel the Clean Up Order;
 - (c) affirm and extend the time for compliance with the Clean Up Order; and
 - (d) modify the Clean Up Order to accommodate a request by the affected person.
- 5.11. If an owner or occupier fails to comply with a Clean Up Order or a Weeds, Graffiti and Litter Order, the District may, by its employees, contractors and agents, enter onto the property and take action in accordance with section 17 of the *Community Charter* and fulfil the requirements of the order. The District may recover the cost of such action on default, including administrative costs equal to 15% of the value of all contractor and agent invoices, from the person subject to the order and if such costs remain unpaid by December 31 of the year in which they are owing, such costs may be recovered as property taxes in arrears in accordance with Part 14 of the *Community Charter*.
- 5.12. The District may charge for work performed under section 5.11 by employees of the District at the hourly rates set out in the Fees and Charges Bylaw, as revised or replaced from time to time.
- 5.13. If the District's action on default includes the removal of one or more items from a property, the Manager of Fire and Bylaw Services may, as the Manager of Fire and Bylaw Services considers reasonable given the nature, condition and market value of each item:
- (a) dispose of the item;
 - (b) sell the item for salvage and credit the money received against the cost of acting on default;
 - (c) auction the item and credit the money received against the cost of acting on default; or
 - (d) place the item into storage until the item is collected or abandoned.
- 5.14. In accordance with section 16 of the *Community Charter*, the following persons are authorized to enter onto property to inspect and determine whether the requirements of this bylaw are being met, and to carry out an action authorized under section 5.11 of this bylaw:
- (a) a member of the RCMP;
 - (b) the Manager of Fire and Bylaw Services;
 - (c) a Bylaw Compliance Officer;
 - (d) a Building Inspector;
 - (e) the Chief Building Inspector;
 - (f) the Fire Chief;

- (g) the Deputy Fire Chief; and
- (h) a Fire Fighter.

PART 6 COSTS IMPOSITION

- 6.1. The District may impose the costs of abating a nuisance on one or more of the following:
- (a) The occupier of land from which the nuisance emanates; and
 - (b) The owner of land from which the nuisance emanates.

PART 7 COLLECTION

- 7.1. The District may recover the costs imposed under Section 6 in accordance with:
- (a) Section 231 of the *Community Charter* as a debt due and recoverable in a court of competent jurisdiction; or
 - (b) Section 258 of the *Community Charter* as property taxes.

PART 8 COSTS

- 8.1. The costs recoverable for nuisance abatement are set out in the Fees and Charges Bylaw, as revised or replaced from time to time.

PART 10 OFFENCE AND PENALTY

- 10.1. Every person who contravenes any provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding \$10,000.00.
- 10.2. If an offence is a continuing offence, each day that the offence is continued constitutes a separate and distinct offence.

PART 11 REPEAL


- 11.1. Bylaw 2590, Untidy and Unsightly Premises Bylaw, 1992, and all amendments thereto, are hereby repealed.

READ a first time on December 2, 2020
READ a second time on December 2, 2020
READ a third time on December 2, 2020
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Report

Date	December 16, 2020	File:	
To	Council		
From	Michelle Martineau, Manager, Legislative Services	Endorsed:	
Subject	Nuisance Abatement Bylaw Amendments for first three readings		

Purpose

To enable Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 and/or the Controlled Substance Bylaw No. 3803, 2020 to be enforced by municipal ticket and for fees to be established for remedial work completed by the District.

Background

On December 2, 2020, Council gave the first three readings to Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 and/or the Controlled Substance Bylaw No. 3803, 2020 to establish processes for remediating nuisance properties and cost recovery when property owners fail to take action. Both bylaws reference the Fees and Charges Bylaw in relation to special safety inspections and the recovery of costs when the Municipality enters onto the property to complete the work to abate the nuisance.

- Section 5.12 of Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020, states that “the District may charge for work performed under section 5.11 by employees of the District at the hourly rates set out in the Fees and Charges Bylaw, as revised or replaced from time to time.”
- Section 7.1(f) of Controlled Substance Bylaw No. 3803, 2020 states that “where the Inspector has required the Owner to undertake a Special Safety Inspection under Part 6.1, no person may enter or occupy the Parcel subject to such inspection requirement until the Owner has paid all fees imposed by Fees and Charges Bylaw No. 3784, 2020, as amended or replaced from time to time.”

Discussion

Amendments are required to the Fees and Charges Bylaw to establish a fee for a building inspector to conduct a special safety inspection and the costs which the Municipality can recover when it undertakes remedial action; to the Municipal Ticket Information System (MTI) Bylaw to establish fines for non-compliance, and to the Delegation of Authority Bylaw to enable a contractor hired by staff to complete the remedial action work on behalf of the Municipality.

Fees and Charges Bylaw Amendment

Section 194 of the *Community Charter* authorizes Council, by bylaw, to impose a fee payable in respect of a service of the Municipality, use of municipal property, or exercising their authority to regulate, prohibit or impose requirements. The amount of a fee should be sufficient to recover the costs of a service and ensure its future sustainability. Fees are generally applied on a user-pay basis so that only those who benefit from the service bear the expense.

This amendment, included as Attachment 1, proposes to:

- leave the fee for special safety inspections the same as the fee previously established for Nuisance (Controlled Substance) Property Inspection at \$500, but move the fee from Schedule A as a miscellaneous administration fee to Schedule C as a building fee;
- remove the Nuisance (Controlled Substance) Compliance Failure fee for \$1,000 as this is a fine and not a fee; and,
- establish the costs referred to in Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 and Controlled Substances Bylaw No. 3803, 2020 under Schedule G by:
 - increasing the hourly wage of various individuals by 40% to cover overhead and benefits for Municipal employees and rounded up to the nearest \$5, with the exception of firefighters;
 - setting the rate for RCMP personnel and equipment at a flat rate of \$250 per individual RCMP member – this rate is consistent with the rate established by the City of Nanaimo for this same service;
 - using the current Blue Book rates to determine the cost of using municipal vehicles and equipment, plus a 15% administrative cost recovery fee; and,
 - imposing actual costs of the work completed by a contractor plus 15% of the contract value.

MTI Bylaw Amendment

Sections 264 and 265 of the *Community Charter* authorizes Council to designate bylaw enforcement officers to lay an information [impose a fine] by means of a ticket, by bylaw, for contravention of a municipal bylaw identified within the Municipal Ticket Information System Bylaw (MTI Bylaw). To establish a fine, the regulatory sections within the bylaws require the necessary operative language (e.g. no person shall) to be included as an offence within the MTI Bylaw, otherwise, they are simply a regulation and can only be enforced through an injunction in the provincial courts.

This amendment, included as Attachment 2, proposes to replace the offences related to Nuisance (Controlled Substance) Bylaw No. 3246 with those for Controlled Substance Bylaw No. 3803 and Untidy and Unsightly Premises Bylaw 2590 with those for Nuisance Abatement and Cost Recovery Bylaw No. 3804. These new bylaws' fine amounts are consistent with the fines that Council had previously established for the bylaws being replaced. Attachment 3 [Fines and Fees Comparisons] compares the current offences and fines under the existing bylaws with the new bylaws that are replacing them. With broader language in these new bylaws, it has reduced the need to include numerous offences, making it easier for bylaw enforcement officers to select the correct offence when issuing a ticket.

Delegation of Authority Bylaw Amendment

Section 16 of the *Community Charter* empowers Council to authorize other persons to enter on a property without the consent of the owner or occupier in a reasonable manner after giving notice.

The Delegation of Authority Bylaw is currently under review by staff. Therefore, there is no amendment to provide a member of staff with authority to contract the remedial work, where the owner or occupier has failed to take action, out to a third party to complete the work on the Municipality's behalf, being proposed at this time. That amendment will be included in the bylaw review.

Options

- (1) (Recommended Option) Give first three readings to each of the amendment bylaws.
- (2) Give first and second readings to each of the amendment bylaws prior to making any changes in relation to the proposed fees under Bylaw No. 3813 and the fines under Bylaw No 3812. Then give the bylaws third reading as amended.

Implications

Moving forward with these bylaws will enable bylaw enforcement officers to begin to enforce the new bylaws in January 2021, after existing bylaws have been repealed.

Recommendation

1. That Council give first, second and third readings to Fees and Charges Amendment Bylaw No. 3813, 2020.
2. That Council give first, second and third readings to Municipal Ticket Information System Amendment Bylaw No. 3812, 2020.

Attachments:

- (1) Fees and Charges Amendment Bylaw No. 3813, 2020
- (2) Municipal Ticket Information System Amendment Bylaw No. 3812, 2020
- (3) Fines and Fees Comparisons



The Corporation of the District of North Cowichan

Fees and Charges Amendment Bylaw

Bylaw No. 3813

The Council of The Corporation of The District of North Cowichan enacts in open meeting assembled as follows:

Title

1. This bylaw may be cited as "Fees and Charges Amendment Bylaw No. 3813, 2020".

Amendment

2. That Fees and Charges Bylaw No. 3784, 2020 is hereby amended as follows:
 - a. by inserting Schedule G – Nuisance Abatement Fees, hereto attached and forming part of this bylaw;
 - b. by removing items 10 [Nuisance (Controlled Substance) Property Inspection] and 11 [Nuisance (Controlled Substance) Compliance Failure] from Schedule A – Administrative Fees, Section 2, Miscellaneous Fees;
3. That Schedule C – Development and Permitting Fees, Section 1, Building Fees of Fees and Charges Bylaw No. 3784, 2020 is hereby amended by inserting the following fee for Special Safety Inspections required under the Controlled Substances Bylaw No. 3803, 2020:

Section 1 - Building Fees

Item	Column 1 Description	Column 2 Amount
13	Special safety inspection	\$500

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

CORPORATE OFFICER

PRESIDING MEMBER

SCHEDULE G – NUISANCE ABATEMENT FEES

The costs referred to in Section 5.11 of Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 or Section 12.1 of Controlled Substances Bylaw No. 3803, 2020 are to be determined in part by multiplying hourly rates for the following individuals, vehicles or equipment involved in the abatement of a nuisance by the time spent by those individuals, and the time those vehicles and equipment are used in the abatement of the nuisance. These costs apply when the District, by its employees, contractors and agents, enters onto the property to complete the work to abate the nuisance. Costs do not apply when entering the property in accordance with Section 5.14 of Bylaw No. 3804 or when determining to issue a Clean Up Order.

(a) Staff and Personnel Cost Recovery

The following hourly rates, which include the cost of overhead and benefits, apply for every hour or part thereof which any of the following District employees use to carry out the abatement of a nuisance where authorized under section 5.11 of Bylaw No. 3803 or section 12.1 of Bylaw No. 3804. Depending upon the day of the week, the time of day, or the holiday status of when such services are required, the hourly rate may be increased by one and a half or two times.

Section 1 – District Employees

Item	Column 1 Description	Column 2 Hourly Rate
1	Manager of Fire and Bylaw Services	\$ 90.00
2	Senior Bylaw Compliance Officer	\$ 65.00
3	Bylaw Compliance Officer	\$ 55.00
4	Animal Control Officer	\$ 55.00
5	Chief Building Inspector	\$ 75.00
6	Building Inspector	\$ 60.00
7	Operations or Parks and Recreation Manager	\$ 70.00
8	Operations or Parks and Recreation Foreman	\$ 60.00
9	Operations or Parks and Recreation Employee	\$ 45.00
10	Student	\$ 30.00

Section 2 – Fire Department Employees

Item	Column 1 Description	Column 2 Hourly Rate
1	Fire Chief, or their delegate	\$ 35.00
2	Captain	\$ 35.00
3	Firefighter	\$ 30.00

(b) RCMP Personnel and Equipment Cost Recovery

The costs referred to in Section 5.11 of Bylaw No. 3803 or Section 12.1 of Bylaw No. 3804 for RCMP members are determined in part by a flat fee for each separate attendance and time spent by RCMP members involved in the abatement of a nuisance and the amounts per attendance shall be as follows:

Item	Column 1 Description	Column 2 Flat Rate
1	RCMP Member	\$250.00

(c) Vehicle and Equipment Cost Recovery

The following hourly rates apply for every hour or portion thereof where any of the following equipment and vehicles are used by District employees or Fire Department personnel to carry out the abatement of a nuisance where authorized under section 5.11 of Bylaw No. 3803 or section 12.1 of Bylaw No. 3804. Depending upon the day of the week, the time of day or the holiday status of when such services are required, the hourly rate may be increased by one and a half or two times. Costs imposed to carry out the required work will be subject to a 15% administrative cost recovery fee.

Item	Column 1 Description	Column 2 Hourly Rate
1	District Truck	\$ 60.65
2	Fire Support Vehicles	\$ 99.25
3	Single Axle Dump Truck	\$ 91.25
4	Backhoe	\$ 69.85
5	Loader	\$ 86.15
6	Sweeper	\$142.60

(d) Contractor Cost Recovery

For any work carried out by a contractor of the District to carry out the work required under section 5.11 of Bylaw No. 3083 or section 12.1 of Bylaw No. 3804 on behalf of the District, the costs imposed will be the actual cost of the work plus 15% of the contract value.



The Corporation of the District of North Cowichan

Municipal Ticket Information System Bylaw

Bylaw No. 3812

The Council of The Corporation of The District of North Cowichan enacts in open meeting assembled as follows:

Title

1. This bylaw may be cited as "Municipal Ticket Information System Amendment Bylaw No. 3812, 2020".

Amendment

2. That Municipal Ticket Information System Bylaw No. 3464 is hereby amended as follows:
 - a. By deleting Schedule "A" and replacing it with Schedule "A" hereto attached and forming part of this bylaw;
 - b. By deleting Sections 11 and 17 from Schedule "B".
 - c. By inserting Section 22, fines for violations under the Controlled Substance Bylaw No. 3803, 2020, in Schedule "B" as follows:

Section 22 - Controlled Substance Bylaw No. 3803, 2020

Item	Column 1	Column 2	Column 3
	Offence	Section	Fine
1	Disconnect or bypass meter	4.1 (a)	\$100
2	Unlawful use of exhaust vent	4.1 (b)	\$100
3	Obstruct access	4.1 (c)	\$250
4	Alter electrical system	4.1 (d)	\$100
5	Accumulation of hazardous substance	4.1 (e)	\$100
6	Unauthorized building alteration	4.1 (f)	\$100
7	Use water for unauthorized drug production facility	4.1 (g)	\$100
8	Accumulation of mould	4.1 (h)	\$100

Item	Column 1 Offence	Column 2 Section	Column 3 Fine
9	Obstruct Inspector	4.1 (j)	\$250
10	Remove or alter notice	4.1 (i)	\$100
11	Occupy prior to authorization	4.1 (k)	\$250

d. By inserting Section 23 in, fines for violations under the Schedule "B" as follows:

Section 23 - Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020

Item	Column 1 Offence	Column 2 Section	Column 3 Fine
1	Cause a nuisance	4.1	\$200
2	Permit nuisance to occur on property	4.2	\$200
3	Fail to comply with Clean-Up Order	4.3	\$200

READ a first time on

READ a second time on

READ a third time on

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule "A"

Item	Column 1 Designated Bylaw	Column 2 Designated Bylaw Enforcement Officers
1	Animal Responsibility Bylaw No. 3740, 2019	Animal Control Officer Bylaw Compliance Officer Manager of Fire and Bylaw Services Poundkeeper RCMP Officer
2	Blasting Bylaw No. 3255, 2006	Bylaw Compliance Officer Director of Engineering Manager of Fire and Bylaw Services
3	Building Bylaw No. 3172, 2003	Bylaw Compliance Officer Chief Building Inspector Manager of Fire and Bylaw Services
4	Business Licence Bylaw No. 3153, 2002	Business Licence Officer Bylaw Compliance Officer Manager of Fire and Bylaw Services
5	Controlled Substance Property Bylaw No. 3803, 2020	Bylaw Compliance Officer Chief Building Inspector Manager of Fire and Bylaw Services RCMP Officer
6	Fire Protection Bylaw No. 3340, 2008	Bylaw Compliance Officer Fire Chief Local Assistant to the Fire Commissioner Manager of Fire and Bylaw Services Municipal Forester RCMP Officer
7	Fireworks Bylaw No. 1579, 1974	Bylaw Compliance Officer Manager of Fire and Bylaw Services RCMP Officer
8	Float Home Standards Bylaw No. 3015, 1999	Chief Building Inspector Bylaw Compliance Officer Manager of Fire and Bylaw Services
9	Forest Use Bylaw No. 3265, 2007	Bylaw Compliance Officer Manager of Fire and Bylaw Services Municipal Forester
10	Highway Use Bylaw No. 2261, 1988	Animal Control Officer Bylaw Compliance Officer

Item	Column 1 Designated Bylaw	Column 2 Designated Bylaw Enforcement Officers
		Commercial Transport Inspection Officer Manager of Fire and Bylaw Services Manager of Operations RCMP Officer
11	Noise Bylaw No. 2857, 1995	Animal Control Officer Bylaw Compliance Officer Manager of Fire and Bylaw Services RCMP Officer
12	Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020	Bylaw Compliance Officer Manager of Fire and Bylaw Services
13	Official Community Plan Bylaw No. 3450, 2011	Bylaw Compliance Officer Director of Planning and Building Manager of Fire and Bylaw Services
14	Parks and Public Places Regulation Bylaw No. 3626, 2017	Bylaw Compliance Officer Director of Parks and Recreation Manager of Fire and Bylaw Services Municipal Forester RCMP Officer
15	Respectful Spaces Bylaw No. 3796, 2020	Manager of Fire and Bylaw Services
16	Sign Bylaw No. 3479, 2012	Bylaw Compliance Officer Chief Building Inspector Manager of Fire and Bylaw Services
17	Soil Removal and Deposit Bylaw No. 3311, 2009	Bylaw Compliance Officer Director of Engineering Manager of Fire and Bylaw Services
18	Traffic Bylaw No. 2276, 1988	Bylaw Compliance Officer Manager of Fire and Bylaw Services Manager of Operations RCMP Officer
19	Waste Collection Bylaw No. 3466, 2012	Bylaw Compliance Officer Manager of Fire and Bylaw Services Manager of Operations
20	Waterworks Bylaw No. 3620, 2016	Bylaw Compliance Officer Manager of Fire and Bylaw Services Manager of Operations

Item	Column 1	Column 2
	Designated Bylaw	Designated Bylaw Enforcement Officers
21	Zoning Bylaw No. 2950, 1997	Bylaw Compliance Officer Director of Planning and Building Manager of Fire and Bylaw Services

Attachment 4: Fines and Fees Comparisons

Table 1: Fine comparisons between existing Nuisance (Controlled Substance) Bylaw No. 3246 2006 and new Controlled Substance Bylaw No. 3803, 2020

Existing Bylaw No. 3246			New Bylaw No. 3803		
Section	Description of Offence	Fine	Section	Description of Offence	Fine
2(a)	Disconnect Meter	\$100	4.1(a)	Disconnect or bypass meter	\$100
2(b)	Divert Electrical or Water Distribution System	\$100	4.1(a)	<i>See above</i>	
2(c)	Unlawful use of Exhaust Vents	\$100	4.1(b)	Unlawful use of exhaust vent	\$100
2(d)	Install Unauthorized Lighting	\$100	4.1(d)	Alter electrical system	\$100
2(e)	Unlawful Storage or Use of Dangerous Goods	\$250	4.1(e)	Accumulation of hazardous substance	\$100
2(f)	Obstruct Exit or Remove Fire Stopping	\$250	4.1(c)	Obstruct access	\$250
2(g)	Unlawful Alteration of Building	\$100	4.1(f)	Unauthorized building alteration	\$100
2(h)	Cause or Allow Building to House Amphetamines	\$100	-		
2(i)	Exhaust Hazardous Vapours	\$100	4.1(e)	<i>See above</i>	
			4.1 (g)	Use water for unauthorized drug production facility	\$100
3(a)	Cause or Allow Growth of Mould or Fungus	\$100	4.1(h)	Accumulation of mould	\$100
3(b)	Cause or Allow Accumulation of Pesticides or Chemicals	\$100	4.1(e)	<i>See above</i>	
4	Cause or Allow Noxious or Offensive Trade	\$100	-		
5(2)	Fail to Comply with Order to Remove or Reduce Fire Hazard	\$250	-		
6(a)	Fail to Inspect Premises	\$100	-		
6(b)(i)	Fail to Report Contravention	\$250	-		
6(b)(ii)	Fail to Take Compliance Action	\$250	-		
8(1)(a)	Fail to Remove or Clean Carpets and Curtains	\$100	-		
8(1)(b)	Fail to Clean Walls and Ceilings	\$100	-		
8(1)(c)	Fail to Clean Countertops and Cabinets	\$100	-		
8(1)(d)	Fail to Clean Ducts and Heaters	\$100	-		

Attachment 4: Fines and Fees Comparisons

Existing Bylaw No. 3246			New Bylaw No. 3803		
Section	Description of Offence	Fine	Section	Description of Offence	Fine
8(2)(e)	Occupy Prior to Safety Inspection	\$250	-		
8(2)(g)	Occupy Prior to Completing Remedial Action	\$250	-		
8(2)(h)	Occupy Prior to Paying fees and Service Costs	\$250	-		
8(2)(i)	Occupy without Permit	\$250	-		
8(2)(j)	Occupy Against Posted Notice	\$250	-		
9(1)	Fail to Provide Certification	\$100	-		
9(2)	Fail to Submit Certification within 60 days	\$100	-		
10(2)	Fail to Notify Prospective Tenants of Prior Grow Op	\$250	-		
12(2)	Interfere with an Inspection	\$250	4.1(j)	Obstruct Inspector	\$250
12(4)	Interfere or Obstruct Inspector from Posting Notice	\$250	4.1(i)	Remove or alter notice	\$100

Table 2: Fine comparisons between existing Untidy & Unsightly Premises Bylaw 2590, 1992 and new Nuisance Abatement & Cost Recovery Bylaw No. 3804, 2020


Existing Bylaw No. 2590			New Bylaw No. 3804		
Section	Description of Offence	Fine	Section	Description of Offence	Fine
2	Accumulate Rubbish on Premises	\$200	4.2	Permit nuisance to occur on property	\$200
3	Deposit Rubbish	\$200	4.1	Cause a nuisance	\$200
4	Unsightly Property	\$200	4.2	<i>See above</i>	
5	Place Graffiti	\$200	4.1	<i>See above</i>	
6	Accumulate Brush or Noxious Weeds	\$200	4.2	<i>See above</i>	
7	Fail to Remove Graffiti	\$200	4.3	Fail to comply with Clean-Up Order	\$200

Attachment 4: Fines and Fees Comparisons

Table 3: Fee comparison in Fees and Charges Bylaw between existing fees and proposed amendments

Schedule	Description	Amount	Schedule	Description	Amount
Schedule A – Administration Fees (Section 2, Misc. Fees)	Nuisance (Controlled Substance) Property Inspection	\$500	Schedule C – Development and Permitting Fees (Section 1 - Building Fees)	Special safety inspection	\$500
	Nuisance (Controlled Substance) Compliance Failure	\$1,000	[removed as this is a fine and not a fee]		
	Untidy and unsightly property clean-up	Actual costs			

Report

Date	December 16, 2020	File:
To	Council	
From	Don Stewart, Director, Parks and Recreation	Endorsed: 
Subject	Animal Responsibility Amendment Bylaw No. 3808, 2020 (Trial Off-Leash Dog Parks) for first three readings	

Purpose

To introduce Animal Responsibility Amendment Bylaw No. 3808, 2020 so that Council may consider implementing a trial period for expanding off-leash beach access for dogs, including adding signage and providing public education.

Background

Council, at the January 20, 2020, Special Council meeting adopted the following motion:

1. That Council direct staff to prepare a report on proposed amendments to the Fees Bylaw to increase dog licensing fees to offset additional capital, maintenance and enforcement costs for off-leash areas, as well as other proposed amendments.
2. That Council direct staff to prepare a report on proposed options to add, on a trial basis, Pender Street stairs, Crofton Beach Park foreshore, and Cook Street to Vista Grande foreshore as "designated off-leash dog areas" (effective January 1, 2021, and excluding June 16 to September 30) to the Animal Responsibility Bylaw.
3. That Council endorse an Animal Control campaign to encourage and improve compliance with dog licensing requirements.
4. That Council endorse:
 - a. Signage at the foreshore areas where dogs are permitted;
 - b. Signage to clarify that the off-leash areas at Kinsmen Beach Park and Maple Bay Beach Park are limited to foreshore area only;
 - c. Educational initiatives to improve safety and expand the dog waste program at off-leash locations; and,
 - d. Educational initiatives on proper control of dogs.

Discussion

Amendment to Fees and Charges Bylaw

Staff completed a comparison of the District's 2021 dog licence fees against other local governments

within the region and found the current fees to be the highest, as shown in the table below.

	North Cowichan	Duncan	CVRD	Ladysmith
Neutered or Spayed Dogs	\$35 until Feb 28 \$45 thereafter	\$25	\$25 until Jan 31 \$35 thereafter	\$26 until Jan 31 \$36 thereafter
Unneutered or Unspayed		\$45		\$44 until Jan 31 \$54 thereafter

Staff reviewed the public's use of dog bag stations over the previous five years and found no increase in use (based on quantity ordered) and only a minor increase in costs based on inflation.

The water access point signage was intended to be renewed this year regardless of the proposed bylaw amendment. This will result in minor cost increases for the free-standing signage (e.g. Kinsmen Beach Park identifying where dogs are/are not permitted off-leash). However, staff does not have sufficient data to clearly understand their information campaign's impacts on enforcement. It is difficult to calculate what the additional enforcement costs would be for the trial locations.

As a result of the preceding discussion, staff are not recommending amendments to the Fees and Charges Bylaw at this time.

Trial Addition of Off-Leash Beach Access points (Bylaw Amendment)

Included as Attachment 1 is the proposed *Animal Responsibility Amendment Bylaw* to permit dogs to be off-leash in the following locations on a trial basis:

"The following locations are designated as trial off-leash dog areas and are effective for the periods of January 1, 2021 to June 15, 2021 and October 1, 2021 to December 31, 2021:

- (a) *Pender Street Stairs*
- (b) *Crofton Beach Park foreshore*
- (c) *Cook Street Park to Vista Grande Stairs foreshore."*

In addition to establishing a trial period for the three off-leash areas, staff has proposed updating the definitions for two positions to align the bylaw with current position titles. The bylaw section as drafted for the trial location would come into force and effect on January 1, 2021 and cease on December 31, 2021.

Animal Control Campaign

The education and information campaigns will be delivered using a variety of methods, which include consistent messaging on (1) points of access, (2) permitted uses, and (3) the availability of dog services at each location. Public messaging starts at the access points and builds from there to (1) confirm where dogs are permitted, (2) what levels of control dog owners should employ and (3) the services provided.

- *Access Point Signage*

The cohesive signage, located at each water access point (Attachment 2) identifies the following overall messaging to users:

- Present location and other area access points;
- Name and description of access;
- Beach type;
- Permitted uses; and,
- Prohibitions and/or controlled access.

- *Off-Leash Start / End Signage*

The signage located at the access point where dogs are permitted off leash will indicate where leashes are required. If leashes are not required, strong voice control will be identified as a suitable replacement.

- *Dog Service Stations*

- 1) Water access locations:

Feature signage pointing the public to our social media/information campaigns on appropriate dog control.

- 2) Alternative off-leash area:

Include messaging for using the area as an “off-leash park” with links to our social media/information campaigns.

- 3) Not an off-leash area:

Include messaging for using the area with dogs “on-leash” at all times (see example in Attachment 2) with links to our social media information campaigns.

- *Social Media/Information Campaigns*

Staff are developing videos for the following key topics as part of this trial expansion process, and overall dog owner education, building on the videos (labelled Trail Smart) developed this summer for dog use within our forest reserves and municipal trails:

- 1) Visualizing what “strong voice control” for dogs represents.
- 2) Locations of new and/or refined off-leash areas.
- 3) Understanding our new signage, specifically the water access signage.
- 4) Bring your own bag (doggie bag) campaign.

Here are links to those videos developed this summer:

- 1) [Parking lot leashing / voice control](#)
- 2) [Trail behaviour – other users and dogs / voice control](#)
- 3) [Trail behaviour – around wild animals / voice control](#)
- 4) [Trail signposts](#)

Options

Staff Recommendations:

Option 1: That Council approve the trial off-leash locations and the signage/education campaign.

- (1) That Council gives first, second and third readings to Animal Responsibility Amendment Bylaw No. 3808, 2020.
- (2) That Council directs staff to proceed with the animal control signage and education campaign as presented.
- (3) That Council directs staff to prepare a report to Council which includes a review of the trial 2021 off-leash beach access dog locations, public input, additional costs, and recommendations on whether to make these locations permanent, on or before November 30, 2021.

Alternate Recommendation:

Option 2 Maintain status quo on off-leash dog areas and not include any additional off-leash dog beach access locations.

No motion of Council required.

Implications

- Financial
Staff anticipate that 2021 costs will be covered within the existing operating budget.
- Personnel
Any additional labour costs for increased patrols for additional off-leash dog beach access locations are unknown at this time. This will be analyzed at the end of 2021 as part of the report out to Council on the trial.
- Social
As previously advised, the public has been requesting additional access points to off-leash parks. Providing a one-year seasonal trial will enable staff to evaluate impacts and determine long-term viability.

Recommendation

- (1) That Council gives first, second and third readings to Animal Responsibility Amendment Bylaw No. 3808, 2020.
- (2) That Council directs staff to proceed with the animal control signage and education campaign as presented.
- (3) That Council directs staff to prepare a report to Council which includes a review of the trial 2021 off-leash beach access dog locations, public input, additional costs occurred, and recommendations on whether to make these locations permanent, on or before November 30, 2021.

Attachments:

1. Animal Responsibility Amendment Bylaw 3808
2. Off-Leash Dog Beach Access – signage examples



The Corporation of the District of North Cowichan

Animal Responsibility Amendment Bylaw

Bylaw 3808

The Council of The Corporation of The District of North Cowichan in open meeting enacts as follows:

Title

- 1 This bylaw may be cited as "Animal Responsibility Amendment Bylaw No. 3808, 2020".

Amendment

- 2 Animal Responsibility Bylaw No. 3740, 2019 is hereby amended by:
 - a. Striking out the definition under section 2. for "Deputy Director of Financial Services" and inserting the following in its place:

"'Chief Financial Officer' means the person designated by Council as the Financial Officer for the Municipality, or their delegate."
 - b. Striking out "Deputy Director of Financial Services" and inserting "Chief Financial Officer" in its place in sections 14, 17, and 59.
 - c. Deleting Schedule B and inserting a new Schedule B, as attached to and forming part of this bylaw.
- 3 Animal Responsibility Bylaw No. 3740, 2019 is hereby amended by inserting the following new section (2) to Schedule B:

"2 The following locations are designated as trial off-leash dog areas and are effective for the periods of January 1, 2021 to June 15, 2021 and October 1, 2021 to December 31, 2021:

 - (a) Pender Street Stairs*
 - (b) Crofton Beach Park foreshore*
 - (c) Cook Street Park to Vista Grande Stairs foreshore."*
- 4 Animal Responsibility Bylaw No. 3740, 2019 is hereby amended by deleting section 2 of Schedule B, as added by this bylaw.

Effective Dates

- 5 Section 2 of this bylaw shall come into force and effect upon adoption of this bylaw.
- 6 Section 3 of this bylaw shall come into force and effect on January 1, 2021.
- 7 Section 4 of this bylaw shall come into force and effect on December 31, 2021.

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

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

SCHEDULE “B” to Animal Responsibility Bylaw No. 3740

Designated Off-Leash Dog Areas

- 1 The following locations are designated as off-leash dog areas within the jurisdiction of North Cowichan:
 - (a) Chemainus Lake Park
 - (b) Herd Road Park Off Leash Area
 - (c) Somenos Dog Park;
 - (d) Fuller Lake Park boat launch area where designated by signs;
 - (e) Chemainus Ball Park, field 3, from September 1 to March 15
 - (f) Kin Beach Park foreshore, excluding other areas of Kin Beach Park, from October 1 – June 15;
 - (g) Maple Bay Beach foreshore, excluding other areas of Maple Bay Beach, from October 1 to June 15;
 - (h) Wul’aam’ (Echo) Park
 - (i) Municipal Forest Reserve

Off-Leash Dog Beach Access - Signage Examples

Water Access Signage



Dogs Permitted On Leash (seasonally – part of water access signage)



DOGS ON LEASH SEASONALLY
(OFF LEASH PERMITTED OCT 1 - JUN 15)

Dogs are permitted on leash (off leash Oct 1- Jun 15) including this water access point and all foreshore areas that it leads to.

\$100 to \$300 fine for dogs found off leash in area in on leash period.

USE AT OWN RISK



OCEAN ACCESS
COOK STREET PARK

CHCS03-A2

Dogs NOT Permitted Off Leash



DOGS ON LEASH AT ALL TIMES

Dogs are permitted on leash only including this water access point and all foreshore areas that it leads to. **\$100 to \$300 fine for dogs found off leash in area.**

USE AT OWN RISK



OCEAN ACCESS
MALCOLM ROAD STAIRS


CHMR01-A2

Dog On / Off Leash Signage – stand alone signage

Identifies specifically where dogs are permitted to be off leash, or on leash



Report

Date	December 16, 2020	File:	No. ZB000131
To	Council	Folio No.	15275.000
From	Glenn Morris, Development Planning Coordinator	File No.	3360-20 20.04
		Endorsed:	
Subject	Zoning Bylaw Amendment Application No. ZB000131 (3325 Henry Road) – Detached Second Dwelling		

Purpose

To introduce Zoning Amendment Bylaw, 2020, No. 3811, which proposes a site-specific zoning amendment to permit the construction and use of a detached second dwelling at 3325 Henry Road.

Background

The 1.03 ha (2.54 ac) subject property is located at 3325 Henry Road on the west side of the Trans-Canada Highway (Attachment 1). The property is designated Rural within the Official Community Plan, outside of the Urban Containment Boundary (UCB) and is zoned Rural Restricted (A3) (Attachments 2 and 3).

Land Use Context

North: Rural Residential properties (A3), mixed one and two-storey dwellings within the Agricultural Land Reserve (ALR)
South: Residential properties (A1), rural lands south and across the Chemainus River are within the ALR
East: Rural Residential properties (A3), mixed one and two-storey dwellings
West: Rural Residential properties (A3), mixed one and two-storey dwellings; agricultures uses beyond

Proposal

The A3 zoning permits the use of a two-family dwelling, which is defined as two dwelling units within one building (Attachment 4).

The applicant is proposing to amend the Rural Restricted (A3) Zone to permit the construction of a 71 square metre (768 ft²) detached dwelling in the form of a residential single family dwelling attached to a garage. The applicant intends to construct the garage/single family dwelling first, followed by the principal single family dwelling at a later date should this application be approved by Council (Attachments 5 and 10).

The proposed location of each dwelling unit (single family dwelling/garage and the future principal dwelling) complies with municipal zoning requirements, covenant areas and rights of way, and recommendations provided by the Geotechnical Engineer and Qualified Environmental Professional (QEP) hired by the applicant (Attachment 6 and 7).

Discussion

Policy considerations relevant to this application are:

Official Community Plan (OCP)

The Subject Property is designated Rural in the OCP, is 1ha in size, and screened with mature forest. The proposed siting for the single family home and garage is relatively removed from view of Henry Road, separated from ALR designated lands by Henry Road to the north, the adjacent property to the east and the Chemainus River to the south and west. No extension of municipal services will be necessary for this property. The construction of a second dwelling will provide additional housing options for the community. In the opinion of staff this proposal follows the spirit of OCP Policies 2.1.5.6 and 2.5.2.3.

The proposal aligns with OCP Policies 2.1.5.5, 2.1.5.6 and 2.5.2.3 in relation to the development of additional residential units within rural areas and supports the development of affordable housing.

Second Dwelling Rural Lands Policy

This proposal meets the criteria set through the Second Dwelling Rural Lands Policy (SDRL) where a minimum lot size of 0.4ha (1ac) may be reviewed where no municipal sewer exists (Attachment 8). This property has a lot size of 1.03 ha (2.54 ac) and is serviced with municipal water.

The SDRL policy states:

That all future site specific applications for second dwellings, outside the Urban Containment Boundary, be reviewed with respect to the following criteria:

- a. *That size of the proposed second dwelling be restricted by covenant to 92 m² (990.28 ft²) or less;*
- b. *That subdivision be restricted by covenant to prevent subdivision including strata subdivision;*
- c. *That the size of the parcel be a minimum of; and*
 - i. *1 ha (2.5 acres) where no Municipal sewer or water exists;*
 - ii. *0.4 ha (1 acre) where no Municipal sewer exists;*
 - iii. *0.2 ha (0.5 acres) where Municipal water and sewer exist; and*
- d. *That siting of second dwellings on agricultural lands be established and*
 - i. *restricted by covenant to preserve agricultural land.*

Previous Zoning Amendment for Second Dwelling in A3

The A3 Zoning has within, five site-specific zoning amendments permitting a second detached dwelling listed under section 53, 4(c) (Attachment 4). These approved uses were adopted before the current SDRL policy and serve as a historical precedent for Council's consideration.

Development Permit Area Natural Environment DPA-3

A sensitive woodland terrestrial ecosystem is present along the steep slope top of the bank area of the Chemainus River on the western extent of the property. An environmental assessment report prepared by Environmental Dynamics Inc. (Attachment 7) confirms that the development as proposed will be sited outside of this sensitive feature, the 30m assessment area of both the Chemainus River and a stream located along the north property access and driveway from Henry Road. Building siting is

outside of these assessment areas and will not require a report addressing the Riparian Area Protection Regulation. In addition, the siting of the proposed dwelling and garage (first on the parent parcel) will not require an environmental development permit prior to issuance of a building permit.

Development Permit Area Hazard Lands DPA-4

Natural hazards in the form of steep slopes and extreme interface wildfire risk are present on the property's western extent (bank of the Chemainus River). A report prepared by a Geotechnical Engineer (Core Geotechnical Inc. – July 6, 2020) stating recommendations to be followed by the applicant for preparation and siting of a dwelling has been submitted in support of this application (Attachment 7). The Report states that the proposed residential site has a "low risk" and that should recommendations be followed that the site is safe for the use intended. Should the applicant apply for a building permit, registration of this Geotechnical Report on title will be required.

Registration of a wildfire covenant identifying the fire hazard associated with DPA-4 on title has been completed by the applicant in anticipation of application for a building permit. Wildfire covenant registration is a requirement prior to building permit issuance for any structure on the property.

Right of Ways and Covenant Areas

This property has two covenants registered on title in addition to a statutory right of way. Covenant (CA8579781) is the wildfire protection covenant based on a standard template provided by North Cowichan to the applicant.

Covenant (EK088755 – Attachment 6) establishes a protective buffer prohibiting the placement of buildings and any disturbance within 55m of the Chemainus River's natural boundary. Very steep terrain descending to the natural river boundary on this property's western extent is typical of lands abutting the Chemainus River along west Henry Road.

The Statutory Right of Way (EK088759 – Attachment 6) is described as standard charge terms (ST931003 – drainage) in favour of North Cowichan to accommodate directional southeast drainage and a (driveway culvert) over the entrance to the property from Henry Road.

Servicing and Infrastructure

A record of a wastewater treatment system installed in August of 2020 by a Registered Onsite Wastewater Practitioner designed to service a single family dwelling has been supplied with this application. Municipal water is available for this property.

Internal Staff Referral Responses

This application was referred to various municipal departments. Those departments that provided comments on the application, were the Fire and Bylaw Services and the Parks and Recreation departments, which registered no issue or comment.

Ministry of Transportation and Infrastructure

The subject property is located within 800m of a controlled access highway (Trans-Canada Highway), and as such, the Ministry of Transportation and Infrastructure (MOTI) must authorize the proposed zoning amendment. MOTI responded to a referral for this application with no concerns.

Analysis & Conclusion

This proposal is generally consistent with the policies of the OCP for the development of new market forms of affordable housing and sensitive and appropriate building siting relative to Development Permit Areas.

This application meets the criteria set out under the SDRL Council Policy. Should Council support this application, registration on title of a section 219 covenant placing restrictions on future subdivision and limiting the footprint of the second dwelling will be required in addition to approval from MOTI prior to adoption of the bylaw.

Communications and Engagement

Should Council choose to give first and second readings to Bylaw No. 3811, a Public Hearing will be scheduled to provide the general public with an opportunity for their input on the proposed amendment to the Zoning Bylaw. Neighbouring properties within a 60 m radius of the subject property will be notified of this application, and advertisements will be placed in the local newspaper, as required by the *Local Government Act*.

Options

The following options are presented for Council's consideration:

Option 1 – (Recommended):

That Council give first and second reading of "Zoning Amendment Bylaw (Second Dwelling – 3325 Henry Road), 2020" No. 3811 and,

That a Public Hearing be scheduled for Zoning Amendment Bylaw (Second Dwelling – 3325 Henry Road), 2020, No. 3811 and notification be issued following requirements of the *Local Government Act*.

Option 2:

That Zoning Bylaw Amendment Application No. ZB000131, to permit a second dwelling at 3325 Henry Road (PID: 023-516-305), be denied.

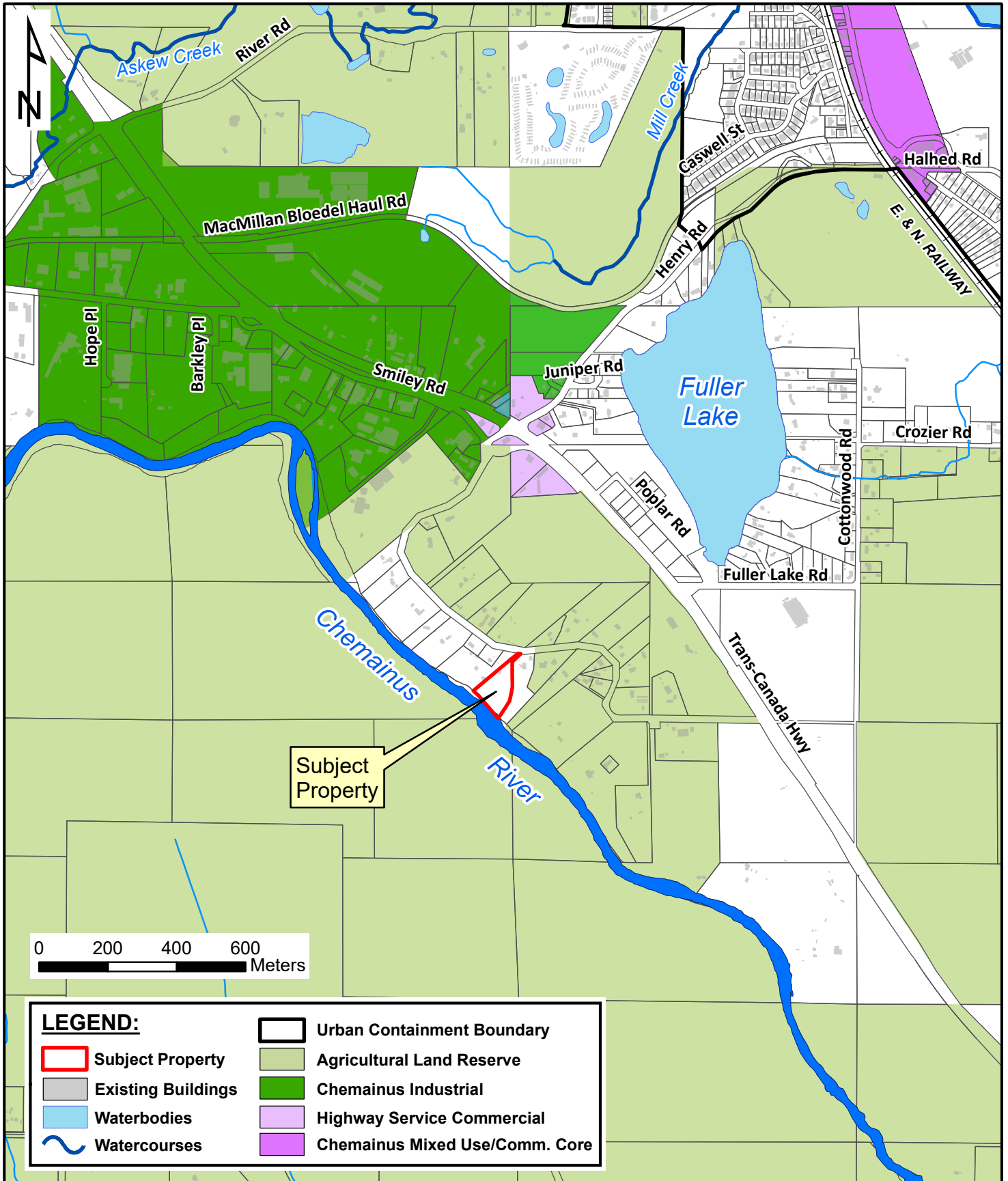
Recommendation

That Council give first and second readings to "Zoning Amendment Bylaw (Second Dwelling – 3325 Henry Road), 2020" No. 3811 and,

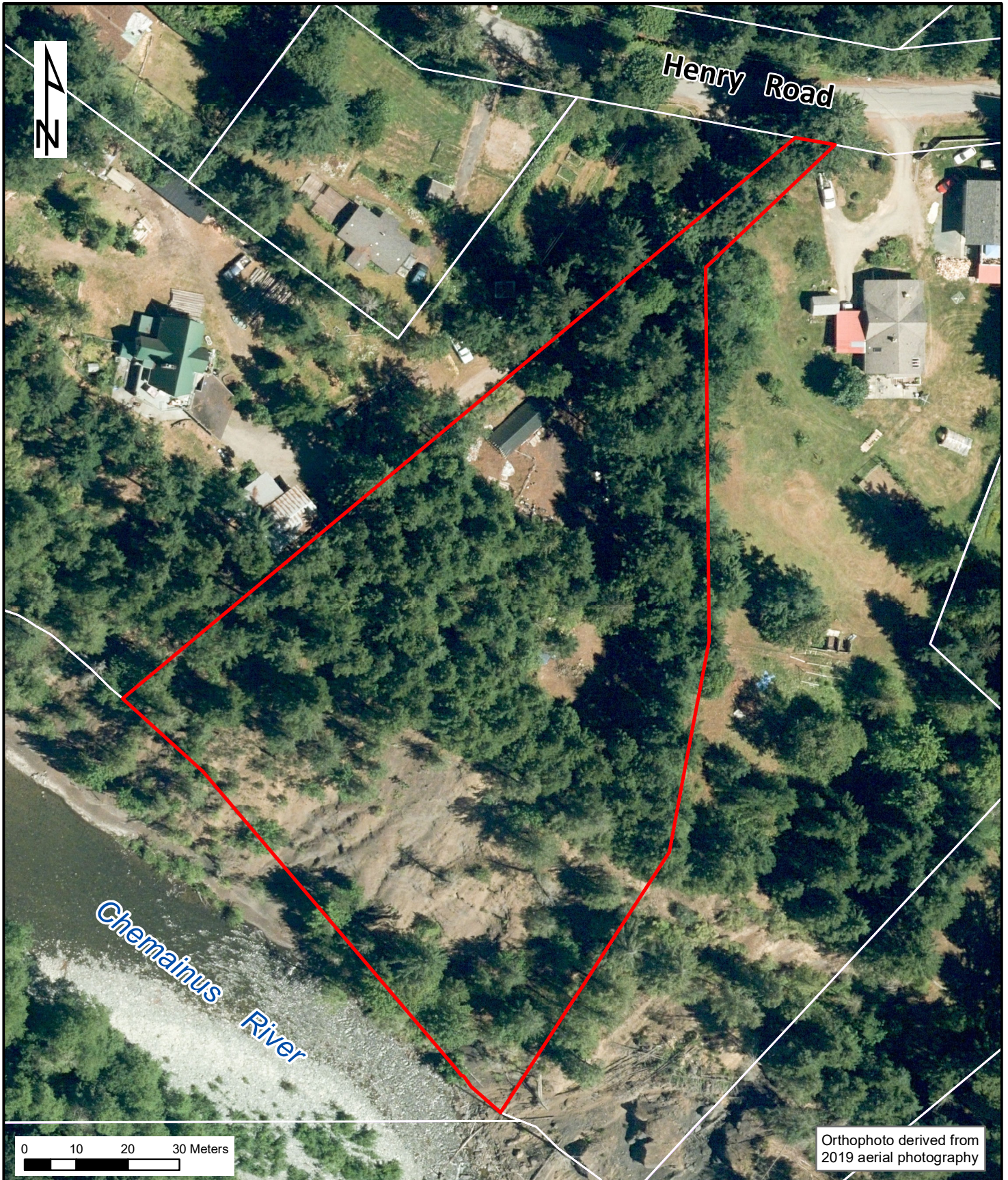
That a Public Hearing be scheduled for Zoning Amendment Bylaw (Second Dwelling – 3325 Henry Road), 2020, No. 3811 and notification be issued following requirements of the *Local Government Act*.

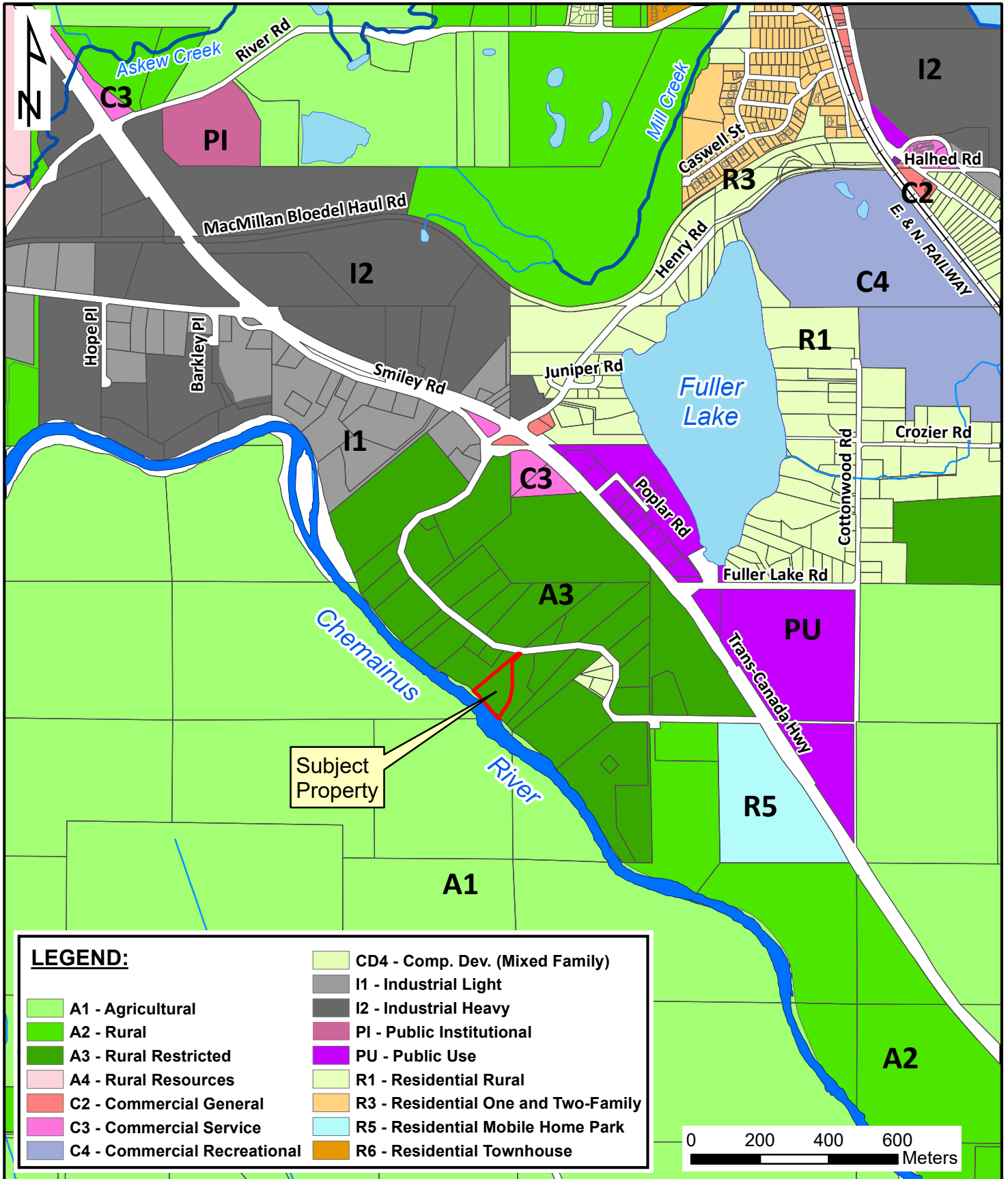
Attachments:

1. Location Map
2. Orthophoto
3. Zoning Map
4. Rural Restricted (A3) Zone
5. Site Plan and Homesite
6. Covenants and Statutory Right of Way
7. Geotechnical and Environmental Report
8. Second Dwelling Rural Lands Policy
9. Site Survey Plan
10. Letter of Rationale
11. Draft Bylaw No. 3811



	LOCATION MAP		DATE:	October 5, 2020
	Lot A, Plan VIP63803		TYPE:	Zoning Amendment
	Henry Road, Chemainus		FILE#:	ZB000131





ZONING MAP

Lot A, Plan VIP63803
Henry Road, Chemainus

DATE:	October 5, 2020
TYPE:	Zoning Amendment
FILE#:	ZB000131

Permitted Uses

- 53 (1) The permitted uses for the A3 zone are as follows:
- Agriculture
 - Agricultural Storage
 - Assisted Living
 - Bed and Breakfast
 - Community Care Facility
 - Greenhouse
 - Home-based Business
 - Modular Home
 - Single-Family Dwelling
 - Supportive Housing
 - Temporary Mobile Home (subject to the Temporary Mobile Home Permit Bylaw) [BL3754]
 - Two-Family Dwelling [BL3302, BL3367]

Minimum Lot Size

- (2) The minimum permitted lot size for the A3 zone is 8,000 m² (1.98 acres).

Minimum Frontage

- (3) The minimum permitted frontage for the A3 zone is 60.0 m (196.85').

Density

- (4) The maximum permitted density for the A3 zone is as follows:
- (a) The number of residential buildings shall not exceed one.
 - (b) Despite the foregoing, the placement of a Temporary Mobile Home may also be permitted subject to the Temporary Mobile Home Permit Bylaw. [BL3754]
 - (c) Despite section 53 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, are permitted on
 - (i) 5404 Gore Langton Road (PID: 005-177-740),
 - (ii) 3368 Henry Road (PID: 006-660-819),
 - (iii) 3788 Winget Place (PID: 018-498-451),
 - (iv) 5353 Gore Langton Road (PID: 004-756-517), and
 - (v) 3248 Gibbins Road (PID: 028-738-071).
 - (d) Despite paragraph (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, are permitted on 4011 Cambrai Road (PID: 016-212-169) provided that one of the residential buildings does not exceed 145 m² (1,560 sq. ft.) in gross floor area. [BL3644; BL3680; BL3692; BL3703; BL3757]

Maximum Lot Coverage

- (5) The maximum permitted lot coverage of the A3 zone is 30% of the lot area.

Minimum Setbacks

- (6) The minimum permitted setbacks for the A3 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) All Other Principal Buildings
Yard, Front, 25 m (82.02')
Yard, Side, 15 m (49.21')
Yard, Rear, 15 m (49.21') [BL3767]
- (c) 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')
- (d) Temporary Mobile Homes
To be sited in accordance with the provisions of the Temporary Mobile Home Permit Bylaw. [BL3754]

Maximum Building Height

- (7) (a) The maximum permitted building height for buildings, containing one or more dwelling units, within the A3 zone is 9 m (29.53').
- (b) Despite the foregoing, the heights of other farm buildings are subject to the provisions of the ACNBC Farm Building Code 1995.

Conditions of Use

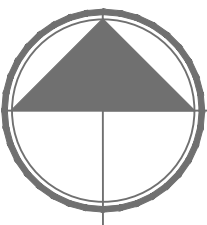
- (8) The conditions of use for the A3 zone are as follows:
 - (a) No fences over 1.2 m (4.00') in height are permitted in the required yards, front.
 - (b) No fences over 2.0 m (6.56') in height are permitted in the required yards, side or rear.
 - (c) In no situation shall a fence be greater than 2.0 m (6.56') in height.
 - (d) Bed and breakfast uses may have no more than six sleeping units.
 - (e) Limited farm sale of agricultural products may be sold directly to the public provided that:
 - (i) 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. [BL3083]
 - (f) [Repealed. BL3367]
 - (g) 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, and
 - (iv) valid health permits for septic systems or on-site wastewater treatment systems are obtained. [BL3302]
 - (h) Despite section 53 (1) "accessory dwelling unit, coach house" is a permitted use on 3331 Henry Road. [BL3535]

STRUCTURAL NOTES

- The compressive strength of concrete mixed, placed and tested in accordance with CAN3 - A438 after 28 days shall be not less than:
a)15 Mpa for walls, columns, fireplaces, chimneys, footings, foundation walls, grade beams and piers
b) 20 Mpa for floors other than those in garges and carports
c) 32 Mpa for garages and carport floors, and exterior steps –
- Concrete footings must be placed on undisturbed, non-organic, compacted soil to a suitable depth below frost penetration or on bedrock. If softer conditions apply, the solid beating capacity and size of footings are to be designed by a qualified engineer.
- All Grades are estimated only and shall be adjusted on site.
- All wood in contact with concrete shall be treated or separated by a moisture resistant gasket material. Minimum separation between wood and earth = 6"; joist and earth = 18"; beams and earth = 12".
- Positive post/beam and post/footing connections shall be provided to prevent up-lift and lateral displacement.
- Framing lumber to be furnished as follows:
A. Joists and Rafters: HEM-FIR #2
B. Beams: HEM-FIR #2
C. 6x Posts: D.F. #2
D. Studs, Plates, Miscellaneous Light Framing: HEM-FIR #2.
- References to some framing clips, joist hangers and other metal connectors refer to catalog numbers of items manufactured by Simpson Company. Equivalent devices may be substituted with structural approved connectors.
- Contractor shall provide temporary bracing for the structure until final connections have been completed in accordance with plans.
- Drawings indicate general and typical details of construction. Where conditions are not specifically indicated but are of similar character to details shown, similar details of construction shall be used, subject to approval by designer.

GENERAL NOTES

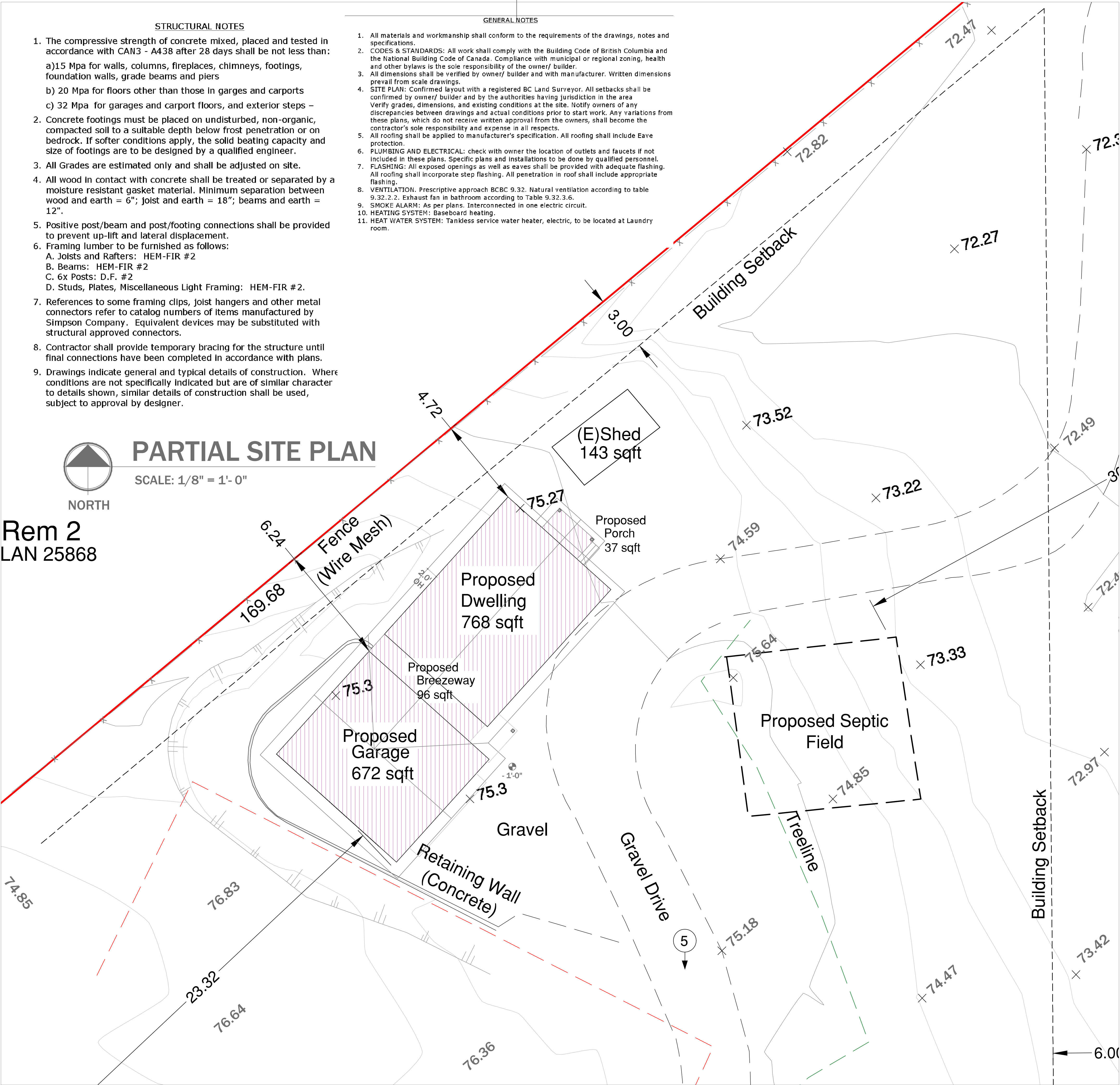
- All materials and workmanship shall conform to the requirements of the drawings, notes and specifications.
- CODES & STANDARDS: All work shall comply with the Building Code of British Columbia and the National Building Code of Canada. Compliance with municipal or regional zoning, health and other bylaws is the sole responsibility of the owner/ builder.
- All dimensions shall be verified by owner/ builder and with manufacturer. Written dimensions prevail from scale drawings.
- SITE PLAN: Confirmed layout with a registered BC Land Surveyor. All setbacks shall be confirmed by owner/ builder and by the authorities having jurisdiction in the area. Verify grades, dimensions, and existing conditions at the site. Notify owners of any discrepancies between drawings and actual conditions prior to start work. Any variations from these plans, which do not receive written approval from the owners, shall become the contractor's sole responsibility and expense in all respects.
- All roofing shall be applied to manufacturer's specification. All roofing shall include Eave protection.
- PLUMBING AND ELECTRICAL: check with owner the location of outlets and faucets if not included in these plans. Specific plans and installations to be done by qualified personnel.
- FLASHING: All exposed openings as well as eaves shall be provided with adequate flashing. All roofing shall incorporate step flashing. All penetration in roof shall include appropriate flashing.
- VENTILATION: Prescriptive approach BCBC 9.32. Natural ventilation according to table 9.32.2.2. Exhaust fan in bathroom according to Table 9.32.3.6.
- SMOKE ALARM: As per plans. Interconnected in one electric circuit.
- HEATING SYSTEM: Baseboard heating.
- HEAT WATER SYSTEM: Tankless service water heater, electric, to be located at Laundry room.



PARTIAL SITE PLAN

SCALE: 1/8" = 1'- 0"

Rem 2
LAN 25868



PROPERTY ADDRESS:	HENRY RD
PROPERTY OWNER:	Monica DOCKERTY and Drew EATON
PROPERTY ID:	028 146 913
LOT:	A
SECTION:	11, Rnges 4 and 5
MUNICIPALITY:	CHEMAINUS DISTRICT VIP63803
	NORTH COWICHAN
LOT AREA:	2.545 acres
ZONING:	A3 RURAL RESTRICTED ZONE
SCOPE OF WORK: NEW ONE STOREY SINGLE FAMILY DWELLING AND ATTACHED GARAGE /WORKSHOP THROUGH BREEZEWAY PLUS FRONT PORCH	

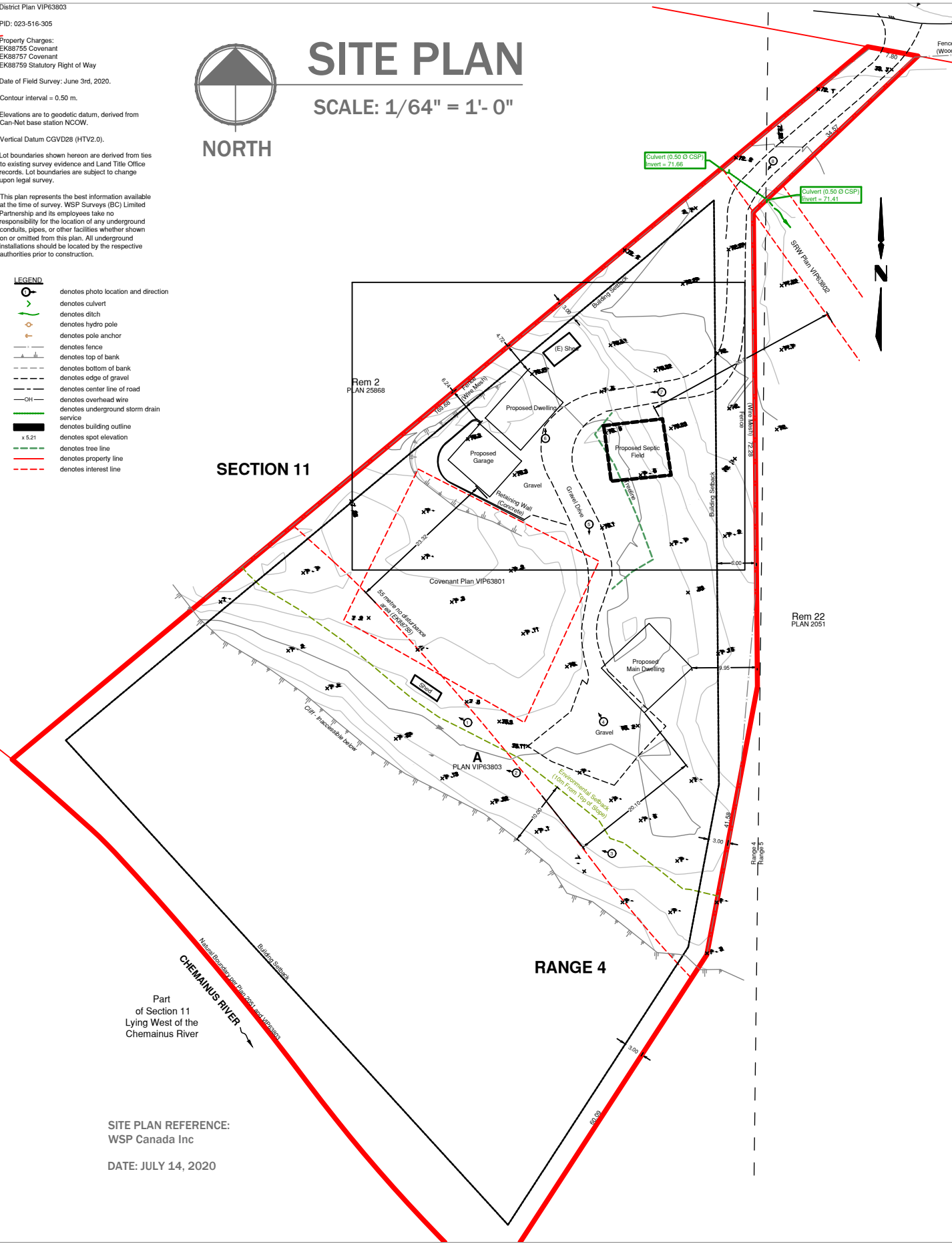
LOT COVERAGE:

LOT AREA: 10,299.25m2 (2.545 ac or 110,860 sqft)

AREA	DIMENSIONS	SQUARE meters	SQUARE feet
FLOOR PLAN HOUSE	32.0' X 24.0'	71.35 m2	768.0 sqft
GARAGE	24.0' X 28.0'	62.43 m2	672.0 sqft
BREEZEWAY	4.0' X 24.0'	6.69 m2	96.0 sqft
FRONT PORCH	4.5' X 8.16'	3.41 m2	36.75 sqft
	TOTAL NEW BUILDING AREA	146.11 m2	1572.75 sqft
Existing Shed		13.28 m2	143.0 sqft
	TOTAL	159.39 m2	1715.75 sqft
BUILDING COVERAGE PERCENTAGE	{1715.75/ 110,860} X 100= 1.55%		

1.55% < % max allowed 30%

MAX HEIGHT OF BUILDING FROM GROUND LEVEL = 14'- 2" (4.32 m) < 9.0 m



Vivi
Curutchet

Design
Consultant

778 528 2046

vivicurutchetarch@gmail.com
vivicurutchetdesign.ca

Owner:
Drew EATON
Monica DOCKERTY

Project:
HENRY Rd CHEMAINUS,
BC

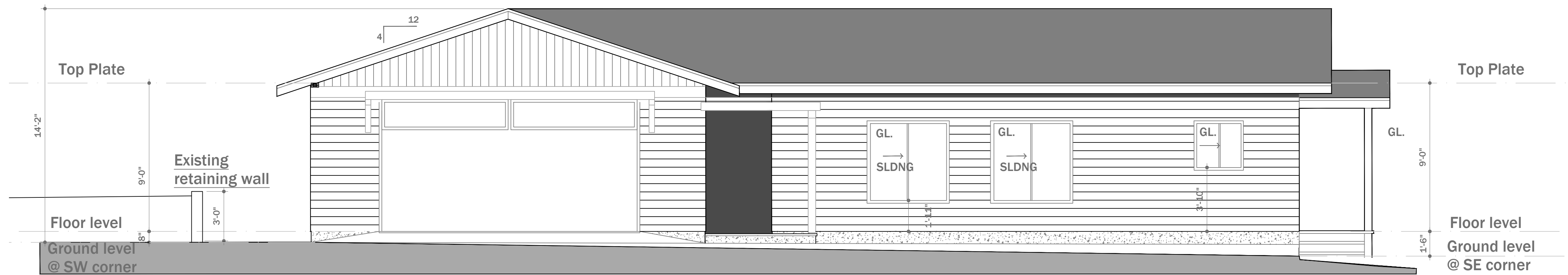
SITE
GENERAL

LOT C

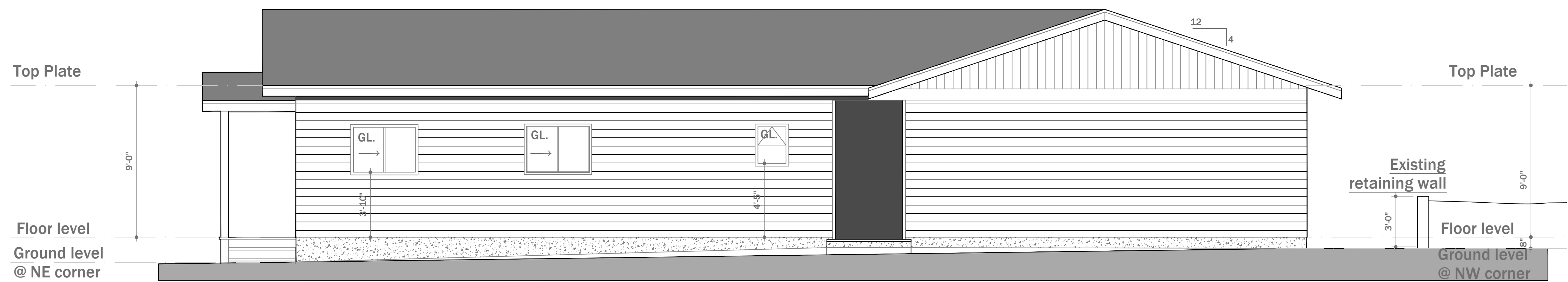
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ATTACHMENT 5

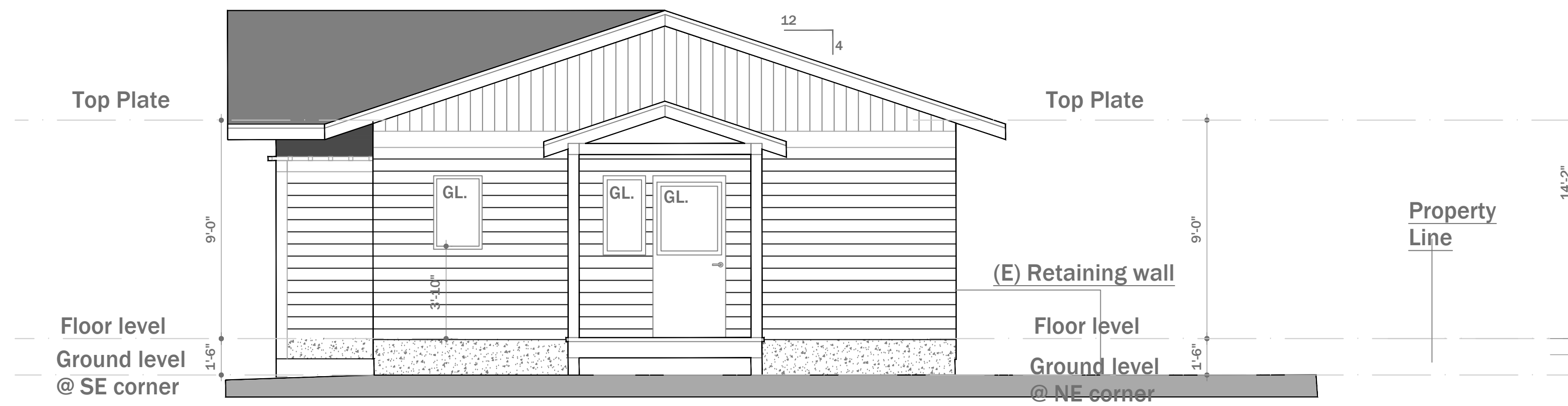
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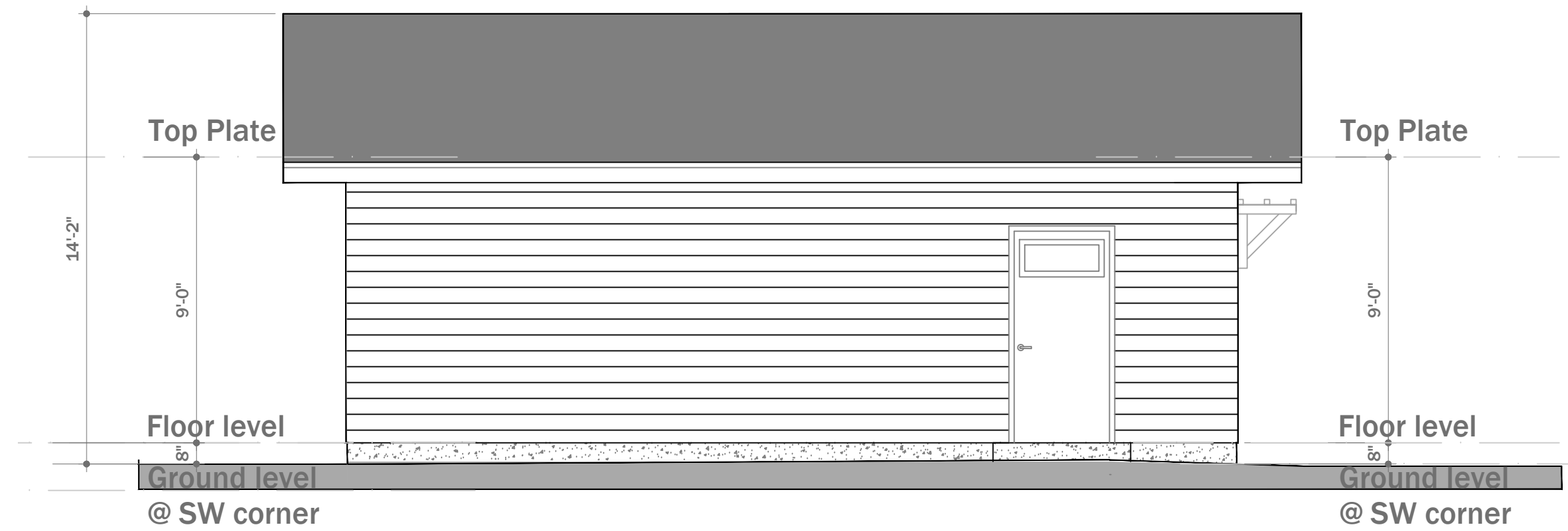
SOUTH ELEVATION
SCALE: 1/4" = 1'- 0"



NORTH ELEVATION
SCALE: 1/4" = 1'- 0"



EAST ELEVATION
SCALE: 1/4" = 1'- 0"



WEST ELEVATION
SCALE: 1/4" = 1'- 0"

**Vivi
Curutchet**

Design
Consultant

778 528 2046

vivicurutchetarch@gmail.com
vivicurutchetdesign.ca

Owner:
**Drew EATON
Monica DOCKERTY**

**HENRY Rd CHEMAINUS,
BC**

ELEVATIONS

**A4
of 4**

42

EK088755

96 AUG 12 13 42

EK088755

DRIA
ICE

RECEIVED-VICTORIA

LAND TITLE ACT (Section 219) LAND TITLE OFFICE
Province of British Columbia

FORM C

GENERAL INSTRUMENT - PART 1

Environmental Covenant

Page 1 of 5

1. APPLICATION:

JOAN PHILLIPS, Notary Public
379 Davis Road, P.O. Box 1059
Ladysmith, B.C. V0R 2E0
Phone 245-7127

K.A. POLLNER REGISTRY CO. LTD.

Signature of Applicant's Agent
Client no. 10274

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:

(PID)
000-042-986

(Legal Description)
Lot 22, of Section 11, Range 4, and of Sections
10 and 11, Range 5, Chemainus District, Plan 2051
Except Plans 12603 and 20671

3. NATURE OF INTEREST:

Description:
SECTION 215 COVENANT
PRIORITY AGREEMENT

Document Reference:
(page & paragraph)
Entire Instrument
Page 5, Paragraph 3

Person Entitled to
Interest:
Registered owner

4. TERMS: Part 2 of this instrument consists of (select one only)

- (a) Filed Standard Charge Terms _____ D.F. Number: _____
(b) Express Charge Terms _____ X Annexed as Part 2
(c) Release _____ There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged ~~as a charge on the land~~ described in Item 2.

5. TRANSFEROR(S):

LEO ALLAN CLANCY and JUDITH ROSE WHITE (Covenant)
CANADA TRUSTCO MORTGAGE COMPANY (Inc. no. 24065A) (Priority Agreement)

6. TRANSFeree(S): (including postal address and postal code)


HER MAJESTY THE QUEEN, in right of the Province of British Columbia
as represented by the Regional Fish and Wildlife Manager, MINISTRY OF
ENVIRONMENT, LANDS AND PARKS, having a branch office at
4th Floor, 2569 Kenworth Road, Nanaimo, British Columbia, V9T 4P7

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge items, if any.


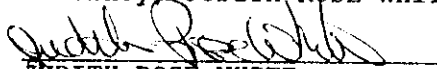
officer Signature(s)


JOAN E. PHILLIPS
Notary Public
P.O. BOX 1059
LADYSMITH, B.C. V0R 2E0
TEL: 245-7127

Execution Date

yy	mm	dd
96	5	23

Party(ies) Signature(s):


LEO ALLAN CLANCY, by his
Attorney, JUDITH ROSE WHITE EK54969

JUDITH ROSE WHITE

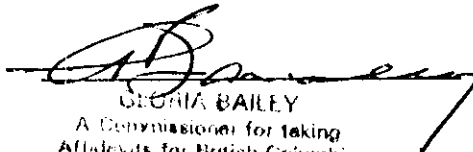
OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the EVIDENCE ACT, R.S.B.C. 1979, c.116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the LAND TITLE ACT as they pertain to the execution of this instrument.

LAND TITLE ACT

FORM D
EXECUTIONS CONTINUED

Page 2 of 5

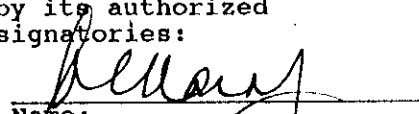
Officer Signature(s)

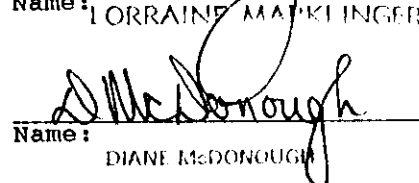

GEORGIA BAILEY
A Commissioner for taking
Affidavits for British Columbia
200 - 7134 KING GEORGE HWY.
SURREY, B.C. V3W 6A3
(604) 543-6300
EXP 8-31-98

Execution Date

yy	mm	dd
96	05	29

Transferor/Borrower/Party
Signature(s):CANADA TRUSTCO MORTGAGE
COMPANY
by its authorized
signatories:


Name: LORRAINE MARKLINGER


Name: DIANE McDONOUGH

END OF DOCUMENT

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the EVIDENCE ACT, R.S.B.C. 1979, c.116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

PART 2 - EXPRESS CHARGE TERMS

WHEREAS:

A. The Transferor (hereinafter the "Covenantor") is the registered owner of or has an equity of redemption in all and singular that certain parcel or tract of land described on Page 1 hereof (hereinafter called the "said lands").

B. Section 215 of the Land Title Act provides, inter alia, that there may be registered as a charge against the title to land a covenant, whether of a negative or positive nature, in respect of the use of the land or the use of a building on or to be erected on land, in favour of a municipality or the Crown.

C. The Chemainus River runs adjacent to the said lands as shown on the plan prepared by Philip J. Bowers, B.C.L.S., a true copy of which is ~~annexed hereto as Schedule "A"~~ (hereinafter called the "said river") ~~filed herewith.~~ *gr*

D. The Covenantor has agreed to restrictions on the use of a portion of the said lands adjacent to the said river.

NOW THEREFORE THIS AGREEMENT WITNESSETH that pursuant to Section 215 of the Land Title Act, and in consideration of the sum of One Dollar (\$1.00) now paid to the Covenantor by the Transferee (hereinafter the "Covenantee"), (the receipt and sufficiency whereof is hereby acknowledged), the parties hereby covenant and agree each with the other as follows:

1. THE COVENANTOR COVENANTS AND AGREES with the Covenantee that:

- (a) no building or structure, fencing or any part thereof, including any fixed equipment, mobile home or modular home shall be constructed, reconstructed, moved, extended or located nor shall any landfill, land clearing or other disturbance take place within 55 metres of the natural boundary of the said river as shown on ~~Schedule "A"~~ the plan of subdivision filed herewith ("the said plan");
- (b) the Covenantor shall not, without the prior written consent of the Covenantee, which consent to be in the Covenantee's sole discretion, cut down, trim, prune, defoliate, alter, remove or in any way tamper with or work on any trees, shrubs, plants, bushes, ground cover, vegetation or any other form of plant life within that portion of the said lands within a distance of 55 metres from the natural boundary of the said river as shown on ~~Schedule "A"~~ *the said plan* ~~xxxxxxx~~ so that the trees, shrubs, plants, bushes, ground cover, vegetation and other forms of plant life remain in a naturally vegetated state in perpetuity;
- (c) the Covenantor shall ensure that any clearing and/or

excavation done on the said lands shall be completed in such a manner to ensure that the release of silt, concrete, leachate or any other deleterious substances shall not fall into the said river via ditches, storm sewers or overland flow. And the Covenantor shall further ensure that all construction and excavation wastes, overburden, soil or other substances deleterious to aquatic life shall be disposed of or placed in such a manner as to prevent their entry into any watercourse or storm sewer system; and

- (d) the Covenantor shall, at the expense of the Covenantor, do or cause to be done all acts reasonably necessary to grant priority to this Agreement over all charges and encumbrances which may have been registered against the title to the said lands in the Victoria Land Title Office save and except those specifically approved in writing by the Covenantee or in favour of the Covenantee;

2. IT IS MUTUALLY UNDERSTOOD AND AGREED by and between the parties here that:

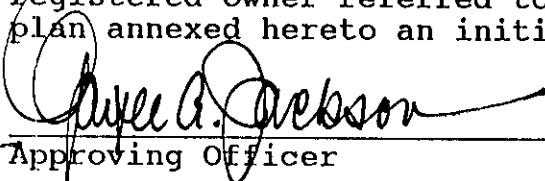
- (a) In this agreement the term:
 - (i) "natural boundary" means the visible high water mark of the said River where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the said river a character distinct from that of the banks thereof in respect of vegetation as well as in respect of the nature of the soil itself;
- (b) nothing contained or implied herein shall prejudice or affect the rights and powers of the Covenantee in the exercise of its functions under any public and private statutes, by-laws, orders and regulations, all of which may be fully and effectively exercised in relation to the said lands as if this Agreement had not been executed and delivered by the Covenantor;
- (c) the covenants set forth herein shall charge the said lands pursuant to Section 215 of the Land Title Act, the burden of which shall run with the said lands. It is further expressly agreed that the benefit of all covenants made by the Covenantor herein shall accrue solely to the Covenantee and that this Agreement may only be modified or discharged by agreement of the Covenantee, pursuant to the provisions of Section 215(5) of the Land Title Act;

Page 5

- (d) notwithstanding anything contained herein, the Covenantor shall not be liable under any of the covenants and agreements contained herein where such liability arises by reason of an act or omission occurring after the Covenantor ceases to have any further interest in the said lands;
- (e) notwithstanding anything contained herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context or parties so require;
- (f) this Agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns; and
- (g) the parties hereto shall do and cause to be done all things and execute and cause to be executed all documents which may be necessary to give proper effect to the intention of this Agreement.

3. We, Canada Trustco Mortgage Company, in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada (the receipt and sufficiency of which is hereby acknowledged) hereby grant to the aforesaid Covenant priority to a charge registered in our favour under number EK 53238 .

This is the instrument creating the condition of the covenant entered into under Section 215 of the Land Title Act by the registered owner referred to herein and shown on the print of the plan annexed hereto and initialled by me.


Approving Officer

END OF DOCUMENT

96 AUG 12 13 44

EK088759

45
TORIA
FICE

EK088760

RECEIVED-VICTORIA
LAND TITLE OFFICE

SRW Drainage

LAND TITLE ACT (Section 219.9))
Province of British Columbia
FORM C

GENERAL INSTRUMENT - PART 1

Page 1 of 3

1. APPLICATION:

JOAN PHILLIPS, Notary Public
379 Davis Road, P.O. Box 1059
Ladysmith, B.C. V0R 2E0
Phone 245-7127 Client no. 10274K.A. POLLNER REGISTRY CO. LTD.
Signature of Applicant's Agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:

(PID)

000-042-986

(Legal Description)

Lot 22, of Section 11, Range 4, and of Sections
10 and 11, Range 5, Chemainus District, Plan 2051
Except Plans 12603 and 20671

3. NATURE OF INTEREST:

Description:Statutory Right of Way
Plan number VIP63802Priority Agreement over
Mortgage EK53238Document Reference:

(page & paragraph)

Entire Instrument

~~Statutory - Right of Way~~~~Plan number VIP-63802-~~Page four, Paragraph 5,
Standard Charge TermsPerson Entitled toInterest:

Transferee

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms ☒ D.F. Number: ST931003(b) Express Charge Terms ☐ Annexed as Part 2(c) Release ☐ There is no Part 2 of this instrumentA selection of (a) includes any additional or modified terms referred to in
Item 7 or in a schedule annexed to this instrument. If (c) is selected, the
charge described in Item 3 is released or discharged as a charge on the land
described in Item 2.

5. TRANSFEROR(S):

LEO ALLAN CLANCY and JUDITH ROSE WHITE (Statutory Right of Way)
CANADA TRUSTCO MORTGAGE COMPANY (Inc. no.24065A) (Priority Agreement)

6. TRANSFEREE(S): (including postal address and postal code)

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN,
P.O. Box 278, Duncan, British Columbia, V9L 3X4

7. ADDITIONAL OR MODIFIED TERMS:

N/A

08/12/96 D1494a CHARGE 100.00

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges,
discharges or governs the priority of the interest(s) described in Item 3
and the Transferor(s) and every other signatory agree to be bound by this
instrument, and acknowledge(s) receipt of a true copy of the filed standard
charge items, if any.

Party(ies) Signature(s):

Officer Signature(s)

JOAN E. PHILLIPS
Notary Public
P.O. BOX 1059
LADYSMITH, B.C. V0R 2E0
TEL: 245-7127

Execution Date

YY	mm	dd
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ASTO ALL SIGNATURES

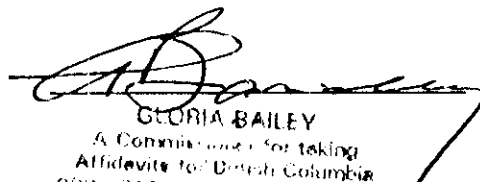
LEO ALLAN CLANCY
JUDITH ROSE WHITEOFFICER CERTIFICATION: Your signature constitutes a representation that you are
a solicitor, notary public or other person authorized by the EVIDENCE ACT,
R.S.B.C. 1979, c.116, to take affidavits for use in British Columbia and certifies
the matters set out in Part 5 of the LAND TITLE ACT as they pertain to the
execution of this instrument.

LAND TITLE ACT

FORM D
EXECUTIONS CONTINUED

Page 2 of 3

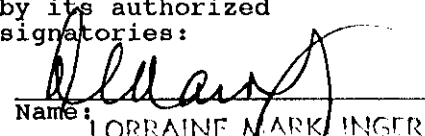
officer signature(s)

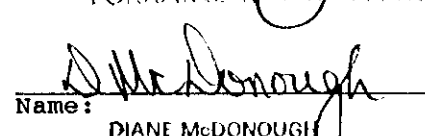

 GLORIA BAILEY
 A Commissioner for taking
 Affidavits for British Columbia
 200-7134 KING GEORGE HWY.
 SURREY, B.C. V3W 5A3
 (604) 543-6300
 EXP 8-31-98

Execution Date

yy	mm	dd
96	05	29

Transferor/Borrower/Party
Signature(s):CANADA TRUSTCO MORTGAGE
COMPANYby its authorized
signatories:


 Name: LORRAINE MARKINGER


 Name: DIANE McDONOUGH

~~END OF DOCUMENT~~

This is the instrument creating the Statutory Right-of-Way entered into under Section 113 of the Land Title Act by the registered owner referred to herein and shown on the print of the plan annexed hereto and initialled by me.


 Approving Officer

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the EVIDENCE ACT, R.S.B.C. 1979, c.116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

STATUTORY RIGHT-OF-WAY PLAN OF
PART OF LOT 22, SECTION 11, RANGE 4,
AND OF SECTIONS 10 & 11, RANGE 5,
CHEMAINUS DISTRICT, PLAN 2051,
EXCEPT PLANS 12603 AND 20671.

(Prepared pursuant to Section 113 of the Land Title Act.)

Scale 1:750



B. C. G. S. 92B. 092

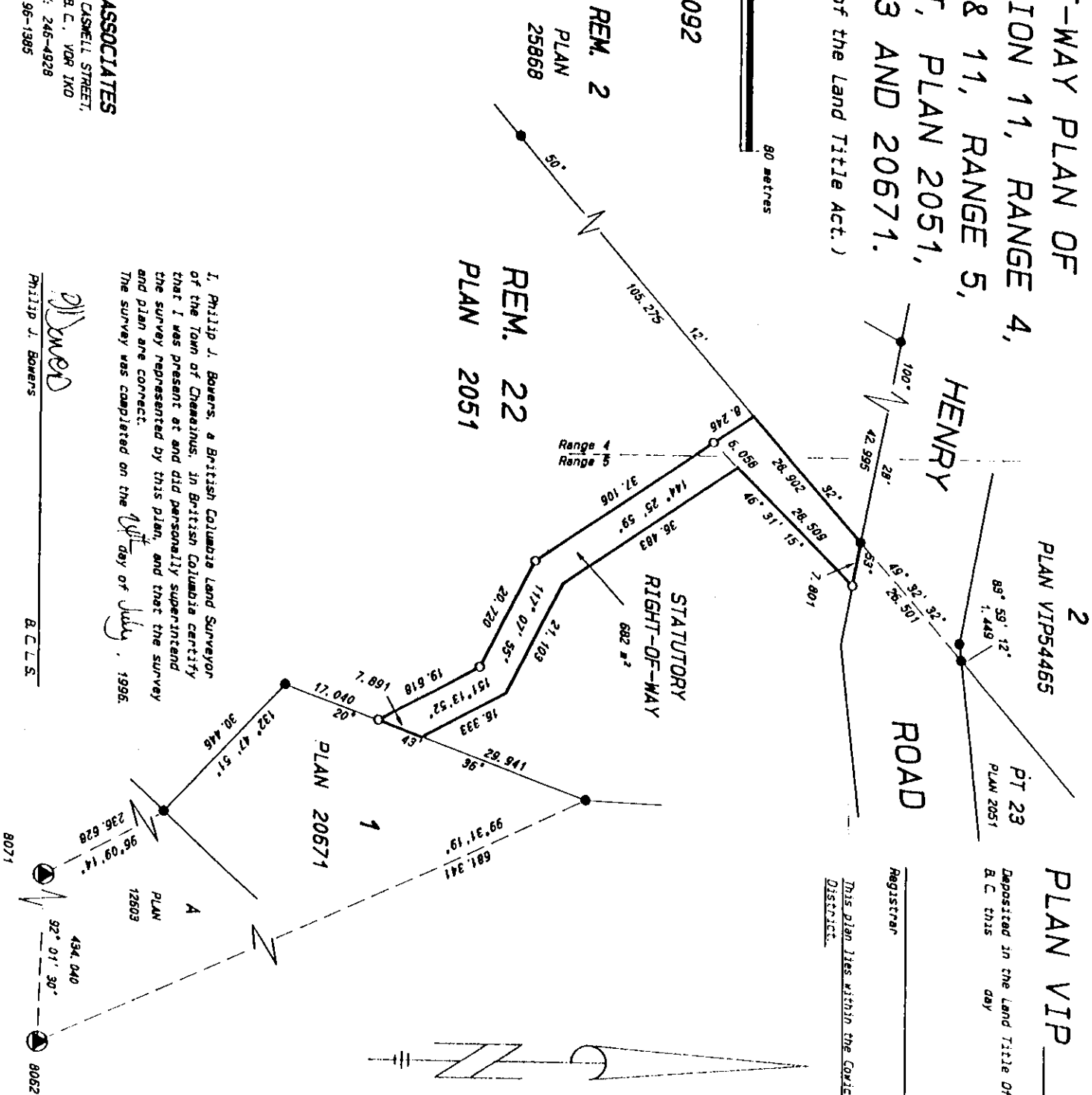
LEGEND

Bearings are Grid bearings derived from
observations between control monuments 8071 & 8062.

- control monument found.
- standard iron post found.
- standard iron post placed.

This plan lies within North Cowichan
Integrated Survey Area No. 10.
This plan shows ground level measured distances.
Prior to computation of U.T.M. co-ordinates
multiply by combined factor 0.9996246.
All distances are in metres and decimals thereof.

BOWERS & ASSOCIATES
BOX 736, 2856 CASSELL STREET,
CHEMAINUS, B. C., V0R 1X0
PHONE/FAX: 246-4828
File: 96-1905



I, Philip J. Bowers, a British Columbia Land Surveyor
of the Town of Chemainus, in British Columbia certify
that I was present at and did personally superintend
the survey represented by this plan, and that the survey
and plan are correct.
The survey was completed on the 14th day of July, 1996.

[Signature]
Philip J. Bowers

B. C. L. S.

PLAN VIP _____
Deposited in the Land Title Office at Victoria,
B. C. this _____ day _____, 1996.

Registrar

This plan lies within the Cowichan Valley Regional
District.

END OF DOCUMENT

96 AUG 12 13 44

EK088759

RECEIVED: VICTORIA
LAND TITLE OFFICE

VIP63802

*50 of
Some work*

LAND TITLE ACT

08/12/96 D1494a DT/PLAN 50.00

FORM 11(a)

(Section 99(f) (e), (j) & (k))

APPLICATION FOR DEPOSIT OF REFERENCE OR EXPLANATORY
PLAN (CHARGE)I, Kerry A. Pollner, agent for Philip J. Bowers, B.C.L.S., 2856 Caswell
Street, Chemainus, B.C., VOR 1K0.

apply on behalf of LEO ALLAN CLANCY, INSURANCE ADJUSTER AND

JUDITH ROSE WHITE, SALES MANAGER, RR#1, 3331 HENRY

ROAD, CHEMAINUS, BC, VOR 1K0, AS JOINT TENANTS

(full name, address and occupation)

to deposit a ~~reference/explanatory plan~~ of *statutory right of way plan*

PART OF LOT 22, SECTION 11, RANGE 4, AND OF

SECTIONS 10 AND 11, RANGE 5, CHEMAINUS DISTRICT,

PLAN 2051, EXCEPT PLANS 12603 AND 20671.

I enclose:

1. The reference/explanatory plan
2. The reproductions of the plan required by section 67(u) (see below).
3. Fees of \$

Dated the

24th

day of

July

19

96

VIP63802

K.A. Pollner
signature

K.A. POLLNER REGISTRY CO. LTD.



6 July 2020

Our Ref: 412

412 letter 2020-07-06

Mr. Drew Eaton and Ms. Monica Dockerty

3325 Henry Road, Chemainus, BC V0R 1K4

Re: Limited Geotechnical Assessment

Proposed Residence at 3325 Henry Road, Chemainus

Dear Sir and Madam,

Introduction

At your request, we have carried out a Limited Geotechnical Assessment at the site of a Proposed Residence at 3325 Henry Road, Chemainus, British Columbia.

The Municipality of North Cowichan may require this report for consideration of a Development Permit and Building Permit.

The work comprised a limited walkover, the results of which are summarized herein, including recommendations for foundations and a landslide assurance statement.

This work was carried out in accordance with our proposal, and the relevant EGBC Guidelines for "Geotechnical Engineering Services for Building Projects"¹ and "Legislated Landslide Assessments for Proposed Residential Developments in British Columbia"².

You provided the following data for this work:

- Covenant dated May 14, 1996, describing sewage disposal sites.
- Covenant dated May 14, 1996, describing no building within 55m of the natural boundary of the river;

¹ <https://www.egbc.ca/getmedia/5aa53560-e3b2-42b5-88f2-678f738aad7f/APEGBC-Guidelines-Geotechnical-Engineering-Services-for-Building.pdf.aspx>

² <https://www.egbc.ca/getmedia/5d8f3362-7ba7-4cf4-a5b6-e8252b2ed76c/APEGBC-Guidelines-for-Legislated-Landslide-Assessments.pdf.aspx>



- The Title of the property;
- A cadastral survey of the property.

Site Visit

We visited the site on 22 June, 2020.

Location

The legal address of the property is Lot A Plan VIP63803 Section 11 Range 4 Land District 08 Portion & RGE 5, and its Parcel Identification (PID) is 023-516-305. It is zoned Rural Residential (A3).



Figure 1: Site Location (From e-valuebc). North is towards the top of the page. Do not scale.

Topography

The natural topography may be described as a plateau at about Elevation 76m (± 2 , based on North Cowichan contours) over the building area on the site. There is a steep, rocky, bank on the Chemainus River, on the western boundary of the property.

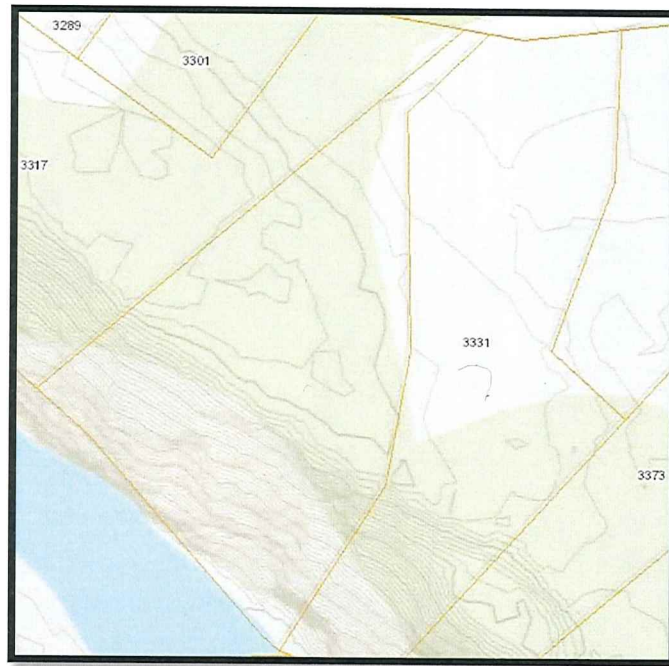


Figure 2: Surface contours at 1m intervals (from North Cowichan Webmap). North is towards the top of the page. Do not scale.

Vegetation

The lot is moderately densely vegetated, as shown on Figures 3 and 4. The trees were generally noted to have trunks of relatively small diameter.

Drainage

We observed no particular drainage features on the site. The site generally drains to the west, towards the Chemainus River.

Existing Development

No development currently exists on the site.



Figure 3: View to the north-west across the proposed building area. Note rainforest vegetation.



Figure 4: View to the south-east across the proposed building area. Note some cleared trees..



Geology

Reference to published geology maps indicates that the site is underlain by sedimentary rocks of Nanaimo Group, deposited in the Late Cretaceous Period of Geological Time (about 66 – 100 million years ago). The map shows a blanket of glacial sediments overlying the rock.

No groundwater seepage was observed on the river bank. It should be noted that groundwater levels and flows are transient, and are affected by such factors as preceding climatic conditions and soil and rock permeability.

The published geology also shows orthogonal faults striking in the North-East/South-West and North-West/South-East directions in the vicinity of the site, as shown on Figure 5, below.

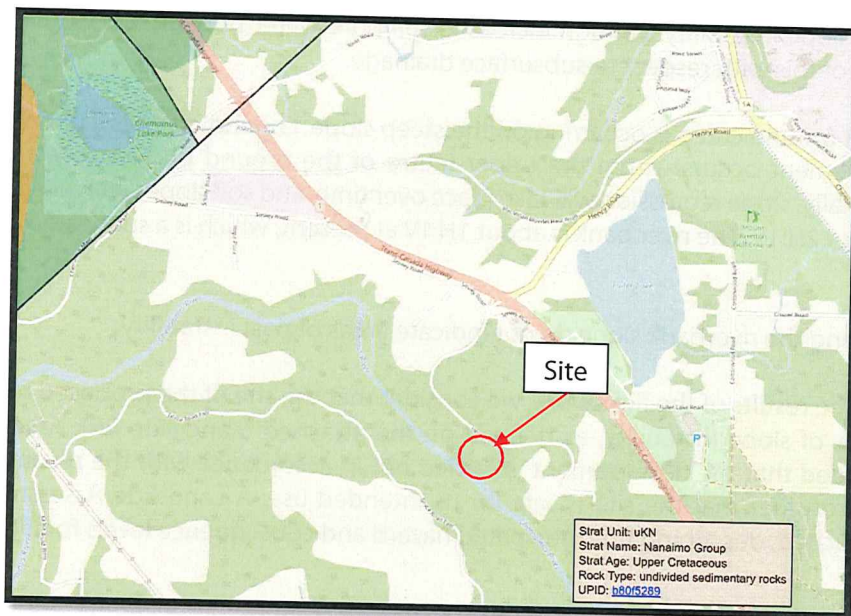


Figure 5: The geology map showing the site as underlain by Nanaimo Group rocks.

Evidence of Instability

No evidence of past or incipient instability was observed at the time of the site visit.

Proposed Development

We understand that the proposed development is to comprise a residential building. No further details are known at this stage.

Discussion and Recommendations

Ground conditions

We observed rock outcrops on the river bank, which would be consistent with the published geology.



Based on the mapped geology, which showed Quaternary sediments, we anticipate that the ground should comprise rock at relatively shallow depths, overlain by a blanket of dense glacial deposits (e.g. dense sand, silt and gravel). Softer soils may well be found in depressions.

Slope Stability

Building Area – Qualification of Slope Instability Risk

All slopes are unstable in Geological Time. In the assessment of the risk of slope instability, we consider the present climatic conditions and that the extrapolation of those as being representative of the next 50 years as being reasonable. The effect of Climate Change is an unknown, although many scientists and engineers believe that these effects may include the likelihood of increased humidity, which could adversely affect slope instability through increased soil pore water pressures. It would be prudent to take cognizance of this with respect to subsurface drainage.

It is possible that ground creep is occurring on the steep slope. Ground creep is a phenomenon where downslope movement occurs within the upper metre of the ground profile closest to the ground surface. Additionally, slope regression will take place over time, and soil slopes will recede to their angle of repose of about 2H:1V. The river bank is about 1H:1V at present, which is a suggested angle of repose of rock.

The contours along the riverbank slope do not indicate areas of past instability.

On the basis of the results of the field work, we consider that the site of the proposed residence would have a **Low Risk** of slope instability, as defined on the attached “Landslide Risk Assessment” sheet. Therefore, provided that the development is carried out in accordance with the recommendations of this report, we consider that the site is safe for its intended use. A Landslide Assessment Assurance Statement is attached, describing the anticipated hazard and consequence levels for life and property.

Building Setback Line

One of the covenants on the title indicated a requirement of 55m setback from the high water mark of the Chemainus River. We concur that this is an appropriate building setback for this property. This is presented on the attached “Survey Plan with Building Setback” drawing, numbered 412-1.

Drainage

We recommend that the site is drained and maintained so that storm water and effluent are not permitted to concentrate over the crest of the steep slope. As mentioned above, due to the possible effects of Climate Change, it would be prudent to provide more drainage capacity than the minimum required at present.

Seismic Hazard

The site seismic hazard calculation is attached. This shows that the Peak Ground Acceleration (PGA) for this site under the action of the design earthquake (1 in 2,475 years) is 0.49g. This would be a



catastrophic event, in which the structure may be destroyed, but the occupants should still have safe egress.

Building Footings

We recommend that the building footings are founded on engineered fill or undisturbed rock, and proportioned for a maximum dependable bearing capacity of 150 kPa (for soil) or 750kPa (for rock) (Ultimate Limit State Design) or 100kPa (soil) or 500kPa (rock) allowable bearing capacity (for Working Stress Design or Serviceability Limit State Design) (to be confirmed by a geotechnical engineer). Footings should not be founded on non-engineered fill.

Site Preparation Measures

We suggest that the following measures would be appropriate for preparation of the site for building and road construction.

- Install temporary and/or permanent drainage so that excavations do not become saturated.
- Excavate to design level in areas of cut;
- In fill areas, request a geotechnical engineer to confirm that the exposed foundation material does not contain obvious soft or loose zones; then place approved fill material in layers not exceeding 200mm loose thickness, and compact with appropriate compacting equipment to the satisfaction of the geotechnical engineer. No fill shall be placed when the fill material or subgrade is wet or frozen.

Earthworks

We do not anticipate that significant earthworks will be required for the development of this site. The following recommendations should be observed:

1. Cuts are not to exceed 1.2m height without specific engineering comment, which may include recommendations for support.
2. Cuts should be limited to a maximum height of 3m.
3. Cut slopes in soil are not to exceed 1V:2H without specific engineering appraisal during construction, and should be protected against erosion and covered with appropriate vegetation or else supported by an engineer-designed retaining wall.
4. Cut slopes in Rock are not to exceed 1V:1H or 1.2m height without specific engineering comment.
5. Fill should not exceed 1.5m depth.
6. Fill slopes should not exceed 1V:3H, and should be protected against erosion and covered with appropriate vegetation or else supported by an engineer-designed retaining wall and protected against erosion.
7. Fill placed for the support of buildings and services should be placed in accordance with the Site Preparation Measures, and would then be regarded as "engineered fill".



Further Geotechnical Engineering

It is possible that a regulatory authority (e.g. MNC) may require a geotechnical engineer to provide a letter of assurance for Construction Review. If this is the case, then we will need to be engaged to prepare a British Columbia Building Code Schedule B, and you will need to provide us with your design drawings, the relevant geotechnical requirements, Building Permit (including the BP number), and your proposed construction schedule.

We request a minimum of 24 hours' notice prior to attending the site. Following satisfaction with the construction monitoring, we would prepare a BC Building Code Schedule C-B.

Should a different building be proposed than that for which this report was prepared, or if a building is to be located elsewhere on the lot, then further geotechnical input may be required.

You should immediately advise us should subsurface conditions be encountered during construction that vary from those anticipated by this report.

Closure

This report has been prepared for Mr. Drew Eaton and Ms. Monica Dockerty (the clients) for the specific purpose of addressing the concerns and requirements of the MNC. The clients may use the report to support Building Permit and, if necessary, Development Permit Applications. It is possible, however, that the relevant authorities may require updates and / or confirmations, as conditions can change over time.

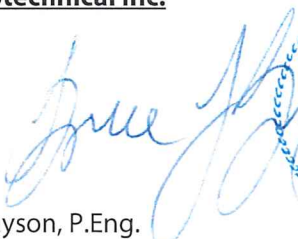
Core Geotechnical Inc:

- acknowledges that MNC may rely upon the Report when making a decision on the application for the development of and building on the land;
- states that the land is safe for the use intended with the probability of a geotechnical failure resulting in property damage of less than 10 percent (10%) in 50 years; with the exception of geohazards due to a seismic event which are based on a 2 percent (2%) probability of exceedance in 50 years.

We trust that this meets your present requirements. Should you have any questions, please do not hesitate to contact the undersigned at your earliest convenience.

Yours truly,

Core Geotechnical Inc.


Bruce Grayson, P.Eng.

2020-07-06

Director





Attach:

- I. General Notes
- II. Drawing No. 412-1 "Survey Plan with Building Setback"
- III. Landslide Risk Assessment Sheet
- IV. Landslide Assurance Statement
- V. Seismic Hazard Calculation



GENERAL NOTES

This report comprises the results of a site investigation carried out in accordance with normally-accepted methods for a specific purpose and client as defined in the introductory section(s) of the document. The report should not be used by other parties or for other purposes without prior consultation with this firm, as it might not contain adequate or appropriate information for extrapolation.

LOGGING

The information on the Logs (Test Bores, Test Holes, Natural Exposures etc.) has been based on a visual and tactile assessment except at the discrete locations where test information has been reported (eg field and/or laboratory results).

Reference should be made to our standard sheets for the definition of our logging procedures (Soil and/or Rock Descriptions, as appropriate).

GROUNDWATER

Unless otherwise indicated, the water levels given on the logs are the levels of free water or seepage in the test hole recorded at the given time of measuring. The measured ground water level may be affected by the method of investigation (for example, if rotary drilling is utilised, drilling fluids will be pumped into the ground).

The actual groundwater level may differ from the recorded level depending on material permeabilities. Further variations of this level could occur with time due to such effects as seasonal and tidal fluctuations or construction activities. Final confirmation of levels can only be made by appropriate instrumentation techniques and programmes.

SAMPLING

Samples extracted during the fieldwork phase of a site investigation may be 'disturbed' or 'undisturbed' (as indicated on the logs) depending on the intended nature and purpose of the sample as well as the practicable method of extraction, transportation, extrusion and testing. This aspect should be taken into account when assessing test results which must of necessity reflect the effects of such disturbance.

Generally, 'disturbed' samples would be suitable for visual identification, moisture content determination, Atterberg Limits testing, compaction and California bearing ratio (CBR) testing, amongst others.

The amount sampled is also a limiting factor in the suitability for testing purposes, for example, a minimum of 10 kg is necessary for compaction and CBR testing.

'Undisturbed' samples are normally necessary for laboratory testing such as shrink-swell tests. These samples are obtained by pushing a thin-walled, mild steel tube with a machined cutting edge into the soil, and extracting the assembly. The soil (normally of nominal 50 mm diameter) is extruded at the laboratory prior to testing.

LABORATORY TESTING

Laboratory testing is normally carried out in accordance with appropriate standards (or specific ones, if requested). All testing will be carried out in a sub-contracted laboratory. Where tests are used which are not covered by standard procedures, details are given in the report.

All soil properties (as measured by laboratory testing) exhibit inherent variability and thus a certain statistical number of tests is required in order to predict an average property with any degree of confidence. The site variability of soil strata, future changes in moisture and other conditions and the discrete sampling positions must also be considered when assessing the representative nature of the laboratory programme.

Certain laboratory tests provide interpreted soil properties as derived by conventional mathematical procedures. The applicability of such properties to engineering design must be assessed with due regard to the site, sample condition, procedure and the proposed development.

INTERPRETATION OF RESULTS

The discussion and any recommendations contained within this report are normally based on a site evaluation from discrete test hole data. Generalised or idealised subsurface conditions (including any cross-sections contained in the report) have been assumed or prepared by interpolation and /or extrapolation of these data. As such, these conditions are an interpretation and must be considered as a guide only.

CHANGE IN CONDITIONS

Local variations or anomalies in the generalised ground conditions used for this report can occur, particularly between discrete test hole locations. Furthermore, certain design or construction procedures may have been assumed in assessing the soil-structure interaction behaviour of the site. Any change in design, in construction methods, or in ground conditions as noted during construction, from those assumed in this report should be referred to this firm for appropriate assessment and comment.

FOUNDATION DEPTH

Where referred to in the report, the recommended depth of any foundation (piles, caissons, footings, etc.) is an engineering estimate of the depth to which they should be constructed. The estimate is influenced and perhaps limited by the fieldwork method and testing carried out in connection with the site investigation, and other pertinent information as has been made available. The depth remains, however, an estimate and therefore liable to variation. Foundation drawings, designs and specifications based upon this report should provide for variations in the final depth depending upon the ground conditions at each point of support.

REPRODUCTION OF REPORTS

Where it is desired to reproduce the information contained in this report for the inclusion in the contract documents or engineering specification of the subject development, such reproduction shall include all of the report, including appendices (if any).

This report is the subject of copyright and shall not be reproduced without the express permission of Core Geotechnical Inc. Reproduction, where permitted, must be in full.



SOIL DESCRIPTION

Core Geotechnical Inc. describes a soil in terms of its visual and tactile properties. This sheet is intended to complement test logs and, relates to field samples and exposures as applicable. The description involves an evaluation of each of the items listed below and is in general agreement with the Canadian Foundation Engineering Manual.

SOIL TYPE

The soil type is described according to its estimated grain size composition and the tactile behaviour (plasticity) of fines (silt and clay fraction). The following table provides a guideline for the basis of the soil description:

Soil Classification	Particle Size
Silt and Clay (differentiated by Atterberg Limits Tests)	< 0.06 mm (the 0.075 mm sieve size is commonly used in practice)
Sand	0.06 - 0.2 mm (fine), 0.2 - 0.6 mm (medium), 0.6 - 2 mm (coarse)
Gravel	2 - 6 mm (fine), 6 - 20 mm (medium), 20 - 60 mm (coarse)
Cobble	60 - 200 mm
Boulder	> 200 mm

Where a soil contains one main soil type with up to 5% of a secondary soil type, it is described as having a trace of the secondary soil type. Similarly, if the proportion of the secondary soil type is within the range of 5 - 12%, it is described as having some of the secondary soil type. If the soil has 12 - 50% of the secondary soil type, the secondary soil type is used as an adjective in the description, eg Sandy CLAY, where the main soil type is clay, with up to 50% sand by weight. A soil with, say, 20% gravel, 30% sand and 50% clay would be described as a Gravelly Sandy CLAY.

STRENGTH (CONSISTENCY/RELATIVE DENSITY)

This assessment is based on the effort required to penetrate and/or mould the soil, and is an indicator of the shear strength.

Granular soils are generally described in terms of relative density (density index) as listed in the Canadian Foundation Engineering Manual. These soils are inherently difficult to assess, and normally a penetration test procedure (SPT or CPT) is used in conjunction with published correlations. Alternatively, in-situ density tests may be carried out in conjunction with minimum and maximum density (laboratory) tests.

Cohesive soils can be assessed by direct measurement (eg shear vane, pocket penetrometer [shown as PP* on the logs]) or estimated approximately by tactile means and/or the aid of a geological pick as given in the following table. It is emphasised that a 'design' shear strength must take cognisance of the in-situ moisture content and the possible variation of moisture with time, climate, and other factors.

Term	Tactile Properties	Unconfined Compressive Strength, q_u (kPa)
Very Soft	Extrudes from fingers without difficulty. Soil may tend to flow.	<25
Soft	Extrudes from fingers when squeezed.	25 - 50
Firm	Thumb may penetrate with moderate effort. Moulded by light finger pressure.	50 - 100
Stiff	Moulded by moderate finger pressure.	100 - 200
Very Stiff	Moulded by strong finger pressure.	200 - 400
Hard	Depending on moisture condition, may be moulded by very strong finger pressure or may tend to	>400
Friable	Soil is sugary, or crumbles without meaningful result on a pocket penetrometer.	

MOISTURE

The moisture condition of the soil is most applicable for cohesive soils as an aid to the assessment of consistency and workability. The moisture condition may be related to the estimated plastic limit (W_p or PL) eg $m < W_p$ where the soil is assessed as being drier than the estimated plastic limit (In the field, this is often assessed by an inability for the soil to roll out into threads of 3 mm diameter.); $m = W_p$ where the soil is assessed as being approximately at the plastic limit, ie it may just be rolled out into threads of 3 mm diameter; and $m > W_p$, where the soil is assessed as being wetter than the plastic limit (ie the soil is able to be rolled into threads of less than 3 mm diameter).

Non-cohesive soils may be described as being either Dry (dusty, dry to the touch), Moist (damp, no visible water) or Wet (visible free water, saturated condition). Ground water observations are noted on all test logs.

COLOUR

Colour may be an aid to the correlation of data between test locations and for subsequent excavation operations. The prominent colour is noted, followed by (mottled, streaked, stained etc) secondary colours as applicable. Colour is usually described at field moisture condition, however, both wet and dry colours may be recorded.

OTHER TERMS

Some other terms which the layperson may not be familiar with might be used in the description of a soil. In most cases these would be referenced in The Canadian Foundation Engineering Manual. Some of the more common of these terms are outlined below:

Fill - soil which has not been laid down by nature, ie it has been man-made.
Till - natural soil compacted and abraded under the weight and movement of a glacier.
Alluvium - natural soil laid down in streams, lakes, estuaries, dunes etc.
Residual - soil derived from rock weathered in-situ
Colluvium - soil deposited by natural transport down a slope (also called slopewash)
Talus- debris such as cobbles and boulders, generally at the toe of a slope
Glacio-Marine - soil deposited in a marine environment beneath a glacier



ROCK DESCRIPTION

Core Geotechnical Inc. describes a rock based on methods described in the Canadian Foundation Engineering Manual, together with local practice. This sheet is intended to complement test logs, and relates to cored rock, field samples and exposures as applicable. The description involves an evaluation of each of the items listed below and is in general agreement with the Canadian Foundation Engineering Manual.

ROCK TYPE

The rock type is described according to its assessed origin (ie sedimentary, igneous volcanic/hypabyssal, pyroclastic, igneous plutonic, and metamorphic) and estimated grain (crystal, clast, phenoclast etc) size composition. The following table provides a guideline for the basis of the rock type description:

SEDIMENTARY			IGNEOUS				METAMORPHIC
Clastic	Non-Clastic		Acid	Intermediate	Basic	Pyroclastic (e.g. Ash / Bombs)	
	Chemical	Organic					
Conglomerate	Limestone	Coal	Volcanic (e.g. Lava)	Rhyolite	Trachyte	Basalt	Grade Low ↑ High Gneiss Quartzite Schist Slate Phyllite
Sandstone	Chert		<i>Fine Grained</i>			Agglomerate	
Siltstone	Gypsum		Hypabyssal (e.g. Sill)	Porphyry		Volcanic Breccia	
Claystone			<i>Medium Grained</i>	Quartz/Orthoclase	Plagioclase	Tuff	
Shale			Plutonic (e.g. Batholith)	Granite	Syenite, Diorite	Gabbro	
			<i>Coarse Grained</i>				

SEDIMENTARY ROCKS

Sandstone and Conglomerate are defined as rocks containing more than 50% of sand sized grains and gravel sized fragments, respectively. Similarly, Claystone and Siltstone are defined as rocks containing more than 50% of clay or sericitic material, and silt sized granular particles, respectively, AND where the rock is not laminated. Laminated rocks containing more than 50% of clay and/or silt sized particles are defined as shale. Rocks possessing characteristics of two groups are described by their predominant particle size with reference also to the minor constituents, eg clayey sandstone, sandy shale.

STRENGTH

This assessment refers to the strength of the rock substance, not the strength of the rock mass. The strength of the rock substance is estimated by the Point Load Strength Index $I_{s(50)}$ and normally refers to the average of the strength measured in the direction perpendicular to the bedding, and the strength measured parallel to the bedding, for sedimentary rocks. The table below describes the strength classifications used by this firm:

Term	Abbr.	Field Guide	$I_{s(50)}$ (MPa)
Extremely Low	EL	Easily remoulded by hand to a material with soil properties.	<0.03
Very Low	VL	May be crumbled in the hand. Sandstone is "sugary" and friable.	<0.1
Low	L	The core* may be broken by hand and easily scored with a knife. Sharp edges of core may be friable and break during handling.	<0.3
Medium	M	The core* can be broken by hand with considerable difficulty. Readily scored with knife.	<1
High	H	The core* cannot be broken with unaided hands, can be slightly scratched or scored with knife.	<3
Very High	VH	The core* cannot be broken readily with hand held hammer. Cannot be scratched with pen knife.	<10
Extremely High	EH	The core* is difficult to break with hand held hammer. Rings when struck with a hammer.	>10

*A piece of core 150 mm long and 50 mm diameter

WEATHERING

The assessment of weathering does not imply engineering behaviour, however it may assist in identification. No distinction is drawn between chemical weathering and alteration for most engineering purposes. These procedures are collectively described as weathering using the following terms which do not describe the related strength change. Carbonate rocks may not necessarily conform to this classification.

Term	Abbreviation	Definition
Extremely Weathered	EW	The rock exhibits soil-like properties though the texture of the original rock is still evident.
Highly Weathered	HW	Limonite staining or colour change affects the whole of the rockmass and other signs of chemical or physical decomposition are evident.
Moderately Weathered	MW	Staining extends throughout the whole of the rockmass and the original colour is no longer recognisable.
Slightly Weathered	SW	Partial staining or discolouration of the rockmass, usually by limonite, has taken place.
Fresh	Fr	Rockmass unaffected by weathering.

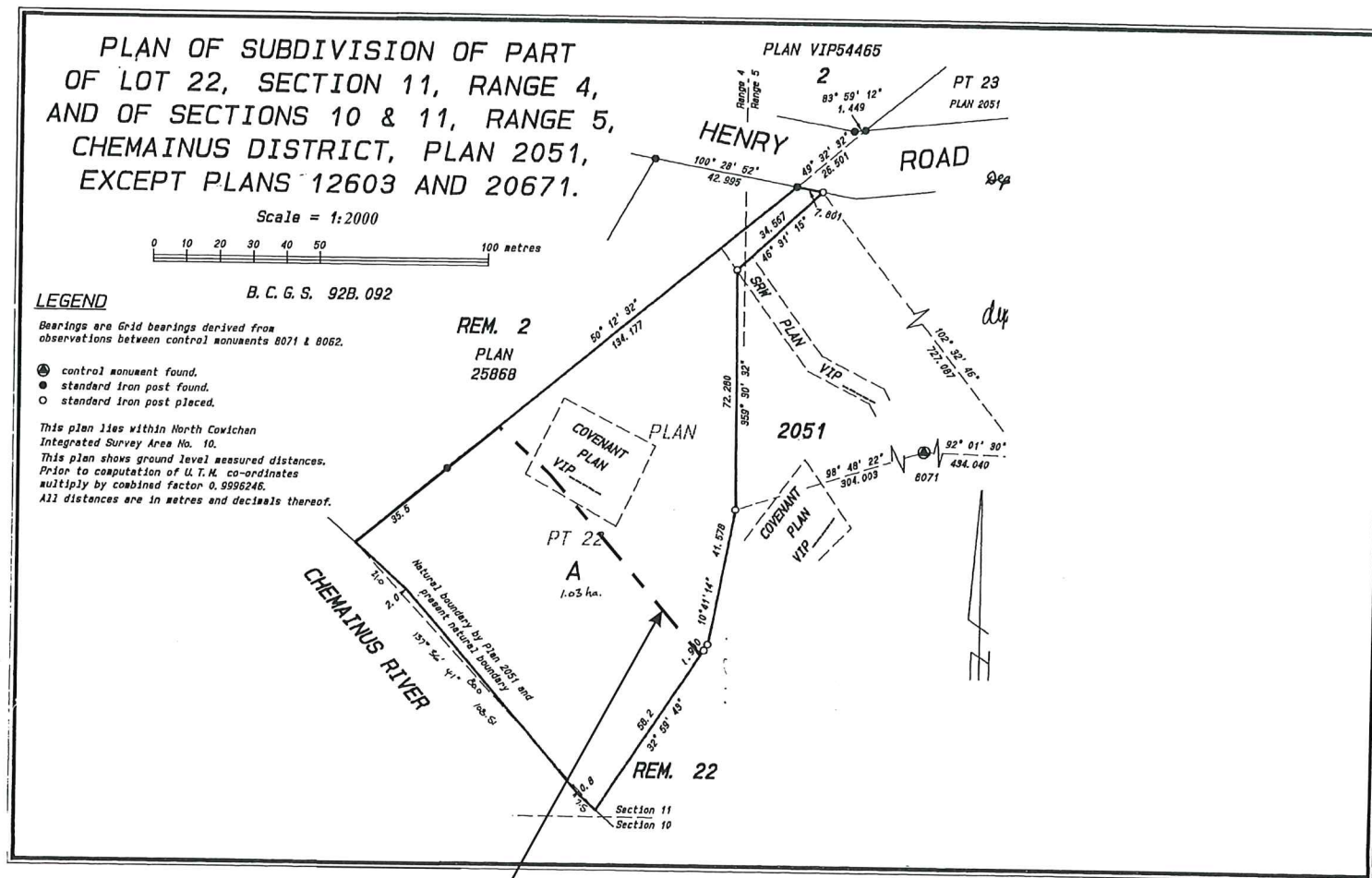
FRACTURING and BEDDING

These important features can control the overall behaviour of a rockmass. All types of natural fractures across which the core is discontinuous are noted. These fractures include bedding plane partings, joints and other defects but exclude artificial fractures such as drilling breaks. The nature of the defects (joints, partings, seams, zones and veins) is also noted with description, orientation, infilling or coating, shape, roughness, thickness, etc. given generally in accordance the Canadian Foundation Engineering Manual. The spacing of natural fractures excludes bedding partings unless there is evidence that they were separated prior to drilling. This notwithstanding, bedding partings may be considered planes of weakness in an engineering assessment.

Term	Description
Fragmented	The core is comprised primarily of fragments of length less than 20 mm, and mostly of width less than the core diameter.
Highly Fractured	Core lengths are generally less than 20 - 40 mm with occasional fragments.
Fractured	Core lengths are mainly 30 mm - 100 mm with occasional shorter and longer sections.
Slightly Fractured	Core lengths are generally 300 mm - 1 m with occasional longer sections and occasional sections of 100 mm - 300 mm.
Unbroken	The core does not contain any fractures.

Bedding Spacing may be described based on the thickness of the layering, as follows:

Thinly Laminated	Laminated	Very Thinly Bedded	Thinly Bedded	Medium Bedded	Thickly Bedded	Very Thickly Bedded
<6mm	6mm - 20 mm	20mm - 60 mm	60mm - 200 mm	200mm - 600 mm	600mm - 2 m	> 2m



Drawing Adapted from Bowers & Associates

Building Setback Line - 55m from high water mark of Chemainus River

Blue

**PROFESSIONAL
ENGINEER
J. J. GRAYSON
40075
BRITISH COLUMBIA**

2020-07-06



Survey Plan with Building Setback
3325 Henry Road, Chemainus

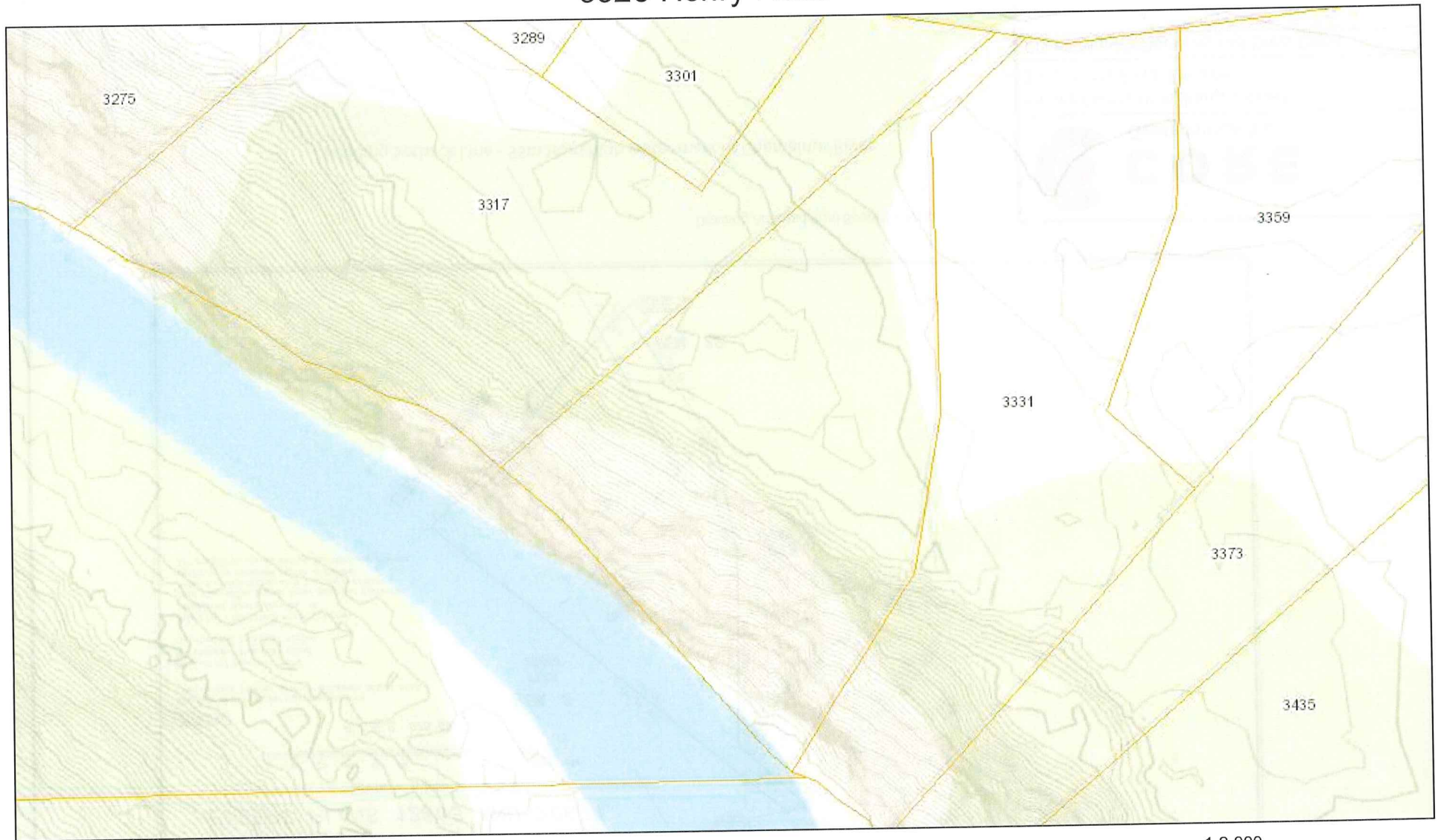
Client: Monica Dockerty and Drew Eaton

Principal: Client

Scale: 1:2000 Drn: BJG Chk: BJG 1 July 2020

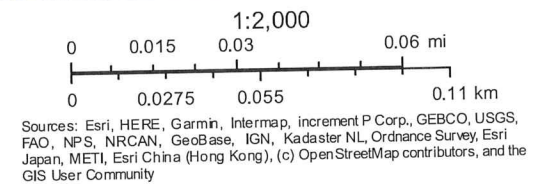
Rev: 0 Proj. No: 412 Dwg. No: 412-1

3325 Henry Road



7/6/2020, 11:03:18 AM

- | | | |
|-------------------------|----------------------|---------|
| Road Names | Foreshore Lots | Parcels |
| North Cowichan Boundary | Strata Plan Boundary | |
| Civic Address Labels | Strata Parcels | |





LANDSLIDE RISK ASSESSMENT

Landslide assessments for Residential developments are carried out in accordance with the APEGBC document "Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC".

Definitions for qualitative assessments are as follows:

Qualitative Measures of Likelihood

Level	Descriptor	Description	Indicative Annual Probability
A	Almost Certain	The event is expected to occur	
B	Likely	The event will probably occur under adverse conditions	$>\sim 10^{-1}$
C	Possible	The event could occur under adverse conditions	$\sim 10^{-2}$
D	Unlikely	The event might occur under very adverse circumstances	$\sim 10^{-3}$
E	Rare	The event is conceivable but only under exceptional circumstances	$\sim 10^{-4}$
F	Not Credible	The event is inconceivable or fanciful	$\sim 10^{-5}$
			$\sim 10^{-6}$

Note: "~" means that the indicative value may vary by, say, $\pm 1/2$ of an order of magnitude, or more.

Qualitative Measures of Consequence to Property

Level	Descriptor	Description
1	Catastrophic	Structure completely destroyed or large-scale damage requiring major engineering works for stabilisation
2	Major	Extensive damage to most of structure, or extending beyond site boundaries requiring significant stabilisation works.
3	Medium	Moderate damage to some of structure, or significant part of site requiring large stabilisation works.
4	Minor	Limited damage to part of structure, or part of site requiring some reinstatement/stabilization works.
5	Insignificant	Little damage

Qualitative Risk Analysis Matrix – Level of Risk to Property

Likelihood	Consequences to Property				
	1: Catastrophic	2: Major	3: Medium	4: Minor	5: Insignificant
A – Almost Certain	VH	VH	H	H	M
B – Likely	VH	H	H	M	V-M
C – Possible	H	H	M	L-M	VL-L
D – Unlikely	M-H	M	L-M	VL-L	VL
E – Rare	L-M	L-M	VL-L	VL	VL
F – Not Credible	VL	VL	VL	VL	VL

Risk Level Implication

Risk Level	Example Implications
VH Very High Risk	Extensive detailed investigation and research, planning and implementation of treatment options essential to reduce risk to acceptable levels; may be too expensive and not practical.
H High Risk	Detailed investigation, planning and implementation of treatment options required to reduce risk to acceptable levels.
M Moderate Risk	Tolerable provided treatment plan is implemented to maintain or reduce risks. May be accepted. May require investigation and planning of treatment options.
L Low Risk	Usually accepted. Treatment requirements and responsibility to be defined to maintain or reduce risk.
VL Very Low Risk	Acceptable. Manage by normal slope maintenance procedures.

- Note:
- (1) the implications for a particular situation are to be determined by all parties to the risk assessment; these are only given as a general guide.
 - (2) Dual descriptors for Likelihood, Consequence and Risk may be used to reflect the uncertainty of the estimate in particular cases.



LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

Note: This Statement is to be read and completed in conjunction with the "APEGBC Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia", March 2006/Revised September 2008 ("APEGBC Guidelines") and the "2012 BC Building Code (BCBC 2012)" and is to be provided for *landslide assessments* (not floods or flood controls) for the purposes of the Land Title Act, Community Charter or the Local Government Act. Italicized words are defined in the APEGBC Guidelines.

To: The *Approving Authority*
Municipality of North Cowichan

Date: Monday, July 6, 2020

With reference to:

- ☐ Land Title Act (Section 86) - Subdivision Approval
- ☒ Local Government Act (Sections 919.1 and 920) - Development Permit
- ☒ Community Charter (Section 56) - Building Permit
- ☐ Local Government Act (Section 910) Flood Plain Bylaw Variance
- ☐ Local Government Act (Section 910) Flood Plain Bylaw Exemption
- ☐ British Columbia Building Code 2012 Sentences 4.1.8.17 and 9.4.4.4.(2)

For the Property: Lot A Plan VIP63803 Section 11 Range 4 Land District 08 Portion & RGE 5, 3325 Henry Road, Chemainus, BC

The undersigned hereby gives assurance that he/she is a *Qualified Professional* and is a *Professional Engineer* or *Professional Geoscientist*.

I have signed, sealed and dated, and thereby certified, the attached *landslide assessment* report on the property in accordance with the *APEGBC Guidelines*. The report must be read in conjunction with this statement. In preparing that report I have:

Check to the left of applicable items

- ☒ 1. Collected and reviewed appropriate background information
- ☒ 2. Reviewed the proposed *residential development* on the Property
- ☒ 3. Conducted fieldwork on and, if required, beyond the Property
- ☒ 4. Reported on the results of the fieldwork on and, if required, beyond the Property
- ☒ 5. Considered any changed conditions on and, if required, beyond the Property
- ☒ 6. For a *landslide hazard analysis* or *landslide risk analysis* I have:
 - ☒ 6.1. reviewed and characterized, if appropriate, any *landslide* that may affect the property
 - ☒ 6.2. estimated the *landslide hazard*
 - ☒ 6.3. identified existing and anticipated future *elements at risk* on and, if required, beyond the Property
 - ☒ 6.4. estimated the potential consequences to those elements at risk
- ☒ 7. Where the *Approving Authority* has adopted a *level of landslide safety*, I have:
 - ☐ 7.1. compared the *level of landslide safety* adopted by the *Approving Authority* with the findings of my investigation
 - ☐ 7.2. made a finding on the *level of landslide safety* on the Property based on the comparison
 - ☐ 7.3. made recommendations to reduce *landslide hazards* and/or *landslide risks*



8. Where the Approving Authority has **not** adopted a level of landslide safety, I have
- ☒ 8.1. described the method of *landslide hazard analysis* or *landslide risk analysis* used
 - ☒ 8.2. referred to an appropriate and identified provincial, national or international guideline for *level of landslide safety*
 - ☒ 8.3. compared this guideline with the findings of my investigation
 - ☒ 8.4. made a finding on the *level of landslide safety* on the Property based on the comparison
 - ☒ 8.5. made recommendations to reduce *landslide hazards* and/or *landslide risks*
 - ☒ 9. Reported on the requirements for future inspections of the property and recommended who should conduct those inspections

Based on my comparison between

Check one

- ☐ the findings from the investigation and the adopted *level of landslide safety* (item 7.2 above)
- ☒ the appropriate and identified provincial, national or international guideline for *level of landslide safety* (item 8.4 above)

I hereby give my assurance that, based on the conditions⁽¹⁾ contained in the attached landslide assessment report,

- ☐ for subdivision approval, as required by the Land Title Act (Section 86), "that the land may be used safely for the use intended"
 - ☐ With one or more recommended registered covenants
 - ☐ Without any registered covenant.
- ☒ for a development permit, as required by the Local Government Act (Sections 919.1 and 920), my report will "assist the local government in determining what conditions or requirements under [Section 920] subsection (7.1) it will impose in the permit".
- ☒ for a building permit, as required by the Community Charter (Section 56), "the land may be used safely for the use intended"
 - ☒ With one or more recommended registered covenants
 - ☐ Without any registered covenant.
- ☐ for flood plain bylaw variance, as required by the "Flood Hazard Area Land Use Management Guidelines" associated with the Local Government Act (Section 910), "the development may occur safely".
- ☐ for flood plain bylaw exemption, as required by the Local Government Act (Section 910), "the land may be used safely for the use intended".

Name: Bruce John Grayson, P.Eng

Date: Monday, July 6, 2020

Signature:

⁽¹⁾ When seismic slope stability assessments are involved, level of landslide safety is considered to be a "life safety" criterion as described in the National Building Code of Canada (NBCC 2010), Commentary on Design for Seismic Effects in the User's Guide, Structural Commentaries, Part 4 of Division B. This states:

"The primary objective of seismic design is to provide an acceptable level of safety for building occupants and the general public as the building responds to strong ground motion; in other words, to minimize loss of life. This implies that, although there will likely be extensive structural and non-structural damage, during the DGM (design ground motion), there is a reasonable degree of confidence that the building will not collapse nor will its attachments break off and fall on people near the building. This performance level is termed 'extensive damage' because, although the structure may be heavily damaged and may have lost a substantial amount of its initial strength and stiffness, it retains some margin of resistance against collapse".

2015 National Building Code Seismic Hazard Calculation

INFORMATION: Eastern Canada English (613) 995-5548 français (613) 995-0600 Facsimile (613) 992-8836
Western Canada English (250) 363-6500 Facsimile (250) 363-6565

Site: 48.901N 123.729W

User File Reference: 3325 Henry Road, Chemainus

2020-07-06 17:09 UT

Requested by: Bruce Grayson, P.Eng., Core Geotechnical Inc.

Probability of exceedance per annum	0.000404	0.001	0.0021	0.01
Probability of exceedance in 50 years	2 %	5 %	10 %	40 %
Sa (0.05)	0.591	0.428	0.315	0.141
Sa (0.1)	0.907	0.659	0.483	0.215
Sa (0.2)	1.129	0.820	0.605	0.266
Sa (0.3)	1.160	0.842	0.620	0.266
Sa (0.5)	1.049	0.750	0.537	0.220
Sa (1.0)	0.605	0.410	0.281	0.105
Sa (2.0)	0.361	0.237	0.156	0.055
Sa (5.0)	0.113	0.064	0.035	0.011
Sa (10.0)	0.040	0.022	0.012	0.004
PGA (g)	0.492	0.357	0.263	0.114
PGV (m/s)	0.763	0.520	0.360	0.133

Notes: Spectral ($S_a(T)$, where T is the period in seconds) and peak ground acceleration (PGA) values are given in units of g (9.81 m/s^2). Peak ground velocity is given in m/s . Values are for "firm ground" (NBCC2015 Site Class C, average shear wave velocity 450 m/s). NBCC2015 and CSAS6-14 values are highlighted in yellow. Three additional periods are provided - their use is discussed in the NBCC2015 Commentary. Only 2 significant figures are to be used. **These values have been interpolated from a 10-km-spaced grid of points. Depending on the gradient of the nearby points, values at this location calculated directly from the hazard program may vary. More than 95 percent of interpolated values are within 2 percent of the directly calculated values.**

References

National Building Code of Canada 2015 NRCC no. 56190; Appendix C: Table C-3, Seismic Design Data for Selected Locations in Canada

Structural Commentaries (User's Guide - NBC 2015: Part 4 of Division B)
Commentary J: Design for Seismic Effects

Geological Survey of Canada Open File 7893 Fifth Generation Seismic Hazard Model for Canada: Grid values of mean hazard to be used with the 2015 National Building Code of Canada

See the websites www.EarthquakesCanada.ca and www.nationalcodes.ca for more information



Natural Resources
Canada

Ressources naturelles
Canada

Canada

June 29, 2020

EDI Project No: 20N0222

Drew Eaton
7092 Norcross Road
Duncan, BC V9L 6A5

**RE: Environmental Assessment (Development Constraints)
Lot A Henry Road, North Cowichan BC**

Thank you for retaining EDI Environmental Dynamics Inc. (EDI) to assess environmentally sensitive areas and riparian areas on your property (Lot A, Henry Road, in the Municipality of North Cowichan, PID: 023-516-305). The assessment was required as part of the development permitting process for the construction of a proposed house and secondary dwelling, as DPA-3 (Natural Environment) overlaps the property. A background information review was followed by a field assessment, completed by the undersigned on June 1, 2020 to evaluate environmentally sensitive features and potential constraints to the planned development. A summary of findings is provided in this letter.

Table 1. Background information review results summary

Feature	Source	Result	Potential Constraint?
Bald Eagle Nests	Wildlife Tree Stewardship Atlas (WTSA)	No mapped eagle nests nearby.	No
Great Blue Heron Colonies	BC Great Blue Herons Atlas	No mapped heron colonies nearby.	No
Sensitive Ecosystems	Sensitive Ecosystems Inventory via MNC Map	Steep slope area mapped as woodland.	Yes
Terrestrial Ecosystems	Terrestrial Ecosystem Mapping (TEM) via Habitat Wizard	Northeast portion: CDFmm—60% Douglas-fir – salal young forest, 20% rural, and 20% cultivated field. Southeast portion: CDFmm—40% Douglas-fir – arbutus shrub cover, 30% Douglas-fir – arbutus young forest with warm aspect, and 30% Cladina – Wallace’s selaginella rock outcrop.	Yes
Streams and Waterbodies	Habitat Wizard, MNC Map, and Sensitive Habitat Inventory and Mapping	Chemainus River along southwest edge of the property. This reach of the river is known to support chinook, coho, chum, and pink salmon, as well as cutthroat and rainbow trout (including winter run steelhead), and Dolly Varden char.	Yes
Species at Risk	Habitat Wizard	Western painted turtle proposed critical habitat is mapped along this section of the Chemainus River, and encompasses nearly the entire property (Occurrence ID 73594).	Yes
Agricultural Land Reserve	MNC Map	ALR lands are located nearby to the south, east, and north, but do not border the property. No development is proposed within 30 m of the ALR.	No



Site Description

The property is one hectare in size, with elevations from 20 m to 77 m above sea level. Surrounding land use is rural and the lot is bordered by the Chemainus River along the southwest edge. About half of the property is steep ravine slope (over 90% grade) with a southwest aspect leading down to the river. The northeast half of the lot is relatively flat with a gentle grade (~7%) to the northeast. An existing driveway from Henry Road connects two previously cleared openings in the forest cover totaling about 1500 m², in which the majority of the proposed development footprints will be located. Existing structures include two sheds and a concrete retaining wall.

As identified by the Sensitive Ecosystems Inventory and Terrestrial Ecosystem Mapping, the steep slope area is characterized by a mix of Douglas-fir woodland and sparsely vegetated ecosystems. It therefore meets the definition of a sensitive terrestrial ecosystem or Environmentally Sensitive Protection Area as described by the DPA-3 guidelines. Tree canopy cover is less than 50% in this area where the surficial material is comprised of loose shale scree, shale bedrock outcrops, and patches of shallow soil over the bedrock. Little vegetation is present on portions of the scree slope that are actively eroding. Bedrock outcrops support mainly herbaceous vegetation and some shrubs, and the few trees and larger shrubs are found on the more stable patches where soil has developed. Douglas-fir is the dominant tree species, along with some bigleaf maple and arbutus. Dominant shrubs include ocean spray, baldhip rose, snowberry, and Scotch broom. Note that a landslide has occurred on the ravine slope spanning the two parcels immediately to the southeast.

Douglas-fir – arbutus young forest is present along the top of the steep slope, which quickly transitions to the Douglas-fir – salal young forest community that covers most of the northeast half of the property. A few mature Douglas-fir trees are found near the north end of the lot. No large stick nests of eagles or other raptors were observed on or adjacent to the property. No significant wildlife trees were identified near the proposed development footprints.

Watercourses include the Chemainus River along the southwest edge of the property, and a drainage ditch that the existing driveway crosses at the north end. The Chemainus River is approximately 40 m wide adjacent to the lot, with a 50 m wide floodplain and side channel on the opposite (southwest) side of the river. The river is contained in a ravine that is roughly 190 m wide, and the toe of the ravine slope on the property is at the northeast edge of the active riverbank. As such, the base of this slope is actively eroded by the river, which has created vertical shale cliffs along the western portion of the property's river frontage. Due to the active erosion from high flows and the ongoing movement of much of the surficial material on the steep ravine slope, riparian vegetation cover along the edge of the river is naturally low.

Some of the fish species supported by the Chemainus River include chinook, coho, and chum salmon, as well as steelhead, rainbow, and cutthroat trout, and Dolly Varden char. While the drainage ditch could not be assessed beyond the property boundaries, based on a review of aerial imagery and topography it is assumed to eventually connect to a fish-bearing watercourse. As such, both the river and ditch meet the definition of a stream under the Riparian Areas Protection Regulation.



Environmental Constraints to Development

No development is proposed within the steep slope woodland Environmentally Sensitive Protection Area. In addition to avoiding development in the Environmentally Sensitive Protection Area, a protective buffer must be established around it, as described in the DPA-3 guidelines. The buffer must be wide enough to protect the ecological integrity of the sensitive ecosystem.

In this case, a landslide similar to the one that occurred on the properties immediately to the southeast is likely the greatest threat to this sensitive ecosystem. EDI understands that slope stability in relation to the proposed development will be addressed by a geotechnical engineer. As such, the buffer recommended below is intended to be adequate to protect the integrity of the sensitive ecosystem from factors other than slope instability. Invasive plants are already established in the Environmentally Sensitive Protection Area, and are likely the greatest threat to the sensitive ecosystem values apart from potential slope instability.

A vegetated buffer could help limit the introduction of invasive plants into the steep slope woodland area; however, due to surrounding land use and the prevalence of invasive plants like Scotch broom in the area, even a 100 m buffer would not prevent the continued introduction of invasive plant seeds transported by wind, birds and other wildlife. Still, a smaller buffer would provide some protection to the sensitive ecosystem and habitat connectivity for birds and small mammals. In this case, a buffer equal to the Riparian Assessment Area defined by the Riparian Areas Protection Regulation is recommended—10 m measured from the top of ravine bank.

By retaining existing vegetation within 10 m of the top of ravine bank, the proposed development is outside the Riparian Assessment Area of the Chemainus River and does not require a Riparian Areas Protection Regulation assessment. The drainage ditch at the north end of the property is assumed to meet the definition of a stream under the Riparian Areas Protection Regulation, because it likely connects to downstream fish habitat. As such, any future proposed development within 30 m of this ditch would require a riparian assessment. The development footprints proposed at this time are more than 40 m away from the ditch. So, there is no constraint to the current development proposal associated with the ditch.

Bird nesting potential is high throughout the property, and so vegetation clearing should be scheduled to avoid the nesting window, or following nest surveys by a qualified professional (active bird nests are protected under the Wildlife Act).

Note that while proposed critical habitat for western painted turtle overlaps most of the property, no suitable habitat for this species is present. This section of the river does not match the description of typical western painted turtle habitat (shallow ponds, lakes, oxbows, marshes, and slow-flowing stream reaches). The left bank of the river that borders the property is characterized as a relatively fast-flowing glide section above a small cascade. As such, there are no constraints to the proposed development associated with this species at risk.



Recommendations

- 1 Do not clear vegetation in the steep slope woodland Environmentally Sensitive Protection Area or its 10 m buffer measured from the top of ravine bank. Only hazardous trees as designated by a qualified danger tree assessor should be treated or cut down in these areas.
- 2 Where hazardous trees are recommended for removal by a qualified danger tree assessor:
 - a. Ensure adjacent trees are not damaged while danger trees are felled.
 - b. Minimize impacts to understory vegetation.
 - c. Leave a 4 to 5 m wildlife snag, where it is safe to do so.
 - d. Remove branches to minimize fuel buildup on the forest floor.
 - e. Leave logs on the forest floor as coarse woody debris wildlife habitat.
- 3 Schedule vegetation clearing outside the bird nesting window of March 1st to August 31st or following pre-clearing nest surveys that confirm no observed active bird nests will be impacted (active bird nests and the nests of some raptors/herons are protected under the Wildlife Act).
- 4 I understand you intend to remove invasive plants from the Environmentally Sensitive Protection Area (and elsewhere on the property) and replant with appropriate native plant species. I also understand you have significant experience with this type of work. This ongoing stewardship of the sensitive ecosystem and buffer on your property is encouraged. Please let me know if you have any questions about invasive plant management or native plant species selection as you proceed with this work.

Yours truly,

EDI Environmental Dynamics Inc.

Ian Wright, PAg, RBTech
Ecologist / GIS Analyst

7.2 Bylaw 3758 - "Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), 2019"

It was moved and seconded:

That Council adopt "Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), 2019", No. 3758, - a bylaw to regulate the keeping of farm animals and poultry, and to establish setbacks specific to kennels.

CARRIED

7.3 Bylaw 3763 - "Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019"

Councillor Manhas declared a conflict of interest as his employer has submitted a rezoning application for a retail cannabis store and left the Council Chambers at 2:21 p.m.

It was moved and seconded:

That Council adopt "Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019" No. 3763 – a bylaw to permit cannabis retail sales at 8432 Trans-Canada Highway.

CARRIED

Councillor Manhas returned to the meeting at 2:23 p.m.

8. REPORTS

8.1 Reconsideration of Development Permit Application DP000155

Council heard from the CAO re the Vancouver Island Motorsport Circuit's application to reconsider the Director of Planning and Building's decision not to issue a Development Permit for the Phase 2 expansion of the Motorsport Circuit. The CAO outlined the options, as set out in the Director of Planning and Building's December 4, 2019 report.

Council then heard from Sean Hern, on behalf of the property owner, in accordance with the Delegation of Authority Bylaw.

It was moved and seconded:

That Council confirm the Director of Planning and Building's decision to deny Development Permit Application DP000155 due to non-compliance with the Zoning Bylaw.

(Opposed: Manhas)

CARRIED

8.2 Second Dwelling Rural Lands Policy

Council heard from the Director of Planning and Building that North Cowichan has been dealing with recent requests for second dwellings on a case-by-case basis. The issue is the Official Community Plan (OCP) and Zoning Bylaws do not currently have criteria to deal with basic standards around secondary dwellings, and there is limited ability to restrict size of proposed second dwellings.

Council asked questions of the Director of Planning and Building and heard that should Council approve the recommended policy, site specific applications for second dwellings would still need Council approval as a Zoning Amendment is still required.

Councillor Douglas left the meeting at 2:42 p.m. and returned at 2:45 p.m.

It was moved and seconded:

That Council direct staff to review all future site specific applications for second dwellings, including second residences and detached suites, in the context of existing OCP Policy; and

That all future site specific applications for second dwellings, outside the Urban Containment Boundary, be reviewed with respect to the following criteria:

- a. That size of the proposed second dwelling be restricted by covenant to 92 m² (990.28 ft²) or less;
- b. That subdivision be restricted by covenant to prevent subdivision including strata subdivision;
- c. That the size of the parcel be a minimum of; and
 - i. 1 ha (2.5 acres) where no Municipal sewer or water exists;
 - ii. 0.4 ha (1 acre) where no Municipal sewer exists;
 - iii. 0.2 ha (0.5 acres) where Municipal water and sewer exist; and
- d. That siting of second dwellings on agricultural lands be established and restricted by covenant to preserve agricultural land.

CARRIED

8.3 Construction of New Crofton Water Storage Reservoir

It was moved and seconded:

That Council direct staff to:

1. Prepare an agreement with the developer for the reservoir project that includes:
 - a. a \$700,000 contribution by North Cowichan from the one time Gas Tax funds,
 - b. the developer's delivery of a turnkey project that includes complete construction of the "ultimate" design reservoir, and
 - c. a termination clause that sets out the Agreement will be terminated immediately, with terms null and void, if construction has not substantially started within 24 months of execution of the Agreement; and
2. Research and prepare a latecomer charge agreement in favour of North Cowichan for future recovery of the appropriate portion of North Cowichan's contribution from future benefitting areas.

CARRIED

Council took a 15 minute recess at 3:05 p.m. and resumed the meeting at 3:20 p.m.



The intended plot size of this plan is 594mm in width by 841mm in height (ISO A1 size) when plotted at a scale of 1:300

All distances are in metres and decimals thereof.

Property Zoning: Zoned A3- Rural Restricted Zone, Municipality of North Cowichan Zoning Bylaw 1997, No.2950, Page 43 and 44

Development Permit Areas: DPA-4 (Hazard Lands) and DPA-3 (Natural Environment)

Legal Description:

Lot A Section 11 Ranges 4 and 5 Chemainus District Plan VIP63803

PID: 023-516-305

Property Charges:
EK88755 Covenant
EK88757 Covenant
EK88759 Statutory Right of Way

Date of Field Survey: June 3rd, 2020.

Contour interval = 0.50 m.

Elevations are to geodetic datum, derived from Can-Net base station NCOW.

Vertical Datum CGVD28 (HTV2.0).

Lot boundaries shown hereon are derived from ties to existing survey evidence and Land Title Office records. Lot boundaries are subject to change upon legal survey.

This plan represents the best information available at the time of survey. WSP Surveys (BC) Limited Partnership and its employees take no responsibility for the location of any underground conduits, pipes, or other facilities whether shown on or omitted from this plan. All underground installations should be located by the respective authorities prior to construction.

LEGEND

- denotes photo location and direction
- denotes culvert
- denotes ditch
- denotes hydro pole
- denotes pole anchor
- denotes fence
- denotes top of bank
- denotes bottom of bank
- denotes edge of gravel
- denotes center line of road
- denotes overhead wire
- denotes underground storm drain service
- denotes building outline
- denotes spot elevation
- denotes tree line
- denotes property line
- denotes interest line

SECTION 11

RANGE 4

ATTACHMENT 9

HENRY ROAD

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7

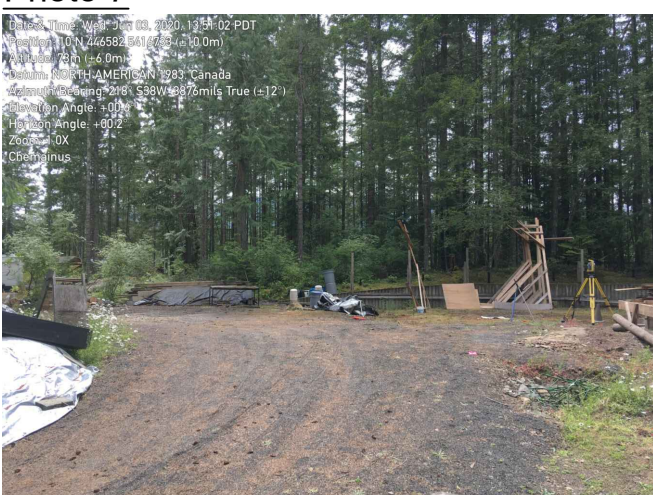


Photo 8

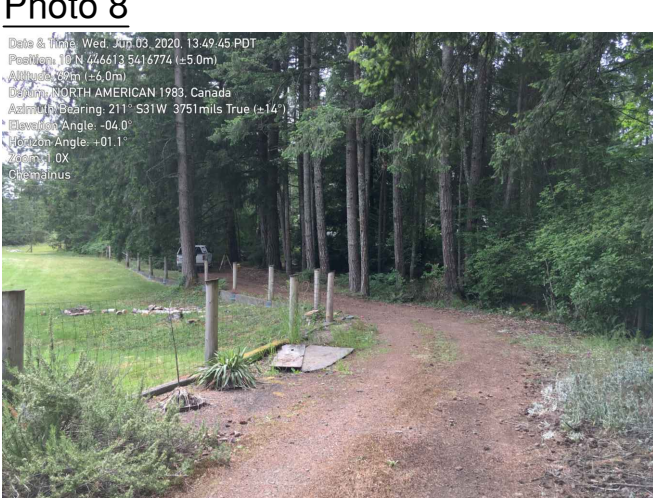


Photo 9



Certified Correct this 14 day of July, 2020

Mitch Laseur, BCLS 962

Part East 40 Acres of Section 10

CLIENT:

Drew Eaton



WSP Canada Inc.
301-3600 Uptown Boulevard,
Victoria, BC V8Z 0B9
t: 250-384-5510 www.wsp.com

PROJECT:

Lot A, Plan VIP63803
Henry Road, Chemainus BC

PROJECT NO:

201-05827-00

SCALE:

As-Noted

DISCIPLINE:

GEOMATICS

TITLE:

Topographic Site Survey

DRAWING NO:

201-05827-00-MTPSI001-R0

SHEET NO:

1 OF 1

LETTER OF INTENT

Council, Municipality of North Cowichan
7030 Trans-Canada Highway
Duncan, British Columbia
V9L 6A1

November 12, 2020.

ATTACHMENT 10

Dear Municipal Council Members,

We would like to submit a formal rezoning application to the municipality of North Cowichan for Lot A, Plan VIP63803, PID: 023-516-305. This submission seeks to amend the existing A3 zoning to accommodate a detached secondary suite.

Our property currently is a bare lot and provides a lot of green space in the community. We intend to install utilities (underground to limit tree removal) and build a house. We would like to rezone so we can accommodate a garden suite with an attached garage (secondary suite) and a primary dwelling. We intend to build the “secondary suite” first, then after the zoning amendment has been approved by council, the new dwelling, “principle” building will be constructed later. Once the principle dwelling is built, we would like to rent the garden suite.

We recognize the environmentally sensitive nature of certain parts of the property and have sited all buildings with respect to these areas. All buildings are sited in accordance with the Geotechnical Engineer and Qualified Environmental Professional recommendations. We feel that the siting of the buildings best utilizes previously disturbed areas and limits further disturbance to environmentally sensitive ecosystems and treed areas. Buildings are sited and respect all recommended setbacks from property lines, the property slope, covenants, and the right-of-way easement.

In addition to this, we feel that all proposed buildings have been sited with the best interest of neighbours in mind. We have sited all buildings with respect to the neighbouring houses (3317 Henry Road and 3331 Henry Road). We want to respect our neighbour’s privacy, and not interfere with any of their sightlines or views.

The property has two small sites appropriate for building. If one large home were built it would interfere with neighbour’s privacy in addition to require more land clearing. We feel that two small dwellings best utilize this unique property, rather than one large dwelling. We feel that rezoning the property for two dwellings, compared to the property potentially being subdivided in the future by the next owners is best for the surrounding community. Rezoning will help to preserve green space and increase available rental dwellings.

We feel that the neighbours support this rezoning application and this unique property would be best utilized and preserved with a zoning amendment. Our immediate neighbours (3331 Henry Road) have already had their zoning amended to allow for a secondary dwelling; because of this we believe there is sufficient precedent for our property to be rezoned. We also believe that this zoning amendment aligns with North Cowichan’s development plan for our neighbourhood and community.

Thank you in advance for your consideration. Should there be any questions we encourage you to contact us directly at 250-886-9655.

Yours sincerely,

Monica Dockerty and Drew Eaton



The Corporation of the District of North Cowichan

**Zoning Amendment Bylaw
(Second Dwelling – 3325 Henry Road), 2020**

Bylaw 3811

The Council of The Corporation of The District of North Cowichan in open meeting enacts as follows:

Title

1. This Bylaw may be cited as "Zoning Amendment Bylaw (Second Dwelling – 3325 Henry Road), 2020", No. 3811.
2. Zoning Bylaw 1997, No. 2950, section 53(4)(c) [Rural Restricted Zone (A3) Density] is amended by adding the following new subsection (vi):

"(vi) 3325 Henry Road (PID: 023-516-305)"

READ a first time on the ____ day of _____, 2020

READ a second time on the ____ day of _____, 2020

This bylaw was advertised in the Cowichan Valley Citizen on the ____ day of _____, 2020 and the ____ day of _____, 2020 and the municipality's website and notice board on the ____ day of September, 2020.

CONSIDERED at a Public Hearing on

READ a third time on


APPROVED by Ministry of Transportation and Infrastructure on

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Report

Date	December 16, 2020	File: CIP00839
To	Council	
From	Rob Conway, Director, Planning and Building	Endorsed: 
Subject	Request to support affordable housing funding application – 9090 Trans Canada Highway	

Purpose

To consider a request for a letter of support for inclusion with a funding application for affordable housing at 9090 Trans Canada Highway.

Background

9090 Trans Canada Highway was recently purchased by 1251719 BC Ltd. with the intention of developing it under existing zoning for a manufactured home park. The proposed housing is intended to be rented. The owner is preparing a funding application to the Canadian Mortgage and Housing Corporation (CMHC) that would require a percentage of the housing units to be “affordable” and offered to qualified tenants at below-market rental rates. Council has been asked by Robyn Kelln, a representative of 1251719 BC Ltd., to support the application by:

- a) Providing an endorsement for Affordable Housing;
- b) Providing a definition of affordable rental rates for 2 and 3 bedroom manufactured homes within this community;
- c) Giving priority to pending development permit and building permit applications for the project.

The draft letter requesting Council’s support of the funding application is included with this report as Attachment A.

Discussion

Location and Land Use Context:

9090 Trans Canada Highway is a 10.2 hectare (25.2 ac.) property located between the Trans-Canada Highway and the Chemainus River, immediately north of the Country Maples Campground (Attachment B). The site is accessed from Henry Road.

The OCP designation for the property is “Rural,” and it is outside of the Chemainus Growth Centre and Urban Containment Boundary. Notwithstanding the OCP designation, the property is zoned Residential Mobile Home Park Zone (R5) and has been for many years. The R5 zoning permits the property to be developed for “manufactured homes” (i.e. factory-built dwellings constructed to the CSA Z240 or A277 standard) to a maximum density of twenty units per hectare.

Proposed Development:

The proponent has advised that the planned manufactured home park will accommodate up to 110 manufactured homes. However, the Planning and Building Department has not yet received any development applications for the project, nor has a site plan or other drawings showing the proposed development been provided. Prior to any development of the site, the owner will be required to obtain a development permit and a mobile home park permit, in accordance with Mobile Home Parks Bylaw No. 1775.

Staff have been advised by the proponent that if CMHC funding is secured, that approximately 20 percent of the units would be reserved as "affordable" through rent restrictions. CMHC would establish specific terms and conditions for affordability as a condition of funding.

Official Community Plan Policy:

OCP Policy (s. 2.5.2.9) recognizes mobile home parks as contributors to the affordable housing stock but does not consider them to be suitable land use in rural areas (2.5.2.9(c)). However, the OCP also recognizes (s. 2.1.5) that lands in rural areas can be developed for land uses and densities permitted by existing zoning.

Affordable housing policies in the OCP are primarily directed at the lands within the Growth Centre designation, but these policies could arguably also apply to the proposed manufactured home park at 9090 Trans Canada Highway.

- 2.5.2.1 *The Municipality recognizes the need for a variety of housing types (by size, type, tenure, density and cost) integrated into a range of neighbourhoods in all growth centres, and especially housing types suitable for the aging population and young families.***
- 2.5.2.3 *The Municipality supports the development of new market forms of affordable housing for both rent and purchase.***
- 2.5.2.3(a) *The Municipality requires that 10% of units within major projects (10 units or more) incorporate an affordable housing requirement.***
- 2.5.2.4(b) *The Municipality will work in partnership with other government agencies, the private sector, non-profit organizations and service agencies to ensure the provision of affordable housing for seniors or other special needs residents in North Cowichan***

Cowichan Attainable Housing Strategy:

Council has endorsed the Cowichan Attainable Housing Strategy (AHS) and became a member of the Cowichan Attainable Housing Partnership in May of 2019. The AHS includes recommended actions for promoting affordable housing in the Cowichan Valley, such as the "Collaborative Funding Proposals" which includes "Facilitate funding for affordable housing projects and funding sources".

Definition of "Affordable":

Mr. Kelln is asking the Municipality to define affordable rental rates for two and three bedroom manufactured homes. As such a definition is not readily available, the following was established in consultation with the Executive Director of the Cowichan Housing Society:

Rental rates no more than 30 percent of:

(a) 80% of Cowichan Valley Median Household Income for two bedroom manufactured homes; and

(b) 80% of Cowichan Valley Median Family Income for three bedroom manufactured homes

Based on 2016 Statistics Canada data (the most recent available), Median Household Income in the Cowichan Valley was \$52,000, and Median Family Income was \$62,150. Based on these numbers, an "affordable" modular home would have a monthly rental rate of \$1040 or less for a two bedroom manufactured home and \$1243 or less for a three bedroom manufactured home.

Summary and Conclusion:

Although the proposed manufactured home park is in a location that is not supported by the OCP land use policy, the R5 zoning designation allows the property to be developed for the intended use. Supporting Mr. Kelln's CMHC funding application may assist with the creation of affordable housing units within North Cowichan. This project will assist Council in working towards their goal to have sustainable housing opportunities that represent the interests of all citizens, as identified within their 2019-2022 Strategic Plan. By providing a letter of support, Council will be carrying out one of the actions identified in the Plan, which is to "seek opportunities to partner and support affordable housing initiatives."

In addition to requesting support for affordable housing and providing a definition of affordability, Mr. Kelln has requested that priority be given to the project in the processing of pending permit applications. The Planning and Building Department will expedite the project's permit application processing to the extent possible but cannot give priority to this project without delaying the processing of other active applications. Therefore, the proposed support letter (Attachment D) does not include any specific commitment for prioritizing pending permit applications.

Options***Option 1 (Recommended):***

That the Mayor be authorized to provide a letter supporting Mr. Kelln's funding application to the Canadian Mortgage and Housing Corporation for a manufactured home park at 9090 Trans Canada Highway.

Option 2 (Alternative):

That the request for a letter supporting Mr. Kelln's funding application to the Canadian Mortgage and Housing Corporation for a manufactured home park at 9090 Trans Canada Highway be denied.

Implications

Providing the requested letter of support increases their chance of success that the CMHC will approve their application, which would increase the stock of affordable housing units in North Cowichan. If the support letter is not provided, the proponent may still proceed with the CMHC funding application, but is less likely to receive approval without Council support.

Recommendation

That the Mayor be authorized to provide a letter supporting Mr. Kelln's funding application to the Canadian Mortgage and Housing Corporation for a manufactured home park at 9090 Trans Canada Highway.

Attachments:

Attachment A – Support Letter Request

Attachment B – Location Map

Attachment C – R5 Zone

Attachment D – Draft Letter of Support

November 28, 2020

Mr. Rob Conway
Planning Director
District of North Cowichan
7030 Trans Canada Hwy
Duncan, BC
V9L 6A1

**RE: 1251719 BC LTD /MORGAN MAPLES MODULAR HOME PARK
North Cowichan Definition for Affordable Housing
North Cowichan Council Support of Affordable Housing**

Dear Rob,

We are writing to you for the District of North Cowichan Council to please consider their assistance to support our CMHC Application to construct a 115 Unit Modular Home Park at 9090 TransCanada Hwy to be called the MORGAN MAPLES.

We would like to request from Council the following:

- a) Its important to CMHC, that there be an endorsement from North Cowichan that the District is in support of Affordable Housing
- b) As part of the CMHC Application to support the Affordable Housing segment, CMHC asks for the North Cowichan "definition" of what would be the rates for a 2 and 3 bedroom detached home, if defined as 'affordable'
- c) Also, CMHC states in their guidelines, that where the Municipality will give the Development Permits and Building Permits a priority, these applications will be looked upon more favorably by CMHC.

We believe any affordable housing project is an enormous benefit to the community and with the council and staff support we can bring our project to construction by early summer of 2021.

We ask if you could please be so kind to bring our request before Council on December 16, 2020.

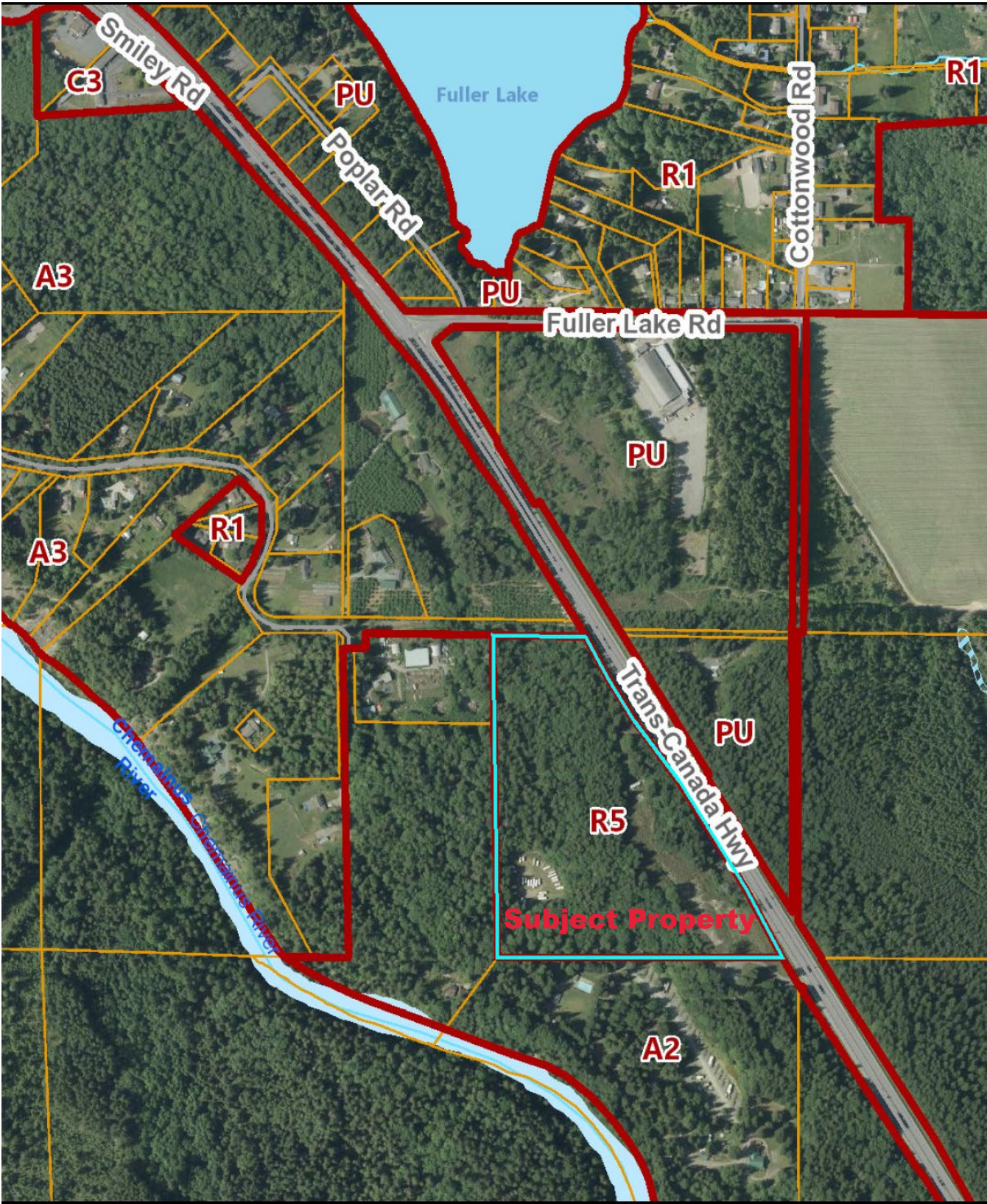
We look forward to your reply,

Sincerely,



Robyn Kelln

Attachment B



Residential Mobile Home Park Zone (R5)

Permitted Uses

- 60 (1) The permitted uses for the R5 zone are as follows:
- Accessory Dwelling Unit
 - Home-based Business
 - Mobile Home Park
 - Mobile Home Park Office

Minimum Lot Size

- (2) (a) The minimum permitted lot size for the R5 zone is 2.0 hectares (4.94 acres).
(b) The minimum permitted area for a mobile home space is 325 m² (3,498.39 sq. ft.).

Minimum Frontage

- (3) (a) The minimum permitted frontage for the R5 zone is 60.0 m (196.85').
(b) The minimum permitted frontage for a mobile home space is 12.0 m (39.37') or, in the case of a cul-de-sac or panhandle lot, 6.0 m (19.68').

Density

- (4) The maximum permitted density for the R5 zone is as follows:
(a) The maximum number of units is twenty units per hectare (8 per acre).

Buffer

- (5) A landscaped buffer, which is separate from the individual mobile home pads, shall be provided of not less than 8.0 m (26.25') in width along the front lot line, and not less than 5.0 m (16.40') in width from any other lot line of the mobile home park. Within this buffer area, no buildings or dwellings, nor parking or storage of motor vehicles, nor roadways other than perpendicular crossing shall be permitted.
(a) Despite the foregoing, in the case of a corner lot, lot lines which abut highways shall have a buffer of not less than 8.0 m (26.25') in width.

Minimum Setbacks

- (6) The minimum permitted setbacks for the R5 zone are as follows:
- (a) Mobile Home Park Office
 - Yard, Front, 8.0 m (26.25')
 - Yard, Side, 5.0 m (16.40')
 - Yard, Rear, 5.0 m (16.40')
 - (b) Accessory Buildings and Structures (Excluding Fences)
 - Yard, Front, 8.0 m (26.25')
 - Yard, Side, 5.0 m (16.40')
 - Yard, Rear, 5.0 m (16.40')

Minimum Yard Requirements for Each Mobile Home Space

- (7) The minimum yard requirements for each mobile home space in a Mobile Home Park in the R5 zone are as follows:
Yard, Front, 1.8 m (5.91') in depth
Yard, Side, 1.5 m (4.92') in width
Yard, Rear, 1.8 m (5.91') in depth

Maximum Building Height

- (8) The maximum permitted building heights for the R5 zone are as follows:
 - (a) Principal Building, 7.6 m (24.93')
 - (b) Accessory Building, 7.6 m (24.93')

Mobile Home Space Coverage

- (9)
 - (a) The mobile home and additions to it, exclusive of a carport, must not cover more than 35% of the mobile home space upon which it is situated. [BL3323]
 - (b) Any addition to a mobile home, exclusive of a carport, porches, open sun decks, and detached storage sheds, shall not be larger in area than 20% of the floor area of the mobile home.

Recreation Area

- (10) In addition to the perimeter buffer area, a recreation area of not less than 5% of the gross site area shall be established.
 - (a) Where indoor recreation space is provided, it shall be counted as double its actual area.

Conditions of Use

- (11) Mobile home parks are also subject to "Mobile Home Park Bylaw 1978", No. 1775.

December 7, 2020

File: CIP00839

To Whom it May Concern

Re: Manufactured Home Park at 9090 Trans Canada Highway

In May of 2019, North Cowichan Council endorsed the Cowichan Attainable Housing Strategy and joined the Cowichan Attainable Housing Strategy Partnership. The Cowichan Attainable Housing Strategy identifies priorities for the Cowichan Region for addressing affordability across the housing continuum. Affordable housing is also identified as a priority in North Cowichan's Official Community Plan and in Council's 2019-2022 Strategic Plan. "Seeking opportunities to partner and support affordable housing initiatives" is priority action of the Strategic Plan and supporting project that include an affordable housing component such as the manufactured home park at 9090 Trans Canada Highway is consistent with this objective.

Housing affordability can be a difficult term to define, as it varies for different forms of housing and in different housing markets. Although the Municipality of North Cowichan does not have an established definition of affordable housing in the context of a manufactured home park, we can confirm that the following definition provides acceptable approximation:

Rental rates no more than 30 percent of:

- (a) 80% of Cowichan Valley Median Household Income for 2 bedroom manufactured homes;***
- and***
- (b) 80% of Cowichan Valley Median Family Income for 3 bedroom manufactured homes.***

Using 2016 census data (the most recent available) and the above definition, "affordable" monthly rents would be \$1040 or less for 2 bedroom manufactured homes and \$1243 or less for three bedroom homes.

The Municipality of North Cowichan is supportive housing projects that increase the stock of rental housing and housing affordability in our community. We look forward to receiving development applications for 9090 Trans Canada and seeing the property developed in a way that contributes positively to the stock of rental housing and affordable housing in this community.

Sincerely

Mayor Al Siebring

Report

Date December 16, 2020

File: 6480-30 2019.01

Prospero No: SPP00040

To Council

From Chris Hutton, Community Planning Coordinator,

Endorsed:



Subject Consultation for OCP Update Project

Purpose

1. To update Council on the consultation steps taken so far, and to be taken in the coming months, in relation to the OCP Update Project in accordance with the OCP Engagement Plan (Attachment 2); and
2. To seek confirmation of those consultation steps taken so far and to be taken in the coming months and affirm which governmental organizations and authorities should specifically be consulted as part of the OCP Update Project (Attachment 2).

Background

Section 475 of the *Local Government Act* requires that:

During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected...The local government must consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and specifically consider whether consultation is required with the following:

- (i) *the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;*
- (ii) *the board of any regional district that is adjacent to the area covered by the plan;*
- (iii) *the council of any municipality that is adjacent to the area covered by the plan;*
- (iv) *first nations;*
- (v) *boards of education, greater boards and improvement district boards;*
- (vi) *the Provincial and federal governments and their agencies.*

This report outlines the Municipality's approach to consultation under section 475 of the *Local Government Act*.

At the June 24, 2020 Committee of the Whole meeting, the Committee reviewed and discussed the OCP Engagement Plan. The OCP Engagement Plan identifies, among other things, how to consult with the public throughout the OCP update process.

By resolution, the Committee received the draft OCP Engagement Plan for review and comment at that time.

Since June 24, 2020, the Municipality has proceeded with the consultation steps outlined on pages 17 and 18 of the OCP Engagement Plan. As Council is aware, engagement with the community included a now-completed Vision & Goals survey, and the active Community Character Survey, all of which align with the Engagement Plan.

The Municipality will be proceeding with the other steps outlined in the OCP Engagement Plan in the coming months.

As for consultation with local governments, First Nations, boards of education, and the Provincial and federal governments and their agencies, Council previously endorsed an engagement strategy for the OCP Update but has not formally affirmed the governments, government agencies and First Nations it wishes to consult with.

Discussion

A proposed list of governmental bodies to be consulted as part of the OCP Update Project is attached to this report (Attachment 1). This list includes neighbouring local governments, local First Nations, provincial ministries, agencies and commissions, and local service bodies.

The proposed approach for consulting governmental bodies is to contact each of the organizations prior to the end of Phase 2 to advise them on the Municipality's intention to consult with them and refer the draft plan to them for comment after Council has given the OCP adoption bylaw first reading.

First Nations engagement has been identified as a procedural objective of this project, including building relationships at the Council-to-Council and staff-to-staff levels. To meet that objective, meetings with some of the listed area First Nations (Chiefs and staff) have occurred, and meetings with the remaining First Nations are expected to occur before the end of Phase 2. Consultation with individual First Nations will occur throughout the project, and to the extent requested by each individual Nation.

Options

Option 1 (Recommended):

That Council approves the consultation steps taken so far, and to be taken in the coming months, in relation to the OCP Update Project in accordance with the OCP Engagement Plan;

That Council approves the Intergovernmental Consultation List for the OCP Update Project, and the approach outlined and OCP Engagement Plan in the Community Planning Coordinator's December 16, 2020 report;

And That Council confirm that the consultation referenced above, once complete, satisfies the requirements of section 475 of the *Local Government Act*.

Option 2 (Alternative):

That Council approves the consultation steps taken so far, and to be taken in the coming months, in relation to the OCP Update Project in accordance with the OCP Engagement Plan;

That Council amend the intergovernmental consultation list for the OCP Update Project to include [identify organizations]; and that the approach outlined and OCP Engagement Plan in the Community Planning Coordinator's December 16, 2020 report be approved;

And That Council confirm that the consultation referenced above, once complete, satisfies the requirements of section 475 of the *Local Government Act*.

Implications

The proposed approach meets the obligations for consultation required by the *Local Government Act*.

Recommendation

That Council approves the consultation steps taken so far, and to be taken in the coming months, in relation to the OCP Update Project in accordance with the OCP Engagement Plan;

That Council approves the intergovernmental consultation list for the OCP Update Project, and the approach outlined and OCP Engagement Plan in the Community Planning Coordinator's December 16, 2020 report;

And That Council confirm that the consultation referenced above, once complete, satisfies the requirements of section 475 of the *Local Government Act*.

Attachments:

1. OCP Update Project Intergovernmental Consultation List
2. OCP Engagement Plan

OCP Update Project

Intergovernmental Engagement List

Local Governments	City of Duncan
	Cowichan Valley Regional District
	Town of Lake Cowichan
	Town of Ladysmith
First Nations	Cowichan Tribes
	Halalt First Nation
	Lyackson First Nation
	Penelakut First Nation
	Stz'uminus First Nation
Provincial Government	Ministry of Forests, Lands and Natural Resource Operations; South Island Natural Resource District
	Ministry of Agriculture
	Agricultural Land Commission
	Ministry of Transportation and Infrastructure
	Ministry of Environment
	Ministry of Social Development & Poverty Reduction
	Ministry of Municipal Affairs and Housing
	Ministry of Children and Family Development
Local Services	School District No. 79
	Island Health Authority
	Cowichan Valley Regional Hospital District Board

ENGAGEMENT PLAN

North Cowichan Official Community Plan



Prepared by: MODUS Planning, Design & Engagement Inc.

Version: 4 (Final)

Date: 06 July 2020

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WHY WE ARE ENGAGING

CONTEXT

In March 2019, the North Cowichan Council adopted a Strategic Plan that sets out Council's focus and strategic priorities for the 2019-2022 term and beyond. One of the Strategic Plan's key actions is to re-write the 2011 Official Community Plan, which will form the basis for new and updated local area plans throughout the diverse communities of North Cowichan. Council has also endorsed an OCP Engagement Strategy that includes the creation of an OCP Advisory Group and eight Community Ambassador Teams to reach as many voices and perspectives as possible.

The goal of the OCP project is to undertake a community driven review and update of the current OCP to better address local area planning and to modernize the OCP in the face of policy, demographic, environmental and technological changes. Concerns due to COVID-19 will also be addressed and broadened to cover other possible public health emergencies.

Key to the success of this process is good policy alignment with Federal, Provincial and Regional policy direction and data, including the Cowichan 2050 Regional Collaboration Framework. The primary outcome will be a revised OCP that reflects local values and expectations related to growth and development in North Cowichan.

COVID-19 CONTEXT

We are currently living in unprecedented times that will impact our efforts to engage with the public and the OCP volunteers. Not only because there may be physical distancing measures still in place during this engagement window, but because of the anxiety that might prevent individuals participating in person for quite some time.

Because of these concerns on March 18, 2020 Council implemented a 90-day pause on public engagement due to the COVID-19 crisis. On April 15, 2020, Council decided to reconsider this pause, and directed staff to liaise with the OCP consultants to explore ways to resume engagement digitally in a safe and fulsome way. On May 6, 2020 Council asked staff to engage with the OCP volunteers on the Engagement Plan, specifically about moving ahead with digital engagement. We met with the OCP Volunteers on June 5 and June 11, 2020 to seek their input. Their feedback is included in Appendix 1.

The COVID-19 pandemic and required public health measures necessitate a thoughtful, intentional approach to online engagement until it is safe to resume in-person activities and events. Information and requirements related to the COVID-19 pandemic are changing daily and while it is difficult to plan for engagement during this crisis, we have provided options to in-person engagement where possible.

When considering virtual engagement during this time we need to be sensitive to the digital divide, how digital engagement might amplify existing discrimination. We must also be sensitive to the state of mind

of the public and volunteers. In light of these challenges the following principles guide our work in this time:

- Assess and be sensitive to the state of mind and competing priorities that may impact ability to engage and proactively address barriers to participation
- Provide mixed interactive virtual methods (online, by phone, by mail) to access different audiences
- Pay attention to accessibility of online methods and mobilize advocates or specific supports to increase participation
- Create safe spaces for online participation by establishing ground rules and active moderation

Our Engagement Plan is designed for virtual events and meetings for the next few months and provides some ideas on engagement options that follow physical distancing requirements. As we move into the various phases outlined by the Province in managing the transition to our new normal and physical distancing and self-isolation requirements begin to relax, we may conduct some smaller in person activities.

To provide further context for engagement during the pandemic a research study by Hill + Knowlton Strategies on *Public Consultation & Engagement in the Era of COVID-19* (March 27-29, 2020) provides some insight and direction that we will apply to the OCP process:

- 61% of respondents believe that engagement with local government is more important now
- 79% believe that government consultations online can be as effective as in-person
- 58% agree that engaging citizens on issues not related to COVID-19 is still important at this time.

Further, respondents had the following suggestions for effective engagement:

- 81% asked for objective fact-based information on the issues
- 79% asked for the ability to ask questions of subject-matter experts
- 77% asked for the opportunity to hear arguments from various sides of an issue

Online surveys and discussion forums were the most appealing platforms with the ideal length taking under one hour.

The top five barriers to online consultations included:

- Being too shy to voice opinions (29%)
- Being reluctant to voice my opinions (24%)
- Lack of time (24%)
- Lack of interest or motivation (23%)
- Access to appropriate technology (22%)

NORTH COWICHAN ENGAGEMENT STRATEGY

In July 2019, Council endorsed the OCP Engagement Strategy. The Engagement Strategy includes a distinct framework to engage both the North Cowichan community and Council and staff, see the graphic below. The engagement framework and approach is intended to create internal (organizational) and external (community) ownership of the OCP. The OCP will be shaped by a diverse community and an inter-disciplinary staff approach. While staff and Council involvement is extremely important the focus of the Engagement Plan is on engagement with the community (i.e. external engagement).

Community (External)	Organization (Internal)
Advisory Group of North Cowichan focused district leaders from various sectors and communities	Project Steering Committee of senior leaders representing each department who will provide strategic engagement and promotion of the plan
Ambassador Teams champion local communities	Project Team of staff who will prepare technical information and draft policies for inclusion in the OCP

Figure 2 : Engagement Framework from Council's Engagement Strategy

INDIGENOUS ENGAGEMENT

Engagement with the local First Nations will be built at the government to government level i.e. the municipality (rather than consultants) will approach each First Nation to enquire about their capacity and interest in participation in the OCP process. By using this approach, we acknowledge the varying capacities of individual nations whose traditional territory intersects the boundary of North Cowichan. The municipality will work to build a relationship with each Nation, with an openness to acknowledge unique needs of each Nation.

ENGAGEMENT OBJECTIVES

The following engagement objectives provide clear directions which shape the actions and tactics.

AWARENESS & UNDERSTANDING

- **Raise broad awareness** of the planning process, what an Official Community Plan is and why it is being reviewed and updated (note: this has already started in Phase 1)
- **Provide clear information** about key issues and opportunities; and
- **Build a shared understanding** of what the OCP will look like 'on the ground.'

OPPORTUNITY & INPUT

- **Provide a range of meaningful engagement opportunities** for the public to learn about the project, share input, and participate in conversations around key issues.
- **Gather ideas and input** from a diverse range of community members and stakeholders to inform the OCP update.

PROCESS & ACCOUNTABILITY

- **Document our process** with clear and transparent information about what we did, who participated, what we heard through engagement activities and how input was used to influence the OCP update.

The Municipality has also identified the following procedural objectives for the OCP project:

1. Vetted Deliverables and Workshops

- Present all deliverables and workshops first to the OCP Advisory Group, then to the Project Steering Committee, then to Council, prior to sign-off by the Project Director. In this way, Council and the Project Director benefit from insight of these OCP engagement groups.
- The Community Ambassador Teams provide local knowledge in the planning and design of public consultation processes, and deliverable development.

2. Meaningful Public Consultation

- Undertake public and stakeholder consultation in consideration of the vetted deliverables and workshops objective.
- Maximize use of Community Ambassador Teams in the development and execution of public consultations.
- Residents and community partners (i.e. businesses and not-for-profits) understand what the OCP is and why it is important and have influenced the development of the OCP.

3. Project Alignment

- The project works to align with and set the stage for success in other major policy projects under development or revision through the project life cycle.

4. Creating an Accessible Plain Language Plan and Planning Process

- The planning process, and the Plan itself, and any other project deliverables use accessible language and avoids technical jargon.
- Clearly define the application of all plan elements (policies, maps, etc.).

5. Intergovernmental Consultation

- Consistent and appropriate consultation is undertaken at key stages of the project plan.
- Consultation processes are designed and executed in a way that generates useful input.

ENGAGEMENT PRINCIPLES

Based on the International Association of Public Participation, we suggest using these proven engagement principles to guide the OCP project:

1. Participation is **meaningful** - the questions used are genuine and the input gathered impacts the policy, plan, program, design, or service in question.
2. Participation is **scoped and scaled** appropriately to the issue's importance (or potential impacts), degree of conflict possible, and the diversity of opinion it may engender.
3. Participation is **informed** - framing of the issues and sharing of research, facts and options supports thoughtful contributions for all concerned.
4. Participation starts **early and continues** throughout the process - input opportunities are integrated into all stages.
5. **Active outreach** is designed to reach those most likely to be interested in or impacted by the project - awareness raising and "go-to-them" approaches are key.
6. **Diverse voices** are heard, and a range of tools are provided to help to access a wide range of information, ideas and opinions and is not restricted to the 'usual suspects'.
7. The process is **transparent and communication-rich** - sharing of information/options, documenting input received, communicating resulting decisions and actions.
8. The process is **sufficiently resourced** by the organization - human and financial assets are assigned, while capacity limits are respected.
9. Ensure **proper roles** for individual residents, stakeholder and community groups, municipal staff, and council members in designing processes, gathering input, making decisions, and taking action.
10. The **cultural context** of participation must be appropriate, relevant and recognize diversity.
11. The process helps build **organizational and community capacity** for participation, dialogue and collaboration and supports cross-learning and learning-by-doing, taking a long-term view."

An additional to the principle that has emerged from Council's recent directive is:

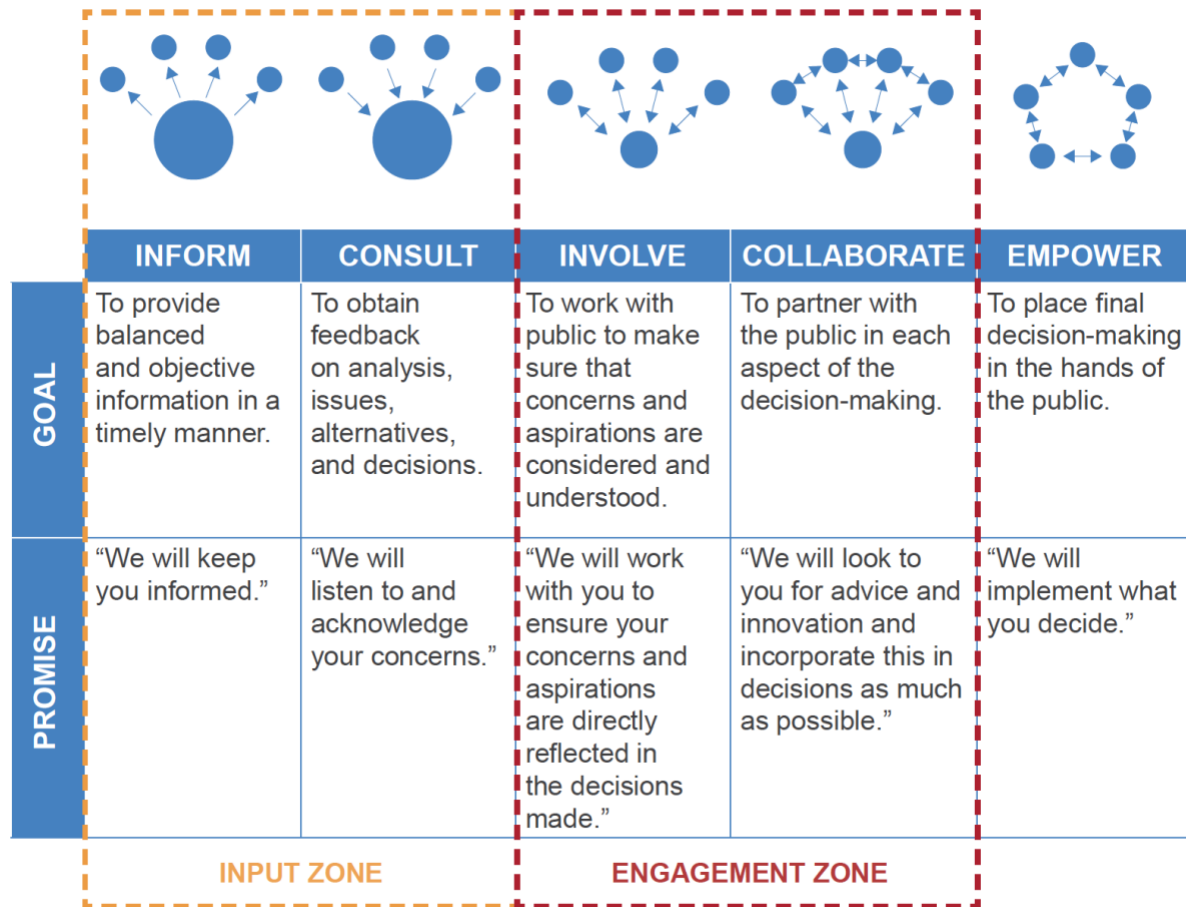
Engagement should be conducted with due regard for **individuals' safety and should be consistent with public health orders regarding the COVID-19 pandemic.**

Council's Strategic Plan includes Engagement as a strategic priority which is relevant to the OCP engagement:

- Through collaborative relationships with other governments, Indigenous peoples, stakeholder partners and engaging the community at large, we achieve optimum outcomes for all.

KEY CONCEPTS OF PUBLIC ENGAGEMENT

The International Association of Public Participation's (IAP2) Spectrum describes the various levels of participation and the public's role in any public participation process. The level of participation will vary throughout the project and will depend on the objective for each stage of the process. For example, early on, we will be looking to simply "Inform" residents and stakeholders about the process. This will quickly lead to 'Consult' and 'Involve' on future issues and ideas and "Collaborate" with the OCP Ambassadors and Advisory Group. While there will be many opportunities for the public and stakeholders to influence the OCP, we will stay within the input and engagement zone (see graphic below) with the public. Council will be the final decision-maker.



International Association of Public Participation

Figure 3: IAP2's Spectrum on Public Participation

It is important to recognize that public and stakeholder engagement is only one stream of influence on the project. The OCP is also influenced by technical expertise and subject to ultimate approval by Council. The diagram below, 'The Weave' shows how this information informs the final decision.

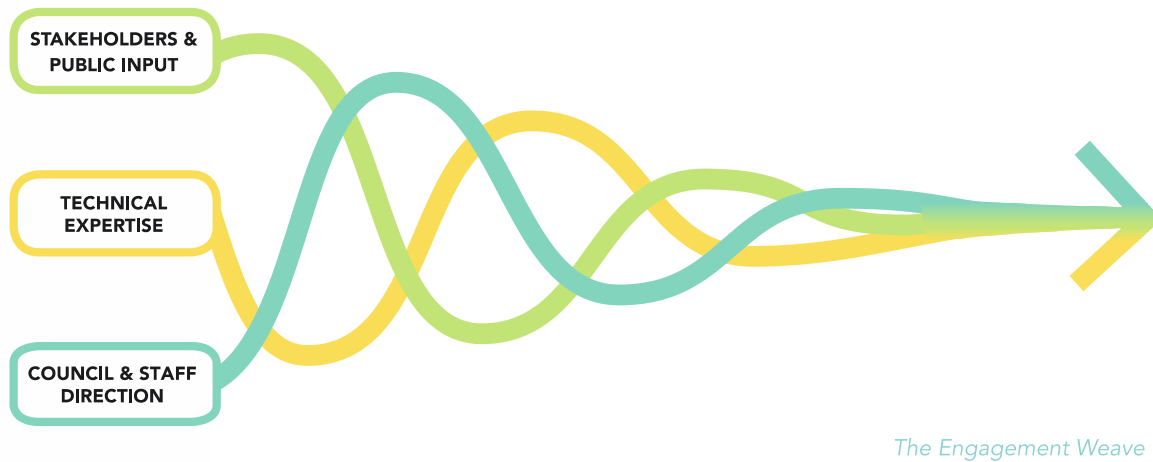


Figure 4: The MODUS Engagement Weave

KEY TOPICS FOR ENGAGEMENT

To effectively engage community members and stakeholders and deliver on the project's objectives, it is essential to take a transparent approach to engagement so that expectations are clear and consistent.

Certain elements of the planning process are already established by existing Municipal policy and procedures, as well as other technical considerations. With that in mind the engagement strategy clearly identifies where and how the public and stakeholders can influence the Official Community Plan update. The Municipality has already identified the following thematic objectives that will frame the OCP Update:

1. Revising our Approach to Growth Management
2. Respect Individual Community Character
3. Incorporate Climate Adaptation, Mitigation, and Resilience
4. Strengthen Natural Environment
5. Consider Employment and Economic Changes.

Through the OCP process more thematic objectives may be identified such as 'social resilience and well-being', particularly given the COVID-19 context.

WHO WE ARE ENGAGING WITH

This process will seek to involve a broad range of community members and stakeholders to ensure a diversity of views and interests are represented. The ‘engagement staircase’ shows the progression to implementation.

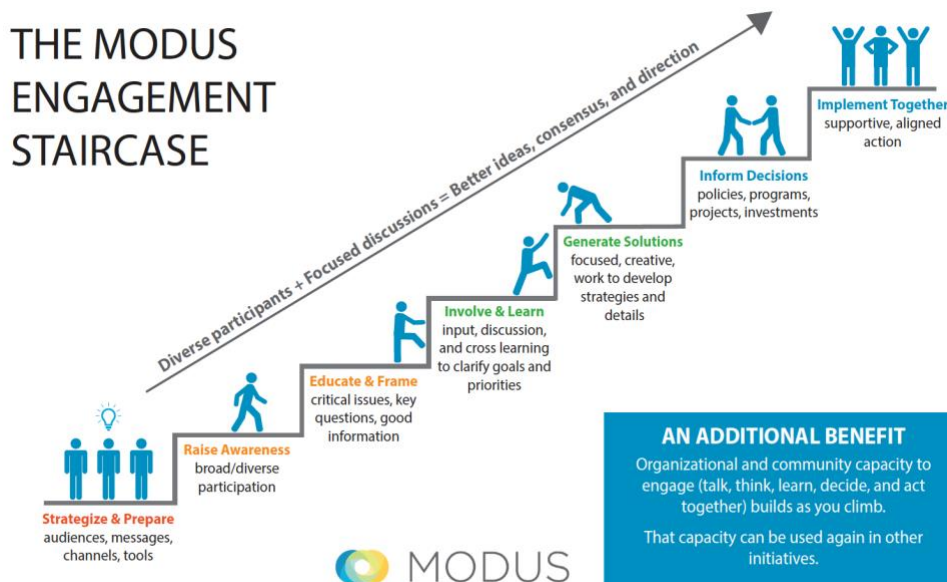


Figure 5: The Engagement Staircase

AUDIENCES

MUNICIPALLY APPOINTED GROUPS

OCP Advisory Group's purpose is to provide advice to the OCP steering committee and consultants through all phases of the community planning process. It consists of community members with experience in key sectors: climate, small business, industry, transportation, health, education, housing, agriculture, water, community design, forestry heritage, arts & culture.

The Advisory Group operates under the following principles in carrying out the functions and activities associated with advising formulation of the Official Community Plan for North Cowichan.

- **Transparency** –Transparency is built on the free flow of information and ensures access to relevant, timely and reliable information.

- **Respect** – Respect is the appreciation of individual participation in the Advisory Group process in a manner acceptable among members.
- **Accountability** – Accountability is the requirement to accept responsibility for carrying out assigned roles.
- **Consensus** – Consensus is a commitment to work towards general agreement on matters considered by the group.
- **Communication** – Members will commit to regular meetings and will respond to any other communication in a timely manner.

Within the context of COVID-19 we will need to meet virtually until it is safe to have in person meetings.

Community Ambassadors Teams represent the various unique geographic communities within North Cowichan. The purpose of each is (1) to gather, consolidate and feed community-specific information into OCP policies; and, (2) to review draft OCP directions and policies for community impact and relevance. The Ambassador Teams will represent the diverse segments of the community and include individuals who represent the diversity and local interests of the community. The above principles apply to this group.

EXTERNAL STAKEHOLDERS AND GENERAL PUBLIC

External stakeholders are defined here as individuals, groups, or representatives of organizations (including other government agencies, business interests, and community groups, and residents).

To help determine how we will communicate and engage different groups, a ‘stakeholder mapping’ exercise was completed with the OCP Advisory Group and Community Ambassador Teams at their orientation in October 2019. In this exercise, stakeholders were identified in order to inform the engagement strategy. This list and outreach tactics will continue to be built upon with further discussions with staff, Council and the OCP volunteers.

We will group, expand, and organize the stakeholders into the following categories which will inform our engagement tactics and specific methods to reach out to these groups:

- **Collaborate:** High interest and high influence groups who will be strongly encouraged to attend our events and to help share information with their networks and encourage others to participate.
- **Involve:** High interest and low influence groups will be invited to our events and encouraged to participate in our surveys and share information with their networks
- **Keep Informed:** High influence and low interest groups will be kept up to date and encouraged/invited to participate in our events and surveys

The ‘**general public**’ also includes many different subsets of people and groups. These people and groups typically take extra efforts to reach as they require the project team/ volunteers to meet them where they are in the community, rather than inviting them to typical open house style evenings. We

can plan the process to include several activities that will seek to reach a broad and diverse range of participants including:

- A range of age groups (youth, young adults, families, seniors)
- People who get around by different transportation methods (pedestrians, people on bikes, transit users, drivers)
- People who live or work in the study area or nearby (residents, commuters, etc.)
- People with mobility challenges (walkers, mobility scooters, wheelchairs, strollers)
- “Seldom heard” populations (homeless / at-risk, women and children, new immigrants and refugees, people with disabilities). This may include translating documents/ survey and going to venues to connect with people directly to get their input on surveys.

KEY INTERESTS & CONSIDERATIONS

Council’s Strategic Plan identified a number of key trends and issues that are important considerations in the OCP update

Positive Trends

- New recreational facilities
- Growing culture and diversity
- Focusing development within urban containment boundary and greater collaboration with developers
- Increased focus on the environment, tourism, agriculture, arts and culture
- Revitalization of core communities
- Increased retail opportunities
- Enhanced community and Indigenous consultation
- Growing public participation in local governance
- Use of local expertise for work within the community

Challenging Trends

- Loss of high-paying natural resource jobs
- Urban sprawl
- Consistent application of urban containment boundary
- Environmental degradation
- Increasing income disparity
- Opioid crisis
- Challenge of communicating Council’s vision to the community
- Lack of affordable housing

Key Future Issues

- Responding to all facets of climate change
- Limiting environmental degradation

- Cleaning-up industrial brownfield sites
- Enhancing community planning
- Enhancing asset management
- Crime
- Attracting and retaining skilled workers
- North Cowichan's popularity as a retirement destination
- Homelessness, and capacity of homeowners to pay property taxes
- Potential loss of industrial tax base
- Increasing costs for local governments

To add to this list and to help determine local interests and considerations for engagement on the OCP in North Cowichan, we identified the following opportunities and challenges with the staff group at our initial meeting. These included:

- Community Boundaries
- Current OCP
 - Current OCP has lots of good, relevant content but is bulky and hard to navigate. Needs to focus and streamline and be directive
 - We need policies and goals that are attainable. Current OCP has 60 indicators.
 - There is 2015 Baseline Report that review progress against many indicators
- Growth Management
- Climate Action
- Housing affordability
- Community Wellbeing
- Regional Alignment
- Transportation Planning

The OCP Advisory Group and Community Ambassador's kick-off session included brainstorming the following issues and opportunities:

Issues:

- agriculture key to rural character and economy (food security)
- growth - different communities have different ideas unique "grow own way"
- outside forces drive growth (city folk/refugees)
- services/roads for populations
- lack of affordable housing
- road capacity study/maple bay road
- safety security/crime
- water, flood and groundwater
- seniors housing/aging in place
- urban sprawl and high density

Opportunities:

- create a unified view of District

- alternative and active transportation
- reconciliation and treaty making
- railroad corridor as connector
- renewable energy
- how to plan/ encourage for diverse population

Further questions, like the ones below will be asked of the public and stakeholders through the OCP process:

1. What are the top issues the updated OCP should address? Why are these important to you?
2. What's the biggest opportunity you see for the OCP?
3. What would be a realistic outcome you'd like to see? (what would be different? what would success look like?)
4. Do you have any concerns about updating OCP?
5. What's the best way to engage you and your network? (e.g., newsletters to use to help get the word out, existing events that we might be able to coordinate on? Can you put us in touch with the right person?)
6. Who else do you think is important to engage in this process? How could we best involve them?

HOW WE ARE ENGAGING

PROCESS OVERVIEW

The OCP update includes four phases. MODUS is leading phase 2 & 3. Public engagement detailed in this Engagement Plan occurs in three of these phases, as per the diagram on the next page.

- **Phase 1: Project Background** consisted of background research, the creation of Background paper, and the start of the project. This included creating an OCP Advisory Group of volunteer residents, and Community Ambassador Teams for each community within North Cowichan.
- **Phase 2: Community Vision & Local Character Mapping** includes engaging on policy gaps, vision and goals, and community character and values.
- **Phase 3: Plan Development** focuses on creating the updated OCP. We will develop and engage on growth scenarios and policy directions, including options and selection of urban containment boundaries, land use designation, and growth targets, and development of final policies and maps.
- **Phase 4: Plan Consideration** will include the final revisions to the updated OCP and the legislative process to adopt the OCP, including a Public Hearing and Council Meeting.

PHASE 2

ENGAGEMENT PLAN

Summary: The Engagement Plan identifies key stakeholders, articulates objectives, integrates with the project timeline, outlines engagement methods, tools and levels of engagement, and describes commitments for reporting. We have created a separate Digital Engagement Plan with alternative tactics to respond to the COVID-19 crisis that is attached to this document. The initially planned workshops scheduled for March 12 and 13, 2020 on the Engagement Plan with the Steering Committee and OCP Advisory Group and Ambassadors were cancelled due to COVID-19. Council had the opportunity to provide input on the Plan framework on March 12, 2020. We met with the OCP Advisory Group, Ambassadors and Steering Committee on June 5th, 11th and 18th to get their feedback on the Engagement Plan. On May 6, 2020 Council reviewed the Digital Engagement Proposal and on June 24, 2020 we presented the Engagement Plan to them.

Approximate Date: March to June 2020

Group	Notification Tactic	Engagement Tactic	Approximate Date
Council	Direct invite	Virtual meeting	March 12 & May 6 (digital engagement) & mid-June
Steering Committee	N/A	No meeting due to COVID.	N/A
OCP Advisory Committee and Ambassadors	N/A	Rescheduled due to COVID-19- Virtual meeting	Early June
Public Engagement	N/A	N/A	N/A

POLICY GAP ANALYSIS

Summary: The Policy Gap Analysis will include a thorough background review of all relevant policies and strategies and include analysis and general recommendations for initiatives to be considered through the OCP planning process. This included proposed policy changes to the OCP document, necessary internal resources, and refinement to the work plan. As part of development, we facilitated an opportunity with the Steering Committee for their input on June 18, 2020. We had virtual meetings with

OCP Advisory Group and Ambassadors (June 5 and 11) with Council (June 24) to present the Policy Gap Analysis Report. We initially envisioned an online survey with the public during this phase but due to the COVID-19 crisis this has been delayed. We will include questions on the gap analysis/ issues identification during the vision and goals public engagement.

Approximate Date: April to June 2020

Group	Notification Tactic	Engagement Tactic	Approximate Date
Council	Direct invite	Virtual meeting	Mid-June
Steering Committee	Direct invite	Virtual meeting	Mid June
OCP Advisory Group and Ambassadors	Direct invite	Virtual meeting	Early June
Public Engagement	N/A	No general public engagement due to COVID (will be included in next stage)	N/A

VISION AND GOALS

Summary: Subject to Council approval, late June to July 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. This timeline will also allow extra time for people with competing priorities to review materials when they are able. This deliverable will include the first broad public engagement period, with an online survey via PlaceSpeak, as well as further engagement with key internal and external stakeholders and decision-makers. The timing will depend on Council's comfort with proceeding with public engagement.

This period would involve updating the website with the background papers, social media to generate interest, posters, postcards, 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.

During this deliverable, we will confirm principles, assets and challenges, and establish a vision statement, goals, and identify critical themes to consider.

Approximate Date: June-August 2020

Group	Notification Tactic	Engagement Tactic	Approximate Date
Council	Direct invite	Virtual meeting	Late July
Steering Committee	Direct invite	Virtual meeting	Late July
OCP Advisory Group and Ambassadors	Direct invite	Virtual meeting	Mid July
Public Engagement	Social media Website update Press release for local media (op-ed) Print advertisement (posters and postcards) Advertisement on radio Word-of-mouth from Ambassadors Direct invites to key stakeholders	Online survey via PlaceSpeak	July-August

COMMUNITY CHARACTER AND VALUES

Summary: For this deliverable, we will identify unique aspects that identify individual community-character and values, creating profiles for eight communities (including boundaries, characters, and individual values). These will start to inform community planning and policy development. To do this, we will engage with members in each community, using a community-driven approach, with workshops (virtual or in-person) in each community and online character mapping. 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.

We will also facilitate interactive workshops with the Steering Committee and OCP Advisory Committee and Ambassadors. Ambassadors may also help facilitate the workshops in each community, if feasible.

Approximate Date: September to November 2020

Group	Notification Tactic	Engagement Tactic	Approximate Date
Steering Committee	Direct invite	Virtual or in-person meeting	Mid September
OCP Advisory Committee and Ambassadors	Direct invite	Virtual or in-person meeting	Late September
Public Engagement	Social media Website and newsletter update Print advertisement (posters) Word-of-mouth from Ambassadors Direct invites to key stakeholders	Online character mapping with visual preference survey on PlaceSpeak or Workshop with community mapping and walking tour	October/November

PHASE 3

GROWTH SCENARIO OPTIONS

Summary: During this deliverable, we will create growth scenarios for North Cowichan. We will engage the public, Advisory Group, and Ambassadors on growth scenario options, where growth should go in the District, and potential impacts for the different scenarios. To do this, we will facilitate interactive workshops, and create “kitchen table” workbooks (facilitated by Ambassadors as well as publicly available on the website and PlaceSpeak) to reach a larger number of residents, including those unable to join the interactive workshops.

Approximate Date: November to January 2021

Group	Notification Tactic	Engagement Tactic	Approximate Date
Council	Direct Invite	Virtual or in-person meeting	Late November
Steering Committee	Direct invite	Virtual or in-person meeting	Early November
OCP Advisory Committee and Ambassadors	Direct invite	Virtual or in-person meeting	Mid December
Public Engagement	Social media Website and newsletter update Print advertisement (posters) Word-of-mouth from Ambassadors Direct invites to key stakeholders	Virtual or in person Focus group interactive workshops on growth scenarios “Kitchen table” workbooks (hosted by Ambassadors and available online)	January

DRAFT OCP POLICIES

Summary: We will create a framework for the OCP and draft policies for each theme in the OCP. We will engage with the OCP Advisory Committee and Community Ambassadors on discrete pieces of draft OCP policy in order to garner their feedback. Building on the workshop feedback, we will draft policies for each theme/chapter of the OCP. We will then offer a comment period for further feedback on draft policy and send the draft OCP for referrals to other governmental bodies.

Approximate Date: February to March 2021

Group	Notification Tactic	Engagement Tactic	Approximate Date
Council	Direct Invite	Virtual or in-person meeting	Late January

Group	Notification Tactic	Engagement Tactic	Approximate Date
Steering Committee	Direct Invite	Virtual or in-person meeting	Early February
OCP Advisory Committee and Ambassadors	Direct invite	In-person interactive workshop on policy options and trade-offs	Mid February
Public Engagement	Social media Website and newsletter update Advertisement in local media and radio Print advertisement (posters) Word-of-mouth from Ambassadors Direct invites to key stakeholders	Online survey review of draft OCP at high-level	March
Intergovernmental	Direct email or phone call	Referral of draft OCP	Late March

COMPLETE DRAFT OCP AND DEVELOPMENT TOOLS

Summary: Based on feedback on the draft OCP, we will revise policies as needed. This phase includes a workshop to Council on the revised draft OCP and implementation tools, intergovernmental referrals, and a presentation of the revised draft OCP to the public.

Approximate Date: April 2021

Group	Notification Tactic	Engagement Tactic	Approximate Date
Council	Direct Invite	In-person meeting	Mid April

Group	Notification Tactic	Engagement Tactic	Approximate Date
Steering Committee	Direct Invite	In-person meeting	Early April
OCP Advisory Committee and Ambassadors	Direct Invite	In-person meeting	Early April
Public Engagement	Social media Website and newsletter update Word-of-mouth from Ambassadors Direct invites to key stakeholders	Public presentation of revised draft OCP	Late April
Intergovernmental	Direct email or phone call	Referral of revised draft OCP	April

PHASE 4

FINAL OCP CONSIDERATION

Summary: Based on additional feedback on the draft revised OCP, we will complete final revisions to the OCP. This phase includes the legislatively required public hearing, and final Council Meeting to approve the updated OCP. This phase will be run by the Municipality of North Cowichan, and so further details are not included in this Engagement Plan.

Approximate Date: April to July 2021

HOW WE ARE COMMUNICATING

BRANDING

North Cowichan invited submissions from local artists to create a logo and a tagline. The following logo was developed based on submissions and will be included on all public-facing material.



BACKGROUND PAPERS

Background papers on the key theme areas that the project will address are now being developed by staff and will be uploaded to the website as useful information and context. They will also use questions to prompt conversations among participants, which is key to engagement success.

KEY MESSAGES

1. **We are updating the District of North Cowichan's Official Community Plan!**
 - a. The Official Community Plan is a guide to how we will use our land and manage growth as a community over the next 20-30 years.
 - b. Official Community Plans typically cover topics such as housing, transportation, environmental sustainability, parks and recreation, community and social well-being, arts and culture among other important aspects of life in our community.
 - c. Official Community Plans reflect what we care about and what we strive to be as a community. These values are directly reflected in the Plan's vision, goals and policies, and will guide decision-making into the future.
2. **Local and global trends may mean that life in North Cowichan may not be the same as it always was. As we "ThinkForward," how might we adapt to the future together?**
 - a. The Official Community Plan lays out a roadmap for our community's change over the next 20-30 years. How the world has changed over the past 20-30 years may be an indication of the pace of change we should expect over that time span.
 - b. A changing climate may mean rising sea levels, hotter and drier summers with more extreme weather events.
 - c. The changing nature of work and an uncertain economy may mean we need different infrastructure to accommodate new businesses and attract new workers
 - d. Having a comprehensive plan that reflects our shared values will help us navigate our future together.
3. **Updating the Official Community Plan means thinking forward as a community**

- a. At the heart of any Official Community Plan is our community's shared values. Living in North Cowichan, what brings us joy? What makes life challenging? What do we care about now? What might we care about in the future? What will life be like for our children and grandchildren?
- b. Having conversations with our family, friends, neighbours -even those we haven't met yet - will help us discover what these values are.
- c. While we may not always agree, listening and learning with others will help us create a Plan that will allow us to grow together for the years to come.

4. Let's "ThinkForward" together!

- a. Have your say on the future of North Cowichan! Visit our [website](#) or [PlaceSpeak](#) for more information.
- b. For more information be sure to like us on Facebook: www.facebook.com/northcowichan and/ or Twitter.
- c. Looking for exciting Friday night plans? Host a dialogue with your friends on the future of North Cowichan (virtual connections for now).
- d. What are the top issues the updated OCP should address? Have you thought about how North Cowichan may adapt to rising sea levels and more extreme weather? How will we manage growth in our communities? What is your vision for North Cowichan for the next 20 years? What is unique and special about your community that we need to preserve and protect? What sort of jobs are needed to provide a stable economic base for North Cowichan residents? What impacts will COVID-19 have in planning for our future? Take our survey to share your ideas!

COMMUNICATION TACTICS

Any tools that we use for digital engagement and the information collected will need to meet the requirements of BC FIPPA. We will work with MNC's IT department on this requirement.

OCP PROJECT WEBSITE

The OCP project website will be updated throughout the process, sharing information out and sharing back reports and findings. It will also invite participation in various engagement activities. We recommend the following to make the webpage more successful:

- Create a large button in the Quick Links area during notification periods, and then under Community -> Current Topics -> Official Community Plan
- Include events on the District's calendar
- Locate the webpage under "Your Government" then "Projects & Initiatives" in the navigation
- Include event announcements in the rotating banner on the homepage
- Webpage could include:
 - **Short link:** Link to page should be easy and relate to the brand, like
 - **Video:** quick explainer video would widen participation and understanding

- **Purpose:** Brief introduction to the project
- **Engagement Process:** Summary of the engagement process, with a visually appealing and simple timeline image describing each stage in high-level terms
- **Get Involved:** Summary of current opportunities to get involved (i.e. sign up for updates, link to questionnaire, event details)
- **Background:** Information for the layperson to become more informed of the issues, process, etc.
- **Online submission form:** A form for participants to submit a short response on the OCP update
- **Contact:** Who to contact for more information

NOTIFICATION TOOLS

PLACESPEAK

PlaceSpeak is a web-based platform used currently by the MNC and has about 3000 registered users. It has number of features that we can incorporate into the process. We can utilize resource section for backgrounders and general information. We will use the discussion board feature and notice board for ongoing communication. We will include our online surveys here as well.

PROJECT NEWSLETTER

An email newsletter should be maintained, with sign-up forms at all public events and on the website, for people to receive regular updates on the process and engagement opportunities. The link is www.northcowichan.ca/subscribe

SOCIAL MEDIA

The engagement team will provide North Cowichan with a simple social media strategy including content for posts and a schedule of posts.

PRINT MEDIA

The engagement team will work closely with the North Cowichan Communication Team at major stages of the process to provide timely information about public input opportunities and summary reports for circulation in local print media.

Ongoing media relations (press releases, story starters, briefings, photo ops).

FACE TO FACE

Direct interviews with key stakeholders may provide an opportunity for face to face engagement later in the process if deemed safe by public health authorities. Ambassadors will be trained to provide

additional opportunities for face to face promotion. There may an opportunity to convene existing seniors, youth, children, parent groups etc. for meetings.

RADIO

Major public events can be advertised on local radio, 30-second ads, road and weather tags, “What’s On” calendar of events, digital advertising and interview opportunities are all possible.

SIGNAGE

Posters will be considered to ensure community members are aware of the project and opportunities to get involved.

OVERVIEW OF TACTICS FOR ENGAGING & COMMUNICATING WITH STAKEHOLDERS

POTENTIAL RISKS & MITIGATION

The risks associated with moving to more 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.

Beyond the issues we have described with COVID-19, we think that speaking clearly to the public on planning issues and avoiding jargon will be essential. Clarifying and stressing the benefits of the updated OCP will be key to encouraging participation, as will talking about the most critical issues and trends. Using the strong branding to get awareness in the early days of the project will be essential, as will timely response to inquiries throughout the project. Finally, profiling engagement successes and the inputs of various citizens and groups will build awareness and trust, as will showing progress on substantive issues.

WHAT WILL SUCCESS LOOK LIKE?

At the OCP Volunteers orientation sessions the following measures of success were developed:

- A guiding OCP with a clear implementation plan
- Bold, creative long-term solutions
- Measurable objectives with clear indicators and review points at regular intervals
- Still as excited about committee and plan in 2021 as we are today
- Engaging physical document with accessible language and visuals and direct quotes
- All opinions are considered
- Clear plan for marginalized communities to be involved.

The Council session on March 12, 2020 garnered the following measures of success:

- Process where community can be proud of outcome
- A plan that all of Council can support
- Full of creative, big ideas for innovative planning
- Transparent and inclusive public engagement
- Full community buy-in
- Broad engagement that includes all of the community
- An inclusive process that values the input of youth as well as all other demographics.

APPENDIX 1: OCP VOLUNTEERS FEEDBACK

Advisory Committee Agenda | June 5, 2020

Engagement Plan

Attendees:

OCP Advisory Committee Volunteers	MODUS Consulting	North Cowichan Staff
Caitlin Kenny	Suzy Munn	Rob Conway

Cam Campbell	Rob Barrs	Chris Hutton
Mona Kaiser	Vince	Megan Jordan
Tim Openshaw		Mairi Bosomworth
Bernie Jones		
David Messier		
Nick Neisingh		
Rupert Koyote		
Shannon Waters		
Sandy McPherson		

Meeting began at 1:31pm

Approval of Agenda

- Any additions to the agenda:
- Motion to approve agenda
 - approved

Adoption of Minutes

- OCP advisory committee minutes
- Motion to approve minutes
 - adopted

Welcome

- First online meeting
- Procedures
 - OCP Advisory Committee – comes with agendas, minutes and generally more formality
 - Council on May 6 adopted engagement plan to move forward, subject to consultation with the OCP Advisory Committee and Community Ambassadors
 - When council suspended engagement that also included committees, so we had to go back and figure out how that worked
- Introductions

Project Schedule Overview

- Review of schedule

Engagement Plan Overview

- Roles
 - How do you maintain transparency through the ambassador level
 - Acting in a neutral way and providing the best possible resources so they can spread out information – physical information packages –
 - Important to ask for guidance and input into deliverables from OCP volunteers throughout process
- Review of Volunteer principles
- Audience and issues mapping
 - From orientation
 - Are there any other groups that should be added? Where should they be located on the stakeholder map? Successes of the project is to engage marginalized groups – when we start brainstorming and what quadrant they should be in – discuss groups that aren't typically involved – youth, homeless, etc. – when talking to ambassadors this will be important and reaching out to their neighbours and reaching out to their specific groups.
 - Need to continue to add to the list
 - raising this issue now is great, the list needs expansion and rebalancing — working parents who are not often included. We get a lot of input from retirees that has a focused value for planning and we need to focus on other groups.
 - Need to be intentionally and respectful when engaging each local First Nations
 - How do include the Sikh community?
 - Please email Chris/ Mairi with further suggestions
 - Making an effort to identify the seldom herd is important. You get the older, white people – when planning the future of our region we need everyone especially youth. How do we reach out to diverse groups?
 - Update on groups
 - Vacant spots in Advisory Committee and Ambassador teams
 - Ask Social Planning Cowichan for provide a list of organizations/ individuals
 - Council is responsible for appointing new members
 - ACTION - Follow-up email with all of the questions asked during this meeting and request feedback on the addition to the list of audience/ stakeholders and how best to reach them

Engagement Tools and Techniques

- Went to Council on May 6 with Digital Engagement Proposal
- Motion – Council approve the engagement plan subject to consultation and engagement with advisory committee

- Issues with PlaceSpeak
 - PlaceSpeak is the platform we have – we will make every effort to use it and make it accessible – it is not the only avenue for online engagement – another repository – online surveys, paper surveys. Won't be the end all be all and ensure that it resonates with the people. Making an effort to make PlaceSpeak available – go over what the new platform will look like – some of the issues will be addressed with the new update – confident we will be able to do this in a good way that works for everyone. There are some barriers but there are some benefits too. We plan on doing an exercise for capacity building with this group – it's has some good features and functionality when you are used to. Call up neighbour and walk the through it to help them with the initial process. The website will also be used with background info and a link to send in a paragraph or two with your thoughts.
- PlaceSpeak has its role however doesn't seem to be well suited for spatial questions – community character and boundaries – thought it was a limited platform outside of posting, commenting and survey. Expressing concern for more spatial questions – PlaceSpeak seems limited compared to other platforms.
 - Has a simple mapping capability – dots on a map. Very limited compared to in person exercise – do a workshop for community mapping – talk about boundaries and what people know and love – have a conversation around a large map – if we can do that we will try depending on precautions. There are other programs to use for online mapping work – we can use different techniques to explore. We will definitely put effort into thinking about that.
- Initial outset – using website for foundational – backgrounder papers, website – our first task is to engage the public on the vision and goals – looking to develop survey for the public and what they envision for North Cowichan over the next 20 years –. Diving into community character – take photos, walking tour
- Study referenced in the engagement plan for online engagement that online is as good – if people go online they need fact based or an opportunity to ask experts – any thought for online learning event when you get experts together – each have 5 minutes and discussion, with crowd sourcing opportunity. As we move through, getting a basic understanding is helpful before moving into deliberation.
 - Something we could consider into the Fall – public education around complex topics is important – backgrounders are being developed that identify key themes and topics of the OCP. Not something we have in the process right now – consultant team includes sub consultants with subject matter experts. Can certainly think of an opportunity to involve them.
- Important to start from a shared understanding of key terms, etc. – backgrounders that provide basic information
 - Glossary in backgrounder report
- Next steps – sign up for PlaceSpeak to get the word out, neighbours, etc. once you are in you can share
- Knowledge/education is important – part of it is understanding land base and the landscape they live in – hazard area maps – reviewing forestry reserve – how are we weaving the forestry process into this one and leveraging the info into the OCP process?
 - Important to leverage other info sources

- Digital engagement may be a challenge to those seldom heard from groups, at risk communities, marginalized and low income communities – not going to be on PlaceSpeak its very unlikely. We should further explore other options such as actual phone calls? The best tool is compensating people for their time, providing a motivation to fill out a survey when they might not otherwise. Having vocabulary is important – also need to ask questions that don't require the understanding of those 'planning' terms. As this develops, add engagement strategies – add student ambassador jobs from hard to reach communities to figure out how best to do that.
 - We are sensitive to the need to engage, we hoped on one level the ambassadors would play that role in reaching out – they know local communities, the people and the groups – hoping the ambassadors that are already enrolled – other ambassadors – paid student ambassadors to think about, pound the pavement and reach out to those who are difficult to reach.
- Vacant spaces in ambassadors and given the importance of having the right people to reach out – this is an opportunity to widen the tent to identify additional ambassadors who might be paid who have links into the hard to reach communities such as youth

OCP Ambassador Committee Meeting | June 11, 2020

Engagement Plan

Attendees:

Volunteers	Consultant	North Cowichan Staff
Anne Murray	Suzy Lunn	Mairi Bosomworth
Sheila Kitson	Vince Verlaan	Chris Hutton
Carreen Unguran	Rob Barrs	Amy Fitzgerald
Ken Brown		
Wendy MacPherson		
Tom Andrews		
Cindy Lise		

Andrew Wilson		
Dave Jackson		
Sarah Nelles		
Nancy Dower		
Christina Godbolt		
Carol Donelly		
Douglas Hume		
Matthew Huotari		
David Darwin		

Call To Order: 5pm**Approval of Agenda****Adoption of Minutes****Business****Welcome and Introductions**

- How your perspective has changed throughout the project?

Project Schedule Overview

- When is the next municipal election?
 - October 2022
- Are you addressing North Cowichan in the context of the CVRD? The context of North Cowichan being within the regional district is important
 - Yes, that is very important to keep the regional context in mind. Consultant is working with the Regional District on their OCP and the housing needs assessment

Engagement Plan Overview

- Engagement Planning, the Weave – the colour for council and staff input is the same at the end
 - Will be changed (complete)
- One of the unique aspects of the rural group is we are the catch all – others have defined geographic areas that are a little more discreet. Last fall we discussed broadening our scope
- A challenge in the Ambassador's group is diversity and representing the community

- Audience and issues mapping
 - From orientation
 - Are there any other groups that should be added? Where should they be located on the stakeholder map? Successes of the project is to engage marginalized groups – when we start brainstorming and what quadrant they should be in – discuss groups that aren't typically involved – youth, homeless, etc.
 - Making an effort to identify the seldom herd is important. You get the older, white people – when planning the future of our region we need everyone especially youth. How do we reach out to groups?
- When we talk about engagement and diversity of input – during BMLAP, they did popups in very different places outside of BMLAP – one of them happened in the mill bay shopping centre –why are people from outside of the corridor have such a huge influence on how the communities will look like
 - OCP is a different kind of project that is broad, community wide as well as looking at specific areas. We will definitely focus our efforts in North Cowichan only, other than the regional context.
- Are you looking for possible solutions for diversity and youth groups. A good resource is Principals from high school – we could get one or two students from civic studies class from each of the high schools and engage them in the process and get input from then.
- Looking at families with children and contacting PAC committees in Crofton and Chemainus - they have newsletters which could be a good resource for us, they also send notices to families and they do it online which might be another opportunity
- Is there any reason we couldn't have a community ambassador team that is youth – high school, etc. could we add them as an ongoing thing. One of the additional groups identified is the young agrarians.
- As long as youth are part of public consultation that might be better than appointing new people
- VIU students are a good resource - we need to find a way if we want to approach youth to include the university students
 - Youth is under 25 – between 16 to 25. Another group is younger families. It's this groups responsibility to commit to reaching out to those audiences.
- Inclusion of First Nations
 - Government to government engagement, It is outside of the consultants contract, North Cowichan will take on that relationship and connections more on a government to government level.
- We have lost 3 members – are there specific gaps with the loss of those members?
 - Two from from Berkeys and one in Quamichan
- Brainstorm other audience and issues mapping- Cowichan Agricultural Society and Farmer's Institute, other's

Engagement Tools and Techniques (Digital Engagement Proposal)

- Went to Council on May 6 and our proposal was attached. Council referred it to this group for comments.

- Initial outset – using website for foundational – backgrounder papers, website – our first task is to engage the public on the vision and goals – looking to develop survey for the public and what they envision for north Cowichan over the next 20 years –Diving into community character in the fall – take photos, walking tour
- What are your thoughts on moving forward with engagement online and then doing face to face stuff once other restrictions have been lifted?
- What about the homeless and also people with diverse ethnic and cultural backgrounds. Maybe not as Ambassadors but how to engage them?
- Is there an online forum where we can use for these brainstorming activities?
- We have a mechanism to connect with our homeless community via the CAT and peer support workers who may be able to assist
- PlaceSpeak – it covers the whole CVRD.If you can separate the North Cowichan vs non North Cowichan feedback that would be best
 - All the munis in the RD have used placespeak – you really need to confirm where you live – you can create certain topics that are open to certain people of an area.
- Placespeak also has a group of politically charged community members who "troll" to get their opinions across. I would like to determine the number of diverse community members who use it versus the number of times a particular individual responds to a question. We are seeking diversity
- Free pizza coupons are a great incentive for participation. Lake Country in Okanagan did a #Frogtalks question worksheet in exchange for pizza reimbursement.
- I have had a negative experience with PlaceSpeak. Folks had a political will and they wanted something to not go through. Whenever anyone would comment, 3 or 4 people would swallow others comments that became quite horrific. Is there a mechanism or way to see the diversity vs the number of times an individual comes on. I would also like to know diversity of people using it
 - Discussion board gets a lot of bad press – PlaceSpeaks functionality has an update that will improve what we can do and we will follow up with this group in a few weeks. If we have a discussion board it must be actively managed.
- Surveys or question sheets tailored to specific school-aged groups. K-3; 4-7; 8-12
- Engagement plan next steps
 - Sign up for PlaceSpeak
 - Invite people to join and share it – awareness about OCP project
 - Looking for further input on engagement and gap analysis
 - Going to Council on June 24

APPENDIX 2: DIGITAL ENGAGEMENT PLAN

July 15, 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	December 16, 2020	File:
To	Council	
From	Michelle Martineau, Manager, Legislative Services	Endorsed: 
Subject	First Nations Relationship Training	

Purpose

To consider the recommendation made by the Committee of the Whole on December 2, 2020, regarding First Nations Relationship Training

Background

On December 2, 2020, at a special Committee of the Whole (CoW) meeting, the Committee recommended that Council coordinate a virtual training session on working effectively with Indigenous People.

IT WAS MOVED AND SECONDED:

That the Committee of the Whole recommends to Council:

That staff be directed to coordinate the "Working Effectively with Indigenous People" virtual training through Indigenous Corporate Training Inc. at the cost of \$4,500, and direct staff to conduct a Doodle Poll to determine the dates.

CARRIED

Discussion

Staff reached out to Indigenous Corporate Training Inc. to inquire which Fridays they would be able to facilitate the training session on in either December or January. Council was then polled, using Doodle.com to determine which date all members of Council would be available. The only date on which all members were available to participate in the training is Friday, January 22, 2021.

Options

1. Endorse the CoW recommendation and schedule training for Friday, January 22, 2021.
2. Defer training to a later date.


Implications

This training will assist Council in beginning to understand the cross-cultural perspectives of the Cowichan Nation Alliance and individual First Nations on the same issue and explore strategies for improving Council's relations with Indigenous People.

Recommendation

That staff be directed to coordinate the "Working Effectively with Indigenous People" virtual training through Indigenous Corporate Training Inc. at the cost of \$4,500 on Friday, January 22, 2021.

Report

Date	December 16, 2020	File: 0570
To	Council	
From	Tricia Mayea, Deputy Corporate Officer	Endorsed: 
Subject	City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement	

Purpose

To consider the proposed revisions to the City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement.

Background

In March of 2020, Council directed staff to update the City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement (Agreement) that was originally adopted in 2014 to be consistent with current practices.

Discussion

The revisions to the attached Agreement (redlined version), have been vetted by both City and Municipal staff. Duncan City Council directed their staff, at their November 16, 2020, regular meeting, to include the updated Agreement in the next Joint (Duncan/North Cowichan) Council meeting for ratification.

A virtual Joint Council meeting will be scheduled in January 2021, dependent upon a date poll's results. Topics to be included on the agenda, as currently determined from North Cowichan, are:

- School District 79 presentation on the new Cowichan Secondary School
- Inter-Municipal Relationship Protocol Agreement
- Complete Streets Project

Topics to be included on the agenda, as currently determined from City of Duncan, are:

- BC Housing update on the two Supportive Housing projects
- Community Policing update

Options

Option 1 (Recommended Option) – Endorse proposed revisions and direct staff to include in the next joint meeting.

Option 2 – Provide direction to staff on further amendments to the City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement.

Implications

Working together with the City of Duncan in a cooperative manner will enable both Councils to take advantage of opportunities to improve the well-being of both communities by exploring common interests.

Recommendation

That Council approve the updated City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement as attached to the December 16, 2020 report from the Deputy Corporate Officer and include it in the next Joint Council meeting agenda for endorsement.

Attachments: City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement



City of Duncan and Municipality of North Cowichan

Inter-Municipal Relationship Protocol

The City of Duncan and the Municipality of North Cowichan recognize the need to work together to create viable and sustainable communities. Their shared history, adjacent proximity, and general interdependence make it essential that they work together cooperatively. This Protocol is seen as an important tool to help each municipality effectively, efficiently and economically fulfill its mandated purposes and vision for the future. As well, it is hoped that the Protocol will foster a culture of cooperation, provide direction for the broader community, and serve as a foundation for future Councils to build on.

Both municipalities acknowledge that they are legislatively separate with autonomous decision-making authority. While each municipality has its own distinctive political, administrative and jurisdictional realities, both municipalities see value in working together and wish to take advantage of opportunities to improve the well-being of their communities. By working together, the municipalities express the desire to rise above boundaries, parochialism, and politics for the economic, social, and environmental well-being of their citizens.

This Protocol is based on three main themes.

1. Promote Inter-municipal and Community Relationships

The implementation of this Inter-municipal Relationship Protocol will serve as a tool to strengthen inter-community relationships by promoting respect, trust and commitment, hallmarks of any good relationship. This Protocol will hold neighbouring Councils responsible and accountable to one another and to the broader community at large, and will also set an example for future Councils and other community-based organizations to follow.

2. Commit to Communication

This Protocol calls on elected [officials](#) and ~~non-elected officials~~ [municipal staff](#) to commit to improve their communication practices with one another. Good communication will facilitate progress on important inter- community initiatives, by promoting understanding and encouraging mutually-acceptable solutions. This will lead to improvements in services, laws

and other matters for public benefit. It will also ~~improve~~enhance the ability of both municipalities to communicate with the public.

3. Define How Problems Will be Solved

A strong relationship and good communication does not mean that all matters will be agreed upon. In some cases, each community's unique values, goals, beliefs and perspectives may preclude agreement on specific initiatives or issues. However, a strong relationship and pattern of communication will minimize these instances and foster the capacity and commitment of each municipality to solve problems amicably and address challenges as they arise.

Roles and Responsibilities

The Role of Council

Each Council retains the ability and responsibility to make decisions on behalf of its residents. By signing this Protocol, each Council demonstrates to its administration, staff and public that it recognizes the value of the two municipalities working together. By their thoughtful support and active participation in inter-~~community~~ dialogue and problem solving, Council members set a positive example for their administration and staff.

Both Mayors' enthusiastic support for this Protocol, and cooperative working relationship with one another, will serve as an example and powerful catalyst for the benefits that can be anticipated to flow from this Protocol.

The Role of Administration

While the elected officials are expected to lead by example and provide direction, this Protocol requires that administrative and operational staff also understand, appreciate and adhere to the principles underlying this Protocol. Administration, through the direction of the Chief Administrative Officers (CAO), will be the primary conduit through which the Protocol is executed. Administration brings continuity to the relationship and will be responsible to ensure effective communication at all levels.

All inter-municipal Council-to-Council information will flow through and be managed by the ~~Chief Administrative Officers~~CAOs who will also oversee management and implementation of combined meetings of both Councils. As the need arises, the ~~Chief Administrative Officers~~CAOs may assign members of their staff to take the lead on various projects and initiatives.

The Role of Staff

Staff at all levels will be expected to implement the decisions and directions that flow from this Protocol. In doing so, staff will take direction from their respective administration and work cooperatively with their municipal counterparts to implement decisions and directions in a timely and efficient manner. Staff will also be expected to inform their managers about opportunities and challenges that require attention for the mutual benefit of both municipalities.

The Protocols

Both municipalities commit to build an effective and professional working relationship at the elected, administrative and operational level. Each municipality will ensure that all members of their senior staff are kept aware of the function of their counterparts in the other municipality. Appreciation of the need to work well with their counterpart will be regarded as a core competency for each senior staff member.

To give this Protocol the best chance to succeed, each municipality will:

1. Invite future elected officials to sign the Protocol to demonstrate commitment to the Protocol.
2. Ensure that all future elected officials and senior staff receive information about the importance of communication and collaboration between the municipalities.
3. 3} Strive to keep the other informed of important plans and changes within their municipality.
4. Explore common interests and opportunities to collaborate.
5. Look for more opportunities to share information, learn from and respect the other.
6. Involve each other in common celebrations and ceremonies.
7. Consider how decisions will affect one another and when mutual dialogue is appropriate.
8. Strive to ~~not~~ make decisions that are not at the expense of the other.
9. Explore ways to deliver services more effectively, efficiently and economically through joint initiatives, or through agreement with one another or others.
10. Coordinate preparation of joint media releases through the Chief Administrative Officers CAOs.
11. Promote Duncan and North Cowichan as a desirable area in which to live, work and play.
12. Hold joint meetings of the Chief Administrative Officers CAOs and one or more applicable staff at least twice a year separate from any regional meetings of the Chief Administrative Officers CAOs.
13. Hold joint meetings of Councils at least twice a year (as outlined in the attached Joint Meeting Guidelines) to discuss mutual concerns, assess on-going and future initiatives, and monitor implementation of the Protocol.
14. Seek to resolve problems in a timely, inexpensive, informal, and cooperative manner (subject to Part 9, Division 3, of the Community Charter).

Conflict Resolution

Both municipalities recognize the need for a joint understanding about how to address misunderstandings and disagreements, and want to resolve issues:

- At the earliest opportunity and at the point closest to where problems originate;
- In a swift, inexpensive and uncomplicated way;
- Using a clear procedural pathway to a solution;
- To maintain a smooth working relationship even when disagreement survives.

It is acknowledged that the processes in this Protocol are in addition to and do not replace processes and remedies provided in legislation or under existing agreements between the municipalities. In the event of an inconsistency between a provision in this Protocol and any other agreement or policy, the provisions of this Protocol shall prevail.

If an elected official, administrator, or any staff person from either municipality believes an intention or commitment under this Protocol has been overlooked, or there is a disagreement that is in need of resolution, the matter shall be brought to the attention of the ~~Chief Administrative Officer (CAO)~~. The CAO shall inform their counterpart who will investigate and, if it appears that an intention or commitment was overlooked or an issue needs resolution, the matter may be resolved directly between the municipalities through informal problem solving discussions involving the CAOs and applicable staff members.

If the matter identified is not resolved through informal discussions, the municipalities agree to address it using the following processes:

1. The municipalities will identify appropriate personnel and/or Council members (negotiators) who are knowledgeable about the issue and those persons will work to find a mutually acceptable solution through negotiation.

Those in the negotiation will seek an *integrated outcome* in the decisions they make. An integrated outcome is one in which the parties-municipalities elect to work together, integrating their resources, originality and expertise.

The parties-municipalities will fully explore the issue with a view to seeking an outcome that accommodates, rather than compromises, the interests of all concerned. In that regard, negotiators will seek to:

- a) Clearly articulate their interests and the interests of their municipality;
 - b) Understand the interests of other municipality whether or not they are in agreement with them; and,
 - c) Identify solutions that meet the interests of the other municipality as well as those of their own.
2. If the issue cannot be resolved through negotiation, either municipality may apply to a dispute resolution officer for assistance in resolving the dispute as outlined in Part 9, Division 3 - Dispute Resolution of the *Community Charter*.

3. Although the municipalities have identified the attributes of negotiation as a preferential process to be encouraged, the municipalities may, by agreement, proceed directly to a mediated process (dispute resolution officer) without first exhausting an unassisted negotiation process.

The Commitment

By signing this Protocol both municipalities acknowledge their commitment to, and agreement with, the spirit, intent, and content of the Protocol. Further, their signatures demonstrate such commitment and agreement, internally to their management and staff, and externally to the public, particularly their constituents, both residential and business, and other governments. While this Protocol represents a long-term symbolic commitment to inter-municipal cooperation, each municipality retains the right to withdraw from the Protocol by providing the other with 30-days written notice.

Signed this _____ day of _____, 2021 in Duncan, British Columbia, Canada.

For the City of Duncan:

Michelle Staples, Mayor

Bob Brooke, Councillor

Garry Bruce, Councillor

Jenni Capps, Councillor

Tom Duncan, Councillor

Stacy Middlemiss, Councillor

Carol Newington, Councillor

For the Municipality of North Cowichan:

Al Siebring, Mayor

Rob Douglas, Councillor

Christopher Justice, Councillor

Tek Manhas, Councillor

Kate Marsh, Councillor

Rosalie Sawrie, Councillor

Debra Toporowski, Councillor

Joint Meeting Guidelines

To promote a consistent and shared flow of information from inter-municipal meetings, the following joint meeting guidelines, as adopted by both Councils, will apply.

Purpose of meetings

- Discuss significant issues affecting both municipalities
- Maintain an open dialogue between Councils
- Foster municipal purposes (see s. 7 of the *Community Charter*)

Frequency of meetings

- Twice a year (targeting spring and fall)
- Specific dates and times to be determined
- Additional meetings if necessary

Location of meetings

Alternate between North Cowichan and Duncan City Hall

Type of meetings

Committee-of-the Whole meetings

- [Concurrent Council meetings \(optional and topic dependant\)](#)

Meeting Procedure

In accordance with the Council Procedure Bylaw of the host Council.

Clerical responsibility

Corporate Officer of the host Council

Agenda Preparation

- Each Council may submit up to 3 topics for the agenda, which must be generally supported by the majority of the Council putting forward the agenda item. Final approval of the agenda topics will be determined by both Mayors.
- Each topic should be accompanied by a brief 1-2 page background report describing the issue, options and providing a recommendation.
- Agendas will be prepared and issued by the Corporate Officer of the host Council once approved by the host Mayor and [Chief Administrative Officer CAO](#).

Minutes & Follow-up

- Minutes will be prepared by the Corporate Officer of the host Council
- Minutes will be reviewed by both Councils and approved by the host Council
- Follow-up tasks will be coordinated by the CAO of the host Council
- Related Council decisions will be made by each Council, as required

Report

Date December 16, 2020

File:

To Council

From Walter Wiebe, Senior Manager, Financial Services

Endorsed:



Subject Development and Building Fees Review

Purpose

To provide Council information on our current development and building permit fees and compare with other local governments.

Background

On November 15, 2017, Council directed staff to provide a report on possible development fee increases. Development fees along with all other fees charged by the Municipality are located in the Fees and Charges Bylaw. When the [Fees and Charges Bylaw No. 3784](#) was adopted on April 15, 2020, it included the building fees (Schedule C – Development and Permitting Fees, Section 1, Building Fees and Section 3, Planning Fees) that were last updated by amendment Bylaw No. 3603 on March 16, 2016, and the development fees that were last updated by amendment Bylaw No. 3529 on December 18, 2013.

Discussion

Comparisons of development and building permit fees to other local governments in the Cowichan Valley Regional District and other similar communities outside the Regional District area reveal that our fees are similar in most categories.

North Cowichan currently charges the following fees:

- **Building Permits:** \$100 for a building permit with a construction value of \$5,000 or less. The building permit fee adds an additional \$10 per \$1,000 of construction value over \$5,000 up to \$100,000 of construction value. A construction project of \$100,000 would have a building permit cost \$1,050. Anything over \$100,000 in construction cost charges \$7 per \$1,000 of construction value.
- **Development Permits:** \$1,200 for a major development (larger than 200 m²) under DPA-1 and \$600 for a minor development under DPA-1, DPA-2 to DPA-5, amendments and extensions.
- **Development Variance Permits and Board of Variance Applications:** \$1,000 plus \$50 for each additional lot and \$250 for variances eligible for consideration by the Board of Variance.
- **Land Use:** \$2,500 for a single family development zoning amendment and \$2,500 for a single family development Official Community Plan amendment, or \$3,000 for a single family development joint zoning and OCP amendment.

Tables A to C provides a list of the 2020 development and building permit fees for all of the local governments in the comparison group.

Table A – Building Permit Fees

Entity	Permit	Per Fixture	Minimum	Value up to \$100,000	Value over \$100,000	Value over \$400,000	Value over \$1,000,000	Value over \$15,000,000
Campbell River	Building		\$ 50.00	\$8 / \$1000	\$7 / \$1000	\$6 / \$1000	\$6 / \$1000	\$6 / \$1000
	Plumbing	\$ 6.00	\$ 50.00					
CVRD	Building		\$ 55.00	1% of value	1% of value	1% of value	1% of value	1% of value
	Plumbing	\$ 18.00						
Duncan	Building		\$ 50.00	\$8 / \$1000	\$5 / \$1000	\$5 / \$1000	\$5 / \$1000	\$5 / \$1000
	Plumbing	\$ 12.00	\$ 24.00					
Ladysmith	Building		\$ 100.00	1.1% of value	1.1% of value	1.1% of value	1.1% of value	1.1% of value
	Plumbing	\$ 12.00	\$ 24.00					
Langford	Building		\$ 56.70	\$11.33 / \$1000	\$9.09 / \$1000	\$9.09 / \$1000	\$4.54 / \$1000	\$2.29 / \$1000
	Plumbing	\$ 17.12	\$ 24.00					
North Cowichan	Building		\$ 100.00	\$10 / \$1000	\$7 / \$1000	\$7 / \$1000	\$7 / \$1000	\$7 / \$1000

Table B – Fees for Development Permits (DPs) and Development Permit Variances (DVPs)

Name	Fee Development Permit	Fee Development Variance Permit
Campbell River	survey not returned	survey not returned
Cowichan Valley	varies depending on DPA. Ranges from 150 - 500	750
Duncan	1000	1000
Ladysmith	1000	750
Langford	survey not returned	survey not returned
North Cowichan	\$1200 for more 200m squared; \$600 for less than 200m squared	1000

Table C – Fees for Land Use Approvals

Name	Single Family Development Zoning Amendment Fee	Single Family Development Official Community Plan Amendment Fee	Single Family Development Joint Zoning and OCP Amendment Fee
Campbell River	\$2,625	\$2,625	\$3,885
Cowichan Valley	\$2,500	\$3,000	\$5,200
Duncan	\$2,500	\$2,500	\$2,500
Ladysmith	\$2,000	\$2,000	\$3,000
North Cowichan	\$2,500	\$2,500	\$3,000

Development Permit Fees were provided by Civicinfo annual survey statistics. Langford is not included because there fees were not submitted to Civicinfo.

Table D reflects North Cowichan's building department's revenue and expenditures over four years. This table indicates that revenues collected from 2017-2020 cover the cost of the building inspection department, except for 2020 as it is a part year. This suggests that North Cowichan's building permit fees align with their intended purpose per Council's Revenue Tax Budget Policy.

Table D – Building Revenue and Expenses

Building Department	2020 YTD Actual	2019 Actual	2018 Actual	2017 Actual
Revenue	-479,615.20	-679,574.37	-554,682.24	-394,719.18
Expenses	489,871.72	402,771.94	503,434.00	394,679.62

The 2020 Building department revenue and expenses are YTD to Nov 25, 2020.

Table E reflects North Cowichan's planning department revenue and expenses over four years. North Cowichan's planning fees do not cover the cost of the development service; however, the fee rates are comparable to other local governments in the Regional District area, and it would be difficult to justify increasing them above the other local government's rates.

Table E – Planning Revenue and Expenses

Planning Department	2020 YTD Actual	2019 Actual	2018 Actual	2017 Actual
Revenue	-55,000.00	-92,300.00	-152,231.50	-205,100.00
Expenses	401,280.02	450,219.87	440,394.71	355,070.68


The 2020 Planning department revenue and expenses are YTD to Nov 25, 2020. The expenses include wages and benefits only for 4.4 FTE (3.4 planners and 1 planning administrative person).

Based upon the comparisons between North Cowichan and the comparison group, staff are not recommending any increases to development fees at this time as fees are either in-line with the comparison communities or within the top quartile.

Recommendation

That Council receives the development and building fees review report for information.

Report

Date	December 16, 2020	File:
To	Council	
From	Tricia Mayea, Deputy Corporate Officer	Endorsed: 
Subject	January 13, 2021, Regular Council Meeting Date Conflict	

Purpose

To reschedule or cancel the first regular Council meeting in January 2021.

Background

At the December 2, 2020, regular meeting, Council approved the 2021 Schedule for Council, Public Hearing, and Committee of the Whole meetings with some minor adjustments to accommodate annual conferences and winter and summer holidays. Council rescheduled the first meeting in January, from 1:30 p.m. on Wednesday, January 6, 2021 to 4:00 p.m. on Wednesday, January 13, 2021.

On December 9, 2020, the CVRD Board adopted their 2021 meeting schedule, which included special budget meetings beginning at 9:30 a.m. on Wednesday, January 13, 2021, with the Special Corporate Services Committee, followed by a Community Services meeting at 3:00 p.m. and the Regular Board meeting at 6:00 p.m.

Discussion

The CVRD budget meetings scheduled for Wednesday, January 13, 2021, pose a schedule conflict for Mayor Siebring and Councillors Marsh and Toporowski, who are expected to attend all three meetings. Therefore they will not be available to attend North Cowichan's regular Council meeting on that new date and time.

The regular meeting scheduled for 4:00 p.m. on Wednesday, January 13, 2021, will need to be rescheduled or cancelled. This meeting could potentially be moved earlier in the week to Monday or be held on the same day as the special Committee of the Whole meeting (on Tuesday at 6:00 p.m.) if the meeting were held at the regular time of 1:30 p.m. Scheduling both meetings on the same day will make for a very long day for Council members. Although moving the meeting to Monday or Tuesday will not impact staff's ability to publish the agenda on time, Council will have less time to review the materials. Staff does not expect that agenda to be very full, so the shortened time frame should not cause any significant challenges for members to review the materials.

Section 5 of the Council Procedure Bylaw requires that the annual meeting schedule be prepared prior to December 21, 2020, and be published on the District's website, notice board, and two editions of the local newspaper. Where revisions are made to the annual schedule, the Corporate Officer must post a notice of the new date, time and place or cancellation of the meeting.

Options

Option 1 – Recommended

That Council cancel the regular Council meeting scheduled for Wednesday, January 13, 2021, and direct staff to coordinate a special meeting should any urgent matters arise prior to the January 20, 2021, regular meeting.

Option 2 – Alternative

That Council reschedule the first regular Council meeting in January from 4:00 p.m. on Wednesday, January 13, 2021, to 1:30 p.m. on Monday, January 11, 2021.

Option 3 – Alternative

That Council reschedule the first regular Council meeting in January from 4:00 p.m. on Wednesday, January 13, 2021, to 1:30 p.m. on Tuesday, January 12, 2021.

Implications

The current schedule (as adopted by Council on December 2, 2020) will be advertised in the December 17, 2020 edition of the Cowichan Valley Citizen and is reflected in the Events Calendar on the Municipality's website. Staff cannot pull the first advertisement as it must be published by the December 21, 2020 deadline. However staff will be able to update the second advertisement with the revised new date or cancellation of that first January meeting when the advertisement appears for the second time in the newspaper on December 24, 2020.

Although the revision to the January 13, 2021 meeting is only required to be posted to the notice board at the main entrance of the Municipal Hall and the municipal website, publishing the revised annual schedule a second time in the newspaper will only cost \$255.55. Publishing the revised schedule twice in the Cowichan Valley Citizen will help ensure that anyone wishing to watch that meeting live [if it is not cancelled] will be aware of the date change.

Recommendation

That Council cancel the regular Council meeting scheduled for Wednesday, January 13, 2021, and direct staff to coordinate a special meeting should any urgent matters arise prior to the January 20, 2021 regular meeting.

Council Member Motion

Notice given on: Wednesday, November 18, 2020

Meeting Date Wednesday, December 2, 2020

From Councillor Douglas

Subject Affordable Housing

Background

There is a critical lack of affordable housing in North Cowichan, for both rental and ownership. The situation has grown steadily worse over the last decade as market conditions have changed in cities and towns across BC and Canada.

- Of 3,185 renter households in North Cowichan, 45 percent (or 1,400+ households) are spending over 30% of their income on rent and utilities, which is the Canada Mortgage and Housing Corporation threshold for housing affordability. Twenty-percent of renter households (630+ households) are spending over 50% of their income on rent and utilities.
- There is a shortage of rental housing stock in the Cowichan region. Between 2013 and 2017 the rental vacancy rate decreased from 8.6% to 2.8%, and October 2019 rental market data shows an average vacancy rate of 1%, lower than Vancouver.
- Analysis from the BC Non-Profit Housing Association found that 2,200+ households in the Cowichan region have unmet affordable housing needs, because of a backlog of affordable rental housing (750 units for low/moderate income levels) plus 1,500+ households in need of income support for housing.
- Home ownership is increasingly out of reach. The benchmark sales price for a single-family home in the region is skyrocketing, and as of October 2020 is \$498,400, up from \$302,300 at the same time in 2015. Meanwhile the benchmark sales price of an apartment is now \$232,500, up from \$130,100 five years ago, while the sales price of a townhouse is \$410,100, up from \$181,500 five years ago.
- The current housing market is not aligned with local need. The median household income for North Cowichan is slightly over \$64,000 (Census 2016), less than the provincial average. Based on current lending rates and benchmark sales prices, the median income would not qualify the typical household for single-family dwelling or townhouse.

The Municipality of North Cowichan currently has policies in its Official Community Plan (OCP) to encourage affordable housing, including policies 2.5.2.2, 2.5.2.3 and 2.5.2.4, which were designed to maintain existing affordable housing, support the development of new market forms of affordable housing for rent and purchase, and support initiatives to augment the amount of non-market housing.

The Municipality has had some success with these policies, including partnering with the Community Land Trust of BC to build 114 non-market rental units on municipal land, and negotiating a per-door affordable housing contribution for the 1,300+ unit Kingsview development. However, these policies have not been adequate to address the critical shortage of affordable housing stock, and are not as rigorous as other municipalities in BC, including Nanaimo and Victoria.

North Cowichan is currently re-writing its OCP, and this provides an opportunity to strengthen existing affordable housing policies. However, there are advantages for a Municipality to have a stand-alone affordable housing policy separate from the OCP that will include more detailed policies that can be adjusted as conditions change. North Cowichan could consider a wide range of tools already implemented in other municipalities across BC (see Attachment 1). Cowichan Housing Association has expressed a willingness to support this work as appropriate and in collaboration with municipal staff.

Recommendation

That Council direct staff to work with the Cowichan Housing Association to develop an affordable housing policy and implementation strategy.

Attachment: Affordable Housing Policy Options for North Cowichan

Affordable Housing Policy Options for North Cowichan

Policy Tool	Notes
Define affordable rental housing	For example, define "affordable rental housing" in municipal policies as housing that: a) costs 30% or less of the Cowichan region's monthly median household income; or b) is at least 30% below market rent in the Cowichan region (whichever is lower). Addresses issue of projects presented as "market affordable" without any clear definition (see the BC Government Employee Union's 30% Formula).
Fast Track applications for affordable rental housing	Accelerate permitting and approval processes for construction of affordable rental housing projects. Recommended in the Cowichan Attainable Housing Strategy , which calls for local government to support attainable housing by "fast-track[ing] complete applications for affordable housing projects."
Inclusionary zoning	For example, require all future density increases for moderate projects (≥ 10 units) to include at least 10% of total units as affordable, and for large projects (≥ 60 units) to include at least 20% of total units as affordable, to be accomplished using either inclusionary zoning or density trading. Exempt 100% purpose-built rental and 100% non-market. The City of Victoria's Inclusionary Zoning and Community Amenity Policy is a recent example that has already had success.
Community amenity contributions	For example, require all future density increases for smaller projects (< 10 units) to include a cash-in-lieu contribution set a reasonable amount per square foot of bonus floor space, with exemption for 100% purpose-built rental and 100% non-market housing.
Development cost waivers	Provide targeted incentives for affordable rental construction, including waivers for development permit fees, development cost charges and community amenity contributions. Recommended in the Cowichan Attainable Housing Strategy : "Development cost charge waiver bylaw for not-for-profit housing with an agreement to secure the housing affordability.""
10-year tax waivers	Introduce 10-year property tax waivers for public and non-market affordable rental housing construction. North Cowichan previously offered tax exemptions to residential housing developments with 100 or more units per hectare, and for supportive housing (not density specific) under the Revitalization Program Bylaw (repealed March 2019).
Municipal land provision/acquisition	Continue to pursue opportunities to build new affordable rental housing on existing municipal owned lands, and acquire new land for affordable rental housing, as recommended in the BC Housing Scan of Leading Practices and practiced in municipalities across BC.
Secondary suites/coach houses/accessory dwelling units	Reduce water/sewer fees for secondary suites and accessory dwelling units to encourage property owners to develop new and legalize existing secondary suites/accessory dwelling units, and thereby increase the affordable housing stock (see City of Nelson).

Residential Rental Tenure zoning	In recent years, provincial regulations were amended to allow municipalities to zone specifically to retain and encourage rental housing in their communities. Recommended in the Cowichan Attainable Housing Strategy , which suggests zoning bylaws to foster affordable housing development through residential rental tenure zoning.
Pre-zone land	Pre-zone areas of the Municipality for increased density with provisions for purpose-built rental and affordable housing (see recent examples in City of Coquitlam and City of Burnaby).
Parking requirements	Offset the added costs of providing new affordable housing by reducing parking requirements, and provide developers with opportunities build more floor space than normally allowed, in exchange for affordable housing. Recommended in Cowichan Attainable Housing Strategy , which suggests zoning bylaw to fostering affordable housing development by reducing parking requirements dependent on specifics of housing development.
Secured rental housing	Encourage projects where 100% of the residential rental units are secured for the life of the building through eligible incentives such as DCC waivers, parking requirements reductions, relaxation of unit sizes, and additional density beyond what is available under existing zoning. The City of Vancouver has such a policy .
Infill, intensification and densification	Encourage infill, intensification and densification in selected single-detached neighbourhoods, where appropriate to the form and character of existing neighbourhoods (e.g., single detached units with secondary suites, several attached or detached units on what was previously one or a few single detached lots, single detached units with coach-house type units above garages in the rear of the lot, and other similar form). See City of Nanaimo Affordable Housing Strategy .
Family-friendly housing	Encourage the construction of larger two and three bedroom units appropriate for larger and/or extended families within new multi-unit residential developments. See, for example, City of New Westminster's Family-Friendly Housing Policy , that requires minimum of 30% two- and three-bedroom units, and that at least 10% of the total units in a project be three-bedrooms or more. It also requires that multi-unit rental projects include a minimum of 25% two and three-bedroom units, and that at least 5% of the total project units be three bedrooms or more.
Tenant relocation	Ensure that tenants impacted by redevelopment and demolition are adequately notified and compensated and provided with assistance in finding new housing. Under the City of Vancouver's policy , tenants are provided with compensation based on years of tenure, assistance fund alternate accommodations, and right of first refusal to return to the new or renovated building at 20% below market rents.
Partner with land trusts, co-ops and not-for-profit housing providers	Recommended by BC Housing and the BC Non-Profit Housing Association, land trusts are one arrangement of land ownership that is underpinned by an organization with a built-in desire to create

	permanently affordable housing. Land trusts often maintain ownership of the land while making it available for housing through land lease or housing rental agreements with co-op and non-profit housing providers, to ensure long-term control of the land. (See BCNPHA's Affordable Housing Plan and BC Housing's Scan of Leading Practices).
Pet policy	Support policies and practices that allow renters to keep pets, including actively supporting efforts and advocate for changes at the provincial level (see Nanaimo Affordable Housing Strategy).
Speculation tax	Advocate for the provincial government to include the Cowichan region in the Speculation and Vacancy Tax , to discourage housing speculation and people from leaving homes vacant. Currently the Capital Regional District and the City of Nanaimo are designated as taxable regions.
Rental replacement policies	Replacement policies can establish a ratio of replacement for every affordable or rental unit demolished. Frequently, this is a one-to-one ratio. Municipalities can ensure these ratios are protected within their development and rezoning policies (see City of Surrey Rental Replacement Policy).
Pre-approved coach house designs/Best design practices	Develop a number of designs for coach houses such that, if a homeowner selects one of these, the length of the approval process could be reduced (see Nanaimo Affordable Housing Strategy). Alternatively, develop best practices for designing coach houses (see District of North Vancouver's Coach House How-to Guide).

Could we please put this on the Open Agenda for the Dec 16 Council meeting?

Would like to get Council authorization for a letter of support for this.

Thanks.

Al Siebring,
Mayor,
District Municipality of North Cowichan.

From: Alistair MacGregor, MP for Cowichan-Malahat-Langford

Sent: Monday, November 30, 2020 2:43 PM

To: Al Siebring

Subject: Bill C-250 seeks to remedy problematic anchorages.



[View this email in your browser](#)

The Salish Sea Shouldn't be an Overflow Industrial Parking Lot



NO FREIGHTER ANCHORAGES



On Monday, October 26th [I introduced a bill in the House of Commons](#) that seeks to amend the *Canada Shipping Act, 2001* in order to address a growing concern of our coastal communities. The South Coast of Vancouver Island is a world-renowned pristine marine environment that is home to many unique species and has thousands of years of First Nations history and culture. The place we are lucky to call home is the envy of many Canadians and the destination of many tourists from around the world, who come for fishing, whale-watching, boating, water sports, and adventure. While this sounds idyllic, every paradise has its problems.



Over the last ten years, [the waters off our coast have become overloaded with freighters](#) awaiting their turn at the Port of Vancouver. Transport Canada has cited that Maritime law allows vessels, some as large as 300 meters to anchor wherever it is safe to do so. In addition to the noise and light pollution, the parked freighters have caused serious concerns with the potential pollution of the marine environment. Ancient clam beds, prawns, oysters, and endangered species, such as the southern resident killer whale, are at risk of environmental impact from these vessels. The ships have also been shown to swing at anchor and there are increased risks of them coming aground. Other than the introduction of an Interim Anchorages Protocol, there has been little to no oversight of these anchorages. Further, these anchorages were approved for use without [the free, prior, and informed consent of the Cowichan Tribes](#).

Since first being elected in 2015 I have met with and heard from many community members, local First Nations, and stakeholders who have shared their frustrations with me. I will be hosting another [Town Hall meeting on this issue on Thursday December 3rd at 6:00pm](#) and invite you all to join me. So far the action taken by

Transport Canada through its Interim Anchorages Protocol seems to have only spread the problem around to more communities. As Canadian trade continues to grow, bringing with it more shipping to our area and longer wait times at the Port of Vancouver, we are left thinking about how we can expand trade in an efficient and sustainable way without harming our precious ecosystems or our coastal communities.

The bill I have put forward in the House of Commons will prescribe a specific area in and among the southern Gulf Islands where the proposed [National Marine Conservation Area \(NMCA\)](#) is to be established and prohibit the anchoring of freighter vessels. If the federal government sees value in protecting these waters through the establishment of an NMCA, then they almost certainly should not be used as an overflow industrial parking lot for large freighters.

On Friday, I again spoke in the House of Commons to express the importance of this bill, which you can watch [here](#). If passed, this bill will allow us to reclaim the use of this space for members of our communities and to protect our coast and the many species that rely on it. I encourage you to write to my office so that I may share your support with my colleagues, and I want to thank all the community members that have made this bill possible.

[Read More Here](#)



**Looking for a way to stay up to date on this issue or
have your voice heard?**

- Follow me on [Facebook](#)
- Write an email to the Minister of Transport at marc.garneau@parl.gc.ca
- Write an email to Transport Canada at mintc@tc.gc.ca
- Sign the e-petition [here](#)
- Join us for a virtual Town Hall, Thursday December 3rd at 6:00pm. Make sure to register [here](#) to hold your spot
- Email my office using the contact information below:

Stay in touch!

[Contact Alistair MacGregor](#)

Email: alistair.macgregor@parl.gc.ca

Duncan Office:

Address: #101-126 Ingram Street, Duncan, V9L 1P1

Phone: (250)-746-4896

Toll-Free: 1-866-609-9998

Langford Office:

Address: 3202B Happy Valley Rd, Langford, V9C 2V8

Phone: 1-866-609-9998



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