

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, June 2, 2021, 1:30 p.m.
Electronically

Pages

1. CALL TO ORDER

This meeting, though electronic, is open to the public. All representations to Council will form part of the public record. Proceedings will be streamed live and archived at www.northcowichan.ca. Members of the public may join this online meeting and participate virtually during the Public Input and Question Period portions of the agenda.

- To join by computer, smartphone, or tablet, visit northcowichan.ca/virtualmeeting for instructions.
- To join by telephone, dial 1.844.426.4405, enter the meeting ID 177 702 0631, and then press # to join the meeting.

2. APPROVAL OF CONSENT AGENDA

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.

2.1. Draft Committee Minutes

Recommendation:
That the draft minutes from the following meetings be received for information purposes only:

- | | | |
|--------|-----------------------------------------------------------------|---------|
| 2.1.1. | May 12, 2021 Official Community Plan Community Ambassador Teams | 9 - 10 |
| 2.1.2. | May 13, 2021 Official Community Plan Community Ambassador Teams | 11 - 12 |

2.2. Correspondence

Recommendation:
That the following correspondence is received for information purposes only:

2.2.1.	Letter from the City of Langford	13 - 13
	Letter from the City of Langford to Premier Horgan advising of their support for Hospital Security Staff be given the authority and necessary training to take custody of patients	
2.2.2.	Email re noise created by vehicles travelling between Maple Mountain and the Crofton School	14 - 14
	Request that Council address the [excessive] noise created by vehicles travelling between Maple Mountain and the Crofton School, including speeding violations	
2.2.3.	Email re use of Crime Stoppers	15 - 15
	Request that Council use Crime Stoppers to assist in the reduction/stoppage of tree poaching	
2.2.4.	Letter from the Village of Gold River	16 - 16
	Village of Gold River's resolution to UBCM and AVICC in support of working forests on Vancouver Island	
2.2.5.	Request for a new high school	17 - 20
	Request for a new high school to educate students about climate change and sustainability, including the response from SD 79 Board of Education Chair	
2.2.6.	Trails Strategy Review Report	21 - 41
	Trails Strategy Review Report from Recreation Sites and Trails BC summarizing the results of their survey regarding the development of a sustainable network of trails throughout BC	
2.2.7.	Letter from the District of Sooke	42 - 42
	Request from the District of Sooke for support of their Resolution [R15 Moratorium on Recreational Wolf Hunting and trapping on Vancouver Island]	
2.2.8.	Email regarding automated garbage and recycling pick-up service	43 - 43
	Request that North Cowichan move forward with full garbage and recycling automated pick-up service, including yard waste	
2.2.9.	Email regarding the Kingsview Development	44 - 45
	Request that Council influence or augment the Kingsview Development plan to make it better fit the new community vision	
2.2.10.	Letter regarding mining claim on Mount Sicker	46 - 46
	Request for Council's permission to continue prospecting his mining claim on Mount Sicker and acquire a key to the fire gate	

2.2.11.	Letter regarding the Twin Gables Motel property	47 - 47
	Request that Council address the poor state of the Twin Gables Motel property	
2.2.12.	Email to Chair of the Environmental Advisory Committee	48 - 48
	Request that the Environmental Advisory Committee take all necessary steps to protect all water in the watershed and the integrity of the municipal forests	
2.2.13.	Emails received in relation to a Ted Talk video from Suzanne Simard on "How Trees Talk to Each Other"	49 - 52
	2 emails were received in relation to a Ted Talk video from Suzanne Simard on "How Trees Talk to Each Other".	
2.2.14.	Emails received in relation to stop logging in the Municipal Forest Reserve	53 - 83
	25 emails were received in relation to stop logging in the Municipal Forest Reserve.	
2.2.15.	Emails received in relation to the proposed cell towers at Mount Tzouhalem and Evans Field	84 - 121
	12 emails were received, 10 in relation to the Evans Field location and 2 in regards to the Mount Tzouhalem location.	

3. **APPROVAL OF REGULAR AGENDA**

Purpose: To consider any items of business not included in the Agenda that are of an urgent nature, must be introduced and approved at the time the agenda is adopted. Matters must be taken up in the order that they are listed unless changed at this time.

Recommendation:

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

4. **ADOPTION OF MINUTES**

Purpose: To consider if there were any errors or omissions prior to adopting the minutes.

4.1.	Regular Council meeting held May 19, 2021 for adoption	122 - 131
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Recommendation:

That Council adopt the minutes of their regular meeting held May 19, 2021.

5. **MAYOR'S REPORT**

6. **DELEGATIONS AND PRESENTATIONS**

6.1. Cowichan Valley Intentional Recovery Centre

132 - 132

Purpose: Bernie Willock of the Cowichan Valley International Recovery Centre to make a short presentation to Council regarding the Therapeutic Recovery Community proposed for women at the St. Joseph School property (9745 Elm Street, Chemainus).

7. PUBLIC INPUT

Public Input is an opportunity for the public to provide their feedback on matters included on the agenda. The maximum number of speakers to be heard during the public input period is limited to five, with a maximum of three minutes allotted to each speaker. To be added to the speakers list, please:

- click on the 'raise your hand' button, if participating by computer, smartphone, or tablet, or
- dial *3 on your phone

8. BYLAWS

8.1. Delegation of Authority Bylaw No. 3814, 2021 for adoption

133 - 143

Purpose: To consider adoption of Delegation of Authority Bylaw No. 3814, 2021 which received first three readings on May 19, 2021. If adopted, this bylaw will update the authorities previously delegated under Delegation of Authority Bylaw No. 3734, 2019.

(Note: The attached "Delegation of Authority Bylaw No. 3814, 2021" was replaced on June 1, 2021 with the correct version.)

Recommendation:

That Council adopt Delegation of Authority Bylaw, No. 3814, 2021.

8.2. Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3832, 2021 for adoption

144 - 145

Purpose: To consider adoption of Nuisance Abatement and Cost Recovery Amendment Bylaw which received first three readings on May 5, 2021. If adopted, this bylaw will include the control of noxious weeds and make the Manager of Bylaw and Business Licensing Services responsible for enforcement oversight.

Recommendation:

That Council adopt Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3832, 2021.

8.3. Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 for first and second readings

146 - 189

Purpose: To introduce Zoning Bylaw Amendment Application No. ZB000145 and for Council to consider giving first and second readings to Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824, which proposes a site-specific zoning amendment to permit the use and construction of an apartment building on a vacant lot at located on the corner of Skinner Road and Cowichan Lake Road.

Recommendation:

That Council give first and second readings to Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 and;

That a Public Hearing be scheduled for Zoning Amendment Bylaw (Apartment Building – Lot A, Skinner Road), 2021, No. 3824 and notification be issued following the *Local Government Act* requirements.

9. REPORTS

9.1. REPORTS FOR DECISION

9.1.1. North Cowichan Civic Building – Tender Package 2 190 - 191

Purpose: To consider the award of construction contracts for tenders submitted in response to Tender Package #2 for (1) building envelope and cladding finishes, (2) glazed aluminum curtain wall and sunshade systems, and (3) civil works for the new North Cowichan Civic Building.

Recommendation:

That Council award the contract for the:

1. C-011 Building Envelope and Cladding Finishes to Flynn Canada Ltd. for \$2,477,000 plus GST;
2. C-013 Glazed Aluminum Curtain Wall and Sunshade Systems to Visionary Glass Inc. for \$823,750 plus GST; and,
3. C-014 Civil Work (Excluding Paving) to Milestone Equipment Contracting Inc. for \$555,668 plus GST.

9.1.2. Building Clerk – Two Year Temporary Position 192 - 195

Purpose: To consider a proposed amendment to the 2021 Building Budget to hire a two-year, temporary Building Clerk position to address capacity issues and increased legislative requirements.

Recommendation:

That Council approve a temporary Building Clerk position, to be funded by increased building permit revenue, for a term of two years.

9.2. REPORTS FOR INFORMATION

10. NOTICES OF MOTIONS

10.1. Inviting Dr. Suzanne Simard to Speak at North Cowichan

Purpose: So that Councillor Sawrie may introduce the following motion which she intends to move at the June 16, 2021 regular Council meeting:

"That Council direct the Mayor and Staff to:

- 1. Invite Suzanne Simard to give a public virtual presentation about her work with local context on our forests as part of the education for the MFR review followed by a question and answer period.*
- 2. Send a letter to Bond Group Entertainment, inviting them to film Suzanne Simard's memoir Finding the Mother Tree in North Cowichan."*

11. UNFINISHED AND POSTPONED BUSINESS

11.1. Proposed Cell Tower on Mount Tzouhalem

196 - 196

Purpose: To consider the recommendation, from the Committee of the Whole, at their April 13, 2021 meeting, including their amendment to postpone consideration, in relation to the motion that had been referred to them from the April 7, 2021 regular meeting.

(Note: The email the was pulled from the April 7, 2021 Consent Agenda [item 11.4] in relation to this item has been attached for information)

Recommendation:

That Council postpone consideration of the motion to *"instruct staff to offer Rogers an alternate location for their proposed cell tower on Mount Tzouhalem that is at least 500 metres from homes or existing or possible future zoning for homes"* until such time as Rogers Communications has completed their public consultation process as outlined in their February 2, 2021 presentation to Council, and until Council has had an opportunity to review the summary of that consultation.

12. NEW BUSINESS

12.1. Management of Municipal Forest

197 - 198

Purpose: So that Councillor Marsh may move the motion she gave notice on at the May 19, 2021 Regular Council meeting.

(Note: the wording of motion shown below in the Recommendation has been amended from what was presented on May 19, 2021)

Recommendation:

Whereas subjective/misinformation regarding possibilities for the future management of the Municipal Forests is being published in local media and on social media, including from former Council members and others whose opinions could more readily be accepted by the public as correct, potentially resulting in greater weight and/or biased, entrenched beliefs, before the consultation itself has taken place;

And further given that the public needs access to the same open information Council is privy to, in order to make an informed decision, and considering The Municipality reported to the community that consultation will be on hold while Council completes consultations with the Cowichan Nations quite shortly after the 3Green Tree presentation, this has further opened the door for the public to get attached to the incorrect/subjective and incomplete information that is being spread in the community as has been alluded to above;

Therefore be it resolved that Council direct staff to post the Cow Meeting of July 7, 2020 video link (attached) by 3GreenTree's and UBC's faculty, Dr. Brad Seely, Dr. Clive Walham and Dr. Peter Arcese on our MNC social media including the FB page, explaining that misleading information has been circulating in the community and these are some initial actual potential scenarios, including cost/benefit analysis and further explaining that Council is interested in considering any other potential scenarios that may come forward once consultation resumes. Also a line to the written report (also attached from UBC to COW July 7, 2020 on pages 6 -88 of that agenda). These are available on the website already so it is public information, as is the other attached information Council has received including the report UBC tabled to COW on July 7, 2020 on pages 6 – 88. The other attachments to this report are public information as well.

Additionally, that Council direct staff via social media, as part of the same link and message suggested above, to invite citizens to subscribe to the new notifications process where they can select subjects of their interest and receive updates on them in their inbox going forward. This way MNC leads the narrative on our plans and initiatives and what each department listed is up to at any given time. Anyone who has already signed up should get these links in their inbox as soon as possible.

12.2. Potential Downzoning of 9090 Trans-Canada Highway

Purpose: To consider downzoning the property located at 9090 Trans-Canada Highway from residential mobile home park to rural.

Recommendation:

That staff be directed to bring forward a zoning amendment bylaw to rezone 9090 Trans-Canada Highway (PID 009-885-200) from Residential Mobile Home Park Zone (R5) to Rural Zone (A2) to achieve consistency with the Official Community Plan.

12.3. Union of BC Municipalities (UBCM) Convention

199 - 201

Purpose: So that Council may discuss which Ministers, including Premier Horgan, they wish to meet with during the 2021 UBCM (virtual) Convention scheduled for September 14-17, 2021. The deadline to submit meeting requests is June 30, 2021.

12.4. Cowichan Land Trust's advice and recommendation regarding Official Community Plan Update Project

202 - 205

Purpose: To consider the reply received from the Cowichan Land Trust in response to Council's March 3, 2021 request for their advice and recommendation on what is necessary to achieve Council's goals of restoration and regeneration of North Cowichan's lakes, streams, rivers and estuaries and protecting biodiversity, in relation to the land use policy development within the revised Official Community Plan.

13. QUESTION PERIOD

Question Period is an opportunity for the public to ask brief questions regarding the business discussed during the meeting. To be added to the speakers list, please:

- click on the 'raise your hand' button, if participating by computer, smartphone, or tablet, or
- dial *3 on your phone

14. CLOSED SESSION

Recommendation:

That Council close the June 2, 2021 Regular Council meeting at ___ p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- *90(1)(e) - the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality*

14.1. Minutes from the May 5, 2021 regular closed Council for adoption

14.2. Closed under section 90(1)(e) Land Disposition

15. RISE AND REPORT

16. ADJOURNMENT

Municipality of North Cowichan Official Community Plan Community Ambassador Teams MINUTES

**May 12, 2021, 5:00 p.m.
Electronically**

Members Present Nancy Dower
 Laura Funk
 Marita Judson
 Cindy Lise
 Rhiannon Snaith
 Carreen Unguran

Staff Present Rob Conway, Director of Planning and Building
 Chris Osborne, Manager of Planning
 Chris Hutton, Community Planning Coordinator
 Mairi Campeau, Community Planner

1. CALL TO ORDER

Staff indicated a chair should be nominated to facilitate the meeting.
Carreen Unguran was nominated and appointed as Chair.

There being a quorum present, the Chair called the meeting to order at 5:00 p.m.

2. APPROVAL OF AGENDA

IT WAS MOVED AND SECONDED:

That the OCP Community Ambassador Teams approve the agenda as circulated.

CARRIED

3. ADOPTION OF MINUTES

IT WAS MOVED AND SECONDED:

That the minutes of the OCP Community Ambassador Teams meetings held June 11, 2020, October 20, 2020 and October 22, 2020 be adopted.

CARRIED

4. BUSINESS

4.1 Welcome - Project Update

Staff provided an update on the OCP update project including progress that has been done since the last meeting with Ambassadors. This has included starting the growth management phase of the project and the launch of public engagement.

4.2 Presentation on Community Character Profiles Staff to Provide Brief Overview of Engagement Results and Procedure in Breakout Sessions

A presentation was provided by staff on the process to develop the Community Character Profiles.

4.3 Community Ambassador Teams Review Profiles – Breakout Sessions

The group went into breakout sessions, representing each community present at the meeting – Crofton, Rural and South End Centre.

4.4 Report Back – Each Team to Present Results of Discussion

Each community reported back on what they discussed at each breakout session.

4.5 Wrap Up and Next Steps

The OCP project will go to Council early June to seek direction on next steps. Revised profiles will be discussed at this time.

5. NEW BUSINESS

None.

6. ADJOURNMENT

The meeting ended at 7:15 p.m.

Signed by Chair

Certified by Recording Secretary

Municipality of North Cowichan Official Community Plan Community Ambassador Teams MINUTES

**May 13, 2021, 5:00 p.m.
Electronically**

Members Present Tom Andrews
Ken Brown
Christina Godbolt
Sheila Kitson
Wendy MacPherson
Andrew Wilson
Lisa Hudson
Gregg Perry
Margo Young
Sheryl Sametz

Staff Present Rob Conway, Director of Planning and Building
Chris Osborne, Manager of Planning
Chris Hutton, Community Planning Coordinator
Mairi Campeau, Community Planner

1. CALL TO ORDER

Staff indicated a chair should be nominated to facilitate the meeting.
Gregg Perry was nominated and appointed as Chair.

There being a quorum present, the Chair called the meeting to order at 5:00 p.m.

2. APPROVAL OF AGENDA

IT WAS MOVED AND SECONDED:

That the OCP Community Ambassador Teams approve the agenda as circulated.

CARRIED

3. ADOPTION OF MINUTES

IT WAS MOVED AND SECONDED:

That the minutes of the OCP Community Ambassador Teams meetings held June 11, 2020, October 20, 2020 and October 22, 2020 be adopted.

CARRIED

4. BUSINESS

4.1 Welcome and Project Update

Staff provided an update on the OCP project including progress that has been done since the last meeting with Ambassadors. This has included starting the growth management phase of the project and the launch of public engagement.

4.2 Presentation on Community Character Profiles Staff to Provide Brief Overview of Engagement Results and Procedure in Breakout Sessions

A presentation was provided by staff on the process to develop the Community Character Profiles.

4.3 Community Ambassador Teams Review Profiles – Breakout Sessions

The group went into breakout sessions, representing each community present at the meeting – Rural, Quamichan, Chemainus and Berkey's Corner.

4.4 Report Back – Each Team to Present Results of Discussion

Each community reported back on what they discussed at each breakout session.

4.5 Wrap Up and Next Steps

The OCP project will go to Council early June to seek direction on next steps. Revised profiles will be discussed at this time.

5. NEW BUSINESS

None.

6. ADJOURNMENT

The meeting ended at 6:30 p.m.

Signed by Chair

Certified by Recording Secretary

2021/05/11

Honourable John Horgan
Premier of British Columbia
Via Email: premier@gov.bc.ca

Dear Premier Horgan:

RE: Support for Authority and Training for Hospital Security Staff

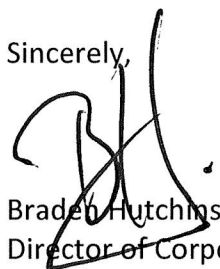
At the Special Meeting of Council on May 10th, 2021, Langford Council passed a resolution in support of the letter to you from Mayor David Screech, Town of View Royal dated April 1, 2021 requesting that hospital security staff be given the authority and necessary training to take custody of patients apprehended under the *Mental Health Act* on arrival at the hospital.

Diverting police resources from the streets to hospital waiting rooms is not a cost-effective solution to the mental health crisis we are currently experiencing across the province.

Allowing hospital security staff to assume this role from police officers would not only provide a less costly approach for taxpayers, but would also ease the burden on police resources, enabling them to provide timely services where they are needed in the community.

We fully support the request of Mayor Screech and ask that the Province provide assistance to implement a long-term solution for this situation.

Sincerely,



Braden Hutchins
Director of Corporate Services

cc. Hon. David Eby, AG.Minister@gov.bc.ca
Hon. Adrian Dix, Minister of Health, HLTH.Minister@gov.bc.ca
Hon. Sheila Malcolmson, Minister Mental Health & Addictions MH.Minister@gov.bc.ca
Mayor David Screech, Town of View Royal, mayorscreech@viewroyal.ca
All UBCM Municipalities

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Friday, May 14, 2021 10:58 AM
To: Council
Subject: Noise Pollution

Dear Mr. Mayor & Councillors:

It is becoming increasingly difficult to accept the constant noise being created by Motor vehicles most evenings in the 50km zone from Maple Mtn. to the Crofton School - of course the vehicles are doing way more than the 50kms. Also motor bikes that are in the Forestry Reserve behind Tatlo West off Osborne Bay Road, righthand side, almost nightly. In addition to that motor bikes that are racing through the forest at the top of Chilco and young adults using other forms of 4 wheel drive vehicles that are not licensed, racing around Tatlo West/ Atlin Place. and Osborne Bay Road after 5:00p.m
A considerable amount of money could be retrieved by fining these people for contravening the by-laws and the speeding noisy vehicles.

3) Using an engine or motor vehicle without a muffler or other device which would prevent excessive noise therefrom, or so out of repair, or equipped in such a way as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity; (4) Erecting, demolishing, altering, or repairing of any building or structure, or the excavation

There is a sign saying 'no unauthorised vehicles at the entrance to the park at the top of Chilco which is being ignored. The noise is disturbing and not to mention how terrifying this must be for the wildlife. Also there are gunshots being heard in our vacinity which is extremely unnerving.
We look forward to your attention and response to this matter.

[REDACTED]
FIPPA s. 22(1)

Ginny Gemmell

From: FIPPA s. 22(1) [REDACTED]
Sent: Monday, May 17, 2021 10:22 AM
To: Council
Cc: Shaun Mason
Subject: tree poaching and Crimestoppers

Dear Council – this is to suggest that the Crimestopper organization be used to assist in the reduction or stoppage of tree poaching.

Yours truly

[REDACTED] FIPPA s. 22(1)

SUPPORT WORKING FORESTS ON VANCOUVER ISLAND AND IN BRITISH COLUMBIA

WHEREAS a ban of Old Growth logging would result in job losses and impact the broader business community;

AND WHEREAS a sustainably managed, working forest is critical for assisting carbon sequestering, managing climate change, supporting continued indigenous reconciliation, providing a vibrant economy for forest-based communities, and employing the hard-working men and women of the forest industry in British Columbia where millions of dollars are invested in the North Island, directly supporting forest-based communities and the overall Provincial economy; British Columbia is recognized as having stringent legislation and enforcement related to elements of sustainable forest management, including requirements for wildlife habitat, water quality, and public and First Nations involvement.

THEREFORE BE IT RESOLVED:

THAT policy on the management of forests in British Columbia should continue to be managed through a rigorous, science-based approach;

AND THAT UBCM calls on the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to continue to support working forests on Vancouver Island and in British Columbia;

AND THAT Council calls on all forest-based communities to develop similar motions to further support working forests in British Columbia;

AND THAT the above motion be sent to the Union of BC Municipalities and AVICC for late submissions;

AND THAT the above motion be distributed to the Council of Forest Industries.

Ginny Gemmell

From: Candace B. Spilsbury <cspilsbury@sd79.bc.ca>
Sent: Tuesday, May 25, 2021 3:06 PM
To: Council Support; [REDACTED] FIPPA s. 22(1)
Cc: Council; Robyn Gray
Subject: Re: New High School should educate our youth about climate change and sustainability.

FIPPA s. 22(1)

Thank you for referring [REDACTED] correspondence to the Municipality of North Cowichan to the School Board/District.

I have been in contact with [REDACTED] on several occasions and recently in regard to this particular concern.

FIPPA s. 22(1)

I share my response to him FYI:

“I am responding to your email on behalf of the Board of Education for the Cowichan Valley School District. Thank you for your advocacy on the climate crisis and your own actions to provide solutions. The Board of Education is also engaged in working on environmental protection and the elimination or mitigation of negative impact. We will be supporting the education and promotion of sustainability and exemplifying green initiatives applying the School District guidelines and principles. The school will also function as a learning centre for these important initiatives that are extremely important to the School District.

In the design and development of our new Cowichan Secondary replacement project, we are holding to these principles to the maximum possible. As you have heard from Tom Sparrow and our development team, we must adhere to the Ministry of Education’s framework and requirements. Yes, we have requested change but that does not mean change will occur; we all must live within financially available resources.

Please be assured that we will continue to advocate for what is best for our students, our new school and the community.”

Thank you, again,
Candace

Candace Spilsbury
Chair of the Board of Education

Board of Education for the Cowichan Valley School District

AD: 2557 Beverly Street, Duncan, BC

PH: 250-710-5790

W: www.sd79.bc.ca

S: @CowichanSchools - FB / Twitter / IG



Our Journey is **Beyond Education**

I acknowledge that for thousands of years the Quw'utsun, Malahat, Ts'uubaa-asatx, Halalt, Penelakut, Stz'uminus, & Lyackson Peoples have gently walked on the unceded territories where I now live, learn, work and play. I am committed to working on building relationships with the first peoples here, based on honour, respect and appreciation.

From: Council Support <CouncilSupport@northcowichan.ca>

Date: Tuesday, May 25, 2021 at 1:23 PM

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

Cc: Council <council@northcowichan.ca>, Robyn Gray <rgray@sd79.bc.ca>, "Candace B. Spilsbury" <cspilsbury@sd79.bc.ca>

Subject: RE: New High School should educate our youth about climate change and sustainability.

FIPPA s. 22(1)

[REDACTED], this email is to confirm that Mayor & Council have received your correspondence. As your email relates specifically to a school district project, I will also be forwarding your email to Candace Spilsbury, SD79, Board Chair and Robyn Gray, Superintendent of Schools.

Kind regards,

Terri Brennan
Council Support and Executive Assistant
Office of the Mayor & CAO

Municipality of North Cowichan
terri.brennan@northcowichan.ca
T 250.746.3117

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www.northcowichan.ca

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FIPPA s. 22(1)

From: [REDACTED]

Sent: Thursday, May 20, 2021 1:29 PM

To: Council <council@northcowichan.ca>

Subject: New High School should educate our youth about climate change and sustainability.

Please see attached letter for your consideration.

Please feel free to contact me if you would like more information.

[REDACTED] FIPPA s. 22(1)

It's not a High School Emergency

Cowichan High School is old! The fact that I graduated from it in 1976 makes it pretty old. The fact that my mother was in the first class graduating from it in 1951 makes it 70, which really is old for a high school.

The good news is that plans have been made to build a shiny new replacement high school that will likely be attended by some of my grandchildren. The bad news is that they are not planning to make it a zero carbon emitting school.

The technology to build a zero carbon emitting building is readily available. I know this because 9 years ago, we built a home in Cobble Hill that produces no greenhouse gases, while our solar panels generate and export surplus power annually, even after charging an electric car.

A small group of people concerned about sustainability and climate change reached out to some of the school design team. They have done a lot of commendable work to reduce greenhouse gases, but have had to sacrifice some important heat and energy saving options in order to save on building costs. And they may choose to make more carbon sacrifices if bids come in “too high”.

The question I would like to ask the kids that will be attending this school and who will be inheriting the future climate chaos that we are creating for them, is this: Would you prefer a cheaper school now, or would you prefer to wait until there are enough adults in the room who will take the climate change crisis seriously and make the hard but necessary decision to build all new public infrastructure as close to zero carbon emissions as possible? After all, this new school will be at the heart of our community, serving our children for the next 50 to 70 years. Do we want it to be a carbon spewing dinosaur the day it opens?

We are not facing a new high school emergency. We, and more importantly our children, are facing a climate emergency made by us. And until we start responding as responsible caring adults should when faced with an emergency that threatens the well being of their children; this emergency will only get worse and our children will pay the ultimate price.

We found the time and money to face down the Covid emergency when it threatened mostly us old folks. Why can't we employ the same sense of urgency when our children and grandchildren so badly need us to act now? It is not too

late to stop this mistake, but it will require a lot of people to speak up loudly to the school board and the politicians. Time is running out on both the school and the climate change fronts!

[REDACTED]

FIPPA s. 22(1)

Cobble Hill

[REDACTED]

FIPPA s. 22(1)

Ginny Gemmell

From: Trails Strategy DO NOT REPLY:FLNR:EX <Trails.Strategy.DoNotReply@gov.bc.ca>
Sent: Thursday, May 20, 2021 8:31 AM
To: Trails Strategy DO NOT REPLY:FLNR:EX
Subject: Trails Strategy for BC- report on what we heard from local governments
Attachments: RSTBC_Final Local Government What We Heard Report_23March2021.pdf

Hello,

In the summer of 2020, a survey was sent to local government staff and elected officials seeking input on a comprehensive review of the Trails Strategy for BC. The survey was live between late May and early July 2020. In total, 233 individuals representing 145 different municipalities and regional districts completed the survey. Please find attached a summary of what we heard from that engagement process.

In addition to local governments, numerous other engagements were undertaken in support of the review of the Strategy. The engagement was completed in a partnership between Recreation Sites and Trails BC (RSTBC) and the Provincial Trails Advisory Body (PTAB). The engagements have been completed as a means of informing a comprehensive review of the Trails Strategy for British Columbia to ensure the continued relevance of the strategy to recreationalists, communities, First Nations, the tourism sector, and the Province. The review included:

- background research,
- a literature review of the benefits of trails,
- over 40 interviews with representatives from provincial ministries, non-profits, and recreation clubs and associations,
- a survey of over 200 local government representatives,
- focus group webinars with recreation sector interests,
- a public survey of over 5,900 British Columbians, and
- a separate government-to-government engagement process with all First Nation governments in BC.

The province continues to review the results of the review of the Strategy. Recommendations will be made to update the strategy based on findings from the research and engagements. Recommendations will provide direction for formally updating the strategy to reflect the broad viewpoints of the First Nations and various stakeholders involved in the engagement processes. Once RSTBC receives the mandate to proceed with the recommended changes, the Trails Strategy will be updated and implemented to improve trail development, management and maintenance across the province. A new draft version of the strategy is expected to be complete by the end of 2021.

It is important to note that the Trails Strategy engagement process was conducted during the COVID-19 pandemic. During that time, a significant increase in trail-based recreation was noted likely due to outdoor trail use being an acceptable, healthy, and popular activity to engage in while adhering to social distancing protocols. This trend of increasing recreation trail use is expected to continue even after the pandemic is over owing to the large number of people that have been introduced to the benefits of British Columbia's extensive trail network.

Thank you to all those who participated in the Trails Strategy review process. Your contributions will result in a significant improvement to the management of BC's world-class natural amenities and trails networks.

Related Links:

- Trails Strategy for BC <https://www2.gov.bc.ca/assets/gov/sports-recreation-arts-and-culture/outdoor-recreation/camping-and-hiking/rec-sites-and-trails/trail-strategy.pdf>

- Trails Strategy Public engagement 'what we heard' report <https://www2.gov.bc.ca/gov/content/sports-culture/recreation/camping-hiking/sites-trails/program/policies-strategies/prov-trail-strategy>
- The Provincial Trails Advisory Body <https://www.orcbc.ca/provincial-trails-advisory-body/>

Thank you,

Recreation Sites and Trails BC





MARCH 31st, 2021

TRAILS STRATEGY REVIEW

WHAT WE HEARD REPORT: LOCAL GOVERNMENTS

PREPARED FOR: B.C. MINISTRY OF FORESTS, LANDS, NATURAL
RESOURCE OPERATIONS AND RURAL DEVELOPMENT

PREPARED BY: MNP LLP

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Introduction

British Columbia offers an unparalleled diversity of landscapes and endless outdoor recreation opportunities. Trails are a fundamental means to explore and enjoy these spectacular unique natural amenities. Trails are also integral to the landscape and enable meaningful connections between people and nature.

Adopted in 2013, the Trails Strategy for B.C. is a call to action that invites all British Columbians to join in supporting and developing a sustainable network of trails throughout the Province.

The Provincial Trails Advisory Body (PTAB) advises the government on implementation and updates to the Trails Strategy for B.C. and is a partnership between:

- The Recreation, Sites and Trails BC (RSTBC) branch of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD).
- Ministry of Environment and Climate Change Strategy (B.C. Parks).
- Ministry of Tourism, Arts and Culture.
- Ministry of Transportation and Infrastructure.
- Outdoor Recreation Council of B.C.
- B.C. Wildlife Federation.
- Wilderness Tourism Association.
- B.C. Recreation and Parks Association.
- Six public representatives from the Outdoor Recreation Council's membership.

The following principles guide this collaborative undertaking:

- Sound Environmental Stewardship and Management.
- Respect and Recognition for First Nations' Interests.
- Mutual Respect between Trail Interests and Other Resource Users.
- Respect and Understanding among Diverse Trail Interests.
- Partnerships and Collaboration.
- Secure Recreation Opportunities for All Trail Users.
- Benefits for Individuals, Communities and the Province.

In 2019, the PTAB, together with Recreation Sites and Trails B.C., began a formal review of the Trails Strategy to ensure its continued relevance and importance to recreationists, communities, First Nations, tourism proponents and the Province as a whole.

The formal review began with a detailed look at available academic literature and publications documenting the importance of trails to reconciliation, health, mental health, tourism and economic development. Following this, key stakeholders from the outdoor recreation sector and

Trails Strategy Review

What We Heard Report: Local Governments

the Provincial government were engaged through interviews and webinar focus groups. The resulting insights and learnings were used to develop a public engagement survey.

Following the public engagement, MNP embarked on a second phase to consult local governments. Building on previous findings, a survey was developed.

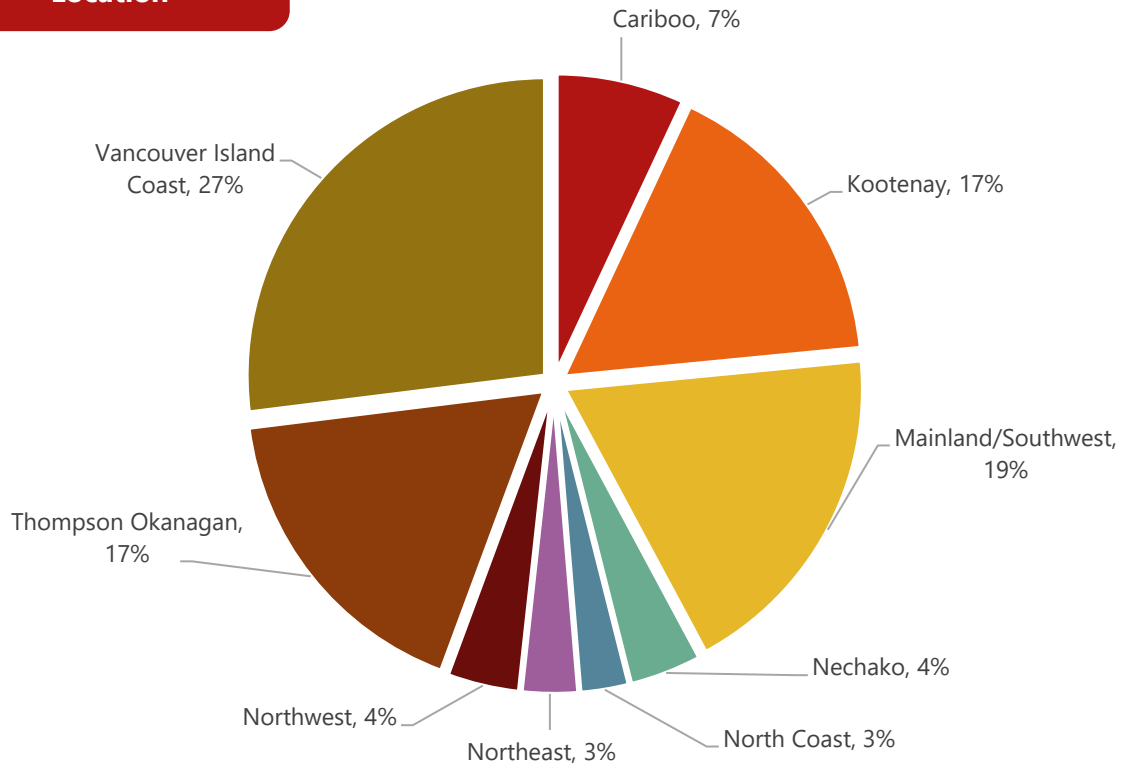
The survey launched on May 22, 2020, and closed on July 4, 2020.

Concurrent to these phases, staff from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development have been engaging directly with First Nations to discuss the Trails Strategy.

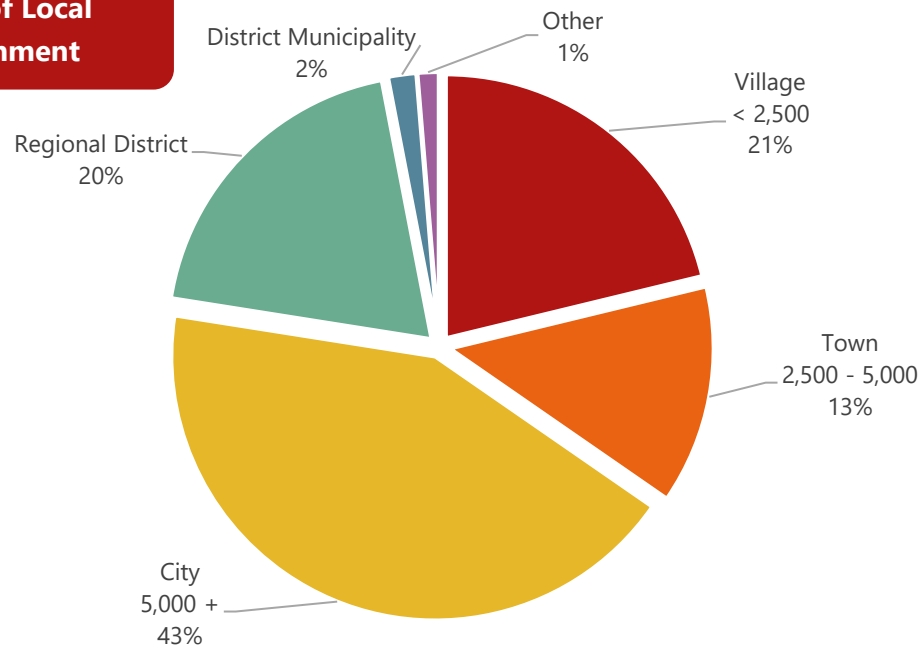
The following report outlines the findings of the local government survey.

Whom Did We Hear From?

Respondent Location



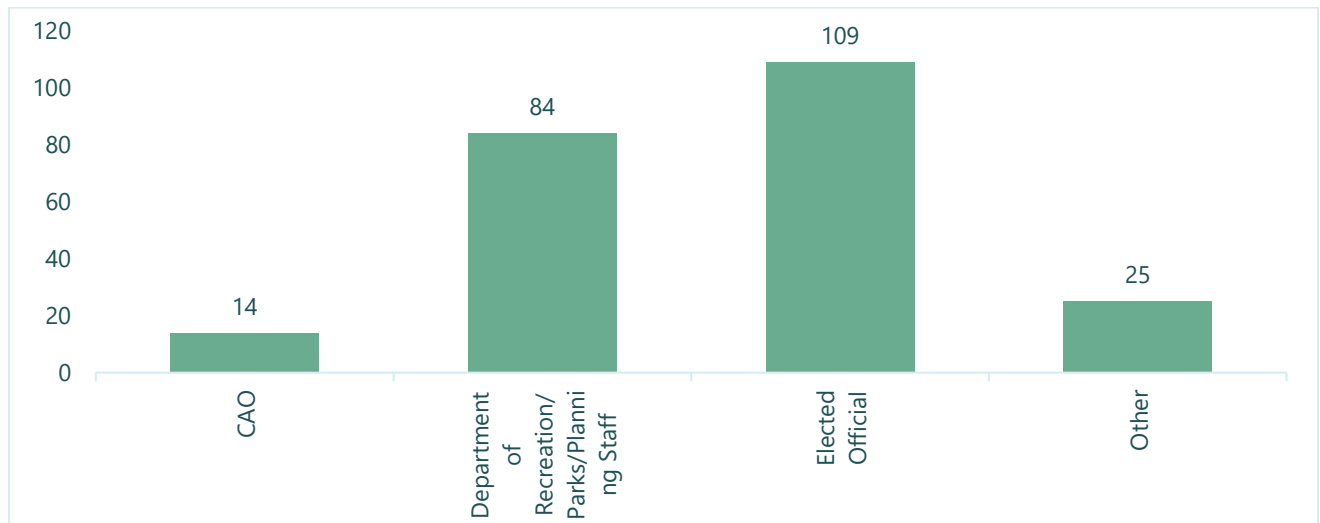
Types of Local Government



Trails Strategy Review

What We Heard Report: Local Governments

In total, we heard from **233 respondents** from **145 different municipalities and Regional Districts**. Out of this, **57%** of them were aware of the Trails Strategy. **Their roles were:**



Respondents who indicated "other" primarily referenced roles related to economic development.

Involvement in the Trails Strategy

We heard that these governments were involved in trail **planning, building, maintenance, promotion, and management.**

78% are actively involved in the development and maintenance of local trails.

54% participate in trail planning engagements between landowners, trail stewards, and First Nations.

64% map local trails.

68% manage and operate parks with trails in them.

However, these respondents stated that they struggle to properly support trails due to:



A lack of funding.



Limited human resource capacity.



The absence of a coordinated approach to trail management across jurisdictions.



Proximity to private lands.

Vision, Guiding Principles, and Actions

Vision

Overall, we found that most of those surveyed agree with the existing vision of the Trails Strategy:

Vision: a world-renowned, sustainable network of trails, with opportunities for all, which provides benefits for trail users, communities and the province.

However, respondents made the following suggestions to strengthen the vision statement:

Access

- Respondents believe that the vision should mention **access** and **accessibility**. The related reasoning varied:
 - Guaranteeing long-term access and stopping the industry from blocking entry.
 - Focusing on trails for users of different skills and diverse physical and cognitive abilities.
 - Increasing the number of trails that are accessible from home.
- There was a belief that “**opportunities for all**” should be better qualified. For example, one respondent suggested making it “**opportunities for all ages and abilities.**”

Collaboration and Partnerships

- Some respondents would like the vision to include **partnerships** and **collaborations**, as they believe that **more cooperation** is needed.

Environment

- Some respondents would like the strategy's vision to place a greater emphasis on the **protection of the natural environment**.
- Respondents also echoed comments from earlier engagement, stating that the word “**sustainable**” **does not provide enough environmental consideration**.

Funding

- Some respondents stated that they would like a mention of **sustainable funding** in the Trails Strategy vision. They believe that more sustainable funding sources are needed to **develop** and **maintain** trails in British Columbia effectively.

Trails Strategy Review

What We Heard Report: Local Governments

Guiding Principles

While there was **general support** for all guiding principles, those surveyed raised that the wording is **too vague** and **overlaps**. Additionally, respondents wanted to include guiding principles around:

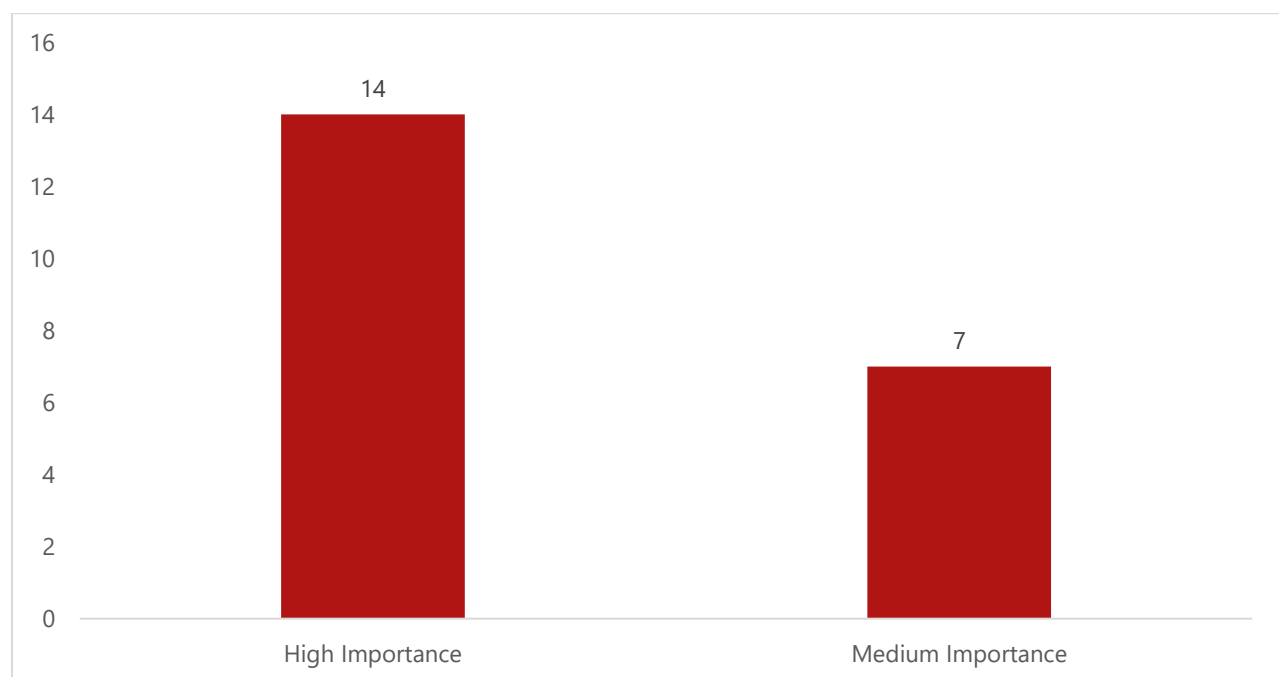
1. The environment and sustainability.
2. Financial sustainability.

Guiding Principles:

- **Benefits for individuals, communities and the province.**
- **Secure recreation opportunities for all trail users.**
- **Partnerships and collaborations.**
- **Respect and understanding among diverse trail interests.**
- **Mutual respect between trail interests and other resource users.**
- **Respect and recognition for First Nations' interests.**
- **Sound environmental stewardship and management.**






Actions

We heard that respondents generally found most actions of the strategy **to be of high importance**.

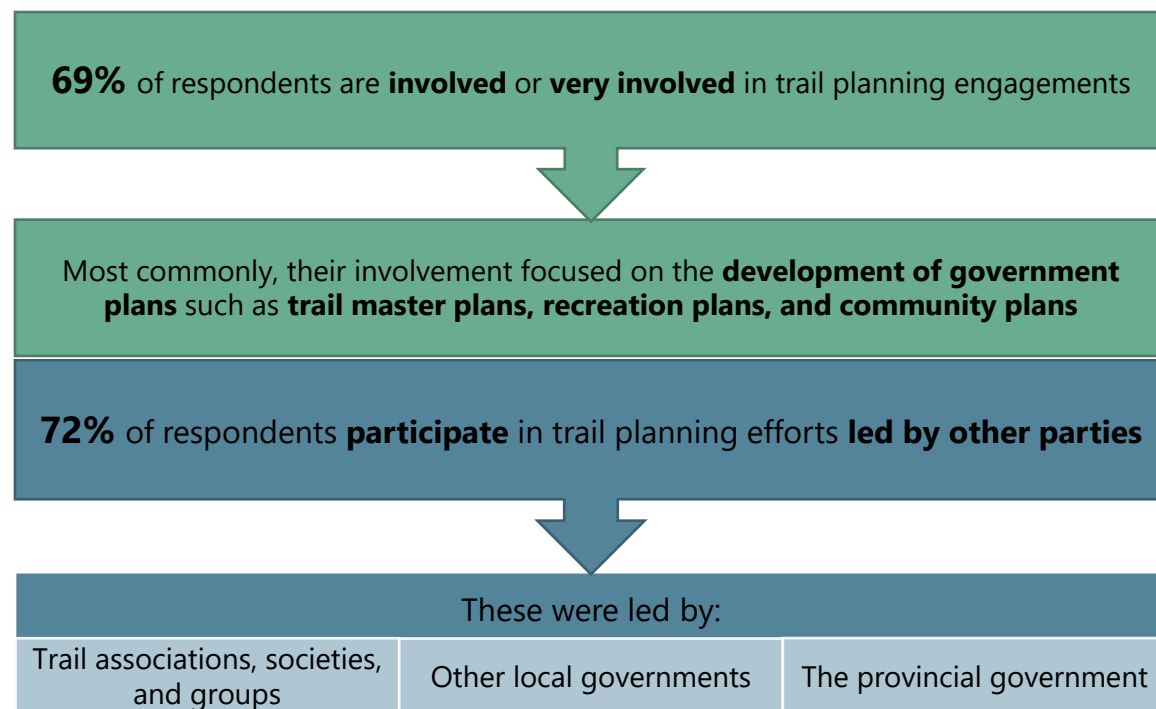


Opportunities for the Trail System in B.C.

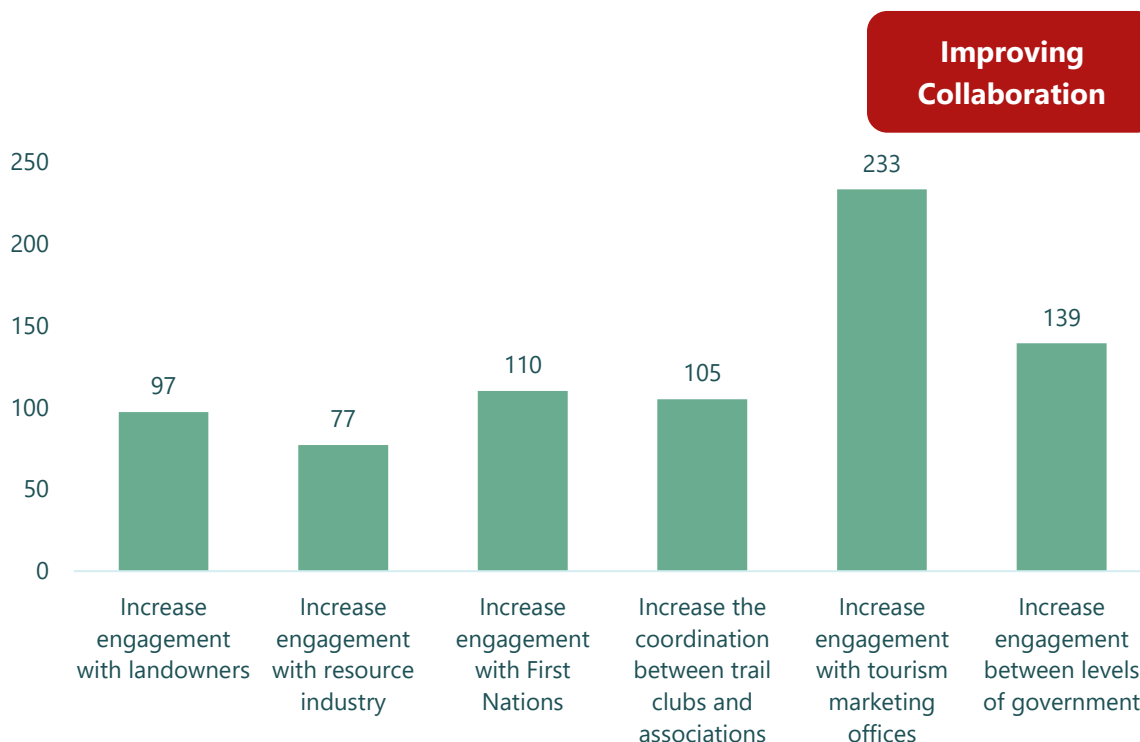
We heard from local government representatives that the **best opportunities to improve** the trail system are to:

-  Focus additional efforts toward connecting trails to a wider network
-  Increase funding for the maintenance of trails
-  Increase funding for the development of trails
-  Broaden the accessibility of trails
-  Put additional effort into developing an active transportation network

Improving Consultation and Collaboration



We heard from respondents that collaboration could be improved by **increasing engagement with tourism marketing offices, between levels of government, and with First Nation groups.**



Trails Strategy Review

What We Heard Report: Local Governments

When prompted to provide more detail on increasing engagement between levels of government, respondents stated that they would like to see the **provincial government**, **regional districts**, and **the federal government** playing a more prominent role in **trail planning activities**. When it came to the provincial government, respondents also suggested that the following groups be involved:

1. Recreation Sites and Trails B.C.
2. B.C. Parks.
3. The Ministry of Transportation and Infrastructure.
4. The Agricultural Land Commission.
5. The Ministry of Forests, Lands, Natural Resource Operations, and Rural Development.

First Nation Collaboration

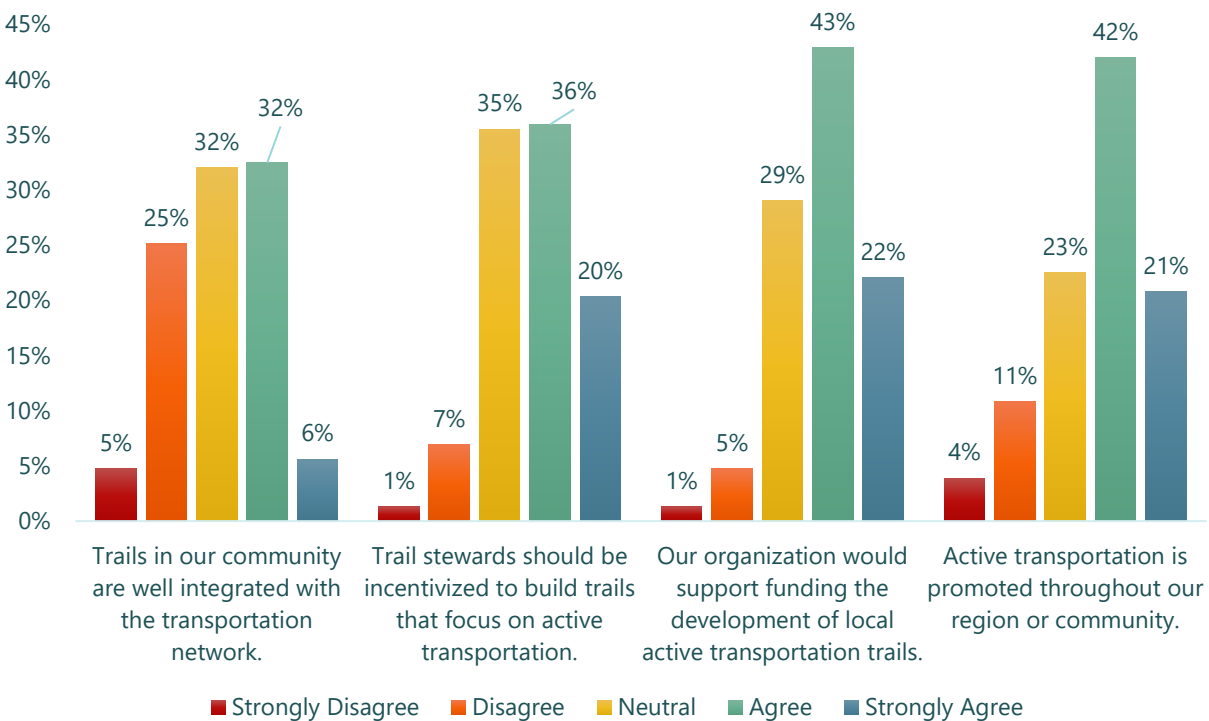
We heard that First Nation collaboration is important to local government, with **59% of respondents** expressing that there were **relationship-building opportunities** between **local government**, **trail associations**, and **First Nation groups** within their regions.

We heard that some initiatives are occurring to involve First Nation groups in trail planning, with **42% of respondents agreeing or strongly agreeing** that ongoing initiatives related to trails **positively impact the communities**. According to these respondents, these initiatives are successful because:

1. The First Nation group sits on the trail planning leadership team.
2. There is active and continuous engagement.
3. They co-manage the trail network.
4. There is strong collaboration.
5. Communication and trust are robust.

The Integration of Trails into the Transportation Network

Local government representatives indicated that they **promote active transportation throughout their region and community**. That said, communities varied when it came to integrating trails with the active transportation network. With this in mind, there was some level of support (**56%**) for **incentivizing trail stewards to build trails that focus on active transportation**; representatives believe their organization would support funding the development of local active transportation trails.



Private Landownership and the Trail Network

We heard that local governments had developed partnership agreements with landowners or trail associations to **reduce liability risk for landowners**. Additionally, local governments provide help and expertise to landowners to **identify** and **mitigate hazards**.

The survey asked respondents to identify the most significant **challenges** and **opportunities** the region faces with private landownership. These included:

Challenges

- Formal access to trails on private lands.

Opportunities

- Incentivize private landowners to allow public access.
- Create more formalized access to trails on private lands.
- Increase cooperation and communication with private landowners.

Increasing the Financial Sustainability of Trails

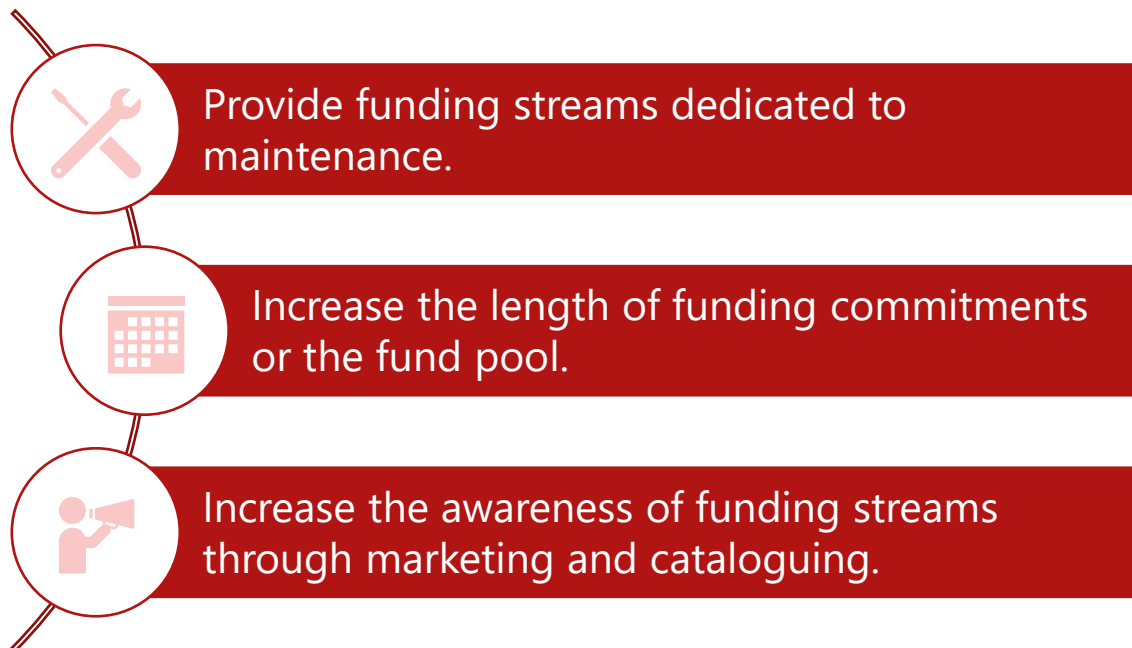
We heard that local governments would like a reliable and diverse funding model to support B.C.'s trail system, with **74% of respondents** indicating that their local government provides funding to develop and maintain trails through:

1. Operational and capital budgets.
2. Grants.

Additionally, **70%** apply for funding from outside sources. The most common sources were:

1. The Rural Dividend Fund.
2. Bike BC funding.
3. Northern Development Initiative Trust.
4. Unspecified federal funding sources.
5. Infrastructure funding—Active Transportation, General, and Capital.

We also heard that local government representatives generally believe that **trails' funding should be the Province's responsibility**. Respondents suggested the following improvements to **increase the financial sustainability** of the trail system in British Columbia:



Guidelines, Standards, and Education

Standards and Guidelines

We heard from respondents that **their governments use tools, standards, and guidelines** to help them **build and maintain** trails in their region.

In terms of standards and guidelines, **respondents most commonly use** the following:

1. Internal trail standards and adaptations of other standards.
2. International Mountain Bike Association.
3. Whistler Trail Standards.

Education Programs

When prompted to state whether their local government **promoted** or **used** education programs around **proper trail etiquette**, we heard that only **38%** did so. This group also raised that they use **signage** and **social media** as their primary tool to deliver this education. Further, these respondents promoted other external education sources, such as the Adventure Smart program.

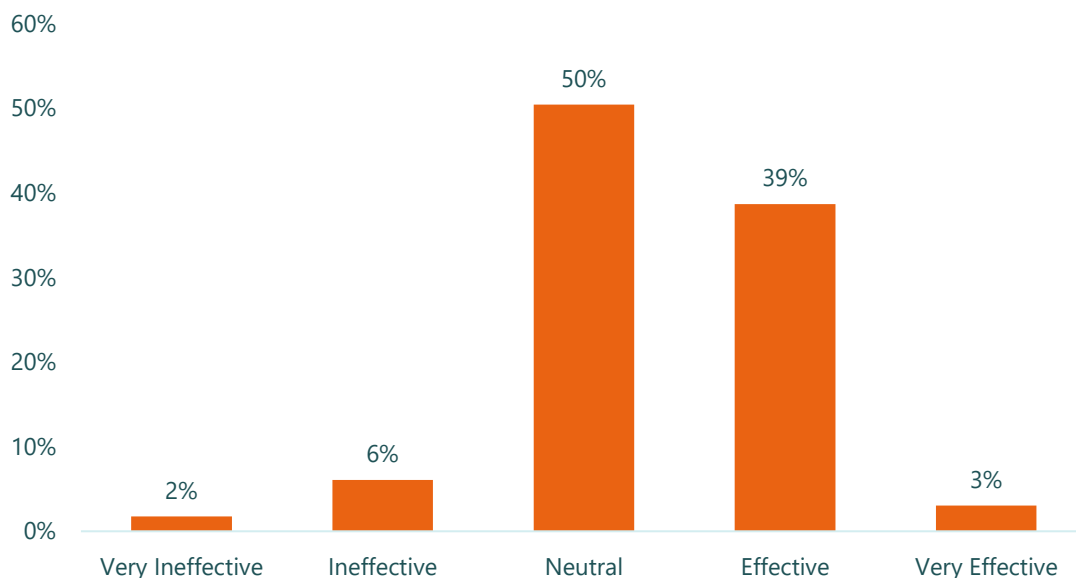
Environmental Awareness and Tools

When prompted on environmental stewardship tools, we heard that:

43% of respondents stated that environmental stewardship tools were used in the region when building trails.

51% of respondents were unsure if environmental stewardship tools were used in the region when building trails.

Local governments partner with associations to build trails, using the associations' internal expertise or tools. In some cases, respondents hired professional consultants, environmental experts, engineers, and biologists to design trails. When prompted to provide details on the effectiveness of existing tools used to address environmental concerns, we heard from respondents that these were either neutral or effective.

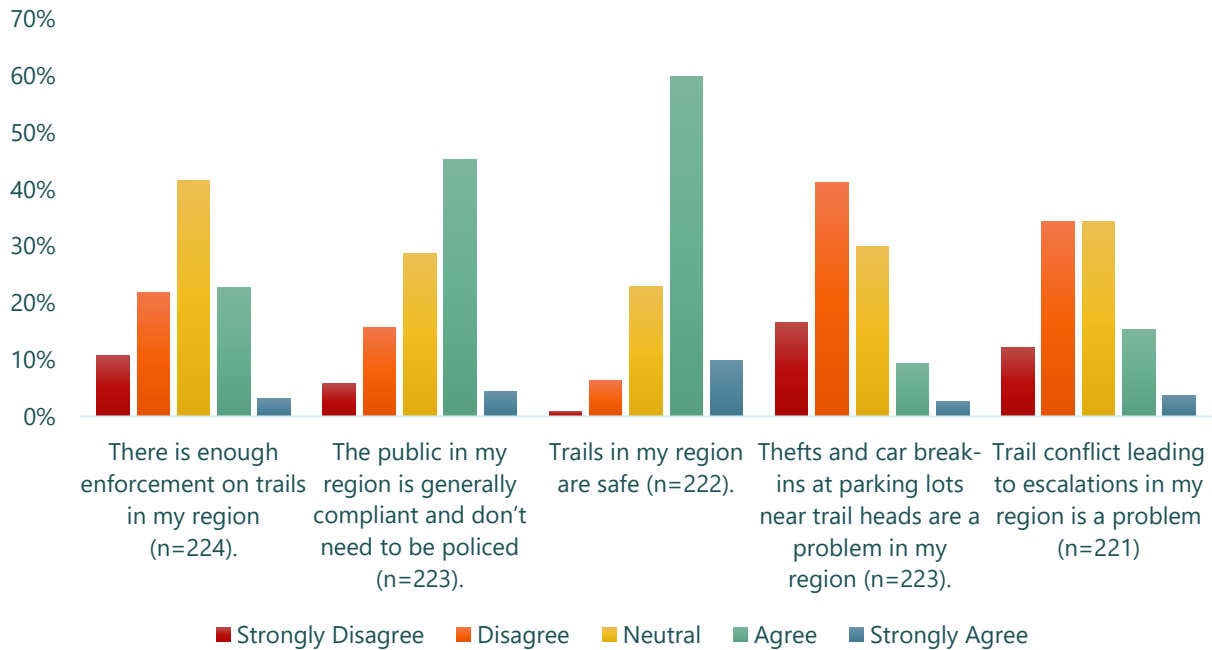


In previous engagements, we found that trail associations **effectively enhance the environmental awareness and appreciation of their members**. However, more could be done to **educate tourists and the general public**.





We heard that local government representatives most **firmly believe** that the Province should **develop educational tools to raise the environmental awareness and appreciation of users** and should **centralize environmental education efforts**. That said, they were also supportive of having local tourism offices play a role in educating tourists.

Enforcement

We heard that local government representatives **felt that trails in their region are safe (70%)** and that the public is generally compliant and **does not** need to be policed (**49%**). Additionally, respondents generally did not believe that **thefts** and **trail conflicts** were significant issues in their region.

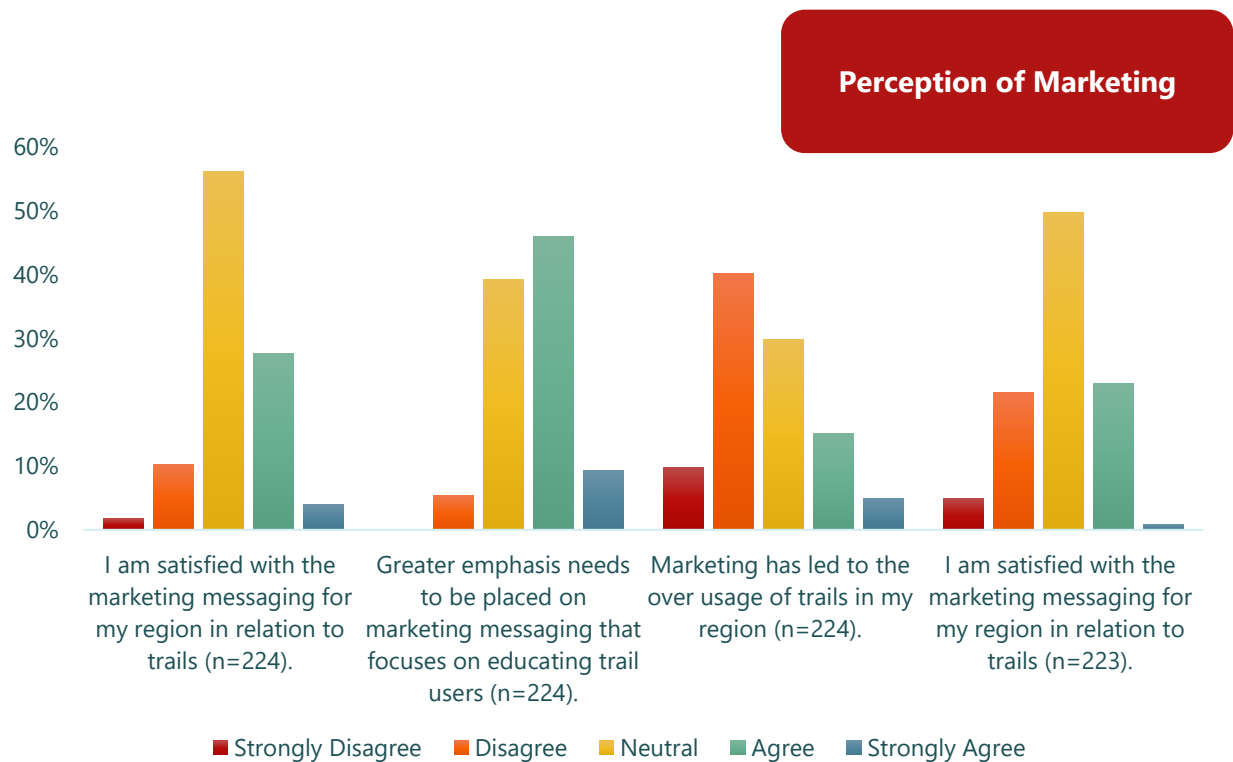


Regarding issues related to enforcement, the most cited areas needing increased attention to ensure compliance were:

-  Off-leash dogs in mandatory on-leash areas
-  Unauthorized trail building
-  Motorized users accessing non-motorized areas
-  Conflict between the various user types
-  Theft in parking lots

Communication and Marketing

Overall, local government representatives were generally **neutral** when it came to questions around their perception of marketing efforts in the Province. Respondents typically did not have a strong opinion on its overall success and whether the marketing messaging adequately represented their region. However, there was a general appetite to shift the focus of marketing efforts to educate trail users.



We heard from **75% of all respondents** that their local government had mapped the local trails in their community, with **95%** of those communities **making this publicly available**.

Conclusion and Next Steps

We appreciate all survey responses provided during this local government engagement period. We have heard that trails are essential to local governments across the Province, but additional support is required on behalf of the provincial government to maintain, fund, and build trails. Additionally, we heard that local governments would like to increase communication and partnerships among stakeholders to better trails in British Columbia, preserve trails and the environment for future generations, and ensure accessibility.

The PTAB will take this report, other engagements, and research into consideration to help them finalize their recommendations to the provincial government to update the Trail Strategy. The Province may then formally update the strategy to reflect the considerable information provided by the various stakeholder groups engaged in this process.



File No. 0400-60

Elected Officials
Association of Vancouver Island Coastal Communities

Re: Resolution R15 Moratorium on Recreational Wolf Hunting

Dear Local Government Colleagues,

Ahead of this month's Annual General Meeting, the District of Sooke Council writes in support of the District of Oak Bay's Feb. 22, 2021 resolution to AVICC seeking a moratorium on recreational wolf hunting and trapping on Vancouver Island.

The Oak Bay resolution requests that the Province of BC implement a moratorium "*pending completion of a scientific, data-driven and evidence-based study that includes consultation with the Island's Indigenous communities, to re-examine the efficacy of unrestricted wolf harvesting practices and their impacts on the Island's biodiversity, wildlife ecology and sustainability of the resident wolf population.*"

I wrote to Minister Conroy in early March expressing my support for this resolution and sharing the outrage expressed by District of Sooke residents at the news that a Victoria hunter was planning to "trap and kill an entire pack" in the Sooke Hills, according to a report that first appeared in the *Globe and Mail*. We are aware that at least three wolves have been killed.

This is not a resolution to stop the hunting of wolves, rather it highlights the need for greater accountability, protection, and updated legislation. A moratorium on the legal recreational hunting and trapping of wolves (*canis lupus*) is urgent and essential until we learn more about the status of this population of apex predators and can make informed decisions regarding harvesting. This is especially important for the coastal wolves, a significant subspecies.

As our allies at Wild Wise Sooke and Co-Existing with Carnivores have noted, "we believe that it is possible for humans to coexist with wolves in a way that is beneficial to both species as well as the ecosystem."

Sincerely,

Maja Tait
Mayor

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 25, 2021 3:28 PM
To: Council
Cc: Ted Swabey; Sarah Nixon; Shaun Mason
Subject: RE: Council Mulling Automated Garbage Pickup

May I provide council and staff with a common sense, rational, economic, environmental basis for making the correct decision regarding this issue.

1. I'm sure there was a mistake in referring only to "garbage", that we desire full garbage **and full recycling** automated pick-up.
2. Due to what I will refer to as the incorrect decision regarding the municipal forest operations, we have forfeited, likely millions in revenues, and at the same time drained our forest reserve funds. All of which could have paid for the entire start up of the automated garbage pickup, which was referred to as some \$1.3 or \$1.4 million, plus costs of bins etc. So let's say \$2million. We would not have had to procrastinate, consult folks on this necessary move to a better solution than the antiquated service we currently have. No consultation is needed, action is needed. So much for carbon credits.
3. Please note that little Charlottetown PEI has had such full automated services for decades....we should be embarrassed.
4. On the subject of carbon credits and forest pause which has caused this massive lose in revenues. Let us be very clear. Carbon credits are a failed approach to solving problems, they facilitate polluters to continue polluting instead of cleaning up their operations. By supporting this approach in our muni we are actually only treating the symptoms and not the disease. Please give this some serious thought, your decisions are part of the problem not solutions.
5. Please remember and consider and calculate the significant pollution, "ungreen" activity that our current system causes by requiring 1,000s of vehicle trips to Bings waste management center (surely you have also experienced what goes on daily down at Bings!), which could otherwise mostly be avoided...by going automated and ensuring we do the FULL job;
 - including glass pick at the source, our houses;
 - by including the currently bizarre, two types of plastic film and wrap pick-up at the source, our houses;
 - AND, ensuring an ability for folks to add yard waste at the source, under certain limitations and controls; at our houses....this is also done in Charlottetown PEI!

May I suggest in conclusion if one is serious to want to achieve something useful, if one really wants to curb pollution, if one really wants to not have to raise taxes to achieve what should be a high priority CORE service to us tax payers...then be it resolved, please consider:

1. commence our normal forest harvesting operations immediately;
2. use the funds generated from forest harvesting, along with those for fighting climate change to a very useful and net positive pollution gain and fully fund automated garbage pick-up.

Please stop making our lives harder, more expensive, complicated. These are common sense operational solutions to our community. Get her done! Please.

FIPPA s. 22(1)

FIPPA s. 22(1)

[REDACTED] Maple Bay. [REDACTED]

Your beleaguered residential tax payer, oozing with common sense and operational wisdom.

Consider yourselves consulted. It is not complicated, we have just made it that way by successively poor financial decisions.

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Wednesday, May 26, 2021 9:52 AM
To: Al Siebring; Kate Marsh; Council; Debra Toporowski; Christopher Justice; Tek Manhas; Rosalie Sawrie; Rob Douglas
Subject: Councilor Douglas was right about the Kingsview Development

This email pertains to the current O.C.P. - not sure where general O.C.P. comments/suggestions are supposed to be sent.

I found an old article covering the 2018 Council decision to approve the Kingsview project.

<https://www.lakecowichangazette.com/news/north-cowichan-gives-nod-to-kingsview-development/>

Rob Douglas was the only one who didn't vote for the project.

He argued "I'm concerned that a 10-year agreement could handcuff future councils. Priorities may change and I'm not sure that the next two or three councils should be committed to the current project."

He was right.

Now it looks like the community is leaning towards a different type of development and the Council is locked into a previous council decision.

The new OCP draft Growth Goals start with the statement: *"Focus growth and development in established centres to strengthen our vibrant communities"*

For better or worse, North Cowichan has committed to building a new high density community miles from our established centres.

According to documents on the Municipal website, the Kingsview development will provide a total of 1380 units (including secondary suites) adding 3000+ people (more than the entire population of Chemainus and almost 2/3 the population of the City of Duncan).

The decision about where to grow has already been made.

According to documents on the Municipal website - It looks like Kingsview could handle approx. 85%* of the projected demand for new housing units over the next 10 years.

My suggestion is to put more emphasis on making a Kingsview a success.

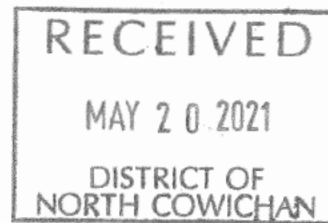
The current O.C.P. background document barely mentions Kingsview - even though it is one of the Island's largest residential developments and will be in development for the next decade and more.

Transit, traffic, water supply and a walkable community hub all come to mind as key to making this a success.

The question that needs asking is - how can North Cowichan influence or augment the plan to make the Kingsview development better fit the new community vision?

note: The 85% is based on the OCP background document projecting an average annual increase of 108 new units over the next 34 years. If the Kingsview project gets built in 15 years - it will provide 92 units per year. $92/108 = \text{approx } 85\%$ of the projected new units. (This is just a rough calculation, if the development continues at the current rate - the percentage could be higher - if demand drops - the percentage could be lower)

North Cowichan Municipal Hall
7030 TransCanada Highway
Duncan B.C. V9L6A1



Attention Al Siebring

I have been working on a mining claim up on Mount Sicker since August 2019. 1070559. I have been working with your Forester Shaun Mason. He let me in the gate when the gate was locked and has been very helpful.

I have two requests.

1. Written permission from the council to continue prospecting the claim.
2. A key to the gate so I can come and go when I want. I know it requires a cash deposit.

I think the ore body I am looking for is on the edge of a small swamp that dries out in July and August. My instruments say it is close to the surface so I have dug six test holes. (four feet deep and two feet wide). Two, are of interest, and close together and this is where I want to drill. The other four I just filled back in with a shovel. There is just skunk cabbage and brush so no trees have been damaged. I have hired a Diamond Driller from off Island who will bring his Pack Sack Diamond Drill. I want to drill about ten test holes in the area to a depth of ten feet and pull the cores. This will take about three days. If the cores are negative I will fill in the holes and the two trenches we have dug and be on my way. There will be no lasting damage to the environment and it is just skunk cabbage and brush. The drill holes are only one inch in diameter.

If we find the ore body then it is a different story. I will have to put in a notice of work with Department of Mines and give a detailed account of what I am going to do to mine the deposit before I can proceed. The ore body I am looking for is very small so we should be able to remove it by pick and shovel. You will receive a copy of this report and ask for whatever assurances you need so we do not damage any trees or whatever.

I just need your written permission to continue and a key to the fire gate. I was raised on Old Somenos Road on a chicken farm and attended Cowichan High.

Thank You [REDACTED]

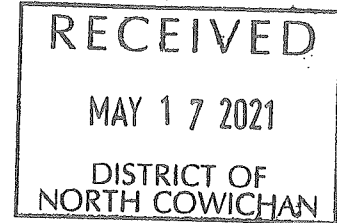
[REDACTED]

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

Crofton, BC

May 12, 2021

Municipality of North Cowichan
7030 Trans-Canada Highway
Duncan, BC V9L 6A1



Dear Mayor and Councillors:

I wish to add my voice to those who have raised concern about the deplorable state of the property at 1508 Joan Avenue, formerly known as the Twin Gables Motel, in Crofton.

I purchased a condo that overlooks the property and have observed a significant deterioration of the buildings during the five years that I have lived here. In particular, the windblown plastic on the roofs is unacceptable.

I believe the state of the property affects people's attitude in a negative manner towards our community and our municipal government.

I am sure you are aware that many thousands of ferry bound passengers and those who use our boardwalk observe the state of this property when they pass by.

Next election I will be supporting representatives to municipal council who commit to enforcing appropriate standards to the owner of this eyesore.

Yours Truly,

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

Sent: May 19, 2021 11:48 AM

To: Kate Marsh <kate.marsh@northcowichan.ca>

Subject: Environmental Advisory Committee

Hi Kate,

Thanks for your response.

Yes, It sounds like the best thing to do would be to forward the letter to all of Council. Will you do that, please ?

This copy has a slight edit in it for clarification.

Thanks for your thorough and dedicated work !

[REDACTED] FIPPA s. 22(1)

Environmental Advisory Committee

Hi Kate,

I'm writing to you as Chairperson of the Environmental Advisory Committee.

I am offering feedback based on some discussions I have had with people on that committee.

Here in the Cowichan Valley, we have declared a "Climate Emergency". The nature of "emergency" requires quick and bold responses. It doesn't allow time to engage the mind in long drawn out analyses.

The problems are obvious; the earth, air and water, and all that depend upon them are degraded to the point of an inability to function and perform their role in sustaining a healthy planetary ecology.

What is needed is simple in concept; healthy forests, clean water, and clean air. The solutions need to be narrowed down a bit. I'm of the opinion that if there are healthy multigenerational forests and clean water the rest will take care of itself. It at least gives us a starting point that is broader than electric bikes.

Here in the Cowichan Valley we are exceptionally fortunate to already have in place a large number of dedicated, hard working, skilled individuals who have been working together tirelessly on the Watershed Board. To stand under their guidance and take the steps necessary to ensure that every watercourse that runs through the Municipality, no matter how small or seasonal, is remediated and protected as an integral part of the watershed is a bold and fundamental step; not easy but attainable.

We are doubly fortunate to have Municipal Forests! To acknowledge these Forests as the single greatest proponent of a healthy valley ecology would be another step in bold thinking and manageable action. If the Municipal Forests were taken out of the economic equation, as is the case for 99% of the the rest of BC municipalities that don't have any; we could let them stand in their glory and highest function with clear water coursing through an intact understory.

These 2 actions: take all necessary steps to protect all water in the watershed and take all necessary action to protect the integrity of Municipal Forests, are powerful actions. They address the root causes of the failure of the systems that would otherwise be sufficiently performing their functions and creating healthy ecosystems and habitats in which all living things could thrive.

I appreciate all those who have stepped forward to volunteer on the Environmental Advisory Committee, to dedicate time and effort to inform and advise Council based on their expertise and perspectives. However, we don't have time. The destruction of natural systems is happening at an alarming rate as last ditch efforts are being made before the axe falls, be it the collapse of nature or the passing of effective regulation.

I encourage this committee to step outside of the capitalistic economic model which, overcome by fear and greed, has destroyed the self sustaining ecology of the planet. Acknowledging the problems this mindset has created, putting a halt to the destruction, and creating systems that will allow Nature to renew itself, needs thinking outside the worn out paths of capitalism. We must widen our vision leaving dualistic thinking and "cost/benefit" types of analyses to other scenarios in which they are more appropriate. We need action; unorthodox, bold and basic; and now.

Please step up!

Thanks

[REDACTED] FIPPA s. 22(1)

I encourage this committee to step outside of the capitalistic economic model which, overcome by fear and greed, has destroyed the self sustaining ecology of the planet. Acknowledging the problems this mindset has created, putting a halt to the destruction, and creating systems that will allow Nature to renew itself, needs thinking outside the worn out paths of capitalism. We must widen our vision leaving "cost/benefit" types of analyses to other scenarios in which they are more appropriate. We need action; unorthodox, bold and basic; and now.

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Wednesday, May 26, 2021 8:51 AM
To: Council
Subject: Must Viewing: Forest Ecologist's Ted Talk: Save Our Six Mountains as a carbon-busting ecosystem

Dear Mayor and Council:

Please watch ecologist Suzanne Simard's refreshingly researched, smart Ted Talk about how trees communicate, heal their ecosystems, and use carbon.

Just vote 'No' to Six Mountains logging. It's a scientific no-brainer. We can't ecologically, nor logically, afford to do anything else.

Attached is WhereDoWeStand's Icel Dobell's letter and link to Ms. Simard's Ted Talk and forthcoming movie about her eco-vital work.

Yours in Nature,

[REDACTED] FIPPA s. 22(1)
North Cowichan

Ginny Gemmell

From: icel dobell <iceljd@gmail.com>
Sent: Tuesday, May 25, 2021 2:35 PM
To: Council; Al Siebring; Debra Toporowski; Christopher Justice; Kate Marsh; Rob Douglas; Rosalie Sawrie; Tek Manhas
Subject: Suzanne Simard, Amy Adams, Hollywood, And The Six Mountains Forest

Dear Mayor and Council,

Thought you might be interested in latest WDWS post:

Suzanne Simard, Amy Adams, Hollywood, And The Six Mountains Forest



Suzanne Simard

A few weeks after the poaching of trees in the Six Mountains Community Forest became national news, once again Canadians are turning their attention to BC's forests.

A Hollywood feature film is about to be made starring BC's forests. It will be based on Suzanne Simard's "Finding The Mother Tree." Her recently published book is going viral. It is the story of Suzanne's discovery of the underground social networks of trees, including the mother tree, feeding, nurturing, protecting, communicating with younger trees. Suzanne, a UBC forestry professor, will be portrayed by Amy Adams in the movie.

The attention is a miracle for the forests—all the forests, old growth and second growth, naturally-regenerated, here on the Six Mountains, in the Cowichan Valley, in the province, and throughout the world. Suzanne's book and upcoming feature film are about to help make possible the protection of the last of the forest ecosystems.

The eyes of the world are upon us. The paradise where we live—not too long ago a remote valley—is already becoming a world renowned destination. The world has yet to learn about the extraordinary legacy of the Six Mountains Forest: a 5000 hectare rare and endangered coastal ecosystem that our community has the right and power to protect. There is no other community in the country or on the continent with such a gift.

We have the opportunity to protect our community forest. Suzanne has made it is easy for us to educate ourselves through her Ted Talk, "How trees talk to each other" <https://www.youtube.com/watch?v=Un2yBgIAxYs>

Council is asking for our input: council@northcowichan.ca

Icel Dobell

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You are receiving this email because you signed our petition or expressed an interest in our cause via our website.

Our mailing address is:

Where Do We Stand
PO Box 241
Duncan, Bc V9L 1P0
Canada

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You can [update your preferences](#) or [unsubscribe from this list](#).



Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Thursday, May 13, 2021 8:01 PM
To: Council
Subject: Logging Six Mountains

Dear Mayor and Council,

I don't need to bore you with the need for preserving our forests as you've heard it all before. What I do want to do is, log my vote / voice as someone who would love my grandchildren to be able to walk the forest trails, breath the fresh air and enjoy the outdoors as I'm able to do today.

PLEASE STOP ALL LOGGING IN MUNICIPAL FORESTS.

Thank you

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Thursday, May 13, 2021 5:37 PM
To: Council
Subject: logging in the six mountains

Dear Council Members and Mayor,

FIPPA s. 22(1)

Please do everything in your power to stop logging in the Six Mountains Community Forest. [REDACTED] is right - we have a choice, so why stand by to see these forests logged and the ecosystems permanently destroyed? We must protect our forests and make wiser decisions for the future of the Cowichan Valley.

Thank you.

Sincerely,

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Thursday, May 13, 2021 10:02 PM
To: Council
Subject: Old growth forests for our legacy.

Dear Council Members, Rather than write on the same topic, which I could not do more eloquently than in this letter, I just want to add my name and speak for my children and grandchildren, and ask you to please heed its content and save our forests.

Thankyou,
Respectfully,

[REDACTED] FIPPA s. 22(1)

Begin forwarded message:

From: WhereDoWeStand <editor@wheredowestand.ca>
Subject: Cowichan Valley's Six Mountains Forest: War Or Peace
Date: May 13, 2021 at 4:17:26 PM PDT
To: [REDACTED] FIPPA s. 22(1)
Reply-To: WhereDoWeStand <editor@wheredowestand.ca>

Cowichan Valley's Six Mountains Forest: War Or Peace



The Choice is Ours

History shows that how we treat people mirrors how we treat nature. Most nations have warred against other nations—so we war against the forests. When we fall forests we sever vital root and mycelium connections; then we replace ecosystems with timber plantations. Disconnected, the next generation of trees are susceptible to drought, erosion, wind, fire, and viruses. As in nature, so in our nations, and so in our Valley—to be strong, vibrant, healthy and happy, we must be connected.

In this beautiful valley we are disconnected and divided about the fate of the Six Mountains Community Forest. We have the power and right to stop logging Tzouhalem, Prevost, Richards, Sicker, Maple Mt and Stoney Hill. If we come together, we have an opportunity as no other community on the continent.

No other level of government or forestry company owns these forests. We can protect them to become old growth. It is a historic moment. And yet, if we don't rise together above the division running through our community, our roots and blood lines, our children and future generations will take the fall.

Whether we are newly arrived, have been here generations, or trace our ancestry back millennia, if we keep logging the Six Mountains, our legacy will be tree plantations of diminishing quality.

There is no financial justification. UBC's Forestry Department says we can earn as much or more from carbon credits as logging. The federal government is seeking to enhance a domestic carbon offset market to apply to municipalities and Indigenous groups. Carbon taxes will increase and so will the market.

But there's more to it. When we log, our short term profit doesn't include the inestimable long term cost of coping with tidal waves of invasive species that logging leads to.

Then there is the incalculable cost benefit of the forests revealed by the pandemic. When we hit the wall and our reality crumbles—when we need reason to hope, to have faith in something greater than ourselves, we will flock to the forests for

sanity, sanctity and sanctuary. The health of our community is our backbone, our essential resource, a priceless “commodity.”

A town is being built on Tzouhalem. We're at the beginning of a population explosion. People are arriving to be in nature. Developments are popping up. Trees, with no bylaw to protect them, are coming down in clearcut hectares. Trails are becoming crowded. It doesn't take a visionary to see what's coming. We can't afford to log trees we can protect.

So what are we fighting about?

Recently, CBC National reported on tree-poaching in our forests. I was interviewed and said (not included): These thieves are nothing in comparison with what our community will be stealing from future generations if we keep logging. We'd be gobbling up the last crumbs that could grow into a banquet for them.

But there's good news. If we opt for carbon credits, the money would be used to manage and protect the forests. Going forward there'd be no financial incentive to war on the forests or to fight about them.

The problem is that public consultation is stuck between governments. The Municipality and First Nations are negotiating. About what? How to protect the forests for future generations? We've been told nothing. We've been waiting more than a year.

In public meetings, First Nations' Elders, advocating to stop logging, have said that to honour and serve nature is a First Nations' value. They say trees are family to their people. So are all living-beings in the forests. And, they say, their people traditionally plan for many generations.

Every time I hear these words I'm filled with hope. I understand there are other points of view. As in North Cowichan, so in the First Nations: some want to log.

But I believe most people, of all backgrounds, want to protect the forests—that most are motivated by love for children and nature: it's the universal language. In our hearts we know what is true.

The forests are sacred and should be accessible for all people, with NO “No Trespassing” signs. It's time to share what we know about the rare, endangered forest ecosystems surrounding us— time for understanding, time for our roots to connect together through the forests, before time runs out.

In an ecosystem, different species of trees, appearing to be competitors for resources, often join their roots to share, nourish, anchor, and warn each other about viruses and aggressors. Thus connected they overcome hardship and flourish. As in nature, so be it in our Valley.

As a community divided, if we come together now, we may be remembered as ancestors who declared peace on the mountains and in the valley far below.

Icel Dobell

PHOTO CREDIT: CHRIS ISTACE

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You are receiving this email because you signed our petition or expressed an interest in our cause via our website.

Our mailing address is:

Where Do We Stand

PO Box 241
Duncan, Bc V9L 1P0
Canada

[Add us to your address book](#)

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Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Friday, May 14, 2021 12:41 PM
To: Council
Subject: Saving the forests

Please tell us what we can actually BE DOING RIGHT NOW to make this happen???

What are the steps TO BE TAKEN RIGHT NOW, other than just talking about it????

Where are the DECISIONS BEING MADE RIGHT NOW?? PLEASE LET US KNOW HOW CAN WE ACT!

LOOKING FORWARD TO HAVING INSTRUCTIONS ON THIS,

With heartfelt thanks to all those in your position who are working on this,

[REDACTED] FIPPA s. 22(1)
Duncan

From: [REDACTED] FIPPA s. 22(1)
Sent: Friday, May 14, 2021 11:08 AM
To: Council
Subject: Misreading the 'forest' for 'trees/lumber'

Council

Time past due... a meta-analysis

- to realize that a 'house is not a home'. Lumber can not be a privileged medium for creating the former out of the later. To do so is to destroy the ecosystem, our home, humanity's home.
- to reinform at a deeper level our dependent relationship within and through the wellbeing of the ecosystem-writ-large, our home.
- to immediately and dramatically restrict, if not disallow the adolescent behaviour of logging companies.
- to take a stand, reunderstood metaphorically, meaning to leave, let be, to let the forest(s) stand
- to respond as sages in our times and, given the above, respond through the institution of government with a firm hand by refusing the saws of logging companies from taking the life out of the forests.

Carpe diem

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Friday, May 14, 2021 8:07 AM
To: Council
Cc: Board of Directors of the Cowichan Valley Naturalists' Society; Martha Lescher
Subject: Support for Martha Lescher's letter

May 15th 2021

To all North Cowichan Councilors

The Cowichan Valley Naturalists' Society is fortunate to have many enthusiastic citizens with the ability to put forward concrete ideas on the best course of action to protect our area and ensure a healthy environment for future generations.

Martha Lescher is one such member and we applaud her for her recent open letter to Kate Marsh which was published by the Citizen on-line (May4th).

Our municipal forests are an extraordinary feature of this jurisdiction. It is essential that we manage them using long-term goals. However we must not drag our feet in making brave decisions to change the practices that have put us in the position we are today. Money must be spent to stop the recent poaching of trees from these forests. Hiring "Protectors or Guardians of the Forest", would be a first step. Stepping away from the out-dated harvest methods and undertaking a new approach should follow, if any harvesting is to be done in these forests.

We all know that water is essential to life. We must implement practices to ensure clean, abundant water. It is paramount that all watercourses - aquifers, above ground streams, rivers and lakes be protected from pollution, sedimentation and over-consumption.

We agree that clean water and healthy forests are the key here in North Cowichan. We also believe that these are essential issues for the Environmental Advisory Committee. Now.

Change is hard but change is necessary. Take a new approach.

Thanks to Martha for her straight-forward letter. She makes good sense!

Gail Mitchell and Bruce Coates,

Co-Presidents, Cowichan Valley Naturalists Society

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Friday, May 14, 2021 10:24 AM
To: Council
Subject: Old Growth must be preserved

Please include my family and I in the voting for preservation of old growth forests on the island. How can we continue to take away the irreplaceable?

We also strongly agree for an unbiased committee voting for the preservation of trees in our beautiful community..

My regards, [REDACTED]. FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Saturday, May 15, 2021 11:29 AM
To: Council
Subject: Logging

To the Mayor and Council,

As a citizen of Chemainus on this beautiful island I am writing you to look at the science of keeping our forests viable for future generations to enjoy, and to help keep our planet from devastating warming. The value of trees who perform so many life-giving benefits for years to come versus cutting them down for short term gain, leaving the soil and its biome to be turned into empty deserts, is unconscionable. I have been appalled at the way we are using our resources and have seen so much waste of good wood going to the landfill that could still be used. We must change the way we are thinking if we are to survive on this poor denuded planet and ours could be one of the forward thinking communities that make a difference. Please, listen to the science and the pleas of people advocating for our forests.

Yours

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Saturday, May 15, 2021 8:59 AM
To: Council
Subject: Forests of the six mountains

Good morning

Please do not allow any more logging on our beautiful local mountains. We are voting for old growth forests to be our legacy. [REDACTED] Duncan BC s. 22

FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Saturday, May 15, 2021 9:51 AM
To: Council
Subject: Stop logging

It's time to grow up and stop logging every scrap of land, let the forests stand.
Be the community with the most forest per capita!
We can fund new jobs!

[REDACTED]
FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Sunday, May 16, 2021 9:26 AM
To: Council
Subject: Stop Logging in the Municipality of North Cowichan

To North Cowichan Council Members

We have reached a point where Canada's forests are no longer a carbon sink but because of logging practices & fires, they are emitting more CO2 than they are drawing down from the atmosphere. Please check out the article below:

<https://www.nationalobserver.com/2021/05/07/news/canada-carbon-sink-managed-forests-circling-drain>

We need to stop logging in the Municipality of North Cowichan & opt for carbon credits. This money can be used to manage & protect our forests & their endangered forest ecosystems.

The current climate crisis demands action now so we can keep global temperature rise below 1.5 degrees C.

[REDACTED] s. 22

FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Sunday, May 16, 2021 5:17 PM
To: Council

Lets be forward thinking and save the Six Mountain Forests.

They have saved the sanity of so many as outlets for peace and serenity through this lousy covid isolation.

If UBC forestry Scientists have informed us thst carbon credits are more valuable even than cut logs...why are we not listening.

We need to be a psrt of your dialogue too.

[REDACTED] FIPPA s. 22(1)

From: [REDACTED] FIPPA s. 22(1)
Sent: Monday, May 17, 2021 8:56 AM
To: Council; Christopher Justice; Robert Douglas; Kate Marsh; Debra Toporowski; Rosalie Sawrie; Tek Manhas; Al Siebring
Subject: Fwd: Cowichan Valley's Six Mountains Forest: War or Peace—

Councillors,

Someone on council really needs to step up and make a motion to get on with saving of forests. This is a priority. The signs are clear, right down to those who are getting away with illegal cutting and robbing our forests of precious trees. As you on council ponder what to do, the forests are suffering. You must take a stand against any further devastation and bring in those who know what to do, ie the UBC experts who can create protection strategies and advantages for our community. The status quo does not work any more.

The community is anxious why this issue has been set aside. We want to know just what is going on and why the council has stalled on this file. The community is motivated to save the forests, why aren't you?

[REDACTED] FIPPA s. 22(1)
North Cowichan

The following was written by, Where Do We Stand.

**Cowichan Valley's Six Mountains Forest: War or Peace—
The Choice is Ours**

History shows that how we treat people mirrors how we treat nature. Most nations have warred against other nations—so we war against the forests. When we fall forests we sever vital root and mycelium connections; then we replace ecosystems with timber plantations. Disconnected, the next generation of trees are susceptible to drought, erosion, wind, fire, and viruses. As in nature, so in our nations, and so in our Valley—to be strong, vibrant, healthy and happy, we must be connected.

In this beautiful valley we are disconnected and divided about the fate of the Six Mountains Community Forest. We have the power and right to stop logging Tzouhalem, Prevost, Richards, Sicker, Maple Mt and Stoney Hill. If we come together, we have an opportunity as no other community on the continent.

No other level of government or forestry company owns these forests. We can protect them to become old growth. It is a historic moment. And yet, if we don't rise together above the division running through our community, our roots and blood lines, our children and future generations will take the fall.

Whether we are newly arrived, have been here generations, or trace our ancestry back millennia, if we keep logging the Six Mountains, our legacy will be tree plantations of diminishing quality.

There is no financial justification. UBC's Forestry Department says we can earn as much or more from carbon credits as logging. The federal government is seeking to enhance a domestic carbon offset market to apply to municipalities and Indigenous groups. Carbon taxes will increase and so will the market.

But there's more to it. When we log, our short term profit doesn't include the inestimable long term cost of coping with tidal waves of invasive species that logging leads to.

Then there is the incalculable cost benefit of the forests revealed by the pandemic. When we hit the wall and our reality crumbles—when we need reason to hope, to have faith in something greater than ourselves, we will flock to the forests for sanity, sanctity and sanctuary. The health of our community is our backbone, our essential resource, a priceless “commodity.”

A town is being built on Tzouhalem. We're at the beginning of a population explosion. People are arriving to be in nature. Developments are popping up. Trees, with no bylaw to protect them, are coming down in clearcut hectares. Trails are becoming crowded. It doesn't take a visionary to see what's coming. We can't afford to log trees we can protect.

So what are we fighting about?

Recently, CBC National reported on tree-poaching in our forests. I was interviewed and said (not included): These thieves are nothing in comparison with what our community will be stealing from future generations if we keep logging. We'd be gobbling up the last crumbs that could grow into a banquet for them.

But there's good news. If we opt for carbon credits, the money would be used to manage and protect the forests. Going forward there'd be no financial incentive to war on the forests or to fight about them.

The problem is that public consultation is stuck between governments. The Municipality and First Nations are negotiating. About what? How to protect the forests for future generations? We've been told nothing. We've been waiting more than a year.

In public meetings, First Nations' Elders, advocating to stop logging, have said that to honour and serve nature is a First Nations' value. They say trees are family to their people. So are all living-beings in the forests. And, they say, their people traditionally plan for many generations.

Every time I hear these words I'm filled with hope. I understand there are other points of view. As in North Cowichan, so in the First Nations: some want to log.

But I believe most people, of all backgrounds, want to protect the forests—that most are motivated by love for children and nature: it's the universal language. In our hearts we know what is true.

The forests are sacred and should be accessible for all people, with NO “*No Trespassing*” signs. It's time to share what we know about the rare, endangered

forest ecosystems surrounding us— time for understanding, time for our roots to connect together through the forests, before time runs out.

In an ecosystem, different species of trees, appearing to be competitors for resources, often join their roots to share, nourish, anchor, and warn each other about viruses and aggressors. Thus connected they overcome hardship and flourish. As in nature, so be it in our Valley.

As a community divided, if we come together now, we may be remembered as ancestors who declared peace on the mountains and in the valley far below.

We can vote for old growth forests to be our legacy.

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 18, 2021 9:34 PM
To: Council
Subject: Trees

I am writing to share my voice in stopping the logging on the six mountains. The trees do not have a voice yet they provide so much for us and do so willing as that is their function. They support life on this planet, in OUR valley.

I put forth my voice for the trees. I urge council to find a way to speak for the trees. Enough is enough. We need the trees. Please have the courage to speak up and stand for the trees. You are their keepers. What will be this council's legacy?

In support of the trees

[REDACTED] FIPPA s. 22(1)
Chemainus, BC
s. 22

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 18, 2021 10:19 AM
To: Council

FIPPA s. 22(1)

I [REDACTED] add my voice to those who are against the further cutting down of the forests on the six mountains proposed in the article in the BC Local News. These beautiful forests are the reason why your tax base in this valley are dearly paying for that quality of life that these forests represent. We can enjoy them now because our forebears had the foresight to preserve them for future likeminded and judicious use not for its exploitation disregarding future generations. We can leave a legacy that we can be proud of and that future generations can thank us for.

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 18, 2021 10:07 AM
To: Council
Subject: Old growth forests

To whom it may concern,

As a resident of North Cowichan, I strongly advocate for stopping the logging of our forests on the Six Mountains. It is not too late to create a legacy for both present and future generations, and to preserve the endangered ecosystems.

By replacing the profits created by deforestation with carbon credits, we can assure vital and prosperous development on an ongoing basis. It would behoove us greatly to become leaders in the path towards environmental sustainability.

I hope I can count on your support and look forward to hearing back from you on this matter,

[REDACTED] FIPPA s. 22(1)

[REDACTED] FIPPA s. 22(1)
Duncan s. 22

--

Sent from my iPhone

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Wednesday, May 19, 2021 12:19 AM
To: Council
Subject: Voting for old growth!

Voting for old-growth ! They give us life, and peace! We need to start respecting the forest, and understand what it does for us, if there are no trees, how are we to breath??? We need to stop logging! We need to find other responsible resources, that don't ruin us or this beautiful planet! (we need to work together)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Thursday, May 20, 2021 9:48 AM
To: Council
Subject: Protect our Old Growth Trees

Council Members,

It is becoming abundantly clear that our municipal forests are so important to our sustainability in our valley, the decision to stop logging them is an inevitable decision.

The alternative uses and protection of our forests completely outweigh any logging activities.

We have a very rare opportunity to do the right thing for our forests. Taking the issue of protecting our forests a further step would be to designate them as PARKLAND. Along with carbon sequestration and tourism opportunities we as a community could be a model for other forests, private and crown land, incorporating our model to help fight climate change.

Forest conservation must be the priority which would be management for the future of the forests. Unlike the management of the past which allowed tree farming and the cutting of the all important old growth trees.

The following is a link to s. 22 latest article, please consider the importance of what he has discovered.

Thank you for reading.

[REDACTED] FIPPA s. 22(1)

North Cowichan

https://www.sixmountains.ca/last-stand-remnant-forest-of-old-doug?utm_campaign=e0c4aa7b-3c04-4057-b31b-28712750669f&utm_source=so&utm_medium=mail&cid=0f5ee604-e2f4-4589-97bb-ed075e5c3b6d

[REDACTED] FIPPA s. 22(1)

From: [REDACTED] FIPPA s. 22(1)
Sent: Thursday, May 20, 2021 9:58 AM
To: Council; Al Siebring; Christopher Justice; Debra Toporowski; Kate Marsh; Rob Douglas; Rosalie Sawrie; Tek Manhas
Cc: Ted Swabey; Shaun Mason
Subject: Cowichan Valley's Six Mountains Forest: War or Peace—

Dear Mayor and Council,

Last Thursday, WDWS put out the article below—some of you may have already read it in the Ladysmith Chronicle or facebook. I was going to send to you Friday but saw your enormous agenda for yesterday so waited till now.

If any of you have any questions, you have my email - here is my phone number: [REDACTED] FIPPA s. 22(1)

Sincerely,
[REDACTED] FIPPA s. 22(1)

**Cowichan Valley's Six Mountains Forest: War or Peace—
The Choice is Ours**

History shows that how we treat people mirrors how we treat nature. Most nations have warred against other nations—so we war against the forests. When we fall forests we sever vital root and mycelium connections; then we replace ecosystems with timber plantations. Disconnected, the next generation of trees are susceptible to drought, erosion, wind, fire, and viruses. As in nature, so in our nations, and so in our Valley—to be strong, vibrant, healthy and happy, we must be connected.

In this beautiful valley we are disconnected and divided about the fate of the Six Mountains Community Forest. We have the power and right to stop logging Tzouhalem, Prevost, Richards, Sicker, Maple Mt and Stoney Hill. If we come together, we have an opportunity as no other community on the continent.

No other level of government or forestry company owns these forests. We can protect them to become old growth. It is a historic moment. And yet, if we don't rise together above the division running through our community, our roots and blood lines, our children and future generations will take the fall.

Whether we are newly arrived, have been here generations, or trace our ancestry back millennia, if we keep logging the Six Mountains, our legacy will be tree plantations of diminishing quality.

There is no financial justification. UBC's Forestry Department says we can earn as much or more from carbon credits as logging. The federal government is seeking to enhance a domestic carbon offset market to apply to municipalities and Indigenous groups. Carbon taxes will increase and so will the market.

But there's more to it. When we log, our short term profit doesn't include the inestimable long term cost of coping with tidal waves of invasive species that logging leads to.

Then there is the incalculable cost benefit of the forests revealed by the pandemic. When we hit the wall and our reality crumbles—when we need reason to hope, to have faith in something greater than ourselves, we will flock to the forests for sanity, sanctity and sanctuary. The health of our community is our backbone, our essential resource, a priceless “commodity.”

A town is being built on Tzouhalem. We're at the beginning of a population explosion. People are arriving to be in nature. Developments are popping up. Trees, with no bylaw to protect them, are coming down in clearcut hectares. Trails are becoming crowded. It doesn't take a visionary to see what's coming. We can't afford to log trees we can protect.

So what are we fighting about?

Recently, CBC National reported on tree-poaching in our forests. I was interviewed and said (not included): These thieves are nothing in comparison with what our community will be stealing from future generations if we keep logging. We'd be gobbling up the last crumbs that could grow into a banquet for them.

But there's good news. If we opt for carbon credits, the money would be used to manage and protect the forests. Going forward there'd be no financial incentive to war on the forests or to fight about them.

The problem is that public consultation is stuck between governments. The Municipality and First Nations are negotiating. About what? How to protect the forests for future generations? We've been told nothing. We've been waiting more than a year.

In pubic meetings, First Nations' Elders, advocating to stop logging, have said that to honour and serve nature is a First Nations' value. They say trees are family to their people. So are all living-beings in the forests. And, they say, their people traditionally plan for many generations.

Every time I hear these words I'm filled with hope. I understand there are other points of view. As in North Cowichan, so in the First Nations: some want to log.

But I believe most people, of all backgrounds, want to protect the forests—that most are motivated by love for children and nature: it's the universal language. In our hearts we know what is true.

The forests are sacred and should be accessible for all people, with NO “*No Trespassing*” signs. It's time to share what we know about the rare, endangered forest ecosystems surrounding us— time for understanding, time for our roots to connect together through the forests, before time runs out.

In an ecosystem, different species of trees, appearing to be competitors for resources, often join their roots to share, nourish, anchor, and warn each other about viruses and aggressors. Thus connected they overcome hardship and flourish. As in nature, so be it in our Valley.

As a community divided, if we come together now, we may be remembered as ancestors who declared peace on the mountains and in the valley far below.

We can vote for old growth forests to be our legacy. We can let Council know where we stand:
council@northcowichan.ca

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Monday, May 24, 2021 9:05 AM
To: Council
Subject: Protecting our forests

To the Council of North Cowichan,

I am in favour of protecting our six mountains of municipal forests in our incredible valley. As these lands belong to the people of this area we need to come together to preserve and protect what is our future generations heritage. We will gain just as much from carbon credits as we will from the mass removal of our trees.

[REDACTED] FIPPA s. 22(1)

Sent from my iPad

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Monday, May 24, 2021 8:34 AM
To: Council
Subject: 6 mountains

Please STOP logging ! Preserve for the future! Think 100 or 200 hundred years into the future. Think about carbon sinks and credits. Think about intact eco systems without broom, ivy, vinca minor,etc. Listen to the tribe elders and the UBC foresters!

Sent from my Galaxy

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 25, 2021 2:35 PM
To: Council
Subject: 6 mountains forests

Hello -

I understand that you are asking for input regarding the - "Six Mountains Forest: a 5000 hectare rare and endangered coastal ecosystem that our community has the right and power to protect. There is no other community in the country or on the continent with such a gift".

Logging this gift is beyond comprehension. This ecosystem deserves to be protected. It is not a 'crop' but an ecosystem that has been disrupted too often already. We should be stewards of these forests letting them be to restore and become healthier ecosystems.

The few dollars obtained for the damage that can never be replaced is inconceivable. If it's money that is needed there are endless other better ways to achieve that narrow end. Charging people to park in the forest parking lots would yield much more money is just one simple example. I know I and so many others would be happy to support saving our local endangered coastal ecosystem.

Please respect the Six Mountains Forests for the treasure they truly are. We know global warming exists and will only get worse. This is 1 important step the council can take to help global warming, protect our gift, and improve the quality of life for those that live here.

In hope,

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 25, 2021 3:36 PM
To: Council
Subject: Six Mountains Community Forest

Dear council members,

At this time in the Cowichan Valley story, and indeed the world's, more of us have come to recognize that the recreational, biological, and tourism/commercial values of our Six Mountains' forests currently surpass (and will increasingly surpass) any timber values, jobs benefits, or royalties North Cowichan forests generate. The time for protecting these forests is now.

A former forest worker.

--

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

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 25, 2021 7:54 PM
To: Council
Subject: our local ecosystem

To the elected members of the North Cowichan Municipal Council,

I have been a resident of North Cowichan since I was a little girl. I've watched truck load after truck load of trees go trundling down the highway, en route to being made into lumber or paper or something else. My father was in the lumber business so I was encouraged to see those denuded tree trunks as, basically, money.

With my mother I walked in the forests around this amazing valley, deeply and profoundly enchanted and enlivened by the trees, the understory, the birds and other animals, the insects, and the rich, clean air that I breathed deep into my lungs.

Now that I'm older I can see that the connection between the logging trucks and the industry they support, and the trees and the biodiversity they support, has to be reckoned with. The time has come, (indeed, it came a few decades ago) to open your eyes to what is really going on here. The logging industry has to end in this valley, and hopefully all over the island other than in already-existing, managed wood lots that are merely farms and not ecosystems.

I have had a number of careers in my life that have reflected the fact that I was able to pivot and learn new skills as my life evolved. I would suggest that the people who continue to benefit from the unholy practice of cutting down trees for their livings be supported in finding new ways of earning money.

In the meanwhile, please, I ask all of you who are lucky enough to live in this valued and valuable valley, end the miserable practice of cutting down trees on the Six Mountains and everywhere else in this Warm Land. Please. If not for yourselves, then for your children, your grandchildren, and mine and my neighbours', too.

Thank you,
[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Wednesday, May 26, 2021 3:12 PM
To: Council
Subject: Old Growth Forest Logging

We have lived in the Cowichan Valley for 30 years and have observed the destruction of our forests first hand. Before there is no legacy remaining for our children and future generations, logging our forests must stop. Please take affirmative actions to follow a new path and preserve our remaining forests.
Sincerely, [REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Thursday, May 13, 2021 3:26 PM
To: Council
Subject: Rogers Telecommunication Tower Proposal for Evans Ball Field

Members of the Council;

We refer to the proposal by Rogers Telecommunications to construct a new Telecommunication Tower near/in the Evans Ball Field area. Rogers state that they have or are having public meetings to discuss this. If so where were these meetings held so that local residents could express their views regarding this proposal.

The proposal for the Evans Ball Field area, besides the existing water tower is within 100 meters of the closest residence. This could present ongoing health risks to people in the vicinity of the proposed tower and to users of the ball field itself. Health studies in 2021 (the Swiss Berenis study) supports the issue that continuous exposure to frequencies and pulses put out by Telecommunications Towers can cause significant health issues and a minimum distance of 1000 meters be considered.

There will be, with the increased housing expansions in Heronswood, local residents exposed to such potential health risks and possible impacts on property values caused by the close proximity to tower locations. Who wants to purchase a home close to a Telecommunication tower?

As homeowners in the area we request that Council establish a definitive policy regarding Telecommunication Tower in residential areas and establishing clear outlines for tower construction and proximity to dwellings or restrict tower construction to industrial land use areas. We request that Council turn down any application for construction and operation of such a tower in this area.

[REDACTED];
[REDACTED] s. 22

FIPPA s. 22(1)

Ginny Gemmell

From: Kate Marsh
Sent: Saturday, May 15, 2021 3:32 PM
To: A:Mayor&Council; Ted Swabey; Sarah Nixon; Michelle Martineau; Rob Conway; Chris Osborne
Subject: FW: Re[2]: Fw[2]: Re: COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, -123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY 1

From: Kate Marsh
Sent: May 15, 2021 3:13 PM
To: [REDACTED] FIPPA s. 22(1)
Subject: RE: Re[2]: Fw[2]: Re: COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, -123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY 1

Hi again [REDACTED] FIPPA s. 22(1)

I will be forwarding this email to Council. It will become part of the consent agenda. Unless a Councillor pulls it from the agenda, it won't be discussed. However, I'm confident that all Councillors and the pertinent staff read every email.

I don't know when the policy will be final, or what it will look like in final form. I can tell you if Council does not approve of either location we can turn one or both down as the property belongs to the Municipality.

Best,
~ Kate

From: [REDACTED] FIPPA s. 22(1)
Sent: May 14, 2021 11:27 PM
To: Kate Marsh <kate.marsh@northcowichan.ca>
Subject: Re[2]: Fw[2]: Re: COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, -123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY 1

Hi Kate

Yes please add it to the next available Council agenda.

Thank you also for spearheading the policy for towers this is very much appreciated by me and also all the residents in Kaspa and Chippewa. In the meantime the Tzouhalem tower farcical construction process continues at 135m from the closest homes. Will this policy be ready in time to stop it in its tracks? Do you think council have enough evidence, research and data, as supplied by residents over the last months, to stop it on those grounds?

I know it is difficult to anticipate what will happen but would appreciate your thoughts.

Best regards

[REDACTED] FIPPA s. 22(1)

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

From: "Kate Marsh" <kate.marsh@northcowichan.ca>

To: "[REDACTED]" FIPPA s. 22(1)

Sent: 2021-05-15 2:25:30 AM

Subject: RE: Fw[2]: Re: COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, -123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY 1

[REDACTED], FIPPA s. 22(1)

The deadline for correspondence is over I believe, but I will forward your email to staff and Council and it will appear on the following Council agenda, which I think is June 2nd.

Is that alright with you, or would you like to send it directly yourself? Either way, it becomes part of the consent agenda. Staff are looking at developing a policy for cell towers in the next month or so,

Best,
Kate

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

Sent: May 14, 2021 12:32 AM

To: Kate Marsh <kate.marsh@northcowichan.ca>

Subject: Fw[2]: Re: COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, -123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY 1

Dear Kate Marsh

Re: Rogers Tzouhalem proposed tower Public Consultation Package. Please include this in the agenda for the next meeting.

I sent my questions and comments to Brian Gregg of SitePath and he responded. I am frankly flabbergasted by his responses. He has avoided the most important questions. Given glib answers to others without any supporting documents or evidence. Has deliberately clouded issues with irrelevant waffle. Misconstrues my questions. Makes generalisations to questions that are about this specific tower. When he cannot give a legitimate answer he simply passes the buck. When asked for data or evidence he simply ignores the question.

Others in our neighbourhood have had the same problem. My point, his responses are not credible he is not only misleading the public with this but the Municipality also, it is blatant disregard for transparency. I refer to my pdf letter attached, the photo renditions he supplied IMO are false. I implore you to take the time to read the transcripts below. MNC cannot allow the tower to be located as proposed when taking into account this deplorable public consultation, there are enough

grounds for complete dismissal of the proposed project and retract any previous offers made to them.

My questions are in Black. His responses are in **Green**. My observations about his responses are in **bold red**.

----- Forwarded Message -----

From: "Brian Gregg" <briangregg@sitepathconsulting.com>

To: "[REDACTED]" > **FIPPA s. 22(1)**

Sent: 2021-05-11 2:24:15 AM

Subject: Re: COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, -123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY

Hi [REDACTED]: **FIPPA s. 22(1)**

Thank you for your thoughtful email. My responses are in green text below. Many of your questions appear to have been copied and pasted from another commenter's inquiry as the wording is identical I'll do my best to respond to your detailed comments in any event. **In any event? There is is no industry Canada or ISED law "Yet" that says we cannot copy and paste or share information in the public domain! It is ironic that he himself has done nothing but copy and paste from a list of rehearsed answers he uses for all his public consultations!**

COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, -123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY

1. Are you a cellular phone or wireless device user?

Yes

2. Do you feel this is an appropriate location for the proposed facility?

No

Comments

See Below.

3. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

No

Comments

See Below.

Additional Comments

See Below.

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes.

Name [REDACTED] **FIPPA s. 22(1)**

Mailing Address [REDACTED],

s. 22

Email Address [REDACTED]

Comments and Questions

1. Whilst I acknowledge that I am not against telecommunication towers in principle, I believe there is a better location for the good of our property values, our community well being and for Rogers customers. I want the proposed tower to be located at least 500 meters from any residential home and placed where the public do not gather frequently.

The current proposal is around 135 meters or 442 feet from the closest residence. We have attempted to find a location that achieves numerous objectives including proximity to existing access and power, high elevation land, cleared space (i.e. we do not need to remove trees for our compound, access and power line), reasonable setbacks from residences, etc. **He repeats this several times throughout the reply.** There is no consistent science nor any regulation to suggest that a 500 meter setback is prudent. **Not true there is an abundance of credible science as previously sent to MNC and is in the public domain** Indeed, we have the same equipment operating on the rooftops of buildings including condos, apartments, hospitals, etc. in my closer proximity to habitable spaces. **Maybe but this does not dismiss health and property value concerns there or here.** Towers are the most safety code compliant way to deploy our equipment as the antennas can be elevated high up off the ground away from living spaces. **Up to date peer reviewed scientific data says this is not far enough and is certainly not a "reasonable setback"** The safety code is based on 1990's data and is obsolete.

2. How will Rogers connect this proposed tower into its network? Will it be through:

2.1 Fibre cable - If fibre cable is used, the connectivity is made through internet via fibre and so tower placement is not as critical allowing greater flexibility in terms of placement away from residential neighbourhoods as we understand it. Is this correct?

Our transport or backhaul plan is still under review. So this whole public consultation is premature and the information sent to MNC in February is lacking vital information. In an ideal world, we will connect the site via both fibre and via a dish for redundancy purposes in case one system goes down. Having fibre does, at times, allow for some greater siting flexibility as it mitigates the need for us to achieve line of site to our adjacent tower that we would need to connect to via a dish. However, siting the tower further back into the forest would result in a need for us to run our supporting infrastructure (power, access, fibre) further and would result in more clearing of land. **Not necessarily so, later he tells how tiny the footprint is so why would it matter? What is more important health and property values or an alternative tiny footprint?** We have tried to find a location directly adjacent to an existing building where there is access and power available. **Because that is the cheapest and most profitable option for Rogers.** Our intent is to be ecologically sensitive while also achieving our technical objectives. **Uses the ecologically sensitive card, ecologically sensitive would be to not have a tower at all!**

2.2 Radio backhaul - If Rogers is using radio backhaul, tower placement will have to facilitate a clear line of sight between neighbouring towers and therefore will be more prescriptive in terms of tower location. Is this correct?

Correct. If radio backhaul is used, line of sight is required. Fibre does not require line of sight. Then don't use backhaul, fibre allows more flexibility can be place much farther away and is far safer as we don't get two way transmission of EMF.

2.3 Based on whether this is fibre backbone or radio backhaul, how far can the tower be moved from the proposed location and is there any restrictions on what direction that movement has to occur if fibre or radio backhaul?

Each location needs to be considered on a case by case basis. We do not have a specific direction or search area to share with the public nor do we own the subject property to offer such siting flexibility. But MNC has and can offer it as an alternative. The current proposed location was selected not only based on line of sight but also based on proximity to supporting infrastructure and existing access. Because that is the cheapest and most profitable option for Rogers. The location is also already cleared. If we move further into the forest we will need to potentially clear more land for access, power and our compound. Not necessarily so. Later he tells how tiny the footprint is so why would it matter? What is more important health and property values or an alternative tiny footprint?

2.4 In the case of radio backhaul, is transmission of signals directional or 'circular', radiating from the tower in circles? In ether case can you provide proposed output figures for a typical 24 hour period?

Directional.

I will need to request the data you are seeking for part two of your question from Rogers' engineer. I do not have this data on file. The "expert" doesn't have the data? More likely he doesn't want to divulge output figures. I have made a note to see if this ever arrives, to date it has not.

2.5 In the case of backhaul where transmission occurs both ways can you provide proposed in and out figures for a typical 24 hour period?

I will need to request the data you are seeking for part two of your question from Rogers' engineer. I do not have this data on file. Again the "expert" doesn't know? More likely he doesn't want to divulge output figures. I have made a note to see if this ever arrives, to date it has not.

3. If additional service providers are mounting equipment, are they obliged to mount equipment enabling a similar directional distribution of signals? If not, why not?

We are not able to advise you with regards to what other third party providers may or may not do in the future. However, most carriers use similar technologies including fibre and/or directional microwave dish connections. A slippery answer, so we can assume that they "may" use similar equipment but are NOT obliged to. If Rogers have a policy on this why does he not offer it? Could it be that they don't care what is mounted on there as long as they get additional income?

3.1 . How much additional equipment is anticipated in 1 year, 3 years, 5 years and can you provide total anticipated daily in and out puts for those periods?

I do not have this data on file but will ask if it is available. Again another avoidance of saying what EMF outputs or inputs there will be. I have made a note to see if this ever arrives, to date it has not. As you can imagine, we do not know exactly what technology may be deployed in the future so this would be an estimate only. In any case, all installations will be required to comply with Health Canada's Safety Code 6. Which is outdated and uses data from the late 1990's and does not take into account any peer reviewed scientific data of that last 15 years.

4. What can Rogers do to disguise the tower and make it less visible by residents and park users? Can you provide schematics and photographs?

Rogers is proposing a facility that is barely taller than the directly adjacent trees. This is completely false as our own photographic renditions show. See attached pdf document sent to MNC council. The adjacent trees will screen the tower from view to a large extent. Again not true. We can also paint the facility green to match the adjacent trees. Can or will are two different things. You may find the attached consultation package including the photo renderings on page 5 to be useful. Not useful but absolutely useless, as he often points out later that these photographs are for discussion purposes only (disclaimer) and according to our own correct renditions are completely false.

5. Will this tower be installed enabling 5G technology at the outset? If not, what is the timeline for Rogers Network strategy to enable 5G coverage in the Cowichan Valley? Can you provide documentation that confirms the timeline?

I understand that the tower will be deployed with 4G/LTE technology as well as former legacy technologies. 5G will be deployed in the future as is the case across the network. This was never mentioned in the proposal to MNC but could have been. I do not have a specific timeline to share with you. I will ask the Rogers engineering team if there are any updates available in this regard for the Cowichan Valley. I have made a note to see if this ever arrives, to date it has not. In full transparency, you can anticipate that 5G is coming across Canada on effectively every cell site at some point in the reasonably near future. This is common knowledge, just irrelevant waffle. Note, he uses the words full transparency, which is a generous admission for something that is irrelevant but to paint a picture of his unwavering honesty. It is a pity he could not be fully transparent with the rest of the consultation.

6. What technology will be installed at the time of tower activation by Rogers? 3G? 4G? 5G? Other? Please provide documentation.

3G/4G/LTE/GPS

Rogers may add and/or replace technologies over time. Deliberately avoiding the question I asked "at the time of tower activation" I only have a basic consultation package at this time as

we are consulting the community and have not put together a detailed set of plans. The community has never been consulted before about what technology will be installed at the time of tower activation, and this is a question about it which he does not answer! "Not put together a detailed set of plans" then why are we having a public consultation if all the relevant, critical and important information about the installation is not divulged. I will ask our engineering team if they have further documentation that may be available to share. Really! another excuse to not divulge the facts about this tower, I have made a note to see if this ever arrives, to date it has not.

7. How is placement of EMF equipment on the tower managed when providers other than Rogers are using this tower? Is it controlled by Rogers? Health Canada? ISED? Other? Please provide copies of Rogers policy on this.

Every carrier is required to comply with Safety Code 6 including the total combined effects of radiofrequency installations within the radio environment. Refer to ISED's CPC document as follows:

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html>

Section 7.1, paragraph 3, states:

It is the responsibility of proponents and operators of installations to ensure that all radiocommunication and broadcasting installations comply with Safety Code 6 at all times, including the consideration of combined effects of nearby installations within the local radio environment. Again he avoids answering the question, we know very well that the redundant safety code 6 has to be adhered to, we have been told a hundred times, but what entity manages and controls the tower, this was the question.

8. I understand that the tower height can be increased without public consultation. Will the height of this tower be increased, yes or no? If yes, by how much and when?

Refer to the following link. <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html#sec6>

Section 6 of the CPC notes that carriers may extend tower heights by 25% after 1 year of the initial installation. I am not aware of any such plans. A simple yes or no answer is required! But he chooses the "I am not aware" (disclaimer), well he represents Rogers he should be aware, what he is saying is yes it will be extended but I choose to pretend and portray falsely that it is not. however it is allowed per the ISED policy noted above. Disclaimer, there you go! This is true for any tower however we generally aim to plan a tower height that will accommodate future needs. "generally" Another disclaimer! We rarely extend tower heights though it is legally allowed and possible. and another disclaimer! This sometimes makes more sense then building more towers in the same area when carriers seek to colocate. So they apply and get approval for a 30 meter tower as this is more likely acceptable then after 12 months increase it to 37.5 meters plus the lightening rod total 40.5 meters. The self supporting tower that they

chose is the easiest to add to, this is why they chose it, simply bolting new pieces on, so it is inevitable that it will increase in height. Later in item 20 he tries to avoid the issue when asked specifics.

9. The height of this tower has been calculated for clear line of sight above the tree tops, however trees grow, will these trees be "topped" or cut down?

We sometimes trim, top or prune trees if they block line of sight. "Sometimes" used to lessen the impact, we know very well that trees will have to be cut because they grow. We typically propose our tower heights to factor in mature tree heights, however. Typically.....I asked about "this tower" which does not require generalised answers that avoid "This tower".

10. What other locations for this particular tower were considered, can you provide the documentation of these studies please?

This is our preferred candidate and we have only proposed this location at this time. I am not aware of other locations that would service the area to the same extent. The only other option, that I am aware of, would be to set the tower further back into the forest however this would have more environmental impacts such as tree clearing. We are proposing our preferred location in consultation with the municipality. Again he avoids the question with waffle. Where are the studies that were done for alternative locations? There are not any because they were not done.

11. In your proposal dated 20 January 2021 sent to the Municipality of North Cowichan entitled "Rogers Proposed Communication Sites on Municipality of North Cowichan Lands" :

11. Page 10 refers to "Rationale Design - Coverage Maps" In this "coverage area" as highlighted by the maps for the following questions please provide answers and documentary proof.

11.1 How many residents are there? **No answer.**

11.2 How many residents don't have high speed cable or fibre to their homes? **No answer.**

11.3 How many residents have complained about poor cell phone coverage? **No answer.**

11.4 How many residents have asked for higher download speeds for their cell phones? **No answer.**

I do not have this data readily available for public consumption. Not for public consumption? I'll ask our engineering team if they are in a position to share such an analysis. They never did any such research so no analysis will be forthcoming, just more evasive tripe!

11.5 Since residents with high speed internet and wifi in their homes would have excellent download speeds for working, streaming and gaming, please tell me how many people have asked for an improvement to download speeds for gaming and video streaming whilst walking, biking or driving in the area?

Rogers generally does not provide the type of services you are mentioning in peoples' homes in your area. **This is irrelevant and does not answer the question that was asked. We are largely proposing this facility to provide cell phone service. Yes we know that but answer the question please, how many people have asked for an improvement to download speeds for gaming and video streaming whilst walking, biking or driving in the area because that is all your tower provides!**

11.6 Please provide all survey results for all your answers for this coverage area.

I do not understand this question. There is no such survey. Is he just playing stupid? 11.6 refers to 11.1 through 11.5. I am asking for the survey or surveys for the coverage area which was obviously not done otherwise they would provide it.

12. Could you please provide the methodology of how you produced the photo simulations on page 7 of the above mention document (point 11.) and page 5 of the public consultation package with particular reference to position, height and scale?

We always use a third party consultant to provide our renderings. They are only for discussion purposes. We took the photos ourselves. Pass the buck, third party to do the renditions really? Who is this third party? At least he admits he took the photos that were done with a wide angle lens to exaggerate the distance, yes that is fact, look at the image! These are intended to be a visual representation or approximation of how the facility may look. Our consultation advises us that his renderings are to scale though we also note in our package that they are "for discussion purposes only". "Representation" "approximation" "may look" and how many times must he give us the disclaimer "for discussion purposes only" needless to say he refuses to give the methodology which leaves the question unanswered. Why? Because our own photographic renditions show his photograph renditions are completely false as they were for the Gold River tower. See attached pdf document sent to MNC council.

Since you have indulged others, against ISED's recommendations, with answers to health and property values I would be thankful if you could afford me the same.

13. I quote from your email reply dated 02 May 2021 to one of our neighbours XXXXX XXXXXXXXXXXX *"Ultimately, we are responding to demands that have been rising on our network and the COVID pandemic has caused demand to skyrocket in residential areas due to enhanced levels of remote working. This is true for your specific community".*

If more people are working from home then they will be using cable or fibre, they will be very unlikely to be video streaming or gaming on cell phones in the street out of reach of their own home wifi, so please provide survey data that backs up your statement that it is "true for your "specific community". **Not answered.**

14. From the same email: *"I can assure you that we have the same infrastructure already operating safely in many communities across BC, including in the Cowichan Valley. Plenty of research has been conducted and it is ongoing."*

I have not found any peer reviewed scientific data produced in the last 15 years that states that the infrastructure you refer to is safe, I can only find data that states that it is unsafe, please can you supply me with this research you refer to? **Not answered.**

15. With reference to point 14 above and to be more specific can you please supply me with any peer reviewed scientific data in the last 15 years that states that radiation from 2G, 3G, 4G or 5g is safe? **Not answered.**

16. From the same email: *"Our understanding is that there is no consistent evidence to suggest a clear positive or negative impact on property values in relation to wireless infrastructure.I can tell you that we have our infrastructure, including similar towers, in nearly every community across BC and we are not aware of ongoing concerns about property values."*

These are not a credible statements and I could not disagree more strongly. Almost every tower installation that has ever been erected has had objections about property values, the internet is full of information on this, so how can you say that! Even the argument mentioned in the Canadian Governments "Report On the National Antenna Tower Policy Review" mentions *these two concerns (health and property values) dominate the interactions they have with the public*. My wife and I are retired realtors and without any doubt whatsoever buyers are put off by towers because of the real or perceived health threat. In a down market these properties only sell if they are reduced by as much as 30-40%. There are hundreds of studies and articles that confirm that the public do not want to buy property close to cell towers of any kind thus reducing resale values, here are just a few:

<https://ehtrust.org/cell-phone-towers-lower-property-values-documentation-research>

<https://electromagnetichealth.org/electromagnetic-health-blog/survey-property-desirability/>

<https://sites.google.com/site/nocelltowerinourneighborhood/home/decreased-real-estate-value>,

Please do not waste your time referring to the incredulous, biased, cherry picked, industry influenced dated argument here <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08353.html> (see footnote 1) please provide truly independent surveys to support your statements. **Not answered.**

Since it sounds to me that you have heard our general responses provided to others and it appears that you already have formed an opinion based on your own research from sources that I cannot verify, I will share the following response. I don't believe you are genuinely interested in my feedback nor does it appear that you would trust it. Therefore, please note that this subject is beyond the scope of this consultation:

This is unbelievable, he accuses me of having an opinion and therefore has no obligation to answer my questions, so I am not entitled to an opinion? The sources he says he cannot verify concern item 16 only but uses that as an excuse not to answer questions 13 and 14 the ones demanding data!

I don't believe you are genuinely interested in my feedback nor does it appear that you would trust it. I presume he is referring to the items 13-16 where I copied his feedback to another

residents questions. Not True, I am genuinely interested in feed back, why would I have spent 4 months research to pose my questions. No I don't trust his off the cuff answers, I want honest answers with data, that is why I asked him, It is obvious that he can't answer them and supply the data.

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html#sec4.1>

Concerns that are not relevant include:

- disputes with members of the public relating to the proponent's service, but unrelated to antenna installations;
- potential effects that a proposed antenna system will have on property values or municipal taxes;
- questions whether the *Radiocommunication Act*, this document, Safety Code 6, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.

16.1 From a personal perspective, I ask you for an honest and candid answer, would you want a tower within 135 meters of your house or advise your children or loved ones to buy a house within close radius of a tower? If you cannot give an honest and candid answer simply decline the question. **I do not share the concerns you are stating. My family owns properties in close proximity to numerous cell sites with similar technologies operating. Seeing his answers given above I don't need to comment further.**

17. From the same email: You say, *"This is feedback we sometimes receive -- a suggestion that our infrastructure or a utility type structure should only be located in an industrial zone. However, many infrastructure types whether hydro lines, telephone poles, water pipes, sewage lines or communication sites are needed in areas where there is demand for service."*

The Properties at Maple Bay was built with underground utilities so that there are no unsightly overhead hydro lines, telephone poles, water pipes and sewage lines, to compliment the Rogers industrial quality tower, they are all underground, as should your tower should be! There are also by-laws that do not allow residents to hang laundry outside, have satellite dishes, TV antennas or Ham radio antennas on their property, this is for aesthetic reasons and we have to abide by those laws. The proposed tower is only 130 meters from our by-law controlled neighbourhood so it is understandable that residents are upset by its proposed presence.

Thank you. I can appreciate that. We are not in your neighbourhood and are setback a reasonable distance into the forest beside a municipal utility building. Water pipes and sewage lines are never above ground so why would he include these in his answer, just to cloud the issue? Set back, but not at a safe or reasonable distance.

18. From the same email: You say, "We would be open to taking a look at the alternative location if you would like to share it. However, I should kindly note that the subject proposed location does afford the benefit that we are located in an existing cleared area (little or no tree removal required) directly adjacent to existing access and power. This will mitigate the need for us to clear trees since we will not need to run a lengthy power line or access road through the forest."

There are several places that afford the same benefits. connected by logging routes that are easy to excavate, that are 500 meters distant from existing or proposed homes, free of trees. It may cost Rogers slightly more and in turn less mega profits but that is less than the cost to peoples health and finances.

You are welcome to share these specific locations, bearing in mind we would need to qualify the site(s) and we would need a willing landlord. We intend to consult the community on the current proposed location at this juncture. Relocating would require us to start over with the entire process. Yes it would, so what? Don't Rogers have enough money?

19. From the same email: You say, "Certainly we want to be sensitive to the environment. In our view, if we were to locate the tower further into the forest this would require tree removal for road and power line building. This is not the least impactful solution. Our proposal requires little or no tree removal and thus we do not believe there will be meaningful impacts on wildlife. We are located in a cleared space directly beside existing access and power. This is the least impactful solution that we can propose".

This is the least impactful solution that we can propose". and at the same time is the cheapest and disregards the health and wishes of local residents and their property values.

We are looking to balance a variety of factors with this proposal. Which is profit versus peoples health and finances. There is a logic to siting infrastructure near existing supporting infrastructure. To make it cheaper and therefore more profitable. It does not make sense to run long power lines, roads, clear more trees, etc. To Rogers it does not but to the public it does! There is no safety code basis for a larger setback from the areas we are aiming to service. Because the safety code uses data from the late 1990's or earlier and does not take into account hundreds of recent peer reviewed scientific data. It is his sacred cow.

20. The choice of a self support structure instead of a monopole was for what reason? The ability to raise its height? To add more antennas? To add different types of antennas? Other?

There are a variety of reasons. First, the tower is largely screened by trees so the structure type does not seem as critical vs. a site that is in a wide open space. For our proposal in Evan's Park where the tower is more visible, we are proposing a monopole. Monopoles offer less space for antennas and are substantially more costly (around 100k more). Would it make any difference to you? No but that was not the reason for my question why divert it just answer the question. Will you support our project if we propose a monopole? No but that was not the reason for my question why divert it, just answer the question. Please confirm the reason for your question. Read the question I thought that was obvious. Is there a positive outcome or resolution to be

found if we change the design? No. Only if Rogers move it 500 meters. What is your objective? To protect the health and finances of the residents and public, why can't he get that?

21. The two most important questions that the public want answers to are about health and property devaluation yet ISED will not allow these question to be asked of Rogers. **4.2 Industry Canada's Default Public Consultation Process. Concerns that are not relevant include:** *Potential effects that a proposed antenna system will have on property values or municipal taxes; and Questions whether the Radiocommunication Act, this document, Safety Code 6, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.*

You or SitePath did not write the above rules but are obliged to abide by it, and it is appreciated that you have seen fit to answer some related questions. May I ask from a personal perspective if you agree that this is fair? If you recognise it as being fair could you be so good to explain why those concerns are not relevant as far as the public are concerned. I ask you for an honest and candid answer, If you cannot give one simply decline the question.

As you know, I have made a reasonable effort to respond to these topics even though they (some not all) are excluded from the process. I have no influence over the policy or process. Indirectly he does have influence, by misleading the public and using any means to satisfy Rogers. I believe there is a logic (logic but not fairness) to these items being excluded as reasonable concerns. Regarding health, I believe this concern is excluded because it is deemed not relevant if compliance with the safety code is achieved as is required. Thus, for us to have continual debates about the validity of the safety code is largely fruitless. We cannot influence the safety code and rather must adhere to it. It's more useful for people to get in touch with the public health policy makers if they want to debate the safety code but as for the purposes of this consultation it is not considered relevant since compliance with the code is required. With regards to property values, once again, we have no ability to influence this and we have to propose our infrastructure where there is a demand on our network. I imagine there are numerous reasons for excluding this subject from the consultation as a relevant concern. Perhaps you could inquire with ISED directly as to why this is part of their policy. I have responded to this subject to the best of my ability though I am not required to do so.

So regardless, the Sacred Cow safety code 6 trumps all objections whether you like it or not and you will not be able to change it before the tower goes up and Rogers makes massive profits. Whether it kills or maims people, is of no concern, property devaluation is of no concern, as long as Rogers maximises profit.

Footnote 1

Negative health effects and property devaluation are not supposed to be of public concern, obviously!

*.....the opinions submitted by those who participated in the policy review and then it will discuss evidence tendered by respondents and gathered through other research.....members of the public and community groups who participated in the online Discussion Forum (operated as part of this policy review) the issues of the potential for negative **impact upon property values and the potential for***

negative health effects were their greatest concerns related to antenna installations. Footnote 319 Some of the formal submissions filed by municipalities expressed the view that *these two concerns dominate the interactions they have with the public* when an antenna siting becomes contentious. **So why are the public not allowed to ask about property devaluation and health in the "Public Consultation"?**

Biassed and Cherry Picked

*The vast majority of the written submissions filed on behalf of members of the radio industry held the view that there is no credible evidence that the establishment of an antenna installation negatively impacts upon local property values. Some industry members claimed that they had been maintaining an active watch for such evidence for a considerable period of time.*Footnote321 A few of the submissions expressed the view that it was unfair to single out antenna towers when other urban infrastructure may affect property values.Footnote322 Within its submission, *Rogers Communications suggested that the loss of property value argument is often made as a negotiating ploy. REALLY!* Footnote323 **Not Biassed, what would you expect from the radio industry and Rogers who's job it is to turn profit, frankly this is a joke!**

More Cherry Picking and using an irrelevant example to dismiss property devaluation.

Within the Discussion Forum and through their formal submissions, amateur radio users expressed the view that no reputable studies show that amateur antenna towers have a negative impact upon the property values of their neighbours.....the Radio Amateurs of Canada (RAC) offered references to various property assessments that the RAC have relied upon for proof that property values are not impacted by the establishment of amateur antenna installations. One such reference was to an Ontario superior court decision where an interlocutory injunction was denied to the neighbours of a radio amateur who were seeking to prevent the amateur from establishing an antenna tower on his own property.....The judge found the appraiser's evidence to be persuasive and credible and dismissed the application for an injunction. The RAC also attached quotations from two studies done in the U.S.A. that concluded that land values were not impacted by antenna installations..... **To use ham radio as an example of no property devaluation is deception. The antennas are relatively small and thin compared to a commercial tower, probably 100 times smaller by weight and volume. When the owner sells his house the antenna will be taken down and move with the owner. The radio frequencies are very different to 2/3/4/5G. Ham radio frequencies have been used for nearly a century without adverse health effects. It would not have dozens of piggy back transmitters attached to it thus increasing frequencies and power output. The typical ham radio operator would perhaps only transmit for a few hours per week, not 24/7**

It is possible to rip this whole review apart but do not have the time at the moment but here are a few more examples:

*.....Whether or not citizens **truly** have concerns for the health of their own family and friends.....*

*.....Public concerns or fears (particularly of health effects such as cancer) can have a negative effect on property values, even when those fears are **found to be unwarranted**. However, according to*

Jaconetty (1996), "public fear can and will affect market transactions **[only] so long as market participants actually** share those fears."Footnote330 A considerable amount of research has been done on the stigmatic effect associated with **electrical transmission lines, contaminated lands and incinerators** and their impact upon local property

While arriving **too late to be included** in the data analysis, a recent empirical study of a site in southwest London, Ontario, **commissioned by Telus Mobility** and conducted by R.W. Hughes & Associates Inc. Footnote343 offers further evidence that property values, this time in a Canadian context, are not impacted by proximity of communications towers. **Not independent if being paid for by Telustoo late to be included..... but they "did" include the biased paid for by Telus incredulous comment that suited them. Do they really think that the public are that stupid!**

s. 22 , I sincerely appreciate your detailed and thoughtful input. I can tell that you have put a lot of time into compiling this feedback. I trust that it comes from a place of caring deeply about your neighbourhood and any changes being proposed. If you feel that further dialogue is merited, may I kindly suggest that we set up some time for a phone call? My cell number is 778 870 1388. I would welcome a call. It can be a challenge for me to keep up with my emails when there are lengthy inquiries like yours. I will respond in every case and want to be responsive however it might be best to arrange an appointment to discuss. From there, I would be pleased to put any further responses in writing as you see fit. Would that be helpful?

Thanks,

Brian Gregg | SitePath Consulting Ltd.

Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com

On Mon, May 10, 2021 at 8:26 AM s. 22 wrote:

COMMENT SHEET PROPOSED TELECOMMUNICATIONS TOWER COORDINATES: 48.791176, - 123.631961 MUNICIPALITY OF NORTH COWICHAN ROGERS FILE: W5723 - MAPLE BAY

1. Are you a cellular phone or wireless device user?

Yes

2. Do you feel this is an appropriate location for the proposed facility?

No

Comments

See Below.

3. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

No

Comments

See Below.

Additional Comments

See Below.

Please provide your name and full mailing address if you would like to be informed about the status of this

proposal. This information will not be used for marketing purposes.

Name [REDACTED]

Mailing Address [REDACTED]

s. 22

Email Address [REDACTED]

FIPPA s. 22(1)

Comments and Questions

1. Whilst I acknowledge that I am not against telecommunication towers in principle, I believe there is a better location for the good of our property values, our community well being and for Rogers customers. I want the proposed tower to be located at least 500 meters from any residential home and placed where the public do not gather frequently.

2. How will Rogers connect this proposed tower into its network? Will it be through:

2.1 Fibre cable - If fibre cable is used, the connectivity is made through internet via fibre and so tower placement is not as critical allowing greater flexibility in terms of placement away from residential neighbourhoods as we understand it. Is this correct?

2.2 Radio backhaul - If Rogers is using radio backhaul, tower placement will have to facilitate a clear line of sight between neighbouring towers and therefore will be more prescriptive in terms of tower location. Is this correct?

2.3 Based on whether this is fibre backbone or radio backhaul, how far can the tower be moved from the proposed location and is there any restrictions on what direction that movement has to occur if fibre or radio backhaul?

2.4 In the case of radio backhaul, is transmission of signals directional or 'circular', radiating from the tower in circles? In either case can you provide proposed output figures for a typical 24 hour period?

2.5 In the case of backhaul where transmission occurs both ways can you provide proposed in and out figures for a typical 24 hour period?

3. If additional service providers are mounting equipment, are they obliged to mount equipment enabling a similar directional distribution of signals? If not, why not?

3.1 . How much additional equipment is anticipated in 1 year, 3 years, 5 years and can you provide total anticipated daily in and out puts for those periods?

4. What can Rogers do to disguise the tower and make it less visible by residents and park users? Can you provide schematics and photographs?
5. Will this tower be installed enabling 5G technology at the outset? If not, what is the timeline for Rogers Network strategy to enable 5G coverage in the Cowichan Valley? Can you provide documentation that confirms the timeline?
6. What technology will be installed at the time of tower activation by Rogers? 3G? 4G? 5G? Other? Please provide documentation.
7. How is placement of EMF equipment on the tower managed when providers other than Rogers are using this tower? Is it controlled by Rogers? Health Canada? ISED? Other? Please provide copies of Rogers policy on this.
8. I understand that the tower height can be increased without public consultation. Will the height of this tower be increased, yes or no? If yes, by how much and when?
9. The height of this tower has been calculated for clear line of sight above the tree tops, however trees grow, will these trees be "topped" or cut down?
10. What other locations for this particular tower were considered, can you provide the documentation of these studies please?
11. In your proposal dated 20 January 2021 sent to the Municipality of North Cowichan entitled "Rogers Proposed Communication Sites on Municipality of North Cowichan Lands" :
11. Page 10 refers to "Rationale Design - Coverage Maps" In this "coverage area" as highlighted by the maps for the following questions please provide answers and documentary proof.
- 11.1 How many residents are there?
- 11.2 How many residents don't have high speed cable or fibre to their homes?
- 11.3 How many residents have complained about poor cell phone coverage?
- 11.4 How many residents have asked for higher download speeds for their cell phones?
- 11.5 Since residents with high speed internet and wifi in their homes would have excellent download speeds for working, streaming and gaming, please tell me how many people have asked for an improvement to download speeds for gaming and video streaming whilst walking, biking or driving in the area?
- 11.6 Please provide all survey results for all your answers for this coverage area.

12. Could you please provide the methodology of how you produced the photo simulations on page 7 of the above mention document (point 11.) and page 5 of the public consultation package with particular reference to position, height and scale?

Since you have indulged others, against ISED's recommendations, with answers to health and property values I would be thankful if you could afford me the same.

13. I quote, with permission, from your email reply dated 02 May 2021 to s. 22
"Ultimately, we are responding to demands that have been rising on our network and the COVID pandemic has caused demand to skyrocket in residential areas due to enhanced levels of remote working. This is true for your specific community".

If more people are working from home then they will be using cable or fibre, they will be very unlikely to be video streaming or gaming on cell phones in the street out of reach of their own home wifi, so please provide survey data that backs up your statement that it is "true for your "specific community".

14. From the same email: *"I can assure you that we have the same infrastructure already operating safely in many communities across BC, including in the Cowichan Valley. Plenty of research has been conducted and it is ongoing."*

I have not found any peer reviewed scientific data produced in the last 15 years that states that the infrastructure you refer to is safe, I can only find data that states that it is unsafe, please can you supply me with this research you refer to?

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There are several places that afford the same benefits. connected by logging routes that are easy to excavate, that are 500 meters distant from existing or proposed homes, free of trees. It may cost Rogers slightly more and in turn less mega profits but that is less than the cost to peoples health and finances.

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Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Sunday, May 16, 2021 9:01 PM
To: Council
Cc: briangregg@sitepathconsulting.com
Subject: Telecommunication Tower - Evans Ball Field

I am writing to express my concern and opposition to the proposal of a telecommunication tower in Evans Park, close to Herons Wood where I live.

This is a densely populated and frequented area. The tower should not be situated in a populated area due to the impact on people's health.

I make choices about technology I have in my home, for the sake of my family's health, and I do not want myself or my neighbours health impacted by the tower outside my home.

[REDACTED]
FIPPA s. 22(1)

Sent from my iPhone

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Sunday, May 16, 2021 8:18 PM
To: Council
Cc: [REDACTED] FIPPA s. 22(1)
Subject: Telecommunication Tower Evans Ball Field

North Cowichan Council:

Please reconsider your interest in putting a tower in Evans ball field. Long term health concerns, property devaluations are some of the real issues related to these towers in residential areas. Surely you can find an industrial area close by rather than a residential area if you must have a tower erected. None of you would want a tower in your backyard. Quite frankly, I think you are going in the wrong direction by creating even easier access to spending more time in front of screens.

Make the right decision here and show some concern for the people who are going to have to live close to this tower.

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Monday, May 17, 2021 2:32 PM
To: Council
Subject: 5G tower at Evans park

Hello

I own a house across the the street from Evans Ball Park and wanted to express my deep concerns for the 5G tower that may be going in .

I am 100% against the instalation of a 5G tower being installed. I have 2 young children and do not even have wifi running through my house because the the health concerns I have around any exposure to radiation like this.

I am also extremely disappointed in the lack of notification of this tower . I was not informed of this tower and only by chance came across a post today that said I had until 3 pm today May 17th to voice my concerns its is 2:27 as I write this, not a lot of notice in my opinion.

So yes I vote a HARD NO! at the erection of this cell tower and would like to not have to relocate my family away from the potential exposure of this structure . Thank you.

Sent from my Galaxy

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Monday, May 17, 2021 12:16 PM
To: Council
Subject: Fw: EVANS PARK W5724 Rogers Tower

Hello,

Can you please read below Brian Gregg's responses in green to address my concerns regarding the Evans Park Rogers Tower proposal? Please ask yourself if this is a reliable and intelligent source to inform your decision making.

Thank you,
[REDACTED] FIPPA s. 22(1)

From: [REDACTED] FIPPA s. 22(1)
Sent: May 17, 2021 4:21 AM
To: Brian Gregg <briangregg@sitepathconsulting.com>
Subject: Re: EVANS PARK W5724 Rogers Tower
Hello Brian,

Thank you for responding promptly to my concerns regarding Evans. Is there a reason you are responding to the Evans tower proposal but not the Maple Bay one? Our family is effected by both towers so I sent two letters.

Please see my responses below in orange.

From: Brian Gregg <briangregg@sitepathconsulting.com>
Sent: May 17, 2021 1:24 AM
To: [REDACTED] FIPPA s. 22(1)
Subject: Re: EVANS PARK W5724 Rogers Tower
Good Evening [REDACTED]: FIPPA s. 22(1)

Thanks for sharing your input. My responses are below in green text.

Hello,

We are vehemently opposed to the development of the Rogers tower in Evans Park. The chosen site is too close to residences, an elementary school and at the edge of a recreation ball field. The school kids play here for hours as do the participants of various sports teams. If the tower is erected, we will transfer our children out of this school and switch baseball teams. How could you even consider placing a tower so close to multiple residences and steps away from a recreational ball field?

Similar to other infrastructure, our facilities are proposed in relation to where there is demand on the network for service. As you can imagine, we are increasingly seeing the most demand coming directly from residential areas. Indeed, we are seeing exponentially rising rates of remote working especially since the COVID-19 pandemic and people generally expect their wireless devices to work at home and on the go. This is not only a matter of convenience for business and personal communications, it is also a matter of public safety since more than 70% of all calls to 9-11 are now placed via wireless devices like cell phones.

You may not be aware that another service provider already has an installation at Cowichan Lake Rd and Sherman Rd operating at effectively the same power output with effectively the same or very similar technology. It is a more compact looking installation on a wood utility pole however it is effectively the same otherwise.

This is not a high-density residential area. I know that until recently there was a forest, a soccer field and businesses. The townhouses are a new build.

Further, there are many instances of the wireless carriers safely operating the same type of equipment in parks. For example, we have similar installations in Vancouver at Nat Bailey stadium at a sports field next to Queen Elizabeth Park, a residential area, a rec centre, etc. We also have antennas on the rooftops of many apartments, condos, office buildings, schools and even hospitals including BC Children's Hospital. There are no known elevated health issues at these places as a result of having dependable wireless service.

The distance from the Nat Bailey stadium tower to QE Park and the houses is considerably further than what Rogers is proposing at Evans. The tower at Evans is essentially on the ball field beside the kids playing ball. The houses are directly behind the tower about 15 steps away. The distance from the tower at Nat Bailey to anywhere is further because there is a parking lot surrounding every side of the building.

Many urban communities have much more wireless infrastructure than Duncan yet better health outcomes. Richmond, BC, for example has the longest life expectancy of any community in BC year over year yet it is home to many cell sites, a busy international airport, a regional sewage discharge plant (Iona Point) amongst other types of urban infrastructure. How, then, do we assume that cell sites are directly correlated with poor health outcomes if places like Richmond have the longest life expectancy yet lots of cell sites? Why do people in Duncan not live longer on average than people in other urban areas that have more cell sites? It is a complex matter and there are other more important factors in terms of determinants of health.

The residents of Richmond who have passed away or who are elderly now wouldn't have been exposed to telecommunication towers their entire life. Cell phone towers are a relatively new technology compared to a life span of an eighty-year-old. I really hope as a consulting professional you are not using the lifespan of eighty-year-olds who now live in cities with recently erected cell towers as an argument to support the notion that living with cell towers nearby will result in better health outcomes.

The long-term health risks to the surrounding neighborhood and the users of the recreational trails on the mountain are a big concern. Rogers claims these towers do not present any health concerns, but their research is from Health Canada's Safety Code 6 and Industry Canada, both outdated studies,

2011 and 2015 respectively. Technology has advanced tremendously in the last 7 to 10 years, these documents have no relevance in 2021.

I have been sharing the following information with a few others in your area. However, per federal guidelines, debating the validity of Health Canada's Safety Code 6 is beyond the scope of this consultation.

Regarding health and safety, I can confirm that the wireless carriers are obligated to comply with Health Canada's safety code known as Safety Code 6 and this code regulates all radiofrequency emitting infrastructure (e.g. baby monitors, wi-fi routers, cell phones, radio towers, cell sites etc). Below are some helpful links (one from as recent as 2019) that we often share and attached is a useful literature review from the Chief Medical Health Officer at the Vancouver Coastal Health Authority. In sum, the infrastructure will operate safely as long as we adhere to the safety code as is legally required.<https://www.canada.ca/en/news/archive/2014/11/fact-sheet-what-safety-code-6.html>
<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada/technical-guide.html>

Did you send me the correct attachment and links? The VCH attachment is from 2011. Would you use a cell phone from 2011? This statement from the CMHO at VCH is irrelevant.

The first link is archived because the research is from 2014.

The second link is a technical guide and not dated.

I look forward to receiving an informative and relevant link.

I can assure you that we have the same infrastructure already operating safely in many communities across BC, including in the Cowichan Valley. While this may seem counterintuitive, having a higher density siting of lower powered installations enables us to deliver service in greater compliance with the safety code. When one's phone is connecting to a far away tower, the device has to work harder and at a higher power output to obtain and transmit a dependable signal. Further, while we used to be able site our towers further away from the populations we are serving as we were only delivering voice (cell phone) service, the technology is evolving and as you know many people are downloading data (e.g. video content, emails, large files, etc.). In order to enable reliable wireless high speed internet access or data service, the towers need to be sited closer to the end users, many of whom are increasingly located in residential areas. Ultimately, we are responding to demands that have been rising on our network and the COVID pandemic has caused demand to skyrocket in residential areas due to enhanced levels of remote working. This is true for your specific community.

Your explanation of having more lower powered installations at higher density sites makes sense, and it's not counter intuitive.

Are you writing your response from your cell phone using data? Or are you using your wifi at home to read and respond to this email? If it's your wifi, does it depend on a telecommunications tower being nearby?

I am a Rogers customer because I moved here from the city; however, it doesn't upset me that I have one bar at home because I use wifi at home. It disturbs me that when I go hiking nearby I don't have cellular access whereas my Telus friends do have access, but it is not enough for me to want a tower in a residential neighborhood.

With your previous experience at Telus, as a Senior Real Estate Manager, you know that the Telus towers located in both the Evans and Maple Bay area reign supreme. They are compliant with Safety Code 6. You also know the Evans site is not compliant, and you are trying to push this development forward because as a consultant you want to deliver positive results for your client. What do you personally feel about this tower being developed so close to a high density neighborhood comprised primarily of young families? You are advocating for the development of a tower within 97.3 meters from 18 houses with young families and 437 metres from an elementary school, even closer to the playground. Do you sleep at night?

Residences located in close proximity to towers can expect a property devaluation of 10% to 15%. Our neighbors have consulted with local Realtors to support this. There are few people who would choose to purchase homes located close to a Telecommunication Tower. We will remove our children from the local elementary school if this tower is built.

Regarding property values, I have been sharing the following information with anyone who inquires about this topic.

- **Our understanding is that there is no consistent evidence to suggest a clear positive or negative impact on property values in relation to wireless infrastructure. Anecdotally, some people may prefer to live off the grid away from infrastructure and we also hear from some people who state that they cannot live in areas without dependable service and our infrastructure. I think this is therefore a subjective matter. We often hear from developers who want our infrastructure to service their subdivisions and likewise I sometimes hear from people like yourself who would prefer that the tower go elsewhere or further away.**
- **Perhaps a contrary perspective to consider is that BC Assessment will levy Rogers additional commercial property tax on the subject property if the tower is built as it is deemed an "infrastructure improvement" and is treated as an improvement that will add value to the property value rather than retract from it. This is a nearly \$1 million infrastructure investment and rather than reduce the value of property -- at least from a property tax perspective -- it is the opposite in BC Assessment's eyes.**
- **Ultimately, through our federal regulator, Innovation, Science and Economic Development (ISED) Canada, certain items are excluded from our consultation processes and not considered reasonable or relevant. I mention this gently, as I realize it could sound heavy handed if not cushioned with a disclaimer, but property values, questioning the validity of Health Canada's safety code and certain other items are not considered reasonable concerns in the context of this consultation. Below is a supporting link and the relevant excerpt.**

Concerns that are not relevant include:

- *disputes with members of the public relating to the proponent's service, but unrelated to antenna installations;*
- *potential effects that a proposed antenna system will have on property values or municipal taxes;*
- *questions whether the Radiocommunication Act, this document, Safety Code 6, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.*

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html#sec4.2>

Does BC Assessment calculate the potential health risks of towers into their assessment? Or are they merely calculating the cost of the investment?

In addition to these concerns, we have other questions.

How is Rogers planning on connecting this tower into the network? Fibre optic cables? If cable, then is the placement of the tower critical?

Rogers' transport or backhaul plan is still under review as we only have a conceptual design for the purposes of this consultation. We generally do not get into that level of detail until we have land use approvals in place as it is costly to put together detailed construction drawings in the absence of any land use approvals. However, in an ideal world, we will connect the site via both fibre and via a dish for redundancy purposes in case one system goes down. Having fibre does, at times, allow for some greater siting flexibility as it mitigates the need for us to achieve line of sight to our adjacent tower that we would need to connect to via a dish.

Why is the use of an existing antenna system or structure not possible? There is a tower near Berkley's Corner.

Our engineering team reviewed all existing structures and we are not aware of an existing structure that would enable us to deliver reliable service. Please feel free to share the coordinates of the specific location you would like us to consider.

As a consultant for both Rogers and Telus, is it possible to try and persuade them to see the benefits of sharing telecommunications towers? Can you use your knowledge and power to do more good than harm?

Why is an alternate site not possible? Can you go higher to at least 1000 m? Or select a site, like near North Road that doesn't have nearby residences?

Our engineering team believes that the subject proposed location will enable delivery of high quality data and voice services. When we are delivering data service, we need our facilities closer to where the demand is coming from (i.e. near residential areas and where people live and work). We do not need a site 1000 m up as we already have numerous facilities like that in Duncan to provide coverage. This site is intended to also provide data services to specific areas including residences in the area.

The fact is this site is below the safety standard levels as mandated by Health Canada in Safety Code 6 due to its distance to the nearby residences.

The biggest area where there is improvement to data service is farmland. If the map on page 218 of your proposal is correct, the land north of Drinkwater is farmland and not a high residential area. The high density neighborhood to the east of the tower, the residences who are closest to the tower will not receive an improvement to their data service, but they will be at the highest risk.

What are the steps the proponent took to ensure compliance with the general requirements of this document including the Canadian Environmental Assessment Act (CEAA), Safety Code 6, etc.?

We will follow all required laws. We are generally exempt from the Impact Assessment Act. Safety Code 6 compliance is required by law and we take it seriously. Every site is designed and monitored from time to time to ensure compliance. ISED also monitors compliance via routine audits, I believe.

Will this be installed enabling 5G technology at the outset even though there is no coverage currently in the valley?

The answer to this question depends on how long it takes us to get the site approved. At this time, I am not aware of us proposing 5G technology from the outset as it is not included in the current design. However, as you know, 5G is the future technology evolution on effectively all wireless networks so one can anticipate that 5G will be rolled out in the future. The precise timeline is to be determined and is subject to change. I do not yet have a firm timeline for 5G in your area.

Thank you,

FIPPA s. 22(1)

Thanks [REDACTED]. I would urge a phone call if you have further questions. My cell number is 778 870 1388.

Thank you for your response. I prefer to email than use my cell phone because my Rogers reception is horrible, and it will continue to be even if a cell tower is erected behind my house.

Mona

Brian Gregg | SitePath Consulting Ltd.

2528 Alberta Street, Vancouver, BC V5Y 3L1

Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com

Fax: 604-829-6424 | www.sitepathconsulting.com

FIPPA s. 22(1)

[REDACTED] wrote:

Hello,

We are vehemently opposed to the development of the Rogers tower in Evans Park. The chosen site is too close to residences, an elementary school and at the edge of a recreation ball field. The school kids play here for hours as do the participants of various sports teams. If the tower is erected, we will transfer our children out of this school and switch baseball teams. How could you even consider placing a tower so close to multiple residences and steps away from a recreational ball field?

The long-term health risks to the surrounding neighborhood and the users of the recreational trails on the mountain are a big concern. Rogers claims these towers do not present any health concerns, but their research is from Health Canada's Safety Code 6 and Industry Canada, both outdated studies, 2011 and 2015 respectively. Technology has advanced tremendously in the last 7 to 10 years, these documents have no relevance in 2021.

Residences located in close proximity to towers can expect a property devaluation of 10% to 15%. Our neighbors have consulted with local Realtors to support this. There are few people who would choose to purchase homes located close to a Telecommunication Tower. We will remove our children from the local elementary school if this tower is built.

In addition to these concerns, we have other questions.

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Why is the use of an existing antenna system or structure not possible? There is a tower near Berkley's Corner.

Why is an alternate site not possible? Can you go higher to at least 1000 m? Or select a site, like near North Road that doesn't have nearby residences?

What are the steps the proponent took to ensure compliance with the general requirements of this document including the Canadian Environmental Assessment Act (CEAA), Safety Code 6, etc.?

Will this be installed enabling 5G technology at the outset even though there is no coverage currently in the valley?

Thank you,



FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Monday, May 17, 2021 3:04 PM
To: briangregg@sitepathcounseling.com; Council
Subject: Evans Rogers Tower

To whom it may concern.

I am writing as a concerned parent with a child in Ecole Mount Prevost School and the parent of a keen baseball player. The proposed cell phone tower would tower over the popular sports fields that are incredibly busy and filled with kids nearly every day during the good weather months. The cell tower poses an incredible health threat to children and this is why the Conferderation of Parent Advisory Committees passed a resolution urging School boards and municipalities to prohibit the siting of cell or phone masts in areas used regularly by students.

It does not conform to the recommended distance of 135m from the nearest house as set out by Health Canada. It is also extremely close to a large school and even closer to that schools playground.

This cell mast cannot go ahead as proposed due to the dangers it poses.

Thank you

[REDACTED] FIPPA s. 22(1)
Duncan BC
Sent from [Mail](#) for Windows 10

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 18, 2021 8:59 AM
To: briangregg@sitepathconsulting.com; Council
Subject: RE:EVANS PARK W5724

We are writing this letter to inform you that we strongly oppose the placement of the proposed cell tower at the Evan's Park location. We have been reading in the newspaper and online that many voices have been loud and clear regarding the placement of a tower on Mount Tzouhalem and the voices of the proposed tower at Evan's Park have been quiet. I believe that this is a result of two very different socio-economic areas and the people who live and play in these areas. The Evans Park location is a high density neighborhood consisting of multigenerational families, many whose first language is not English, and seniors who may not be connected to social media. I feel many of these families are not fully aware of what is proposed to happen and many would not feel comfortable voicing their concerns.

We are astounded that there was ever a thought to place this tower so close to a neighborhood, school and a ballpark which is used mainly by our youth.

The acceptance of this cell tower proposal illustrates the Municipalities interest in revenue over a healthy sustainable community.

We urge the Municipality to seek a new site, one that will not impact so many lives.

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 18, 2021 1:05 PM
To: Council
Subject: Re:Evans Tower W5724

To Council Members of
North Cowichan,

FIPPA s. 22(1)

I am writing to you in response to the proposed building of Evans Tower W5724.
I strongly reject this proposal as a citizen of North Cowichan living at [REDACTED] Cowichan lake rd.
We want our community to stay low rise homes buildings and parks, for low to middle class families and semi rural. If you want to build anything ,let it be a larger waterpark or venues that cater to families.
Our neighborhood is already very busy with large trucks going up and down Cowichan lake road,we don't need more traffic being brought to this area.
Please reconsider what the residents of this area are requesting.
Thank you for your time regarding this issue.

Sincerely,
[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 18, 2021 1:31 PM
To: briangregg@sitepathcounseling.com
Cc: Council
Subject: EVANS PARK W5724

To Whom It May Concern:

We are writing to express our concern with the proposed tower @ Evans Park.

This is an area with multiple family dwellings within 97.3 metres of some homes.

We live in the Moorfield Area and do not wish to see the tower placed close to us and the many young families in the neighborhood.

Thank you.

[REDACTED] FIPPA s. 22(1)

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Tuesday, May 18, 2021 10:31 AM
To: briangregg@sitepathconsulting.com; Council
Subject: RE: EVANS PARK W5724 Cell Tower at Evans Field

Hello, I am writing to voice my concern regarding the proposed location of the Rogers Cell Tower at Evans Field in North Cowichan. I live at [REDACTED] s. 22 bordering the school yard, and my family and I walk in Evans ball park regularly. FIPPA s. 22(1)

I find it incomprehensible that this location was even considered for a cell tower. It is a busy well used ball park, in a residential area, and close to a school. Some children would be in close proximity to the cell tower 24 hours a day. With the known health risks of constant exposure to cell towers, this is unacceptable.

The towers need to be placed in an area farther away from homes and schools and recreational facilities, of which there are many in the Cowichan Valley.

Thank you,
[REDACTED] FIPPA s. 22(1)
s. 22

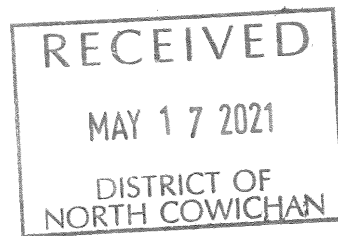
[REDACTED] FIPPA s. 22(1)

██████████ FIPPA s. 22(1)

Duncan, B.C.

██████████ FIPPA s. 22(1)

May 6, 2021



His Worship Mayor Al Siebring,
Municipality of North Cowichan,
Trans-Canada Highway,
Duncan, B.C.

Dear Mayor and Council,

I write to protest the placement of a cellular tower at the Mt. Tzouhalem parking lot. While I appreciate the valuable work done to upgrade and maintain the parking lot and recreational trails on Mt. Tzouhalem, it appears that no-one at the Municipality anticipated the high volume of use and traffic the area would attract or how inadequate the access is to the parking lot.

What was a quiet recreational area is now a highly popular area utilized by people from not just Vancouver Island but also from other parts of the Province. Adding an unsightly tower that will be over 100 feet tall will add more traffic and will increase the industrial look of a residential neighbourhood.

A cell tower will mean a period of heavy vehicle traffic during construction and regular traffic for maintenance thereafter. The result is an increase of traffic in an area that was neither designed nor intended for such use. Roads that were designed and built as smaller "collector" roads are now used daily by a high volume of cyclists, hikers and service vehicles commencing early in the morning until dark. To add heavy construction vehicles and additional service vehicles will result in further damage to the residential area.

Such a tower will be unsightly, and it does not fit with either the recreational aspect of the area or the (formerly) quiet residential area on Kaspia. The tower could easily be placed at a different location on Mt. Tzouhalem. Adding a tower of more than 100 feet in height detracts from the character of the region and adds more activity to an already heavily travelled area. There is a lot of space on Mt. Tzouhalem and another, more suitable location should be found.

Respectfully Yours,

██████████ FIPPA s. 22(1)

Municipality of North Cowichan Council - Regular and Public Hearings MINUTES

**May 19, 2021, 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 (arrived at 1:38 p.m.)
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Sarah Nixon, Deputy Chief Administrative Officer (D/CAO) Talitha Soldera, Director, Financial Services Michelle Martineau, Corporate Officer Jason Birch, Chief Information Officer Shawn Cator, Director, Operations David Conway, Director, Engineering Projects Rob Conway, Director, Planning and Building Martin Drakeley, Manager Fire and Bylaw Services George Farkas, Director, Human Resources and Corporate Planning Tammy Isaachsen, Acting Manager, Communications and Public Engagement Clay Reitsma, Director, Engineering Don Stewart, Director, Parks and Recreation Alyssa Meiner, Information Management Officer Tricia Mayea, Deputy Corporate Officer Dave Preikshot, Senior Environmental Specialist Mairi Campeau, Community Planner Anthony Price, Planning Technician

1. CALL TO ORDER

There being a quorum present, Mayor Siebring called the meeting to order at 1:30 p.m.

2. APPROVAL OF CONSENT AGENDA

The following items were pulled from the Consent Agenda and added to New Business:

- 2.2.1 [Letter from UBCM advising receipt of the Province's response to Council's 2020 Resolution on regulation of soft plastics and other packaging materials],
- 2.2.3 [Letter from Somenos Marsh Wildlife Society requesting that Council provide financial assistance with the cost to repair their vandalized viewing tower],
- 2.2.6 [Email requesting that Council revisit putting a halt on development to address water capacity concerns],
- 2.2.9 [Letter seeking Council's support of the Khenipsen Road Neighborhood Plan they have

developed and that it be incorporated into the Official Community Plan],

- 2.2.10 [Email from Chief Thomas requesting Council match or beat their (\$1,000) donation to the Chemainus Secondary School for an outdoor learning space], and
- 2.2.16 [Emails received in relation to the proposed cell towers at Mount Tzouhalem and Evans Field].

IT WAS MOVED AND SECONDED:

That the remaining items in the Consent Agenda be approved.

CARRIED

2.1 That the following minutes be received for information purposes only:

2.1.1 May 4, 2021 Environmental Advisory Committee ADOPTED ON CONSENT

2.2 That the following correspondence is received for information purposes only:

2.2.2 Email requesting an immediate ban on all plastics

2.2.4 Email requesting a tree protection bylaw to help guide the preservation of trees in the next phase of the Berkey's Corner development and erecting way-finding signage

2.2.5 Email recommending that Council pay residents for collecting road and river trash

2.2.7 Email requesting weekend patrols by bylaw enforcement to address parking issues on Kspa Road

2.2.8 Email requesting that the Island Corridor Foundation repair the rail crossing on Highway 18 east of Somenos Road

2.2.11 Email requesting a ban on use of commercial and residential poisonous rodent traps

2.2.12 Email requesting improvements be made to the sewer pumping station on Highwood Drive

2.2.13 Letter from the District of Mackenzie to the Member of Parliament for Prince George - Peace River - Northern Rockies endorsing the 9-8-8 Crisis Line

2.2.14 City of Kamloops' resolution supporting professional news media as an essential service

2.2.15 Correspondence regarding logging of old-growth forests

ADOPTED ON CONSENT

3. APPROVAL OF REGULAR AGENDA

A notice of motion from Councillor Marsh regarding Management of Municipal Forests, was added as a late item and was added under section 10. Notices of Motions.

IT WAS MOVED AND SECONDED:

That Council adopt the agenda, as amended.

CARRIED

4. ADOPTION OF MINUTES

4.1 Minutes of the regular meeting held May 5, 2021 for adoption

4.2 Minutes of the special meeting held May 11, 2021 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt the minutes of their regular meeting held May 5, 2021 and special meeting held May 11, 2021.

CARRIED

5. MAYOR'S REPORT

The Mayor yielded the floor to Councillor Marsh who reported that today, Wednesday, May 19th, is 'Asset Management Awareness Day' – a day to highlight the importance of sound asset management practices.

6. DELEGATIONS AND PRESENTATIONS

Councillor Toporowski arrived at 1:38 p.m.

6.1 1st Quarter Report for RCMP Activities

Inspector Chris Bear, North Cowichan/Duncan RCMP Detachment, reviewed the 1st quarter report (January - March 2021), the Annual Performance Plan (APP) and the proposal for Chemainus, and answered questions from Council. Council advised Inspector Bear that they will consider endorsement of the APP at his next quarterly update, after the completion of the GAP analysis.

7. PUBLIC INPUT

Council received no public input.

8. BYLAWS

8.1 Zoning Amendment Bylaw (Second Dwelling - 3325 Henry Road), 2020, No. 3811 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Zoning Amendment Bylaw (3325 Henry Road), 2020, No. 3811.

CARRIED

8.2 Bylaw Offence Notice Enforcement Bylaw No. 3677, 2021 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Bylaw Offence Notice Enforcement Bylaw No. 3677, 2021.

(Opposed: Marsh)

CARRIED

8.3 Delegation of Authority Bylaw No. 3814, 2021 for first three readings

IT WAS MOVED AND SECONDED:

That the draft Delegation of Authority Bylaw, No. 3814, 2021, be amended to remove 'Officers' from the CAO's delegated authority under Sections 9.1 and 9.2.

IT WAS MOVED AND SECONDED:

That this item be discussed in Closed Session as Item 14.7, and that consideration of the following motion be deferred until after the Closed Session:

That the draft Delegation of Authority Bylaw, No. 3814, 2021, be amended to remove 'Officers' from the CAO's delegated authority under Sections 9.1 and 9.2.

CARRIED

Following the Closed Session, Council, by unanimous consent, withdrew the motion to amend sections 9.1 and 9.2 of the bylaw.

IT WAS MOVED AND SECONDED:

That Council give first, second, and third readings to "Delegation of Authority Bylaw, No. 3814, 2021".

CARRIED

9. REPORTS

9.1 REPORTS FOR DECISION

9.1.1 ALR00032 ALC Exclusion Application for 2993 River Road

Mairi Campeau, Community Planner, provided a presentation and answered questions of Council.

Sharon Horsburgh, Bayshore Planning, provided a presentation on behalf of the applicant and answered questions of Council.

IT WAS MOVED AND SECONDED:

That Council deny application ALR00032 for exclusion of 2993 River Road from the Agricultural Land Reserve. (Opposed: Manhas, Siebring)

CARRIED

9.1.2 Development Permit with Variance Application No. DPV00003 for 7933 Stoney Hill Road

IT WAS MOVED AND SECONDED:

That application DPV00003 for the construction of a 109.6m² (1180ft²) addition to an existing single-family dwelling at 7933 Stoney Hill Road be approved, and that Council vary Section 13(1)(c) of Zoning Bylaw No. 2950 to reduce the required setback from a watercourse from 15 metres to 3 metres at 7933 Stoney Hill Road.

CARRIED

Council, by unanimous consent, recessed at 3:29 p.m. and reconvened at 3:40 p.m.

9.1.3 Request for Exemption from Flood Construction Requirements - 2431 Beverly Street

IT WAS MOVED AND SECONDED:

That Council grant an exemption for the construction of commercial agricultural buildings at 2431 Beverly Street from the Flood Construction Requirements under Section 14 of Zoning Bylaw No. 2950, subject to lease provisions and the registration of a covenant under section 219 of the *Land Title Act* to:

1. limit the use and development of the land in accordance to what has been certified in the March 29, 2021, Geohazard Assessment Report prepared by Madrone Environmental Services Ltd. as enabling the safe use of the land for the use intended; and
2. establish conditions respecting the reimbursement by the tenant or owner for any expenses that the Municipality of North Cowichan may incur as a result of a breach of the lease or covenant.

CARRIED

9.1.4 Proposed Road Dedication over Municipal Property at the end of Berridge Street

IT WAS MOVED AND SECONDED:

That Council authorize the road dedication as shown on Plan EPP110587 over municipal property at Berridge Street, and authorize the Approving Officer to sign the subdivision plan and register at the Land Title Office. CARRIED

9.1.5 Use of Anticoagulant Rodenticides

IT WAS MOVED AND SECONDED:

That Council:

1. Authorize a complete ban of anticoagulant rodenticides on all District of North Cowichan owned properties; and,
2. Direct staff to communicate the harmful impacts of anticoagulant rodenticides to residents and businesses in the District of North Cowichan and to share findings about alternatives. CARRIED

9.1.6 Public Engagement Plan for Automated Curbside Collection

IT WAS MOVED AND SECONDED:

That Council:

1. approve the Communications and Engagement Plan prepared by ZINC Strategies Inc. regarding collection options in North Cowichan;
2. direct staff to implement the tools and activities in the Plan to obtain public feedback for an automated truck curbside system for solid waste collection; and,
3. direct staff to report back to Council on the results of that engagement. (Opposed: Siebring) CARRIED

9.1.7 Review of Fireworks Bylaw No. 1579

IT WAS MOVED AND SECONDED:

That Council direct staff to draft an update to the North Cowichan Fireworks Bylaw and bring a report to the Committee of the Whole.

(Opposed: Justice, Sawrie)
CARRIED

9.2 REPORTS FOR INFORMATION

None.

10. NOTICES OF MOTIONS

10.1 Management of Municipal Forests

Councillor Marsh provided notice of the following motion which will be considered under New Business at the June 2, 2021 Regular Council meeting:

"Whereas subjective/misinformation regarding possibilities for the future management of the Municipal Forests is being published in local media and on social media, including from former Councillors and others who's opinions could be

accepted by the public as correct, potentially resulting in greater weight and/or bias before the consultation itself has taken place;

And further given that the public has the right to access to the same information Council is privy to, and considering The Municipality reported to the community that consultation will be on hold while Council completes consultations with the Cowichan Nations quite shortly after the 3Green Tree presentation, this has further opened the door for the public to get attached to the incorrect/subjective and incomplete information that is being spread in the community as has been alluded to above;

Therefore be it resolved that Council direct staff to post the video clip by 3GreenTree's Clive Walham, (done before the pause for Cowichan Nations consultations) from the July 7th, 2020, on Municipal Social Media (FB), explaining that misinformation has been circulating and that this is one of potentially many possible options including what cost/benefits it might achieve, and further explaining that Council is open and interested in considering any other suggested options once consultation resumes, and ask the public to subscribe also to the new procedure for direct contact from the Municipality, recently shared by staff so that we can grow our email list for future public information and consultation going forward on this and other files."

11. UNFINISHED AND POSTPONED BUSINESS

11.1 Canadian Union of Postal Workers regarding Delivering Community Power campaign

IT WAS MOVED AND SECONDED:

Whereas there is an urgent need for banking services among the unbanked or underbanked, given that thousands of villages and rural municipalities do not have a bank branch and more than 900 municipalities have expressed their support for postal banking;

Whereas thousands of Canadians do not have access to affordable high-speed Internet, and the federal government has long promised to bridge the rural broadband gap;

Whereas urgent action is needed to establish a robust network of electric vehicle charging stations;

Whereas to achieve carbon-neutral targets by 2050, Canada Post must greatly accelerate the electrification of its fleet;

Whereas the extensive network of post offices in our communities can provide a wide range of services as community hubs;

Whereas Canada Post's letter carriers and RSMCs can check-in on vulnerable residents to help keep us in our homes longer as we age;

Whereas Canada Post must play its part for a more equitable post-pandemic recovery;

Whereas "The Way Forward for Canada Post," the report of the 2016 federal public review of the postal service, recommended that Canada Post expand services and adapt

its services to the changing needs of the public;

Whereas the Canadian Union of Postal Workers has advanced Delivering Community Power, a vision of the post-carbon digital-age postal service that address the above needs and more;

Be it resolved that North Cowichan Council endorse Delivering Community Power, and write to the Honourable Anita Anand, Minister for Public Services and Procurement, with its rationale and a copy of this resolution. (Opposed: Manhas, Siebring)

CARRIED

12. NEW BUSINESS

12.1 Raising the Pride Flag for the month of June

IT WAS MOVED AND SECONDED:

That Council amend the Flag Protocol Policy by adding the following under Section 6 "GUEST FLAGS":

- Commencing in 2021 and proceeding every year from there, the Pride Flag will be flown from June 1 to June 30 on the third pole at the Cowichan Aquatic Centre.

CARRIED

12.2 Letter of support from the Khowutzun Forest Services

IT WAS MOVED AND SECONDED:

That the Mayor be authorized to write a letter in support of the Khowutzun Forest Services' (KFS) request to participate in Growing Canada's Forest Program, in order to plant trees in the Cowichan Watershed.

CARRIED

12.3 Consent Agenda Item 2.2.1 [Letter from UBCM advising receipt of the Province's response to Council's 2020 Resolution on regulation of soft plastics and other packaging materials]

This item was discussed.

12.4 Consent Agenda Item 2.2.3 [Letter from Somenos Marsh Wildlife Society requesting that Council provide financial assistance with the cost to repair their vandalized viewing tower]

This item was discussed. Staff will prepare a report to Council on insurance details and provide options on their request for funding.

12.5 Consent Agenda Item 2.2.6 [Email requesting that Council revisit putting a halt on development to address water capacity concerns]

This item was discussed. Staff will provide a memo to Council with information on the capacity of the watershed and information on asset management.

12.6 Consent Agenda Item 2.2.9 [Letter seeking Council's support of the Khenipsen Road Neighborhood Plan they have developed and that it be incorporated into the Official Community Plan]

This item was discussed.

12.7 Consent Agenda Item 2.2.10 [Email from Chief Thomas requesting Council match or beat their (\$1,000) donation to the Chemainus Secondary School for an outdoor learning space]

This item was discussed.

12.8 Consent Agenda Item 2.2.16 [Emails received in relation to the proposed cell towers at Mount Tzouhalem and Evans Field]

IT WAS MOVED AND SECONDED:

That Council direct staff to communicate to Rogers Communications that, as the Municipality is currently developing a Communications Tower/Antenna Systems Approval Policy, we are not interested in entering into Licences of Occupation for the sites identified near Kasma Road and Evans Park.

(Opposed: Sawrie)

CARRIED

13. QUESTION PERIOD

No questions were submitted using the online platform.

16. ADJOURN COUNCIL MEETING TO RECONVENE AT 6:00 P.M.

Council, by unanimous consent, extended the meeting to 6:00 p.m. and then recessed at 5:29 p.m.

The meeting was reconvened at 6:00 p.m.

Council, by unanimous consent, suspended the rules and deferred the Closed Session in order to convene public hearing at this time.

17. PUBLIC HEARINGS 6:00 P.M.

Council reconvened the meeting at 6:00 p.m.

17.1 Public Hearing Zoning Amendment Bylaw (1379 Maple Bay Road), 2021, No. 3822

Mayor Siebring outlined the public hearing process and called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw (1379 Maple Bay Road), 2021, No. 3822.

The Corporate Officer noted that no submissions have been received in relation to the Zoning Amendment Bylaw (1379 Maple Bay Road), 2021, No. 3822.

Council then received a presentation from Mairi Campeau, Community Planner who introduced the proposed amendment and answered questions of Council.

Council then heard briefly from the applicant.

The Corporate Officer noted that late submissions have been received in relation to the Zoning Amendment Bylaw (1379 Maple Bay Road), 2021, No. 3822.

The Mayor called for submissions from members of the public for a first time. No one wished to speak to the application.

The Mayor called for submissions from the public for a second and third time. No one wished to speak to the application.

Mayor Siebring closed the public hearing for Zoning Amendment Bylaw (1379 Maple Bay Road), 2021, No. 3822 at 6:13 p.m.

18. RESUME COUNCIL MEETING TO CONSIDER THE BYLAWS

The Council meeting resumed at 6:13 p.m.

18.1 Zoning Amendment Bylaw (1379 Maple Bay Road), 2021, No. 3822

IT WAS MOVED AND SECONDED:

That Council give third reading to Zoning Amendment Bylaw (1379 Maple Bay Road), 2021", No. 3822 to permit a second dwelling at 1379 Maple Bay Road. CARRIED

14. CLOSED SESSION

IT WAS MOVED AND SECONDED:

That Council close the May 19, 2021 Regular Council meeting at 6:14 p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- 90(1)(a) - *personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- 90(1)(c) *labour relations or other employee relations.*
- 90(1)(e) - *the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- 90(1)(i) - *the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- 90(1)(k) - *negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;*

CARRIED

14.1 Minutes from the May 5, 2021 Closed meeting for adoption

14.2 Closed under section 90(1)(i) Legal Advice

14.3 Closed under section 90(1)(i) Legal Advice

14.4 Closed under section 90(1)(e) Land Matter

14.5 Closed under section 90(1)(e) Land Matter, and 90(1)(k) Negotiations

14.6 Closed under section 90(1)(c) Other Employee Relations

14.7 Closed under section 90(1)(a) Personnel Matter

Council reconvened the open meeting at 8:26 p.m.

15. RISE AND REPORT

Council rose without report at 8.26 p.m. to return to the open, and then considered the motion that was deferred and the recommendation regarding the Delegation of Authority Bylaw No. 3814, 2021 (see item 8.3).

19. ADJOURNMENT

IT WAS MOVED AND SECONDED:

That Council adjourn the meeting at 8:34 p.m.

CARRIED

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: May 20, 2021

Name of Applicant: Bernie Willock On behalf of: Cowichan Valley Intentional Recovery 

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


Email: [REDACTED] FIPPA s. 22(1) Phone: [REDACTED] FIPPA s. 22(1)

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.

To make a short presentation to council regarding the Therapeutic Recovery Community proposed for women at the St. Joseph's School property located at 9745 Elm St., Chemanius, BC.

1. Present a description of the current state of the property and the proposed development plans.
 2. Describe the subdivision plans to ensure longevity of existing church use and faith community activities.
 3. Describe proposed renovation plans to convert exiting school from institutional to residential use.
 4. Describe due diligence done to date with Municipal staff, architect, structural, mechanical, and electrical consultants.
 5. Introduce the community recovery model to be implemented upon completion of renovations.
- 

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

Please advise how many separate connections will be required: _____

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 _____



The Corporation of the District of North Cowichan

Delegation of Authority Bylaw, 2021

Bylaw 3814

A bylaw to provide for the delegation of certain powers, duties and functions, including those specifically established by an enactment, to its officers and employees

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31	Title

WHEREAS Division 6 of Part 5 of the *Community Charter* empowers a municipal council, by bylaw, to delegate its powers, duties and functions, including those specifically established by an enactment, to the extent provided;

AND WHEREAS Council considers that there are a number of circumstances where delegation of certain of its powers, duties and functions would foster good government;

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

Interpretation

1 (1) In this bylaw:

"Approving Officer" means the person so appointed under section 77 [*Appointment of municipal approving officers*] of the *Land Title Act*;

"Audit Committee" means the standing committee of Council established under section 170 [*Audit committee*] of the *Community Charter*;

"Authorized 10k Purchaser" means a person appointed by the Chief Administrative Officer as the Aquatic Centre Maintenance Supervisor, Chief Maintenance Ice Maker, Chief Treatment Plant Operator, a foreman, and all exempt staff;

"Authorized 75k Purchaser" means a person appointed by the Chief Administrative Officer as a Senior Manager, Manager, Assistant Manager, Officer (exempt), or the Municipal Forester;

"Authorized 200k Purchaser" means the Deputy Chief Administrative Officer, the Financial Officer, the Corporate Officer, a person appointed by the Chief Administrative Officer as a Director, or the Chief Information Officer;

"Chief Administrative Officer" means the municipal officer appointed under section 147 [*Chief administrative officer*] of the *Community Charter*;

"Corporate Officer" means the municipal officer appointed under section 148 [*Corporate officer*] of the *Community Charter*;

"Chief Information Officer" means the person so appointed by the Chief Administrative Officer;

"Director of Engineering" means the person so appointed by the Chief Administrative Officer;

"Director of Parks and Recreation" means the person so appointed by the Chief Administrative Officer;

"Director of Planning and Building" means the person so appointed by the Chief Administrative Officer;

"Financial Officer" means the municipal officer appointed under section 149 [*Financial officer*] of the *Community Charter*;

"Local Assistant to the Fire Commissioner" means a person authorized to exercise the powers of a local assistant under the *Fire Services Act*;

"Manager, Bylaw and Business Licensing Services" means the person so appointed by the Chief Administrative Officer;

"Municipal Forester" means the person so appointed by the Chief Administrative Officer;

"Officer" means the Chief Administrative Officer, the Corporate Officer, the Financial Officer, and any other officer position established pursuant to section 146 [*Officer positions*] of the *Community Charter*.

- (2) Where this bylaw delegates a power, duty or function of Council to a named position, the delegation is to the person who holds the position, and to any person who is the deputy of, or who is authorized to act for, that person.
- (3) Unless a power, duty or function of Council has been expressly delegated by this bylaw or another municipal bylaw, the powers, duties and functions of Council remain with Council.
- (4) A person to whom a power, duty or function has been delegated under this bylaw, or another bylaw, has no authority to further delegate to another person any power, duty or function that has been delegated to them by this bylaw.

Committee of the whole

- 2 Council delegates its powers to give direction to staff on matters being considered by the committee of the whole to the committee of the whole.

Municipal audit

- 3 Council delegates its powers, duties and functions under Division 2 of Part 6 of the *Community Charter* to the Audit Committee.

Parcel tax roll review panel

- 4 Council delegates its duty under section 204 (2) (b) and (c) [*Parcel tax roll review panel*] of the *Community Charter* to the Financial Officer.

Notices

- 5
 - (1) Council delegates its duty to give notice under the following sections of the *Community Charter* to the Corporate Officer:
 - (a) Section 26 (1) [*Notice of proposed property disposition*];
 - (b) Section 40 (3) [*Permanent closure and removal of highway dedication*];
 - (c) Section 59 (2) and (3) [*Powers to require and prohibit*]; and
 - (d) Section 127 (1) (b) [*Notice of council meetings*].
 - (2) Council delegates its duty to give notice under the following sections of the *Community Charter* to the Financial Officer:
 - (a) Section 99 (3) [*Annual meeting on report*]; and
 - (b) Section 227 (1) [*Notice of permissive tax exemptions*].
 - (3) Council delegates its duty to give and file notices under the following sections of the *Local Government Act* to the Director of Planning and Building:
 - (a) Section 466 (1) [*Notice of public hearing*];
 - (b) Section 467 (1) [*Notice if public hearing waived*];
 - (c) Section 494 (1) [*Public notice and hearing requirements*];
 - (d) Section 499 (1) [*Notice to affected property owners and tenants*];

- (e) Section 503 (1) and (3) [*Notice of permit on land title*]; and
 - (f) Section 594 (1) [*Notice on land titles*].
- (4) Council delegates its duty to give and file notices under section 29 (2) [*Exclusion applications – notice of public hearing*] of the *Agricultural Land Commission Act* to the Director of Planning and Building.

Business licences

- 6** Council delegates its powers, duties and functions under sections 8(6), 15 and 60 of the *Community Charter* to grant, refuse, suspend, or cancel a business licence to the Manager, Bylaw and Business Licensing Services.

Business licences - reconsideration

- 7**
- (1) A business licence applicant or holder that is subject to a decision made under the delegated authority under section 6 of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section.
 - (2) Where a business licence applicant or holder wishes to have Council reconsider a decision made under the delegated authority under section 6 of this bylaw:
 - (a) The business licence applicant or holder must, within 30 days of the decision having been communicated to the business licence applicant or holder, make an application in writing to the Corporate Officer, which application must include the following:
 - (i) a description of the decision sought to be reconsidered by Council;
 - (ii) the date of the decision;
 - (iii) the name of the delegate who made the decision;
 - (iv) the grounds on which reconsideration is being requested; and
 - (v) a copy of any materials that the business licence applicant or holder wishes Council to take into account when reconsidering the decision.
 - (b) Council must reconsider the decision at a regular meeting of Council held within a reasonable period of time after the date on which the application for reconsideration was delivered to the Corporate Officer.
 - (c) The Corporate Officer must:
 - (i) Place the reconsideration of the decision on the agenda for a regular meeting of Council in accordance with paragraph (b) above; and
 - (ii) Before the reconsideration of the decision by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered, and a copy of all materials submitted by the business licence applicant or holder to the Corporate Officer as part of the application for reconsideration.
 - (d) In reconsidering the decision the Council must consider all the material before it.
 - (e) At the meeting at which Council is to reconsider the decision, Council will first hear from staff in relation to the subject matter of the decision and in relation to

the decision itself, and will then hear from the business licence applicant or holder. Council may then hear from staff in relation to any new information raised by the business licence applicant or holder in its submissions to Council.

- (f) Council is entitled to adjourn the reconsideration of the decision; and
- (g) After hearing from staff and the business licence applicant or holder, Council will reconsider the decision and may either confirm the decision, amend the decision, or set aside the decision and substitute the decision of Council.

Outdoor burning ban

- 8 Council delegates its powers under section 8(3)(g) of the *Community Charter* to ban outdoor burning in all or part of the municipality to the Local Assistant to the Fire Commissioner, subject to a fire hazard existing, the ban being for not more than 90 days, and the public promptly being notified of the ban.

Personnel administration and appointments

- 9
- (1) Council delegates its powers to appoint, promote, and discipline Officers (other than the Chief Administrative Officer) and employees to the Chief Administrative Officer.
 - (2) Council delegates its power to approve compensation for Officers (other than the Chief Administrative Officer) and employees to the Chief Administrative Officer, subject to sufficient funds having been allocated and approved by Council under the financial plan bylaw.
 - (3) Council delegates its powers to terminate the employment of employees for cause to the Chief Administrative Officer.
 - (4) Council delegates its powers to terminate the employment of employees without cause to the Chief Administrative Officer, subject to any severance paid to the employee being in accordance with the notice provisions of any applicable employment agreement or the common law principles applicable to payments in lieu of notice on termination of employment, and sufficient funds having been allocated and approved by Council under the financial plan bylaw.
 - (5) Council delegates its powers to settle labour grievances or disputes to the Chief Administrative Officer, subject to the settlement being in accordance with common law principles and sufficient funds having been allocated and approved by Council under the financial plan bylaw to satisfy the settlement.
 - (6) Council delegates its powers to appoint Bylaw Enforcement Officers under s. 36 [*bylaw enforcement officers*] of the *Police Act* to the Chief Administrative Officer.
 - (7) Council delegates its powers to appoint Weed Control Officers under s. 10 [*weed control officers*] of the *Weed Control Act* to the Director of Engineering.
 - (8) Council delegates its powers to appoint Approving Officers under section 77 [*Appointment of municipal approving officers*] of the *Land Title Act* to the Chief Administrative Officer.

Agreements - procurement

- 10**
- (1) Council delegates its powers to enter into agreements for the purchase of works, services, or goods having a value of not more than \$500,000.00 to the Chief Administrative Officer.
 - (2) Council delegates its powers to enter into agreements for the purchase of works, services, or goods having a value of not more than \$200,000.00 to the Financial Officer, and to the Authorized 200k Purchaser with responsibility for the area of Municipal operations for which the works, services, or goods relate.
 - (3) Council delegates its powers to enter into agreements for the purchase of works, services, or goods having a value of not more than \$75,000.00 to the Authorized 75k Purchaser with responsibility for the area of Municipal operations for which the works, services, or goods relate.
 - (4) Council delegates its powers to enter into agreements for the purchase of works, services, or goods having a value of not more than \$10,000.00 to the Authorized 10k Purchaser with responsibility for the area of Municipal operations for which the works, services, or goods relate.
 - (5) For the purpose of subsections (1) to (4) above, the delegated authority to enter into an agreement is subject to the agreement not requiring the approval or consent of the electors and sufficient funds having been allocated and approved by Council under the financial plan bylaw, and, without limiting the substance of the discretion delegated therein, such discretion is subject to the delegate adhering to the procurement processes endorsed by Council from time to time.

Agreements - miscellaneous

- 11**
- (1) Council delegates the power to enter into agreements in relation to grant monies for approved projects to the Financial Officer.
 - (2) Council delegates its powers to enter into agreements for information sharing to the Chief Information Officer.
 - (3) Council delegates its powers to enter into agreements for boat moorage at municipally-owned or operated wharves to the Director of Parks and Recreation.
 - (4) Council delegates its powers to enter into agreements for the following purposes to the Director of Parks and Recreation:
 - (a) Facility use or rental agreements for municipal recreation facilities;
 - (b) Rental agreements for parks and municipal forest reserve lands, subject to the agreement being for a term of not more than 12 months; and
 - (c) Health promotion and rehabilitation service agreements, subject to sufficient funds having been allocated and approved by Council under the financial plan bylaw.
 - (5) Council delegates its powers to amend, renew, extend or suspend agreements previously approved and authorized by Council or under a delegated authority under this bylaw to the Chief Administrative Officer.

Settlement of claims

- 12** Council delegates its powers to settle claims, whether legal proceedings have been commenced or not, to the Chief Administrative Officer, subject to the settlement being for not more than \$50,000.00 and sufficient funds having been allocated and approved by Council under the financial plan bylaw to satisfy the settlement.

Bylaw enforcement

- 13** (1) Council delegates its powers to commence and prosecute bylaw enforcement proceedings under section 274 [*Actions by municipality*] of the *Community Charter* to the Manager, Bylaw and Business Licensing Services, subject to there being urgency in the commencement of the proceedings, and the Chief Administrative Officer reporting to Council, as soon as reasonably practicable, at a regular meeting of Council as to the commencement of the proceedings, the urgency necessitating commencement of the proceedings, and the status of the proceedings.
- (2) Council delegates its duty under section 269 (1) [*Hearing of disputes*] of the *Community Charter* to refer disputed tickets to the Provincial Court for a hearing to the Manager, Bylaw and Business Licensing Services.

Land sales

- 14** Council delegates its powers to dispose of municipal land, or an interest in municipal land, to the Chief Administrative Officer, subject to Council having first passed a resolution authorizing the disposition of the land or interest in it, and the disposition being for a price that is not less than 95% of the value set by Council in its resolution authorizing the disposition of the land or interest in it.

Land purchases

- 15** Council delegates its powers to acquire land, or interests in land, to the Chief Administrative Officer, subject to the purchase being for a municipal project approved by Council and sufficient funds having been allocated and approved by Council under the financial plan bylaw.

Registration of road dedication, statutory rights-of-way and covenants

- 16** Council delegates its powers to authorize the registration of road dedication plans, statutory rights-of-way and covenants over lands, to:
- (a) the Approving Officer, where required as a condition of a subdivision approval or an engineering approval; and
- (b) the Director of Planning and Building, where required as a condition of a planning approval or building approval.

Builders liens

- 17** Council delegates its powers to file and discharge notices of interest under the *Builders Lien Act* to the Director of Planning and Building.

Discharge of obsolete charges

- 18** Council delegates its powers to discharge obsolete charges and legal notations from the title to real property to:
- (a) the Approving Officer, where no longer required for subdivision or engineering purposes; and
 - (b) the Director of Planning and Building, where no longer required for planning or building purposes.

Encroachments within rights of way

- 19** Council delegates its powers to authorize encroachments within road and other rights-of-way to the Director of Engineering.

Temporary municipal land and street use

- 20**
- (1) Council delegates its powers to issue licences of occupation for non-exclusive uses of municipal land to the Chief Administrative Officer, subject to the licence being for a term of not more than 12 months.
 - (2) Council delegates its powers to authorize sub-leases or sub-licences of municipal property, and to assign municipal leases and licences, to the Chief Administrative Officer.
 - (3) Council delegates its powers to issue special event permits for temporary, non-exclusive uses of
 - (a) municipal land and road (including temporary private uses or occupation of municipal streets) to the Director of Engineering, and
 - (b) municipal parks and recreational areas to the Director of Parks and Recreation, subject to the permit being for a term not more than 14 days.
 - (4) Council delegates its powers to authorize the installation of additional equipment on existing telecommunications towers on municipal property to the Chief Administrative Officer.
 - (5) For the purpose of subsections (1) to (4) above, the Chief Administrative Officer, Director of Engineering, and the Director of Parks and Recreation may set conditions, including conditions relating to compensation, indemnification, insurance, security, machinery, equipment, times of use, and compliance with applicable laws and any restrictions on title to property to which the licence or permit relates.

Municipal Forest Reserve closure

- 21** Council delegates its powers to close or restrict use of all or part of the Municipal Forest Reserve, or lands managed for forestry purposes, to the Municipal Forester, subject to the closure or restriction as to use being during active forestry operations or being necessary to protect against a danger of fire or another danger, and the public being promptly notified of the closure or restriction.

Land use approvals

- 22** (1) Council delegates its powers, duties and functions under sections 490 [*Development permits*] and 491 [*Development permits: specific authorities*] of the *Local Government Act*, to the Director of Planning and Building, subject to there being no variances of municipal bylaws involved.
- (2) Council delegates its powers under section 493(1)(a) [*Temporary use permits for designated and other areas*] of the *Local Government Act* to the Director of Planning and Building in order to:
- (a) approve temporary use permits to allow property owners to continue to occupy an existing dwelling while a replacement dwelling is under construction; and
 - (b) sign temporary use permits approved by Council.
- (3) Council delegates its powers to require security under section 502 [*Requirement for security as a condition of land use permit*] of the *Local Government Act* in respect of matters delegated under subsections (1) and (2) above to the Director of Planning and Building.

Land use approvals – reconsideration

- 23** (1) The owner of land who is subject to a decision made under the delegated authority under section 22 of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section.
- (2) Where the owner wishes to have Council reconsider a decision made under the delegated authority under section 22 of this bylaw:
- (a) The owner must, within 30 days of the decision having been communicated to the owner, make an application in writing to the Corporate Officer, which application must include the following:
 - (i) a description of the decision sought to be reconsidered by Council;
 - (ii) the date of the decision;
 - (iii) the name of the delegate who made the decision;
 - (iv) the grounds on which reconsideration is being requested; and
 - (v) a copy of any materials that the owner wishes Council to take into account when reconsidering the decision.
 - (b) Council must reconsider the decision at a regular meeting of Council held within a reasonable period of time after the date on which the application for reconsideration was delivered to the Corporate Officer.
 - (c) The Corporate Officer must:
 - (i) Place the reconsideration of the decision on the agenda for a regular meeting of Council in accordance with paragraph (b) above;
 - (ii) Give notice of reconsideration of the decision in accordance with any notice requirements applicable to the original decision; and

- (iii) Before the reconsideration of the decision by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered, and a copy of all materials submitted by the owner to the Corporate Officer as part of the application for reconsideration.
- (d) In reconsidering the decision the Council must consider all the material before it.
- (e) At the meeting at which Council is to reconsider the decision, Council will first hear from staff in relation to the subject matter of the decision and in relation to the decision itself, and will then hear from the owner. Council may then hear from staff in relation to any new information raised by the owner in its submissions to Council.
- (f) Council is entitled to adjourn the reconsideration of the decision; and
- (g) After hearing from staff and the owner, Council will reconsider the decision and may either confirm the decision, amend the decision, or set aside the decision and substitute the decision of Council.

Parcel frontage exemptions

- 24** Council delegates its powers to exempt a parcel from the minimum amount of frontage on a highway required under section 512 (2) [*Minimum parcel frontage on highway*] of the *Local Government Act* to the Approving Officer.

Strata conversions

- 25** Council delegates its powers under section 242(10)(a) [*Approval for conversion of previously occupied buildings*] of the *Strata Property Act* to approve strata conversions to the Approving Officer, subject to the conversion being in relation to a two-family residential building.

Works and services agreements

- 26** Council delegates its powers to enter into agreements for works and services under section 5 of the Works and Services Bylaw 1986, as amended or replaced from time to time, to the Director of Engineering.

Excess or extended services

- 27** Council delegates its powers, duties and functions under sections 507 [*Requirements for excess or extended services*] and 508 [*Latecomer charges and cost recovery for excess or extended services*] of the *Local Government Act* to the Director of Engineering.

Petitions for local area services

- 28** Council delegates its powers to require that petitions for local area services include information in addition to that which is required under section 212 (2) [*Petition for local area service*] of the *Community Charter* to the Director of Engineering.

Severability

- 29** If any provision of this bylaw is, for any reason, found invalid by a court of competent jurisdiction, the provision must be severed and the remainder of the bylaw left enforceable and in effect.

Repeal

30 "Delegation of Authority Bylaw No. 3734, 2019" and all amendments thereto, is repealed.

Title

31 This bylaw may be cited as "Delegation of Authority Bylaw No. 3814, 2021".

READ a first time on May 19, 2021

READ a second time on May 19, 2021

READ a third time on May 19, 2021

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER



The Corporation of the District of North Cowichan
Nuisance Abatement and Cost Recovery Amendment Bylaw
Bylaw 3832

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 "Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3832, 2021".

Amendment

2. That Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020 is hereby amended as follows:

- a. By inserting the following definitions for "Noxious Weeds" and "Weed Control Officer" under section 6.1:

"NOXIOUS WEED shall include:

- Blueweed (*Echium vulgare*);
- Garlic Mustard (*Alliaria petiolata*);
- Giant Hogweed (*Heracleum mantegazzianum*);
- Gorse (*Ulex Europaeus*);
- Knotweeds (*Fallopia spp. and Polygonum spp.*);
- Poison Hemlock (*Conium maculatum*); and
- Wild Chervil (*Anthriscus sylvestris*).

WEED CONTROL OFFICER means the person appointed by the Director of Engineering in accordance with the Delegation of Authority Bylaw."

- b. By deleting section 5.2 in relation to the issuance of a Weeds, Graffiti and Litter Order and inserting the following in its place:

"5.2. If a Bylaw Compliance Officer determines that real property contains grass, weeds or trees that are overgrown, graffiti or strewn litter, the Manager of Bylaw and Business Licensing Services may issue a Weeds, Graffiti and Litter Order."

- c. By inserting the following new section 5.2.1 under Part 5 Nuisance Abatement:

"5.2.1 If a Weed Control Officer determines that real property contains Noxious Weeds present or growing thereon, the Weed Control Officer shall give notice writing to the owner or occupier of such condition and require the owner or occupier to comply with the provisions set out under the *Weed Control Act* and *Weed Control*

Regulation (BC Reg. 66/85) within no less than 5 business days from the date of such notice."


- d. By deleting section 5.6 in relation to the issuance of a Clean Up Order and inserting the following in its place:
 - "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 Bylaw and Business Licensing Services may issue a Clean Up Order."
- e. By deleting section 5.8 in relation to a person who is evading receipt of a Clean Up Order and inserting the following in its place:
 - "5.8. If the Manager of Bylaw and Business Licensing Services concludes that a person is evading receipt of a Clean Up Order, the Manager of Bylaw and Business Licensing 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."
- f. By deleting section 5.13 in relation to the removal of items from a property and inserting the following in its place:
 - "5.13. If the District's action on default includes the removal of one or more items from a property, the Manager of Bylaw and Business Licensing Services may, as the Manager of Bylaw and Business Licensing 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."
- g. By inserting "the Manager of Bylaw and Business Licensing" and "a Weed Control Officer", in the list under section 5.14, as authorized persons to enter onto property to conduct an inspection:
 - "(i) the Manager of Bylaw and Business Licensing Services; and
 - (j) a Weed Control Officer."

READ a first time on May 5, 2021
READ a second time on May 5, 2021
READ a third time on May 5, 2021
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Report

Date	June 2, 2021	File: ZB000145
To	Council	Folio No. 00811.001
From	Glenn Morris, Development Planning Coordinator	File No. 3360-20 20.18
Subject	Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 for first and second readings	Endorsed: 

Purpose

To introduce Zoning Bylaw Amendment Application No. ZB000145 and for Council to consider giving first and second readings to Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824, which proposes a site-specific zoning amendment to permit the use and construction of an apartment building on a vacant lot at located on the corner of Skinner Road and Cowichan Lake Road.

Background

The .57 ha (1.41 acre) subject property is located on the corner of Skinner and Lake Cowichan roads, directly south of and adjacent to the newly constructed Berkey's Corner Shopping Centre (Attachments 1 and 2). The subject property (Lot A, Plan EPP95112) is designated Neighbourhood Commercial under the Official Community Plan (OCP), within the Urban Containment Boundary and shares the Commercial General (C2) Zoning (Attachment 9) with the adjacent Berkey's Corner Shopping Centre to the north on Lot B (Attachment 4). Both sites were rezoned from Residential One and Two Family Zone (R3) to C2 in June 2016.

Land Use Context

Lands directly north and east share commercial zoning, providing for neighbourhood scale retail commercial use. Lands south and west are predominantly multifamily and detached residential use (Attachment 3). Directly northeast, are established recreational use lands (Sherman Road Soccer Fields) with the expectation for continued residential growth to the west at the end of Skinner Road with a mix of housing types.

Proposal

The applicant is requesting a zoning amendment to allow '*apartment*' as a permitted use on the subject property (Attachment 5). The C2 zone currently provides for a *mixed use building*, defined in Zoning Bylaw 2950 as:

A building wherein there are two or more single dwelling units and at least the entire bottom floor of the building used for commercial purposes.

The applicant requests an amendment that would remove the requirement for commercial use and allow residential units to be constructed on the ground floor.

The apartment building would provide 41 one-bedroom and 25 two-bedroom units (66 units in total) (Attachment 10). The proposed building and development generally complies with the OCP site planning principles and guidelines. It is adjacent to Cowichan Lake Road and promotes an attractive and human-scale streetscape through active use and access at the public street level for the ground floor units with parking located out of view to the rear of the building.

Particular attention has been given to the site for a pedestrian-friendly design integrating a high level of connectivity through trail connections and pedestrian access for both the north and south lots, the Cowichan Valley Trail (CVT) and Skinner and Cowichan Lake Roads (Attachment 6).

Housing Agreement – Apartment Building

The applicant intends to enter into a housing agreement with BC Housing, which would through approval by BC Housing prohibit the apartment units from being sold individually for ten years from date of building occupancy, thus securing rental tenure only for the building for the ten years.

This agreement with BC Housing is to be formalized by registering a covenant on the title between the applicant - Forum, BC Housing, and the Municipality of North Cowichan. The Municipality must be named in the covenant to ensure that the covenant will not be removed from title without prior Council approval.

As the zoning must be in place in advance of Forum making an application to BC Housing for the housing agreement, registration of a covenant on title prior to Council adoption of the Bylaw confirming the applicant's commitment to maintaining rental tenure only apartments for ten years from the date of building occupancy is recommended. Forum is agreeable to this approach and has committed to covenanting the amenity and assurances listed under the Applicant Commitments section in the following pages of this report.

Development Permits and Variances

A development permit is required prior to construction on the subject property under either the current zoning or the proposed *apartment* use. Any relaxation of zoning regulations will require a variance authorized by Council. The development plans submitted with this zoning amendment application identify a need for two variances: one to reduce the required number of on-site parking stalls from 109 to 86 and the other to increase the maximum permitted height of the proposed apartment building from 12.0 metres to 15.0 metres. A parking study prepared by Watt Consulting supporting the parking relaxation has been submitted with the subject application for information (Attachment 7). These variance requests will be considered through a subsequent development permit application process should the zoning amendment bylaw be adopted.

The subject property currently has a number of mature trees on it that will be removed to accommodate future development. The applicant intends to retain and transplant Oregon Ash trees from the site and incorporate them into the project landscaping. A development permit has been issued for preliminary site clearing, and additional requirements will be established through the development permit for future development. Tree removal and land clearing activities during bird nesting season (Feb. 1 to Aug. 15) are required to be done according to the Migratory Birds Convention Act and the BC Wildlife Act.

Applicant Commitments

The applicant has committed to providing the amenities and assurances listed below to be secured by a covenant registered against the title of the subject property prior to Bylaw adoption. The amenities to be provided and registration on the title of the easement is to be completed prior to building occupancy:

1. The units in the apartment building are to be rental tenure only and prohibited from being sold into individual ownership for a period dating ten years from the date of building occupancy.
2. A bike storage and bike share program per the recommendations of the March 12, 2021 Watt Consulting Berkey's Corner Parking Study report.
3. A pedestrian – cyclist pathway is to be constructed and maintained between Lot A and Lot B Plan EPP95112. Registration of an easement on the title for each lot with North Cowichan named (no release of the easement without prior Municipal approval) will secure the access. A design drawing acceptable to the Municipality is to be incorporated into the covenant detailing the pedestrian - cyclist access placement on the north boundary of Lot A, materials, grade of the ramp, dimensions, railings, surrounding grades, landscaping and lighting.
4. A passive green space installed on the west property boundary providing access from the CVT to the Lot A parking lot is to be constructed. The green space is intended to save some existing trees, accommodate Oregon Ash transplants, and be protected by pole lighting for safety and provide value added light throw onto the CVT for trail users. This commitment will be addressed in detail through the subsequent form and character development permit.
5. A sidewalk installation, constructed to Municipal Engineering Specifications for the Skinner Road frontage along the south lot line from Cowichan Lake Road to the CVT.

Discussion

Policy considerations relevant to this application are:

Official Community Plan (OCP)

2.2.2.1 The Municipality recognizes the importance of clean air to the health and well-being of residents and will work to protect clean air in North Cowichan.

- c) *The Municipality will encourage reduced vehicle emissions by discouraging idling and excessive use of vehicles and by emphasizing transit use, cycling, walking and other alternatives.*

Because it is located adjacent to existing commercial services, tenants will not have to rely on a car to shop. The provision for 66 internal secure bike lockers with a proportion provided for charging stations and a bike-share program (Watt Consulting Report –Attachment 7) will help promote greater use of bicycles. The vehicle parking provided is necessary for those who choose to own and operate a vehicle.

2.4.5.1 The Municipality will encourage a broad range of commercial activity.

- d) *The Municipality encourages and supports mixed commercial and residential uses. The Municipality has designated lands for mixed commercial and residential use in the following areas, to accommodate future commercial development: The area bounded by Cowichan Lake Road, Marsh*

Road and Skinner Road in the Berkey's Corner area currently zoned R3-Residential One and Two Family Zone.

- e) *The Municipality will encourage residential uses above ground-floor commercial use in commercial cores and neighbourhood commercial centres where sewer service is available.*

Policy e) supports upper-level residential uses where ground-floor commercial services are provided. Residential units were not provided through the shopping centre to the north. An opportunity to provide the residential component in the form of an apartment building is similar to the mixed land use envisioned for the Neighbourhood Commercial designation. The difference is that the residential and commercial components are separated within the designation.

2.4.5.4 The Municipality will take the following into consideration for zoning to permit neighbourhood commercial development:

Areas zoned to permit neighbourhood commercial centres have been designated at Berkey's Corner, The Properties and Maple Bay.

Permitted uses in those areas include: small-scale shops that allow local residents easy walking access to convenience stores; and limited personal service businesses. These areas include mixed residential and commercial development, where sewer service is available. They do not include uses that serve a regional market or that generate excessive traffic volumes.

A good number of local small neighbourhood scale commercial businesses are adjacent and nearby the subject property. The OCP's Neighbourhood Commercial designation supports mixed-use, and in this respect, the application is supported by OCP policy. This residential component is in character with the adjacent residential areas and complimentary to and serviced by local commercial businesses. It integrates well into the surrounding neighbourhood in terms of use and scale as proposed.

2.5.1.5 The Municipality recognizes as a priority the need to identify and plan for appropriate densities in its growth centres.

- a) *The Municipality will encourage development that makes North Cowichan a more walkable community.*

Locating the apartment building adjacent to existing local neighbourhood commercial services will support and facilitate a more walkable community.

2.5.2.3 The Municipality supports the development of new market forms of affordable housing, both for rent and purchase.

- a) *The Municipality requires that 10% of units within major projects (10 units or more) incorporate an affordable housing requirement.*

- b) *In support of the development of new affordable housing, the Municipality may require developers to enter into a housing agreement to maintain the affordability of the housing as a condition of any rezoning or density bonus.*
- c) *The Municipality will seek means to offset the added costs of providing new affordable housing (e.g., by reducing parking requirements and reduced development cost charges).*

Should Council approve this application and zoning amendment bylaw, the applicant intends to construct a 66-unit apartment building. The *apartment* use and restrictive covenant will secure the tenancy form as rental only for ten years from the date of building occupancy. This provides security to future tenants and increases rental housing stock for those who may not wish to or can purchase housing. The applicant has committed to installing the 66 secure interior bike storage lockers, associated bike charging stations and bike share program (commitment to be secured through covenant). This in turn, offers an alternate option for tenants to cycle or use transit and potentially avoid the annual expense of owning and maintaining an automobile.

The proximity to the now open Berkey's Corner Shopping Centre also provides future residents with access to basic commercial services as well as to neighbourhood schools, parks and nearby access to public transit. The distance from the subject property to community amenities are:

- Berkeys Corner Shopping Centre 0m
- Mount Prevost Secondary School 361m
- Sherman Road Soccer Fields 125m
- Somenos Road Ball fields 517m
- Drinkwater Elementary School 845m

Services and amenities located in the Berkey's Corner neighbourhood may allow residents to live in the proposed apartment without a car. Should a tenant choose not to own a vehicle, removing the cost of operating a vehicle may result in a more affordable option for this apartment building, compared to another building in the community that is more removed from commercial services and may require residents to be dependent on a vehicle for mobility and access to services. Arguably, an apartment with nearby commercial services and transportation options is more affordable than housing locations that are dependant on the automobile.

Internal Referral Responses

This application was referred to other municipal departments, and their input has been addressed through the application processing. The input from the Parks Department highlighted the need for a well-thought-out connection plan for the protection and integration of substantial pedestrian and cyclist traffic between Sherman, Somenos and Cowichan Lake roads and the CVT for this development. The Engineering Department highlighted the need for sidewalk construction along Skinner Road (south boundary), Cowichan Lake Road and the CVT.

Analysis & Conclusion

The *2021 Housing Needs Assessment Report* provides current information on North Cowichan's housing needs. The report identified an acute state of rental shortage in the Region and North Cowichan and significant demand for affordable rental housing. An estimated 41% of North Cowichan's renter households are in core housing need and 13% in extreme core housing need. The report identified a need for more housing options, including one-bedroom rental units, as most of the current and future households comprise one-person and couple households.

Comment provided by the public through the original March 2016 zoning amendment application (ZB000028) to rezone both north and south lots to C2 included a desire to see a residential component and concern raised over the proposed "car centric, not a neighbourhood commercial area" (Attachment 8).

Under the current C2 zoning, a mixed-use building (apartment with commercial ground floor) may be constructed without any zoning change, secured rental tenancy option or developer contributed amenity (Attachment 9).

The applicant has stated that demand for future commercial units will be met through the construction of seven commercial lease units for a total of 743m² or 8000 square feet of additional commercial space in the northwest building on Lot B of Berkey's Corner Commercial Centre (Attachment 4).

Council has an opportunity to secure rental tenure of all residential units for the proposed apartment building through this zoning amendment for a period dating ten years from the date of occupancy. This option is not available to Council through the development permit process for construction of a mixed-use building under the existing C2 zoning. Additionally, the applicant has agreed to register a covenant on title securing the amenity contributions listed under the Applicant Commitments section above in this report.

The proposed zoning change and site development are generally compliant with OCP policy. The apartment building use is considered compliant with the Neighbourhood Commercial designation, though in a different form than permitted under C2 zoning.

First and second reading of the proposed zoning amendment bylaw and the scheduling of a public hearing to allow public comment on the application and amendment bylaw is recommended.

Communications and Engagement

Should Council choose to give first and second readings to Bylaw No. 3824, a Public Hearing will be scheduled to provide the public with an opportunity to provide 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. Advertisements will be placed in the local newspaper, as required by the *Local Government Act*.

Options

Option 1 – (Recommended):

That Council give first and second readings to Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 and;

That a Public Hearing be scheduled for Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 and notification be issued following the Local Government Act requirements.

Option 2 – (Alternate):

That Zoning Bylaw Amendment Application No. ZB000145, to permit an apartment use at Skinner Road (PID: 030-911-834), be denied.

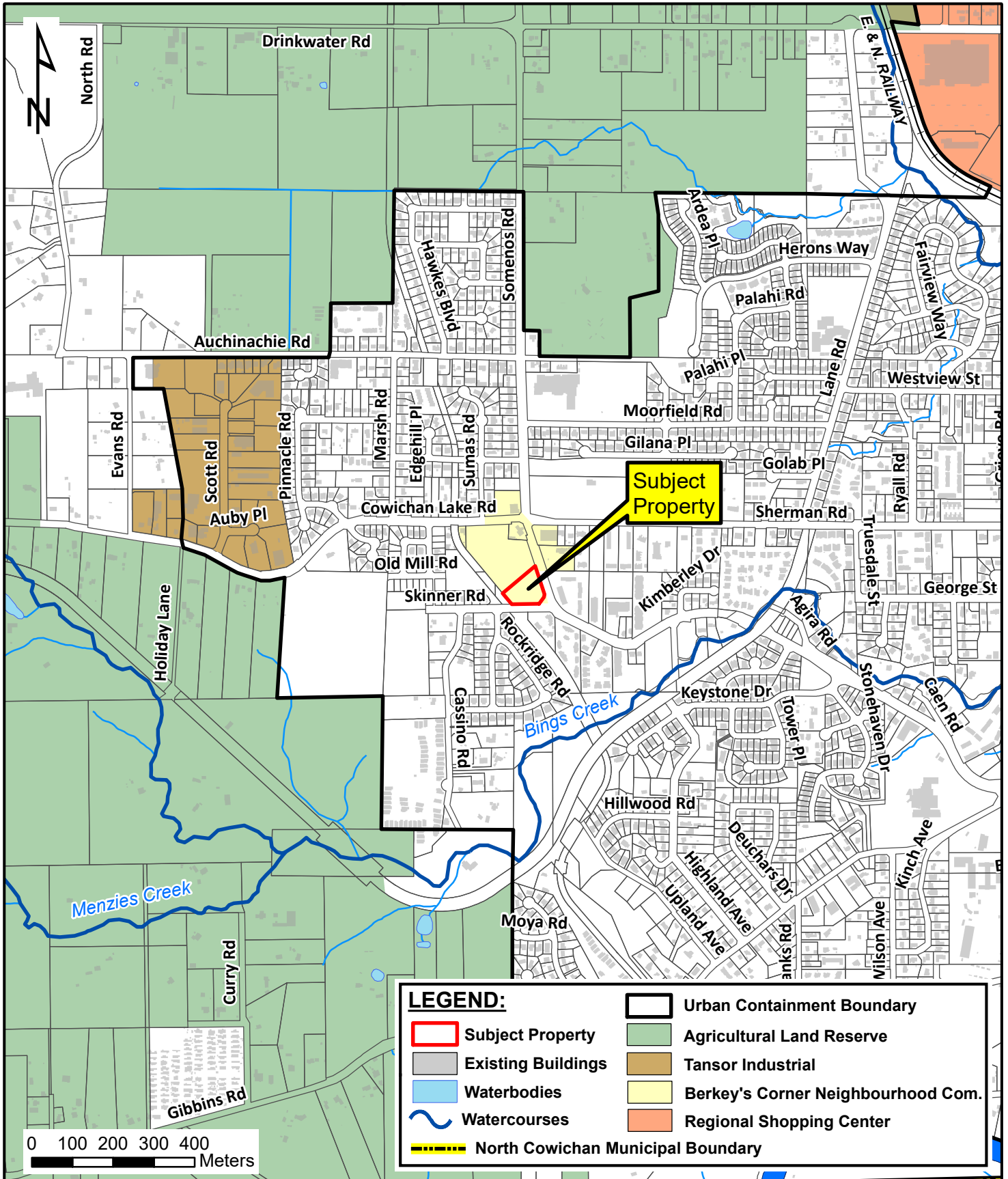
Recommendation

That Council give first and second readings to Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 and;

That a Public Hearing be scheduled for Zoning Amendment Bylaw (Apartment Building – Lot A, Skinner Road), 2021, No. 3824 and notification be issued following the *Local Government Act* requirements.

Attachments:

1. Location Map
2. Orthophoto Map
3. Zoning Map
4. Berkeys Corner Shopping Centre
5. Letter of Rationale
6. Trail Connections
7. WATT Parking Study
8. Public Hearing Minutes 2016
9. Commercial General C2 Zoning
10. Proposed Apartment Floor Layout
11. Draft Bylaw No. 3824



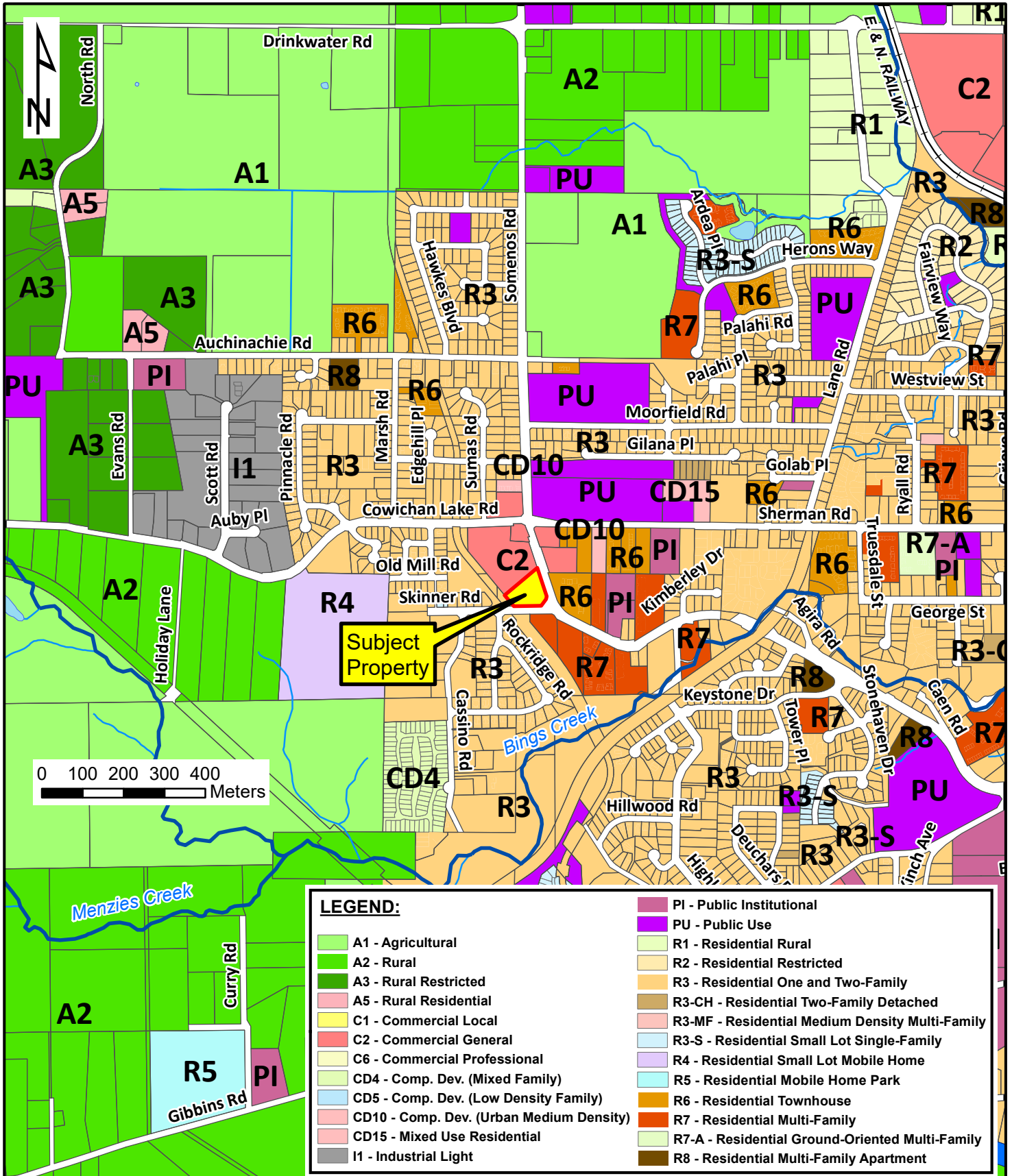


ORTHOPHOTO MAP

(Orthophoto is from 2019 aerial photography)

Lot A Plan EPP95112

DATE:	March 2, 2021
TYPE:	Zoning Amendment
FILE#:	ZB000145





November 20, 2020

Municipality of North Cowichan
Development Services - Planning Division
7030 Trans-Canada Highway
Duncan, BC V9L 6A1

Attn: Planning and Building Department

WA Architects Ltd.

| PRINCIPALS

Barry Weih
ARCHITECT AIBC, AAA,
SAA, LEED® AP

Neil Banich
DESIGN DIRECTOR

Joel Smith
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| STUDIOS

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wa-arch.ca

Written Brief and Design Rationale Berkeys Corner Residential – Project # 20053

The vision for this development is to create 66 residential units of purpose-built rental located at the corner of Skinner Road & Cowichan Lake Road. The project includes a 4-storey building with street-oriented units fronting Cowichan Lake Road. Surface level parking at the back of the site will be accessed off Skinner Road as well as a shared access point with the development to the north of the site.

The subject site is a 0.57 hectare sloped, vacant lot fronting Cowichan Lake Road and bounded by Skinner Road to the south, the Cowichan Valley trail to the west, and a future shopping centre to the north which will be complete before this project. The site slopes up by about 20 feet from Cowichan Lake Road to the Cowichan Valley trail.

The site is designated as “Neighbourhood Commercial” in the Official Community Plan which allows for small-scale shops and encourages residential for the upper floors. This project seeks to amend the OCP to allow for residential use throughout the building. The project is also seeking a text amendment to the current C2 General Commercial zone to remove the commercial requirement to allow multi-family throughout the site.

There is a significant commercial development currently under construction to the north that will provide neighbourhood commercial services to the Berkey's Corner area, including a grocery store, a liquor store, a restaurant, and about 11,500sf of retail, as well as other commercial uses in the vicinity. This project would fall in line with the intent of the OCP by providing sustainable housing opportunities located near core services.

The project is seeking a variance to the parking ratio. This will help to keep rental costs down by allowing for surface parking while maintaining an efficient building form. Parking is provided at a rate of 1.23 per unit, which given the proximity to core services and the unit make-up, is anticipated to be sufficient. A parking study will be provided to support this. The surface parking has also been setback from the rear lot line to minimize the retaining wall heights and allow for more vegetation along the trail, including retaining some of the existing oak trees.



The project provides pedestrian connections to the surrounding commercial via an upgraded pedestrian connection along the Cowichan Valley Road frontage and via the internal direct connection. The project also provides a new pedestrian connection between the Cowichan Valley Trail, the north property connection, and Cowichan Valley road. Street-oriented units are provided, and all units have private outdoor spaces plus access to the 3,200sf shared common space.

Our intent to provide a modern, cost-conscious rental product that provides apartment units for families and individuals, while still meeting the intent of the OCP.

Sincerely,
WA ARCHITECTS LTD.

Barry Weih – Principal
Architect AIBC, AAA, SAA, LEED® AP, B.Arch., BA



1 SITE PLAN

PROJECT NO. 2005
SCALE: 1/4" = 1'-0"
DATE: 10/1/18

DRAWN BY: XY
CHECKED BY: BW
REVIEW BY: A2.00

ATTACHMENT 6

BERKEY'S CORNER
RESIDENTIAL

PROJECT NAME:
PROJECT ADDRESS:
2777 Skinner Road, DUNCAN, B.C.

GENERAL NOTES:

NO.	ISSUED FOR	DATE
1	ISSUED FOR	10/1/18

COMMERCIAL

TRUE

NORTH ARROW

CONTRACTOR'S RESPONSIBILITY: The Contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities. The Contractor shall also be responsible for ensuring that the proposed building and future road dedication comply with all applicable regulations and standards. The Contractor shall also be responsible for ensuring that the proposed building and future road dedication are constructed in accordance with the approved plans and specifications.

BERKEY'S CORNER

Parking Study

A handwritten signature in blue ink that reads 'Sophie Eckard'.

Author: Sophie Eckard, BCom

A handwritten signature in black ink that reads 'Tim Shah'.

Reviewer: Tim Shah, MCIP, RPP

Date: March 12, 2021

File No.: 2983.B01



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1.0 INTRODUCTION

Watt Consulting Group (WATT) was retained by WA Architects Ltd. to conduct a parking study for the proposed multi-family residential development at Berkey's Corner in the Municipality of North Cowichan. The purpose of this study is to determine the parking demand for the site and identify transportation demand management strategies to help the applicant reduce the expected parking demand.

1.1 SUBJECT SITE

The proposed development is located at Berkey's Corner South – Lot A, Plan EPP 95112 in the Municipality of North Cowichan (see **Figure 1**). The lot is at the corner of Cowichan Lake Road and Skinner Road.

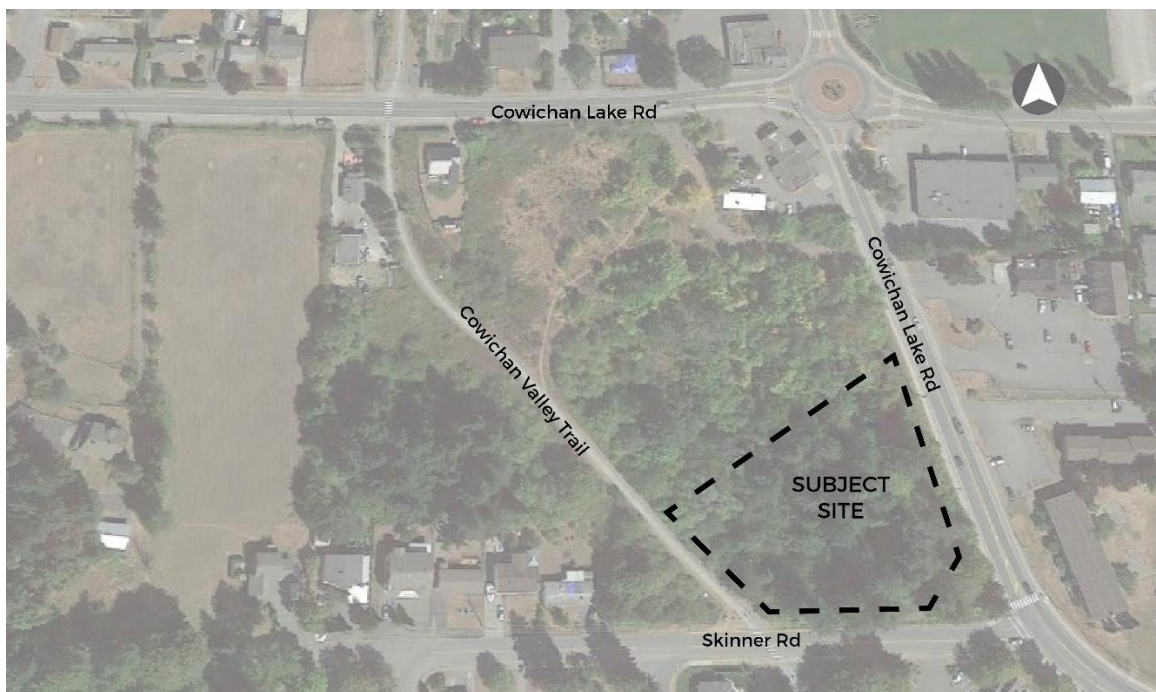


Figure 1. Subject Site



1.2 SITE CHARACTERISTICS AND POLICY CONTEXT

The following provides information regarding services and transportation options in proximity to the development. In addition, the Municipality of North Cowichan's planning policies pertaining to sustainable transportation and parking management are summarized.



POLICY & PLANNING CONTEXT

The Municipality of North Cowichan's Official Community Plan (OCP) is currently being updated. The current OCP, which was adopted in 2011, provides transportation policy direction that has relevance to new developments. The municipality's overall objective to transportation is to "provide a choice of efficient, safe transportation options that meet the various needs of residents". Further, the municipality has a commitment to the following: [a] take an integrated approach to transportation planning [b] recognize the distinct needs of active transportation options and [c] maintain an effective transportation network.

While the OCP does not contain a specific policy around parking for new developments, policy 2.5.6.1 indicates that the Municipality will "design its transportation network to accommodate all modes of transportation (pedestrian, cyclist, transit, auto) and enhance connectivity throughout the municipality." Specific policy in this section includes [a] giving equal priority to people moving by foot, bicycle, and public transit as those moving by automobile and [b] the Municipality will work to reduce automobile usage throughout North Cowichan by 20-30%. Both policy objectives indicate that the Municipality is supportive of sustainable transportation.



SERVICES

Located in a neighbourhood commercial area¹ of North Cowichan, the site is part of the 6.5-acre commercial parcel known as Berkey's Corner and will be next to a new shopping centre that includes a grocery store, liquor store, restaurant, and retail stores. Across the street, there is another supermarket and liquor store at Cowichan Lake Road and Sherman Road, as well as more restaurants and a coffee shop on the opposite corner. Additionally, the site is approximately 2.2 km from the Cowichan Commons mall and approximately 2.8 km from downtown Duncan, providing future residents with further access to a wide range of commercial destinations.

The site is also within walking distance of several parks and schools, including Sherman Road Soccer Park (290 m / 4-minute walk), École Mount Prevost (500 m / 6-minute walk), Evans Park (750 m / 10-minute walk), Drinkwater Elementary School (1.3 km / 15-minute walk), and Tansor Elementary School (1.6 km / 21-minute walk).



TRANSIT

The closest bus stops to the site are located 150 m away (about a 2-minute walk) along Cowichan Lake Road. They are serviced by Route 2 Mt. Prevost that provides daily hourly service (7:30AM – 6:30PM weekdays / extended until 9:00PM on Fridays). The route provides access to the Cowichan Commons mall and Downtown Duncan.

¹ The site's land use designation is shown on the Municipality of North Cowichan's Interactive Web Map, available online: https://maps.northcowichan.ca/mnc_public/



There is also a transit exchange at Cowichan Commons, which is about a 26-minute walk from the subject site. The transit exchange at Cowichan Commons is served by the following routes:

- Route 2 | Mt. Prevost
- Route 3 | Quamichan
- Route 7 | Cowichan Lake
- Route 36 | Ladysmith-Duncan Express

Route 2 provides hourly service during the week with service to key destinations including Cowichan District Hospital and downtown Duncan. Route 3 provides less frequent service during the week with service every 60-90 minutes to destinations including downtown Duncan, the Cowichan Community Centre, and Cowichan Sportsplex. Both the route 7 and 36 provide regional transit service to Cowichan Lake and Ladysmith-Duncan, respectively. As regional routes, their service is less frequent with a small number of trips per weekday. Overall, the existing transit service in proximity to the site is infrequent, indirect, and inconvenient—all of which may result in low utilization among future residents of the site.

BC Transit's Transit Future Plan (TFP) for the Cowichan Valley Region, which was released in 2012, provides a 25-year vision for transit service and infrastructure improvements in the Cowichan Valley.² As part of the medium-term recommendations (6-15 years), the TFP recommends reconfiguring transit service between Duncan and North Cowichan, which would have implications for the subject site. While the TFP indicates that a detailed service plan would be required to develop the route schedules and costing associated with new service, the recommended improvements include a new direct route to Cowichan Commons, a town circulator service, and simplifying the total number of routes.

² Cowichan Valley Transit Future Plan (2012), BC Transit. Available online: <https://www.bctransit.com/documents/1507213420821>



WALKING

The proposed development's walk score³ is 23, which means that the development is situated in a 'car-dependent' area. This indicates that almost all errands currently require a car. However, with the new commercial development at Berkey's Corner and other nearby services, future residents should be able to reach several key destinations by foot. There is pedestrian infrastructure in the surrounding area including sidewalks on both sides of adjacent streets and crosswalks at intersections.



CYCLING

There are some cycling facilities in immediate proximity to the site. Along Cowichan Lake Road, cyclists can use the painted bike lane (unbuffered) when heading southeast to access various commercial destinations, including downtown Duncan. The site is also next to the Cowichan Valley Trail, which is a multi-use trail used for recreational and commuting purposes.

Additionally, an on-road protected bicycle trail is planned for Sherman Road and the section of Cowichan Lake Road heading southeast from the site. The North Cowichan Bike Network Implementation Guide defines these types on trails as "physically separated cycle tracks that allow bicycle movement in both directions on one side of a street."⁴ Once constructed, the protected bicycle trail will enhance east-west connectivity to the site and improve safety for cyclists.

³ More information about the site's Walk Score is available at: <https://www.walkscore.com/score/3288-cowichan-lake-rd-duncan-bc-canada>

⁴ Bike Network Implementation Guide, Municipality of North Cowichan. Available online: https://www.northcowichan.ca/assets/Departments/Planning-and-Land-Use/docs/Bike_Network_Plan_and_%20Implementation_Guide.pdf



2.0 PROPOSED DEVELOPMENT

2.1 LAND USE

The proposal for the development is a 66-unit 4-storey multi-family market rental residential building. The unit breakdown of the building is shown in **Table 1**.

TABLE 1. LAND USE BREAKDOWN

Land Use	Unit Type	Units
Multi-family residential	One Bedroom	41
	Two Bedroom	25
	Total	66

2.2 PROPOSED PARKING SUPPLY

2.2.1 VEHICLE PARKING

A total of 81 vehicle parking spaces are proposed for this development—a rate of 1.23 spaces per unit.

2.2.2 BICYCLE PARKING

The applicant is proposing a shared bike room that is approximately 1850 sq. ft. where one secure (Class I) bike stall will be provided per unit, for a total of 66 stalls. In addition, each unit will have access to their own storage unit that has space for bike parking. There will also be a 6-stall outdoor (Class II) bike rack.



3.0 PARKING REQUIREMENT

3.1.1 VEHICLE PARKING

The Municipality of North Cowichan's Zoning Bylaw No. 2950⁵ identifies the parking requirements for the site. The proposed development falls in the 'Multi-family, Apartment' category and the parking requirement is presented in **Table 2**. Based on the proposed development, the site is required to provide 109 parking spaces. The applicant is short of meeting this requirement by 28 parking spaces.

TABLE 2. VEHICLE PARKING REQUIREMENT

Land Use	Requirement	Required Spaces
Multi-family, Apartment	1.5 spaces per dwelling unit plus 15% of the total number of units designated as visitor parking	99 + 10
Total		109

3.1.2 BICYCLE PARKING

According to Zoning Bylaw No. 2950, bicycle parking is only required in the Chemainus Artisan Village Comprehensive Development Zone. Therefore, bicycle parking is not required for this site.

4.0 EXPECTED PARKING DEMAND

Expected parking demand for this site was estimated in the following sections to determine if the proposed supply will adequately accommodate the parking demand. Expected demand is based on parking observations collected from representative sites in the Municipality of North Cowichan and the City of Duncan.

⁵ Municipality of North Cowichan (2020). Zoning Bylaw No.2950. Available online at: <https://www.northcowichan.ca/assets/Municipal~Hall/Bylaws/ZoningBylaw.pdf>



4.1 RESIDENTIAL PARKING

4.1.1 SITE SELECTION

Observations of parked vehicles were completed at 9 market rental buildings in the Municipality of North Cowichan and City of Duncan representing a total of 463 units. A summary of the representative sites is outlined in **Table 3**. The first 3 sites are more rural in nature and have an average walk score of 22.3, which is very close to the subject site's walk score of 23. There are currently few market rental buildings in proximity to the site and in this part of North Cowichan more broadly. To increase the sample size, 6 other sites were included from a more urban area of Duncan.

TABLE 3. SUMMARY OF REPRESENTATIVE SITES

Address	Number of Units	Walk Score
3420 Auchinachie Rd	59	14
3251 Cowichan Lake Rd	17	24
6472 Paddle Rd	112	29
2548 Lewis St	51	79
2524 Lewis St	32	59
2544 Beverly St	51	74
2562 Beverly St	51	60
2569 Dingwall St	50	78
2541 Dingwall St	40	71

4.1.2 OBSERVATIONS

Observations of parking utilization were conducted at representative sites during the typical weekday peak hour period for residential land uses. For the purposes of this study, the greater number of observed vehicles between each data collection exercise were used for the representative peak demand at each location. Parking demand ranged



from 0.65 vehicles per unit to 1.38 vehicles per unit, with an average parking demand of 0.92 vehicles per unit as shown in **Table 4**.

Observations were conducted on Tuesday January 26, 2021 and Wednesday January 27, 2021 after 10:30pm.

TABLE 4. OBSERVATIONS AT REPRESENTATIVE SITES

Address	Number of Units	Observed Vehicles	Parking Demand (Vehicles/Unit)
3420 Auchinachie Rd	59	56	0.95
3251 Cowichan Lake Rd	17	20	1.18
6472 Paddle Rd	112	155	1.38
2548 Lewis St	51	36	0.71
2524 Lewis St	32	28	0.88
2544 Beverly St	51	42	0.82
2562 Beverly St	51	40	0.78
2569 Dingwall St	50	47	0.94
2541 Dingwall St	40	26	0.65
Average			0.92

4.1.3 ADJUSTMENT FACTORS

Observations are a useful method of assessing parking demand rates; however, there are limitations. One such limitation is the fact that an observation may not “catch” all residents while they are home with their parked car on-site. On a typical weeknight, it can be expected that some residents return home very late at night or in the next morning or have driven out of town for business or vacation.

A large-scale apartment parking study commissioned by Metro Vancouver reported that observations of parking occupancy (percent of stalls occupied by a car or truck)



increased later in the night.⁶ The study also suggested that occupancy surveys that start after 10:30pm should have a 5% adjustment factor. As the observations in this study occurred after 10:30pm, a 5% adjustment factor was applied to the observed parking demand to determine the peak parking demand. The adjusted peak parking demand is 1.0 spaces per unit (0.97, rounded) and is shown in **Table 5**.

TABLE 5. ADJUSTED OBSERVATIONS AT REPRESENTATIVE SITES

Address	Number of Units	Observed Vehicles	Parking Demand (Vehicles/Unit)	Adjusted Parking Demand (Vehicles/Unit)
3420 Auchinachie Rd	59	56	0.95	1.04
3251 Cowichan Lake Rd	17	20	1.18	1.29
6472 Paddle Rd	112	155	1.38	1.52
2548 Lewis St	51	36	0.71	0.78
2524 Lewis St	32	28	0.88	0.96
2544 Beverly St	51	42	0.82	0.91
2562 Beverly St	51	40	0.78	0.86
2569 Dingwall St	50	47	0.94	1.03
2541 Dingwall St	40	26	0.65	0.72
Average			0.92	1.00

4.1.4 PARKING DEMAND BY UNIT TYPE

Unit size type refers to the number of bedrooms provided within a residential unit. Research has shown that larger units will generally have more occupants or a family, therefore increasing the likelihood that additional vehicles will be owned by occupants

⁶ Metro Vancouver. (2012). The Metro Vancouver Apartment Parking Study, Technical Report. Available online at: http://www.metrovancouver.org/services/regional-planning/PlanningPublications/Apartment_Parking_Study_TechnicalReport.pdf



and increase the parking demand.⁷ Parking data collected for this study was assessed to reflect unit type using the following steps:

- Parking demand was calculated and adjusted by 5%
- The assumed “ratio differences” from Metro Vancouver for parking demand between each site was applied to unit data from vehicle observations. These “ratio differences” are as follows.⁸
 - 1-Bedroom units’ parking demand rates will be 117% higher than studio units rates;
 - 2-Bedroom units’ parking demand rates will be 26% higher than 1-Bedroom rates; and
 - 3-Bedroom units’ parking demand rates will be 23% higher than 2-Bedroom rates.

Additionally, the urban sites were adjusted to account for the difference in parking demand between urban and rural locations. Based on observations from the 9 representative sites, rural demand was found to be 47% higher than urban demand. As such, an adjustment factor of 1.47 was applied to the urban sites to adjust the parking demand by unit type.

The parking demand by unit type is shown in **Table 6**. 2524 Lewis St was not included in this part of the analysis as a unit breakdown for the building was not available.

⁷ Potoglou, D., & Kanaroglou, P.S. (2008). Modelling car ownership in urban areas: a case study of Hamilton, Canada. *Journal of Transport Geography*, 16(1): 42–54.

⁸ Metro Vancouver. (2018). The 2018 Regional Parking Study. Technical Report. Available online at: <http://www.metrovancouver.org/services/regional-planning/PlanningPublications/RegionalParkingStudy-TechnicalReport.pdf>



TABLE 6. ADJUSTED OBSERVATIONS BY UNIT TYPE

Address	1-Bedroom	2-Bedroom
3420 Auchinachie Rd	0.92	1.16
3251 Cowichan Lake Rd	--	1.29
6472 Paddle Rd	1.24	1.57
2548 Lewis St	0.99	1.25
2544 Beverly St	1.26	1.58
2562 Beverly St	1.20	1.51
2569 Dingwall St	1.42	1.79
2541 Dingwall St	0.97	1.23
Average	1.09	1.36

In summary, based on the analysis above, the following are the recommended demand rates for the market rental units:

- One-bedroom | 1.09 spaces per unit X 41 units = 45 spaces
- Two-bedroom | 1.36 spaces per unit X 25 units = 34 spaces
- **Total parking demand = 79 spaces**



4.2 VISITOR PARKING

Visitor parking was calculated using a rate of 0.1 vehicles per unit. This is based on a study by Metro Vancouver⁹ that concluded typical visitor parking demand is less than 0.1 vehicles per unit. This is also consistent with observations that were conducted for parking studies in other BC municipalities similar to North Cowichan including the City of Langford, City of Colwood, District of Central Saanich, and other rural / suburban municipalities. Overall, the research indicates that visitor parking demand is not strongly influenced by location.

For the subject site, a rate of 0.1 spaces per unit is recommended, which results in a total of 7 vehicle parking spaces.

4.3 SUMMARY OF EXPECTED PARKING DEMAND

Based on the above analysis, the resident parking demand is estimated as 79 parking spaces, with an additional 7 parking spaces for resident visitor parking. A total of 86 parking spaces is expected, which is 5 spaces more than what is being proposed (81 proposed spaces). A summary of the expected parking demand is shown in **Table 7**.

⁹ Metro Vancouver. (2018). The 2018 Regional Parking Study. Technical Report. Available online at: <http://www.metrovancouver.org/services/regional-planning/PlanningPublications/RegionalParkingStudy-TechnicalReport.pdf>



TABLE 7. SUMMARY OF EXPECTED PARKING DEMAND

Land Use		Number of Units	Demand Rate (vehicles per unit)	Expected Parking Demand
Market Rental	One-bedroom	41	1.09	45
	Two-bedroom	25	1.36	34
	Visitor Parking	66	0.1	7
Total				86

5.0 DEMAND MANAGEMENT

Given that the parking demand for the site exceeds the proposed supply by five spaces, the applicant could consider demand management strategies to reduce the expected parking demand. The two recommended strategies include (1) electric bicycle parking and (2) implementing an electric bike share program.

5.1 ELECTRIC BICYCLE PARKING

The applicant is committing to provide 66 long-term bike parking spaces, which results in 1 space per unit for bike parking. The provision of secure bicycle parking spaces can support residents to satisfy potential bicycle demand in the present and future. Insufficient bicycle parking is considered a key barrier to promoting cycling, with additional bicycle parking associated with an increase of cycling by 10 to 40%.¹⁰

Further, there are opportunities to design the long-term bicycle parking in such a way that could further reduce vehicle parking demand at the site. This includes designing the spaces to accommodate electric bikes. Electric bikes (e-bikes) are an emerging transportation phenomenon that are gaining popularity across British Columbia. With

¹⁰ Hein, E. & Buehler, R. (2019). Bicycle parking: a systematic review of scientific literature on parking behaviour, parking preferences, and their influence on cycling and travel behaviour. *Transport Reviews*, 39(5).



supportive cycling infrastructure in place, e-bikes have the potential to substitute for, or completely replace, almost all trips taken by a gasoline powered car. As identified in **Section 1.2**, North Cowichan has set out ambitious targets to reduce automobile usage and this program could help significantly reduce vehicle ownership at the site.

According to research completed in Greater Victoria, one of the top barriers facing prospective e-bike users is the fear that their bicycle might be stolen.¹¹ That same research found that prospective e-bike users would feel more comfortable if they could park their bicycle in a locked or supervised area.

The Capital Region Local Government Electric Vehicle + Electric Bike Infrastructure Planning Guide¹² includes e-bike parking design guidelines to help address the concerns of current and prospective e-bike owners as well as to increase overall e-bike ownership in the Capital Region. The guide recommends that new developments provide 50% of the long-term bicycle parking with access to an 110V wall outlet. Further, 10% of the long-term spaces are recommended to be provided as cargo racks to accommodate e-bikes. Cargo bikes are typically longer than regular bicycles because they are capable of carrying cargo and/or multiple passengers and can be a popular option for young families.

Based on the research and the planning guide from the CRD, it is recommended that the applicant provide electric bike parking, as follows:

1. **Cargo Bike Parking** | 10% of the long-term bicycle parking spaces (approximately 7 spaces) should be designed for cargo bicycles and/or bikes with trailers, which are harder to fit in a standard bike rack where the stall depth is 1.8 metres. The spaces should be designed to be a minimum of 3.0 metres in

¹¹ WATT Consulting Group. (2018). Capital Region Local Government Electric Vehicle + Electric Bike Infrastructure Backgrounder. Available online at: https://www.crd.bc.ca/docs/default-source/climate-action-pdf/reports/electric-vehicle-and-e-bike-infrastructure-backgrounder-sept-2018.pdf?sfvrsn=a067c5ca_2

¹² WATT Consulting Group. (2018). Capital Region Local Government Electric Vehicle + Electric Bike Infrastructure Planning Guide. Available online at: https://www.crd.bc.ca/docs/default-source/climate-action-pdf/reports/infrastructure-planning-guide_capital-region-ev-ebike-infrastructure-project-nov-2018.pdf?sfvrsn=d767c5ca_2



length and 0.9 metres wide. They should also be provided as ground anchored racks.

2. **Access to Charging** | Commit to provide 50% of the long-term bicycle parking spaces (approximately 33 spaces) with direct access to an 110V electrified outlet to help facilitate charging for e-bike owners and/or prospective e-bike owners.

A 5% reduction in resident parking demand is supported if the applicant commits to providing e-bike parking.

5.2 SHARED E-BIKE PROGRAM

In addition to providing electric bicycle parking, the applicant could commit to providing a shared electric bike program in the proposed development, which will make cycling more attractive for residents and help them complete a variety of trips that would otherwise be done by car, transit, or another mode. The applicant could provide 3-4 shared e-bikes for the site, which represents about 5% of the total units.

According to research completed in Greater Victoria, the cost of an electric bike is the largest barrier preventing purchases of e-bikes.¹³ As such, the provision of a shared e-bike program can make e-bike ownership attainable for future residents. The price of an electric bike in Greater Victoria ranges considerably depending on the model and brand. However, the price is typically in the range of \$1,500-\$5,000.

The provision of electric bikes is anticipated to have an impact on vehicle ownership at the site; however, as electric bikes are an emerging form of mobility, there is limited research that has quantified the impact of these bikes on vehicle ownership / parking demand. A recent study presented results of a North American survey of electric bike owners. The study reported that e-bikes have the capacity to replace various modes of

¹³ WATT Consulting Group. (2018). Capital Region Local Government Electric Vehicle + Electric Bike Infrastructure Backgrounder. Available online at: https://www.crd.bc.ca/docs/default-source/climate-action-pdf/reports/electric-vehicle-and-e-bike-infrastructure-backgrounder-sept-2018.pdf?sfvrsn=a067c5ca_2



transportation commonly used for utilitarian and recreational trips including motor vehicles, public transit, and regular bicycles.

The study reported that 62% of e-bike trips replaced trips that otherwise would have been taken by car. Of these trips previously taken by car, 45.8% were commute trips to work or school, 44.7% were other utilitarian trips (entertainment, personal errands, visiting friends and family, or other), and 9.4% were recreation or exercise trips. The average length of these previous car trips was 15 kilometres.¹⁴ A more recent study found that approximately 39 kilometres of driving per week is displaced by the average e-bike adopter along with 14 kilometres of travel by conventional bicycle.¹⁵ Lastly, a 2020 study found that people who purchased an e-bike increased their bicycle use from 2.1 to 9.2 km per day on average.¹⁶ All of these studies indicate that e-bikes allow users to travel longer distances, which help substitute for trips that would otherwise be made by a vehicle.



The objective of providing a shared e-bike program is to provide a transportation option to residents who may not own a vehicle or for tenants who own a vehicle but may not require it for all trip purposes. The e-bike program would include the following:

¹⁴ MacArthur, J., Harpool, M., & D. Scheppke. (2018). A North American Survey of Electric Bicycle Owners. National Institute for Transportation and Communities, NITC-RR-1041.

¹⁵ Bigazzi, A & E Berjisian. (2019). Electric Bicycles: Can they reduce driving and emissions in Canada. Plan Canada Fall 2019.

¹⁶ Fyhri, A & H.B. Sundfor. (2020). Do people who buy e-bikes cycle more? *Transportation Research Part D*, 86, 1-7.



- A total of 3-4 electric powered bicycles would be provided.
- The e-bikes would be owned and maintained by the property manager.
- The cost to use (i.e., reserve) an e-bike will be determined by the property manager.
- The process to reserve an e-bike will most likely be on a first come first serve basis but will be determined by the property manager.

Should the applicant pursue this program, it is recommended that they consider the following to better determine the operational and logistical details for the proposed shared e-bike program:

- Overall bike utilization should be carefully monitored in the first year and if demand is consistently high (above 75% for most of the time), consider adding two bikes to the fleet after year 1.
- Building tenants should be discouraged from using the e-bikes for work trips. The e-bikes should be intended for various trip purposes including errands, shopping, appointments, etc., which are all shorter duration trips and would allow the e-bikes to be more available to the site for other residents.

As a reference point, the City of Vancouver¹⁷ acknowledges the “Shared Cycling Fleet” as a significant TDM measure. Some of the highlights of the requirements are:

- The provision of those bicycles should be for at least 20 years to encourage all types of cycling.
- Fleet size should be at minimum one bicycle per 10 units, with a minimum of six bicycles.
- The property manager shall properly store, maintain, and provide additional secure bike parking for those shared bicycles.
- The bicycles should be available for usage without any additional user fees and there should be a reasonable liability to the user in case of loss or damage.

¹⁷ City of Vancouver (2018). Transportation Demand Management for Developments in Vancouver – Schedule B. Available online at: <https://vancouver.ca/files/cov/transportation-demand-management-schedule-b.pdf>



- All the equipment shall be privately owned and operated by the property manager.
- For every bicycle, the property manager shall provide helmets, locks, lights, and other safety features (reflectors, bell) to comply with the laws of the British Columbia Motor Vehicle Act.

Overall, the research above confirms that e-bikes can replace vehicle trips and thereby reduce vehicle parking demand. With the provision of a shared electric bike program, a 10% reduction in resident parking demand is supported.

5.3 TDM SUMMARY

Table 8 is a summary of the proposed TDM measures and their potential impact on parking demand. Should the applicant commit to both recommended TDM measures, then a reduction in residential parking demand would be expected. The expected parking demand for the subject site after the reductions from the TDM and parking demand measures will be 74 parking spaces (7 less than the proposed supply).

TABLE 8. SUMMARY OF TDM MEASURES + PARKING DEMAND REDUCTIONS

	Parking Reduction	
TDM Measure	Approx. Reduction (Market Rental Units Parking Demand)	Approx. Reduction (Visitor Parking Demand)
E-Bike Parking	5% [3.95 spaces]	--
Shared E-Bike Program	10% [7.9 spaces]	--
Total	15% [12 spaces, 11.85 rounded]	--



6.0 CONCLUSIONS

The proposed development at Berkey's Corner is a 66-unit market rental multi-family building with 81 proposed parking spaces. In addition to this the applicant is proposing 66 long-term (Class I) bicycle parking spaces, which results in 1 space per unit, as well as 6 short-term (Class II) bicycle parking spaces.

Expected parking demand for this development was estimated based on observational data collected from representative market rental sites in the Municipality of North Cowichan and City of Duncan. To account for missing vehicles and to improve the rigor of analysis, the observational data was adjusted by 5%. Based on these observations the peak parking demand rate is 86 spaces (79 resident, 7 visitor spaces), which exceeds the proposed supply by 5 spaces.

Two demand management measures are recommended for the applicant's consideration. These would include (1) electric bicycle parking and (2) implementing an electric bike share program. With both measures in place, the expected parking demand for the site is 74 spaces, which is 7 spaces lower than what is proposed (81).

7.0 RECOMMENDATIONS

The proposal to provide 81 off-street vehicle parking spaces is supported if the applicant:

1. Provides electric bike parking; and
2. Implements an electric bike share program.

**Municipality of North Cowichan
Special Council
MINUTES**

**March 10, 2016, 6:00 p.m.
Municipal Hall - Council Chambers**

Members Present Mayor Jon Lefebure
 Councillor Joyce Behnsen
 Councillor Rob Douglas
 Councillor Maeve Maguire
 Councillor Kate Marsh
 Councillor Al Siebring
 Councillor Tom Walker

Staff Present Dave Devana, Chief Administrative Officer (CAO)
 Mark Ruttan, Director of Corporate Services / Deputy CAO
 Scott Mack, Director of Development Services
 David Conway, Director of Engineering and Operations
 John Gunn, Manager of Information Services
 Nancy Bates, Executive Assistant

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

It was moved and seconded:
That Council approve the agenda as circulated.

CARRIED

3. PUBLIC HEARING

3.1 Bylaw 3605 - Zoning Amendment Bylaw (No. 10 - Cowichan Lake Road), 2015

Public Hearing Report - Council commenced a public hearing at 6:05 p.m. to allow the public to make representations to Council respecting proposed Bylaw 3605. Mayor Lefebure outlined the public hearing order of business and read aloud Council's policy that it will not receive verbal or written communications from the public regarding the zoning amendment bylaw after the closure of the public hearing. He then invited late correspondence and received a verbal summary from the Corporate Officer of correspondence received. Council then received a presentation introducing the proposal from the Director of Development Services. Mayor Lefebure then invited the applicant and the public to address Council on the proposed bylaw.

March 10, 2016 - Special Council Minutes

Council heard from the applicant Michael Spaul of Hall Pacific who summarized feedback from the developer's public meeting and advised that they have decided not to build a gas station and will register a covenant on title to prohibit this use.

Council also heard from the following persons:

1. Sandra McPherson - 5734 Van Koy Road
2. Al Guenther - 3317 Skinner Road
3. Alan Phillips - 5734 Van Koy Road
4. Donna Pahl - 3969 Gibbins Road
5. Buss Kingsley - 3331 Cowichan Lake Road
6. Patricia Rankin - 3144 Sherman Road
7. Krista Phillips - 3336 Cowichan Lake Road
8. Dwight Bondesen - 6045 Stone Ridge
9. Genevieve Singleton - 6015 Mary Street
10. Dave Polster - 6015 Mary Street
11. Pat Fiddis - 3179 Kimberley Drive
12. Mark Chester - 6026 Cassino Road
13. Myo Stevens - 8060 York Avenue
14. Emily Doyle-Yamaguchi - 1081 Nagle Street
15. Terry Halley - 3468 Cowichan Lake Road
16. Dianne Hinkley - 3303 Renita Ridge
17. Mike Holmes - 3287 Cowichan Lake Road
18. John Scull - 3291 Renita Ridge
19. Linda Hill - 3291 Renita Ridge
20. Helmut Blanken - 3366 Limerick Road
21. John Drost - 6151 Edgehill Place
22. George Nielsen - 6212 Palahi Road
23. Sharon Horsburgh - 6499 Genoa Bay Road
24. Andrew Wilson - 2943 Sherman Road

Comments in favour of the rezoning included the following:

- The development is consistent with the official community plan designation for neighbourhood commercial use at this location;
- The development may encourage improvements to older surrounding commercial properties;
- The development will support the growing number of nearby homes;
- It is in close proximity to Sherman Road soccer fields and the Somenos Road ball fields;
- It will reduce the amount of traveling time and distance to other commercial areas;
- It will reduce greenhouse gas emissions;
- It will reduce traffic on the Trans-Canada Highway;
- Nearby residents will be able to walk to shopping and local services;
- The design adheres to crime prevention through environmental design (CPTED) principles.

Comments opposed to the rezoning included the following:

- The proposal is car centric, not a neighbourhood commercial area;
- There is lots of empty retail space around and no need for more commercial zoning;
- The proposal will increase traffic in the neighbourhood to dangerous levels;
- It will negatively impact other commercial areas, including the City of Duncan;
- It is incompatible with the policies of the Official Community Plan and Climate Action and Energy Plan;
- It will harm the local ecosystem and wildlife;
- It will lead to more litter, dog mess and odour on the adjacent Trans Canada Trail;
- The property should be kept in its natural state and protected or developed as a park;
- The property contains several Oregon Ash trees which are rare this far north and a Gary oak ecosystem that should be conserved;
- Fast-food restaurants are bad for health and the environment;
- The design needs improvement, including more green space and community amenities;
- The development should be a mix of commercial and residential uses;
- It will increase lighting and noise pollution;
- It does not include a residential component;
- It will increase greenhouse gas emissions from idling cars;
- A local area plan should be developed before the rezoning is approved;
- It will displace a feral cat colony;
- It is out of scale with the rest of the neighbourhood;
- There is no need for a large grocery store in the area.

Mayor Lefebure asked three times if anyone else wished to speak. No one else spoke so Mayor Lefebure closed the public hearing at 9:22 p.m.

It was moved and seconded:

That Council read a third time "Zoning Amendment Bylaw (No. 10 - Cowichan Lake Road), 2015", No. 3605.

(Opposed: Douglas; Maguire; Marsh)

CARRIED

It was moved and seconded:

That Council direct staff to place Bylaw 3605 before Council for consideration of adoption once North Cowichan has a solicitor's undertaking to register the required restrictive covenants on title.

(Opposed: Douglas; Maguire; Marsh)

CARRIED

4. QUESTION PERIOD

Council invited the public to ask questions about what occurred at the meeting.

5. ADJOURNMENT

The meeting ended at 10:45 p.m.

Signed by
Mayor or Presiding Member

Certified by
Director of Corporate Services

(Minutes certified "correct" and Public Hearing
report certified "fair and accurate")

Permitted Uses

- 69 (1) The permitted uses for the C2 zone are as follows:
- Accessory Dwelling Unit
 - Appliance and Small Equipment Repair
 - Bed and Breakfast
 - Bus Depot
 - Car Wash
 - Club
 - Commercial Cardlock Facility
 - Commercial School
 - Dry Cleaner
 - Entertainment Use
 - Financial Institution
 - Fitness Centre/Gymnasium
 - Funeral Parlour
 - Hairdresser
 - Home-Based Business
 - Hotel
 - Laundromat
 - Medical Laboratory
 - Mini-Warehousing
 - Mixed-use Building
 - Mobile Food Service
 - Night Club
 - Nursery
 - Office
 - Parking Use
 - Pub
 - Restaurant
 - Retail Lumber and Building Supply Yard
 - Retail of Motor Vehicle Parts and Accessories
 - Retail Store
 - Service Station
 - Single-Family Dwelling (subject to the provision of the R3 zone)
 - Tool Rental
 - Veterinary Clinic
 - Wholesale Store [BL3150, BL3657]

Minimum Lot Size

- (2) The minimum permitted lot size for the C2 zone is 560 m² (6,028 sq. ft.).

Minimum Frontage

- (3) The minimum permitted frontage for the C2 zone is 15 m (49.21').

Maximum Lot Coverage

- (4) The maximum permitted lot coverage for the C2 zone is 100% of the lot area, except such area as required for off-street parking and loading facilities, landscaping requirements, and fencing and highway setbacks.

Minimum Setbacks

- (5) There are no minimum setbacks for the C2 zone except:
 - (a) where the lot abuts residentially zoned land that yard which abuts the residentially zoned land shall be 3.0 m (9.84') in depth; and
 - (b) where the lot abuts an arterial highway the yard, front, shall be 4.5 m (15') in depth.

Maximum Building Height

- (6) The maximum permitted building heights for the C2 zone are as follows:
 - (a) Principal Building, 12.0 m (39.37')
 - (b) Accessory Building, 5.0 m (16.4')



PROJECT STATS

SITE AREA (PRE-DEDICATION)	67,498 SF
SITE AREA (POST-DEDICATION)	61,652 SF
GROSS FLOOR AREA	47,780 SF
BUILDING AREA DEDUCTIONS	48,186 SF
F.S.R. (POST DEDICATION)	0.77
SETBACKS	
FRONT (COWICHAN LAKE RD)	15.95' (4.86 M)
SIDE (SKINNER RD)	9.59' (2.92 M)
SIDE (NORTH)	8.27' (2.52 M)
REAR (WEST)	184.65' (56.28 M)
LOT COVERAGE	21.8%
HORIZONTAL AREA	13,465 SF
BUILDING HEIGHT GRADE	39.37' 191.25'

BUILDING

LEVEL 1	15 UNITS	11,417 SF
LEVEL 2	17 UNITS	12,256 SF
LEVEL 3	17 UNITS	12,256 SF
LEVEL 4	17 UNITS	12,256 SF
TOTAL	66 UNITS	48,186 SF

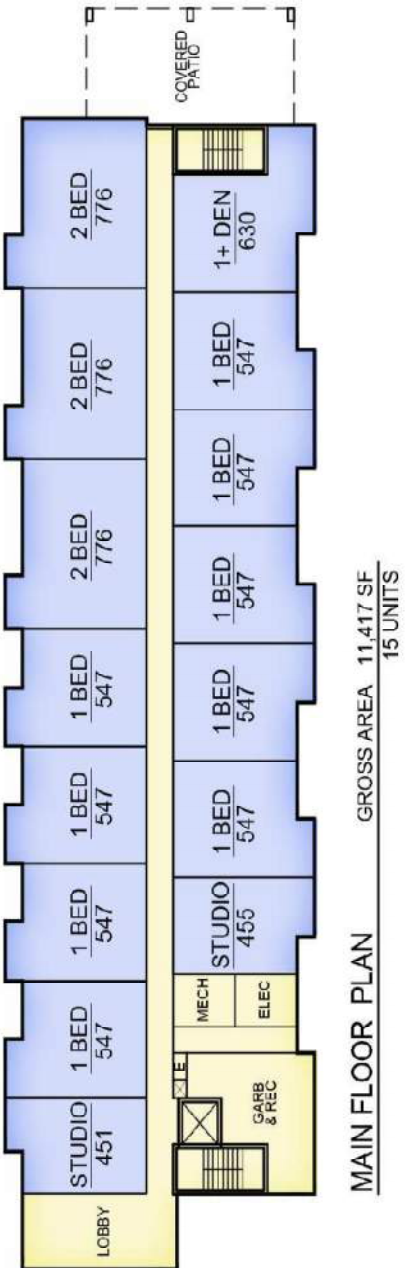
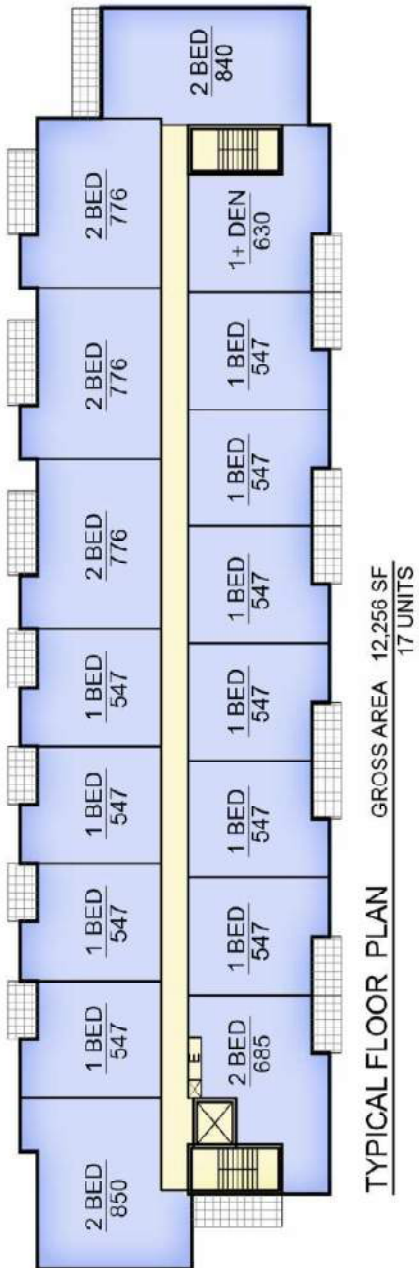
UNIT BREAKDOWN

STUDIO	3.0%	2 UNITS
1 BED	59.1%	39 UNITS
1+ DEN	6.1%	4 UNITS
2 BED	31.8%	21 UNITS

PARKING REQUIRED

RESIDENTIAL VISITOR	1.50 PER UNIT	98 STALLS
	0.15 PFR UNIT	10 STALLS
TOTAL ACCESSIBLE (INCL.)		109 STALLS

PARKING PROVIDED	81 STALLS
	1.23 PER UNIT





The Corporation of the District of North Cowichan

**Zoning Amendment Bylaw
(Apartment – Lot A, Skinner Road), 2021**

Bylaw 3824

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

Title

1. This Bylaw may be cited as "Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021", No. 3824.

Amendment

2. Zoning Bylaw 1997, No. 2950, section 69 [Commercial General Zone (C2)] is amended by adding the following subsection:

Conditions of Use

- (7) Despite subsection 69 (1), "apartment" is a permitted use for Lot A, Plan EPP95112, Skinner Road (PID: 030-911-834).

READ a first time on the ____ day of _____, 2021
READ a second time on the ____ day of _____, 2021
Information meeting was held on the ____ day of _____, 2021
This bylaw was advertised in the Cowichan Valley Citizen on the ____ day of _____, 2021 and the ____ day of _____, 2021 and the municipality's website and notice board on the ____ day of July, 2021.
CONSIDERED at a Public Hearing on
READ a third time on
COVENANT registered on
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Report

Date June 2, 2021

File:

To Council

From Mark Frame, Project Manager

Endorsed:



Subject North Cowichan Civic Building – Tender Package 2

Purpose

To consider the award of construction contracts for tenders submitted in response to Tender Package #2 for (1) building envelope and cladding finishes, (2) glazed aluminum curtain wall and sunshade systems, and (3) civil works for the new North Cowichan Civic Building.

Background

The second construction tender package for the new RCMP Building closed on May 18, 2021. This was a multi-phased tender consisting of concrete unit masonry veneer, building envelope and cladding, overhead doors, glazed aluminum curtain wall and sunshade system, civil work and asphalt paving.

Discussion

Tender package # 2 included five separate tenders. Following the Municipality's Procurement Policy and the provincial and federal trade agreement obligations, it was advertised on BC Bid and the Municipality's website on April 6, 2021. An invitation to tender under the Procurement Policy is a price-based competitive process used for higher-value contracts, such as this one, where there is a clear set of specifications and the Municipality wants to find the lowest price. The Policy also requires Council approval for individual expenditures over \$500,000 that have been included in the Financial Plan.

Below is a summary of results for each of the five tenders, including the lowest bid:

C-010 Concrete Unit Masonry Veneer – Budget \$700,000

- Three tenders were submitted, ranging from \$385,600 plus GST to \$543,161 plus GST.
- Low Tender: Rob Tournour Masonry Ltd. -\$385,600 plus GST.

C-011 Building Envelope and Cladding Finishes – Budget \$1,500,000

- Two tenders were submitted ranging from \$2,477,700 plus GST to \$2,597,340 plus GST.
- Low tender: Flynn Canada Ltd. -\$2,477,700 plus GST.

C-012 Overhead Sectional and Coiling Doors – Budget \$75,000

- One tender was submitted.
- Low tender: Harbour Door Services Ltd. -\$52,989 plus GST.

C-013 Glazed Aluminum Curtain Wall and Sunshade Systems Budget– \$2,000,000

- Four tenders were submitted, ranging from \$823,750 plus GST to \$1,790,000 plus GST.
- Low tender: Visionary Glass Inc. - \$823,750 plus GST.

C-014 Civil Work (Excluding Paving) – Budget \$2,000,000, including paving

- Three tenders were submitted, ranging from \$555,668 plus GST to \$799,154 plus GST.
- Low Tender: Milestone Equipment Contracting Inc.. - \$555,668 plus GST.

Implications

Of the five tenders received, two were within staff's spending authority, approved as per the Procurement Policy and are provided for Council's information only. Three of the tenders are over \$500,000 and require Council approval. Overall tenders approved or recommended are within the construction budget.

Approved or Recommended	Low Tender	Budget
C-010 Concrete Unit Masonry Veneer – Approved	\$385,600	\$700,000
C-011 Building Envelope and Cladding Finishes	\$2,477,700	\$1,500,000
C-012 Overhead Sectional and Coiling Doors - Approved	\$52,989	\$75,000
C-013 Glazed Aluminum Curtain wall and Sunshade Systems	\$823,750	\$2,000,000
C-014 Civil Work (Excluding Paving)	\$555,668	\$2,000,000
TOTAL	\$4,295,707	\$6,275,000

Recommendation

That Council award the contract for the:

- (1) C-011 Building Envelope and Cladding Finishes to Flynn Canada Ltd. for \$2,477,000 plus GST;
- (2) C-013 Glazed Aluminum Curtain Wall and Sunshade Systems to Visionary Glass Inc. for \$823,750 plus GST; and,
- (3) C-014 Civil Work (Excluding Paving) to Milestone Equipment Contracting Inc. for \$555,668 plus GST.

Report

Date June 2, 2021
To Council
From Lane Killick, Chief Building Inspector
Subject Building Clerk – Two Year Temporary Position

File:

Endorsed:



Purpose

To consider a proposed amendment to the 2021 Building Budget to hire a two-year, temporary Building Clerk position to address capacity issues and increased legislative requirements.

Background

Building activity in North Cowichan has been strong over the past five years and continues to be resilient in 2021. Indications are that development activity will remain robust in coming years, with many commercial, multi-family residential and institutional projects at various stages of the planning process.

YEAR	ANNUAL BUILDING PERMIT CONSTRUCTION VALUES
2016	\$39,761,000
2017	\$47,357,000
2018	\$67,257,000
2019	\$85,833,000
2020	\$64,246,000
2021	Jan-April \$58,785,000 estimated total for 2021 \$80,000,000

In addition to the increased building activity year over year, there have been changes to building permitting and inspection procedures and regulations that are consuming additional staff resources, some of which include:

1. New *BC Building Code* requirements have made it necessary to conduct four additional inspections per dwelling, increasing from 8 inspections to 12;
2. More extensive building design plan review regarding seismic design, energy efficiencies and radon gas mitigation design;
3. Additional training in the areas of new technology, materials and building efficiencies design; and,
4. Training related to the *BC Building Act's* inspector certification requirements.

The Building team of the Planning and Building Department is currently staffed with a Chief Building Inspector, three Building Inspectors and a Building Secretary. The increased work volume is being managed by a combination of temporary, part-time administrative support and Building Inspector overtime. Despite this additional resourcing, the processing time for building permit applications has lengthened from approximately six weeks in 2020 to eight weeks in 2021 (for a permit to build a single family dwelling). Other work such as closing expired building permit files has been temporarily set aside to prioritize new applications and inquiries.

A new Building Clerk term position is proposed to better match staffing levels with work volumes and service delivery expectations. Staff propose that the position be funded through the projected increase in permit fee revenue.

Discussion

Overview of Proposed Position:

The Building Clerk is envisioned as a front-line position to support the building inspectors and maintain and improve customer service. The Building Clerk would have a working knowledge of the *BC Building Code* but would not necessarily be a qualified Building Inspector. The new position would manage work currently being done by the Building Inspectors that the Building Secretary is unable to fully assist with, thereby freeing up time for the Inspectors to do the work required of qualified professionals. Duties of the new position would include things like:

1. Review all building permit application design drawings for basic code compliance and relevant documentation.
2. Request missing or incorrect building permit application information.
3. Refer for review the complete building permit files to the relevant Building Inspector, Planning, Engineering and Fire Department staff member.
4. Respond to Building Code and building permit application counter, email and phone inquiries.
5. Provide property file review service upon our office receiving a request for the property's building permit history.

With a shortage of certified Building Inspectors in B.C. and many inspectors retiring, the Building Clerk position would provide entry-level training into the Building Inspector field and more easily enable the internal hiring of future Building Inspectors at North Cowichan.

As the position classification does not presently exist within the collective agreement, consultation with the CUPE Local 358 will be required should Council authorize staff to proceed.

Qualifications for the Building Clerk position include a mix of technical and administrative education and skills, including eligibility for the Building Officials Association of BC Level 1.

Funding and Costs:

Local governments may impose fees and charges for the provision of services, use of property, the exercise of regulatory authority, or obtaining copies of local government records. They have broad authority when establishing a fee structure, including:

- Basing a fee on any factor specified in the fee bylaw;

- Establishing different fee rates in relation to different factors;
- Establishing terms and conditions for fee payment, for example, discounts, interest and penalties; and,
- In some instances, applying a fee outside the boundaries of the local government.

A fee amount must not be excessive. Instead, 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 only those who benefit from the service bear the cost.

For the last five years, annual building permit fees received have doubled. This year, as of May 1, 80% of the previous year's building permit fees have already been received, and it is expected that the fees will exceed the average of the past five years. Funding for the Building Clerk position is proposed from increased fee revenue. The position as proposed is temporary and can be reconsidered through the annual budgeting process if building activity slows.

YEAR	Building Permit fee revenue January 1 -May 1, 2021	Average Building Permit Fee Revenue
2011-2015		\$265,000
2016-2020		\$501,000
2021 (Jan-May)	\$436,000.00	\$600,000 Plus (Year End Forecast)

The 2021 cost of wages and benefits for the temporary position (approx. 6 months) is estimated at \$41,600.

Options

Option 1:

That Council approve a temporary Building Clerk position, to be funded by increased building permit revenue, for a term of two years.

Option 2:

That Council direct staff to include the Building Clerk position for consideration as part of the 2022 budget process.

Implications

If building activity remains strong and no corrective action is taken in 2021, capacity limitations will impact service levels, including timelines for application processing. Staff would also anticipate increased public complaints, to Council or the organization, regarding wait times. Increased building activity can be managed to some degree through overtime and part-time administrative support. Still,

such temporary fixes are not sustainable and do not provide the continuity and structural capacity necessary to address a sustained increase in building and building permit activity. Planning that is now occurring for large-scale commercial, residential and institutional projects suggests that building activity will remain strong in the next 5 to 10 years and that additional organizational capacity will be required to manage it. The new hospital, the new RCMP Detachment and the new high school are examples of major institutional projects requiring significant support from the Building team in the immediate future.

By creating a temporary Building Clerk position using the revenue generated by the building fees collected, North Cowichan is ensuring that these fees are being used to recover the costs of providing building inspection services and that service levels are maintained. This would be consistent with the [2019-2022 Council Strategic Plan](#).

- commitment to service (pg. 7) *"to ensure building inspections and permits services meet public expectations"*; and
- service goal (pg. 10) *"to provide responsive, efficient, transparent and engaged service that contributes value to the community"*

Recommendation

That Council approve a temporary Building Clerk position, to be funded by increased building permit revenue, for a term of two years.

Ginny Gemmell

From: [REDACTED] FIPPA s. 22(1)
Sent: Sunday, March 14, 2021 7:59 PM
To: Council
Subject: Cell Tower Mount Tzouhalem

Dear Council,

I'm writing to you as a North Cowichan taxpayer and mother of three children aged 5, 3 and a baby aged 5 months.

We recently learned that Rogers are proposing to install a 5G cell tower within 200ft of our home. My husband and I moved to Canada from Scotland three years ago. We chose the Cowichan Valley as it is a safe and healthy environment to raise our children. My husband and I are dismayed that council voted in favor of the tower in a location so close to residents and at one of Duncan's top tourist attractions. Also there are no long term studies that confirm 5G technology is safe.

The 5G roll out has been halted in a number of countries including Switzerland due to health concerns. I want to make it clear that the tower when built would emit constant high frequency microwave radiation at up to 300Ghz, 24 hours a day, 7 days a week. High frequency microwave radiation has been proven to affect young and developing children far more than adults, and as a mother I'm deeply concerned. No one wants to live next to a cell tower especially when they children and it's a mistake for council to approve this location in close proximity to so many homes.

Researchers in Germany studied 1000 residents who lived in close proximity to two cell phone towers for 10 years. During the last five years of the observations, researchers discovered neighbors living within 400 meters of the cell towers were diagnosed with cancer at a rate that was three times higher than those who lived much further away.

Our neighbourhood is already suffering from the excess traffic volumes and we pay very high property taxes, we alone pay \$7500.00 per year. The thought of walking outside my front door and being faced with a 35ft mobile mast tower on top of this fills me with dread.

I urge you to re-consider the citing of this tower for the sake of local families and my children's health.

Kind regards

[REDACTED] FIPPA s. 22(1)

Sent from my iPad

Council Member Motion

Notice given on: Wednesday, May 19, 2021

Meeting Date Wednesday, June 2, 2021
From Councillor Marsh
Subject Management of Municipal Forests

Background

- There is no doubt we have increased (and renewed) interest in the MFR and its future – as evidenced by the numbers of letters to Mayor and Council, letters to the editor and posts on social media – this may be partly due to the increased awareness of forestry issues locally, regionally and provincially such as the Fairy Creek protests, the couple of Where do We Stand articles, and the sheer delay of over two years for the community to consult with MNC, and it still hasn't started.
- Much of the discussion and debate in the letters to the editor and on social media are based on speculation, misinterpretation of fact, misinformation; and the sources are those that people would be more likely to consider as having the facts.
- There is a danger the speculation and misinformation will become entrenched as fact before the consultation even recommences – this could create problems for the MNC and hinder the engagement and forest planning process and the highest and best use outcome desired by Council and many in the community
- It seems incumbent that the MNC take the initiative to ensure the community is as well informed of the facts as possible about the forests with whatever factual information is available at the moment – partly to counter misinformation and speculation and partly to prep the community for the soon to recommence engagement process. Again, not doing so could cause entrenched beliefs and closed ears and minds.
- The MNC has plenty of good factual information – visual landscape inventory, species at risk analyses, sensitive ecosystem inventories, updated forest inventory information etc., and a carbon project feasibility study. This information is available as mapping, slide presentations (UBC etc.) and video presentation to Council, from 3Greentree July 2020 – How can we make this information available as a resource for the community to inform themselves of the MFR in advance of the Engagement process recommencing?
- It seems prudent to get this out to the community in a coordinated and focused way – making it easily accessible for all, so that MNC is leading the information by sharing facts and not being put in a defensive role.
- As I've looked around at what took place during my leave, my conclusion is that the bundle of expert information Council has received so far merits its own webpage – The MFR – Today and into the Future has a nice ring to it. If there is one webpage that includes links to everything to do with this review thus far and what is expected in the future, it would be

a helpful resource.

Recommendation

Whereas subjective/misinformation regarding possibilities for the future management of the Municipal Forests is being published in local media and on social media, including from former Council members and others who's opinions could more readily be accepted by the public as correct, potentially resulting in greater weight and/or biased, entrenched beliefs, before the consultation itself has taken place;

And further given that the public needs access to the same open information Council is privy to, in order to make an informed decision, and considering The Municipality reported to the community that consultation will be on hold while Council completes consultations with the Cowichan Nations quite shortly after the 3Green Tree presentation, this has further opened the door for the public to get attached to the incorrect/subjective and incomplete information that is being spread in the community as has been alluded to above;

Therefore be it resolved that Council direct staff to post the Cow Meeting of July 7, 2020 video link (attached) by 3GreenTree's and UBC's faculty, Dr. Brad Seely, Dr. Clive Walham and Dr. Peter Arcese on our MNC social media including the FB page, explaining that misleading information has been circulating in the community and these are some initial actual potential scenarios, including cost/benefit analysis and further explaining that Council is interested in considering any other potential scenarios that may come forward once consultation resumes. Also a line to the written report (also attached from UBC to COW July 7, 2020 on pages 6 -88 of that agenda). These are available on the website already so it is public information, as is the other attached information Council has received including the report UBC tabled to COW on July 7, 2020 on pages 6 – 88. The other attachments to this report are public information as well.

Additionally, that Council direct staff via social media, as part of the same link and message suggested above, to invite citizens to subscribe to the new notifications process where they can select subjects of their interest and receive updates on them in their inbox going forward. This way MNC leads the narrative on our plans and initiatives and what each department listed is up to at any given time. Anyone who has already signed up should get these links in their inbox as soon as possible.

Links to supplemental information:

- (1) July 7, 2020 COW meeting video [link has been synchronized to start at the introduction to the presentation]
<https://www.northcowichan.ca/EN/main/municipal-hall/video-player.html?video=20200707W#!266230>
- (2) UBC partnership Presentation to COW July 7, 2020 – pages 6 – 88
<https://pub-northcowichan.escribemeetings.com/FileStream.ashx?DocumentId=2281>
- (3) For public-facing information with respect to the Forestry Engagement, staff maintain a "current topics" page here:
<https://www.northcowichan.ca/EN/main/community/current-topics/municipal-forest-reserve.html>
- (4) Within this page, you can find what was planned for engagement back in 2020 before it was paused here:
https://www.northcowichan.ca/assets/Departments/Communications/MFR_RevisedEngagementSchedule_20200429.pdf
- (5) You can access the Forestry Webmap here:
<https://www.arcgis.com/apps/webappviewer/index.html?id=2346f9fa5669451cad56966546c06239>

To see in the sensitive ecosystem classifications noted on the map, click the green icon at the bottom center that looks like a stack of documents (called the "layer list") and select the "Sensitive Ecosystem Inventory" box



May 25, 2021

Dear Mayors and Regional District Chairs:

My caucus colleagues and I are looking forward to connecting with you all again at this year's Union of British Columbia Municipalities (UBCM) Convention. As was done last year, both the Convention and the provincial government meetings will be held virtually.

UBCM provides a wonderful opportunity to listen to one another, share ideas, and find new approaches to ensure our communities thrive, particularly as we focus on recovering from the impact of COVID-19. With local, provincial, federal, and First Nations governments working together, we can continue to build a better BC. The 2021 Convention has been scheduled for September 14-17, 2021.

The week prior, from September 7-13, 2021, provincial government meetings will be held. To request a meeting with me or one of my Cabinet colleagues, please register online at <https://ubcmreg.gov.bc.ca/> (live, as of today). Please note that this year's invitation code is **MeetingRequest2021** and it is case sensitive. The deadline to submit your meeting requests is June 30, 2021. If you have any questions, please contact UBCM.Meetings@gov.bc.ca or phone 250-213-3856.

I look forward to once again being part of your convention, meeting with many of you, and exploring ways that we can partner together to address common issues.

Sincerely,

A handwritten signature in blue ink that reads 'John J. Horgan'.

John Horgan
Premier



May 25, 2021

Ref: 266944

Dear Mayors and Regional District Chairs:

It is my pleasure to write to you as the Minister of Municipal Affairs regarding the process for requesting a meeting with me, or with ministry, agency, commission and corporation (MACC) staff, during the upcoming 2021 UBCM Convention.

The UBCM Convention will again be held virtually and in an abbreviated format from September 14 to 17, 2021. Provincial government meetings will also be held virtually and will occur the **week before** Convention, from September 7 to 13, 2021, to allow delegates to fully focus and participate during the shortened Convention program.

You will receive a separate letter from the Honourable John Horgan, Premier, containing information about the online process for requesting a meeting with the Premier or other Cabinet Ministers.

If you would like to meet with me the week before Convention, please complete the online request form at: [MUNI Minister's Meeting](#) and submit it to the Ministry of Municipal Affairs before **June 30, 2021**. Meeting times and dates will be confirmed by mid-August. I will do my best to accommodate as many meeting requests as possible. If I am unable to meet with you, arrangements may be made for a meeting post-Convention.

To get the most out of your delegation's meeting with me, it continues to be helpful for you to provide as much detail as possible in the online form on the topic you wish to discuss. Providing this information in advance gives me a better understanding of your delegation's interests and our discussion can be more productive.

Regarding provincial staff meetings, ministry staff will email you shortly with the Provincial Appointment Book. This document lists all MACC staff expected to be available to meet with delegates around Convention time, as well as details on how to submit an online MACC staff meeting request.

This year's UBCM Convention will be my first as Minister responsible for local government, but certainly not my first Convention. After serving as Chair and Vice-Chair of the Alberni-Clayoquot Regional District and seven years as Mayor of Tofino, I am thrilled to be able to continue connecting with each of you in my new role. Through the regional calls we have had over the last several months, I have had the chance to hear about some of the challenges you face, especially related to COVID-19, as well as many of your accomplishments.

.../2

I look forward to more of these conversations at Convention and to hearing your feedback on how we can continue to work together and collaborate to build stronger and resilient communities.

Sincerely,

A handwritten signature in black ink, appearing to read 'Josie', with a stylized flourish extending to the right.

Josie Osborne
Minister

pc: Honourable John Horgan, Premier
Brian Frenkel, President, Union of BC Municipalities



Cowichan Land Trust
#6-55 Station Street
Duncan, BC V9L 1M2
Phone: (250) 746-0227 ♦ Email: info@cowichanlandtrust.ca

Attention: Municipality of North Cowichan (MNC)
Staff and Council

Re: COWICHAN COMMUNITY LAND TRUST (CCLT)
Submission to the MUNICIPALITY OF NORTH COWICHAN
OFFICIAL COMMUNITY PLAN (OCP) PROCESS

May 25, 2021

Greetings,

Thank you for the invitation to offer input regarding the Official Community Plan review. The CCLT board directors have collaborated to provide the following submission.

Who we are:

The [Cowichan Community Land Trust](#) is a non-profit society based in Duncan, British Columbia. It is a registered charity in Canada and is entitled to hold conservation covenants in British Columbia. It was founded in 1995 by a group of concerned citizens who wished to help landowners find alternatives to the degradation of natural areas and wildlife habitat.

Our mission:

We help to take care of the land and water in the Cowichan Valley for the benefit of all life now and in the future. We do this by acquiring land, entering into conservation agreements, and by providing education and support to individuals and other groups who are caring for the land.

Our view:

We applaud the foresight of the MNC in this community engagement to jointly vision our collective future and are grateful for the opportunity to make this submission. The CCLT is proud of its accomplishments over the last 25-years and energized by the community recognition that our organization receives at important times of reflection and decision such as this.



Cowichan Land Trust
#6-55 Station Street
Duncan, BC V9L 1M2
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Broadly, the CCLT's mandate is guided by three considerations with respect to land:

1. A recognition that endemic ecosystems are the basis of human health and prosperity,
2. Urgency; recent research indicates that for terrestrial ecosystems to be sustained in perpetuity, 30% - 70% of their land base should be protected, (Holt, R.F. and [the 2010 CVRD State of the Environment Report](#), also the [2014 Landbase Update](#)) and,
3. A call to action; we provide assistance to those who would seek to protect the land in the form of educational support, on-the-ground restoration work, conservation strategies, and the establishment of conservation covenants.

The OCP:

We have reviewed the existing 2011 OCP (Bylaw 3450) and recognize many policy elements that are pertinent to or aligned with the CCLTs mandate. It is encouraging that the Municipality already recognizes many of the attributes that are important to us and our members.

Of the five overarching Principles, we particularly embrace the expressions of sustainability, smart growth, environmental health, and community engagement.

The comprehensive listing of assets and challenges touches on many shared concerns. We would draw particular attention to the importance of these subject areas: Rural Land Use, Municipal Forests, Coastal Douglas-fir Zone, Water and Watersheds, Climate Change, Parks Acquisition, and a Regional Approach.

The recognition of forests and biodiversity is a central concern. Our own consideration of forest land is reported in ["Seeing Cowichan Forests Beyond Trees"](#) published in 2020. This document explores the dominance of private forest land in this region and opportunities to capture ecological vitality and benefit for the greater public through creative policies. Local governments can assist private forest landowners who may wish to protect forest land values. We urge the OCP to champion productive forest land management through an ecological lens and to recognize models of incremental forest management as preferable to wholesale industrial plantation management. (Ref. 2.1.2.3) By incentivizing a more sustainable management style, the forests are given a better chance to "guard our environment" and help our community "adjust to climate



Cowichan Land Trust

#6-55 Station Street
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change.” In future we imagine that forestry progress might be measured by land area under ecological management, biodiversity richness, or carbon sequestered.

We endorse the current OCPs mention of “ecosystem health, biodiversity, and critical habitats.” (Ref. 2.2) Recognition of “environmentally sensitive areas” (ESA) in this nationally regarded biogeoclimatic zone is very important. The Coastal Douglas-fir Zone (CDF) is in a state of crisis. (We note that by association with the CVRD, the Municipality is a fellow member of the [Coastal Douglas-fir Conservation Partnership](#).) The present OCP policy commitment rightly pledges to “maintain, protect, and restore ecosystems and address threats to biodiversity” (Ref. 2.2.1.2) and the CDF in particular. (Ref. 2.2.1.4) “The Municipality, in partnership with land trusts or environmental non-government organizations, may acquire environmentally sensitive areas for habitat protection.” (Ref. 2.2.1.2.g) The Municipality is to be lauded for its follow-through on this as we can point to a number of collaborative examples in recent years with the CCLT.

We appreciate the present OCPs aspiration for parks acquisition especially when it entails the capture of important natural assets such as “forests and environmentally sensitive areas that have been retained in a natural undisturbed state and which meet municipal environmental protection goals.” (Ref. 2.5.8.4) We embrace the partnership aspect expressed in this section and again note our mutual collaboration in the past.

A strong municipal support for incentivizing donors can not be underestimated. “The Municipality will assist prospective donors in determining their eligibility for charitable donation tax receipts and preferential tax treatment.” (Ref. 2.5.8.5.d) In this connection we draw your attention to models of conservation tax incentivization already practiced by the Islands Trust Natural Areas Protection Tax Incentive Program (NAPTEP). This initiative has been supported more widely by a Union of BC Municipalities resolution in 2015 and the BC Ministry of Environment. The [Conservation Tax Exemption Program](#) would assist in expanding ecological protection on private lands while minimizing any Municipal tax impact.

The CCLT recommends that the new OCP contain specific notice regarding the option for landowners concerned about the long-term preservation of environmental values and features of their property to enter into a conservation covenant with a non-governmental conservation organization.



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In summary:

The OCP is an ambitious document in that it attempts to incorporate the input of all citizens and formulates specific policies and actions that will guide Municipal government over time. As requested, we have provided some input to this process. However, we recognize that the OCP also encourages actions that private citizens can take to preserve environmental values that do not necessarily require Municipal government involvement. This promotional aspect of the OCP is important too as it can serve to inform the public about environmental education activities, habitat restoration work, and the preservation of land features through the establishment of conservation covenants with land trust organizations.

It is recognized that this consultation process will attempt to synthesize diverse perspectives and advice. Be assured that once deliberations are concluded the CCLT stands ready to assist in and be a part of MNC community land protection initiatives.

With appreciation for this opportunity to contribute to this community process,

Jim Ayers
President
Cowichan Community Land Trust