

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, April 3, 2024, 4:00 p.m.
Municipal Hall - Council Chambers & Electronically

Members of the public may attend the Municipal Hall [7030 Trans-Canada Highway] in person, or join the meeting electronically to participate during the 'Public Input' and 'Question Period' portions of the agenda. Please visit northcowichan.ca/virtualmeeting for instructions on how to connect online or you may dial 1.844.426.4405, enter 1# for English, enter the meeting ID 2773 432 4636, and then enter the meeting password 1111.

Pages

1. CALL TO ORDER

As soon as there is a quorum present after the time specified for the Council meeting, the Mayor shall call the meeting to order. If there is no quorum of Council present within 30 minutes of the scheduled time for the meeting, the meeting is adjourned until the next scheduled meeting.

2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC

A resolution of Council must be passed during the open portion of the meeting stating the basis under the *Community Charter* in which the public shall be excluded.

Recommendation:

THAT Council close the meeting at ____ p.m. to the public on the basis of the following section(s) of the *Community Charter*.

- 90(1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

3. CLOSED SESSION [4:00 - 5:00 PM]

Any matters that must or may be closed to the public in accordance with section 90 of the *Community Charter* shall appear here.

3.1 Approval of in-camera meeting agenda

3.2 Adoption of in-camera meeting minutes

3.3 In-camera meeting items

3.3.1 Closed under section 90(1)(j) - FIPPA s.21 + Harm

3.4 Rise and Report

4. AWARDS

4.1 2024 Environmental School Program and Awards

10 - 23

Purpose: Sarah Grieves, Engineering Technologist, Environmental Programs to present awards to local students for the Environmental Education Program.

5. APPROVAL OF CONSENT AGENDA

To adopt all recommendations appearing on the Consent Agenda in one motion, without discussion or debate. Included are items that are regular, non-controversial, or routine in nature. 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 Council approve the Consent Agenda and the recommendations contained therein.

5.1 Items for decision

All recommendations provided under each of the items listed below will be adopted once the Consent Agenda is approved, unless removed and placed under New Business.

5.1.1 Council Meeting Minutes for Adoption

24 - 30

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

Recommendation:

THAT Council adopt the minutes of their special and regular meetings held March 20, 2024.

5.2 Items for information

All items listed below will be received for information purposes only once the Consent Agenda is approved, unless removed and placed under New Business where Council may consider taking action.

5.2.1 Environmental Advisory Committee Minutes

31 - 32

Purpose: To receive for information the draft minutes from the March 26, 2024, Environmental Advisory Committee meeting.

Recommendation:

THAT Council receive for information the minutes from the March 26, 2024, Environmental Advisory Committee meeting.

5.2.2 City of Duncan re Requesting support for AVICC Resolution

33 - 35

Purpose: To receive for information the March 15, 2024, letter from Michelle Staples, Mayor of the City of Duncan requesting support for their resolution [fail to appear charges in policing statistics] which will be considered at the Association of Vancouver Island Coastal Communities (AVICC) 2024 AGM & Convention.

Recommendation:

THAT Council receive for information the March 15, 2024, letter from the City of Duncan.

5.2.3 Town of Osoyoos re Requesting support for UBCM Resolution 36 - 38

Purpose: To receive for information the February 29, 2024, letter from Sue McKortoff, Mayor of the Town of Osoyoos requesting support for their resolution [legislative changes regarding personal and defamatory attacks on municipal leaders] which will be considered at the Southern Interior Local Government Association (SILGA) 2024 Convention, in advance of the UBCM Convention.

Recommendation:

THAT Council receive for information the February 29, 2024, letter from the Town of Osoyoos.

5.2.4 City of Port Alberni re Request for Enhanced Provincial Support for the Port Alberni Mill 39 - 40

Purpose: To receive for information the March 15, 2024, letter from Sharie Minions, Mayor of the City of Port Alberni to the Honourable Bruce Ralston, Ministry of Forests requesting enhanced provincial support for the Port Alberni Mill.

Recommendation:

THAT Council receive for information the March 15, 2024, letter from the City of Port Alberni.

5.2.5 Ministry of Agriculture and Food re An Invitation to present on Land Use Planning for Agriculture 41 - 41

Purpose: To receive for information the March 22, 2024, letter from Jeff Weightman, Acting Director, Land Use and Geospatial Unit, Ministry of Agriculture and Food, offering to present as a delegation to a future Council meeting on agricultural land use planning and the legislative tools available.

Recommendation:

THAT Council receive for information the March 22, 2024, letter from the Ministry of Agriculture and Food.

6. APPROVAL OF REGULAR AGENDA

To consider any items of business not included in the Agenda that are of an urgent nature they 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 the agenda be adopted as circulated [or as amended].

7. MAYOR'S REPORT

Mayor's opportunity to make announcements and update Council and the community on various matters which the Mayor has participated in since the last meeting.

8. **DELEGATIONS**

9. **PUBLIC INPUT ON AGENDA ITEMS**

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. Members of the public attending the meeting in person must register at least 10 minutes prior to the meeting by signing the sheet posted outside of Council Chambers. Members of the public attending electronically must raise their hand once the meeting has been called to order. Please visit northcowichan.ca/virtualmeeting for instructions on how to raise your hand. Speakers are asked to state their name and residential address when commencing their address to Council.

10. **BYLAWS**

11. **REPORTS**

This section includes reports from staff requiring a decision of Council and/or staff presentations. Staff reports for information only are placed in the Consent Agenda.

11.1 Development Variance Permit Application 9837 Napier Place, Chemainus. BC 42 - 62

Purpose: To consider a Development Variance Permit application to vary a side yard fence height for an existing fence from 1.2 m to 2.5 m at 9837 Napier Place.

Recommendation:

THAT Council authorize the issuance of Development Variance Permit DVP00103 and grant a variance to section 37.1(8) of Zoning Bylaw No. 2950, 1997 to increase the maximum side yard fence height from 1.2 metres to 2.5 metres to regularize the existing fencing at 9837 Napier Place (PID 030-280-079).

11.2 Safer Community Plan 63 - 91

Purpose: To provide direction to staff on whether to continue to implement the recommended actions under the Safer Community Plan or to initiate the development of a new plan.

Recommendation:

THAT Council direct staff to undertake a collaborative process to develop a new Safer Community Plan which addresses crime, public safety, public disorder and the impacts of the addictions and mental health crisis on our community, and that staff return to Council with a draft version of that report for consideration.

11.3 Suspension of No Heavy Truck Route on Bell McKinnon Road 92 - 97

Purpose: To consider suspending the "no heavy trucks" restriction on Bell McKinnon Road during the construction of the Cowichan District Hospital Replacement and designating Mays Road from Herd Road to Bell McKinnon Road as a "no heavy truck" route.

Recommendation:

That Council:

1. Suspend the “no heavy truck” designation on Bell McKinnon Road between Herd Road and Mays Road until the detour route is not required for the construction works related to the Hospital Replacement Project as determined by the Director, Subdivision and Environmental Services.
2. Designate Mays Road from Herd Road to Bell McKinnon Road a “no heavy truck” route and direct staff to install appropriate regulatory signage.
3. Direct staff to complete work with the construction project team and the Ministry of Transportation and Infrastructure for effective and timely detour routing as described in the Director, Subdivision and Environmental Services report dated April 3, 2024.
4. Direct staff to work with the construction project team on an as needed basis to ensure that Bell McKinnon Road is repaired to the equivalent conditions present or better upon completion of the roadworks.
5. Direct staff to communicate with the public prior to detour routes becoming active and regularly throughout the construction at milestones that could affect motorists.

12. NOTICES OF MOTIONS

This section includes notices of motions submitted by Members of Council for introduction only, discussion and debate of the motion shall occur at a future meeting. Introductory remarks or clarifying questions are not permitted at this time as per Council’s Notice of Motion Policy.

12.1 Request for Termination of the Covid-19 Vaccine Mandate

Purpose: So that Councillor Findlay may introduce the following motion which Council will consider at the April 17, 2024, regular Council meeting.

"WHEREAS North Cowichan Council voted on March 20, 2024, to provide a grant-in-aid of \$1,000 to the Cowichan Valley Primary Care Society, and to send a letter in support of the Cowichan Valley Primary Care Society to the BC Minister of Health;

AND WHEREAS the healthcare industry in British Columbia is stretched to the limit, from all accounts;

AND WHEREAS approximately 10,000 healthcare workers retired, left the industry, moved out of province, or chose to stop working due to the provincial Covid-19 vaccine mandates;

AND WHEREAS approximately 4,000 healthcare workers remain out of the industry, but wish to return to their previous healthcare positions;

AND WHEREAS British Columbia remains the only jurisdiction in North America to maintain a vaccine mandate for healthcare workers;

NOW THEREFORE be it resolved that North Cowichan Council authorize the Mayor to send a letter to Minister of Health, Adrian Dix, and the Provincial Health Officer, Dr. Bonnie Henry, to request the termination of the Covid-19 vaccine mandate and invite over 4,000 healthcare workers back to work, to help alleviate the stress on the provincial health care system."

12.2 Support for "Save BC Restaurants"

Purpose: So that Councillor Findlay may introduce the following motion which Council will consider at the April 17, 2024, regular Council meeting.

"WHEREAS Restaurants Canada and the BC Restaurants & Foodservice Association provided a "Save BC Restaurants" menu to North Cowichan council, recommending options for support the BC restaurant & food service industry;

AND WHEREAS North Cowichan, and the Cowichan Valley, have a significant amount of food service establishments, resulting in the 6th highest employment industry in the Cowichan Valley Regional District;

AND WHEREAS food service establishments were disproportionately affected by government's Covid-19 policies and the fallout of the pandemic;

NOW THEREFORE be it resolved that North Cowichan Council:

- 1. request a report from staff that outlines how North Cowichan can expedite the approval process for temporary and permanent patio additions for food service establishments; and*
- 2. authorize the Mayor to send a letter to the provincial government advocating to:*
 - a. remove the "red tape" for liquor licensing purposes, both in permanent and special event situations,*
 - b. implement a "trusted owner" liquor licensing system, rather than a property-specific system,*
 - c. reconsider the minimum wage levels, including an under-18 wage system, for entry-level positions such as food service workers, and*
 - d. freeze WorkSafeBC premiums and return the overages in the program to the businesses most affected by the excess premiums charged."*

12.3 Postpone BC Zero Carbon Step Code Emission Level 4 (EL-4)

Purpose: So that Councillor Findlay may introduce the following motion which Council will consider at the April 17, 2024, regular Council meeting.

"WHEREAS North Cowichan Council adopted the Building Amendment Bylaw on October 18, 2023, which included implemented Emission Level 3 of the BC Zero Carbon Step Code on January 1, 2024, and further implementing Emission Level 4 of the BC Zero Carbon Step Code on July 1, 2024;

AND WHEREAS the construction industry has stated this is an unreasonable and difficult acceleration of code implementation without the full BC industry being in line;

AND WHEREAS the Zero Carbon Step Code, as created by the BC government, was designed to be slowly implemented over time to allow industry to adapt;

AND WHEREAS several municipalities in British Columbia, including North Cowichan and Nanaimo, have expedited the Code six years faster than the provincial guidelines;

AND WHEREAS the construction industry while guided by the rules set out in the BC Building Code by the province, may have accelerated timelines for different, and sometimes neighbouring, municipalities for the Zero Carbon Step Code implementation;

AND WHEREAS North Cowichan staff recommended the expedience of the Zero Carbon Step Code but at a slower rate of Emissions Level 2, and to maintain the provincial guidelines for the Energy Step Code;

AND WHEREAS the Canadian Federation of Independent Business, the Greater Vancouver and Surrey Boards of Trade, the International Brotherhood of Electrical Workers and other unions, restaurant owners, trades and fireplace manufacturers, have created the BC Coalition for Affordable Dependable Energy lobby group to lobby the provincial government over such haphazard amendments;

NOW THEREFORE be it resolved that Council direct staff to draft an amendment to the Building Bylaw to postpone when the Emission Level 4 (EL-4) requirement comes into force and effect from July 1, 2024 to July 1, 2027, to allow industry to adapt to ever-changing energy advancements and legislation."

13. UNFINISHED AND POSTPONED BUSINESS

This section includes matters that have been postponed to a certain time or referred to staff, a committee or some other organization or person, and shall be placed under this section when the matter is returned to Council for consideration.

14. NEW BUSINESS

This section includes external items that require a decision of Council, items that have been removed from the Consent Agenda, and motions submitted by Council members, where previous notice has been given, for Council consideration.

15. QUESTION PERIOD

Question Period is an opportunity for the public to ask brief questions regarding the business discussed during the meeting. When invited by the Mayor, members of the public who are attending the meeting in person may step up to the podium to ask their question(s) and members of the public who are attending electronically may raise their hand at this time. Please visit northcowichan.ca/virtualmeeting for instructions on how to raise your hand.

16. ADJOURNMENT

Once all the business is done and over with, the Mayor may declare the meeting adjourned without requiring a resolution of Council.

2024 Environmental Education Program

Composting!



Sarah Grieves
Engineering Technologist – Environmental Programs

Program Summary

A total of **690 students** participated this year!

The students learned about:

- Different waste streams
- Food waste in Canada
- How to compost (home bin vs. worm bin)
- How to make their own worm compost bin

Teacher Contest

New this year, each teacher had the opportunity to win a worm compost bin for their classroom.

This lucky class can utilize the worm bin the compost their food waste at school!

Contest (Grade K-1)

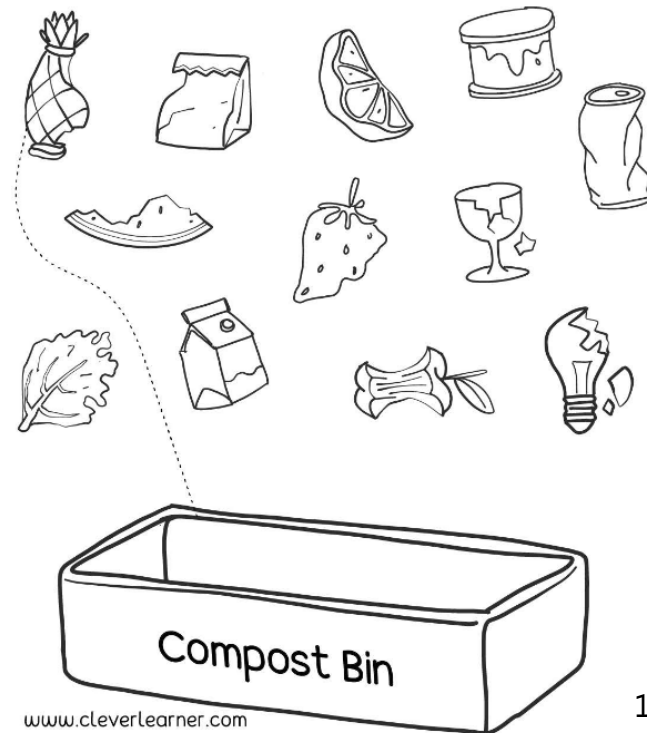
The younger students were asked to complete this worksheet by:

- Colour in all items
- Draw a line to connect the items that belong in the compost bin
- Bonus points: circle recyclable items

Name _____ Teacher's Name _____

My Compost Bin

Color the pictures that belong to your compost bin and draw lines to connect them to the compost bin.



Contest (Grade 2-7)

Students were asked to **design a composting machine** that included:

- A container
- Soil
- Decomposers
- "Green" and "Brown" stuff
- Something to control moisture with
- Something to turn soil

Winner - Kindergarten

Name Jane, Kindergarten Teacher's Name Mrs McNab
DCS

My Compost Bin

Color the pictures that belong to your compost bin
and draw lines to connect them to the compost bin.



www.cleverlearner.com

Winner – Grade 1

Name Clara G 1 Teacher's Name A. Groswell
C. Broughton
Grade 1
DCS

My Compost Bin

Color the pictures that belong to your compost bin
and draw lines to connect them to the compost bin.



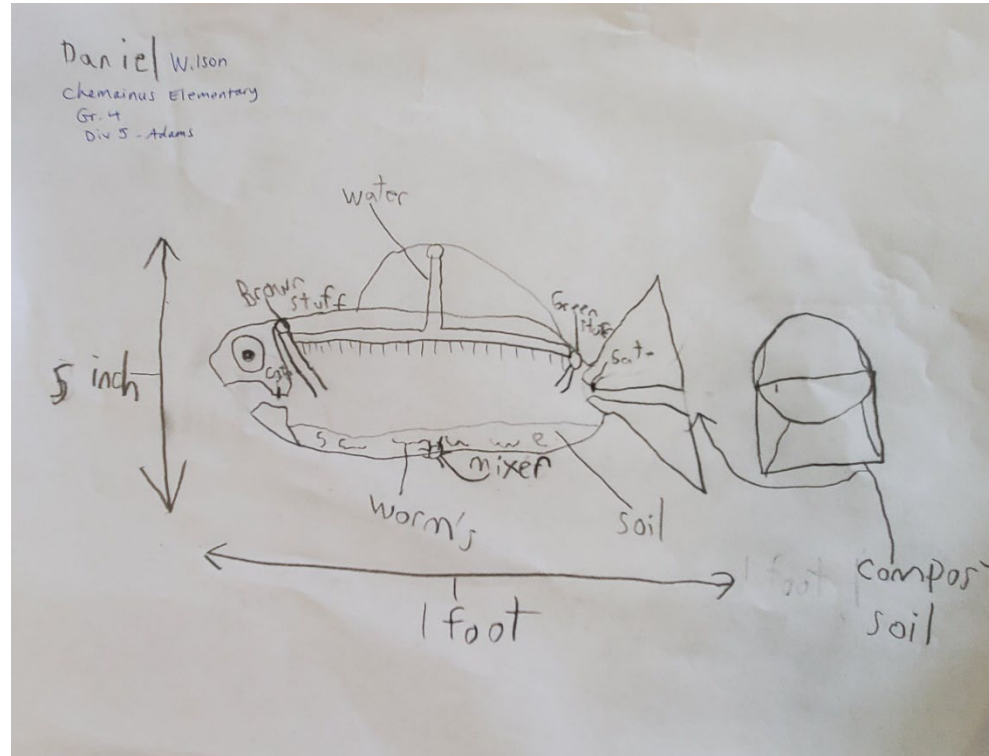
Winner – Grade 2



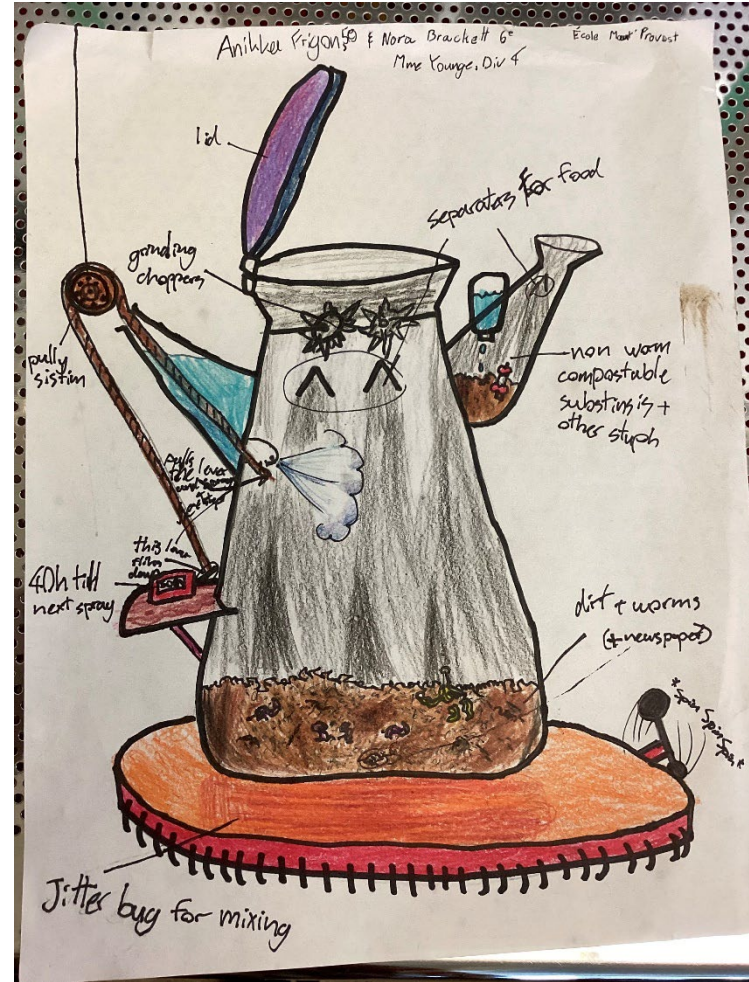
Winner – Grade 3



Winner – Grade 4



Winner – Grade 5 & Grade 6

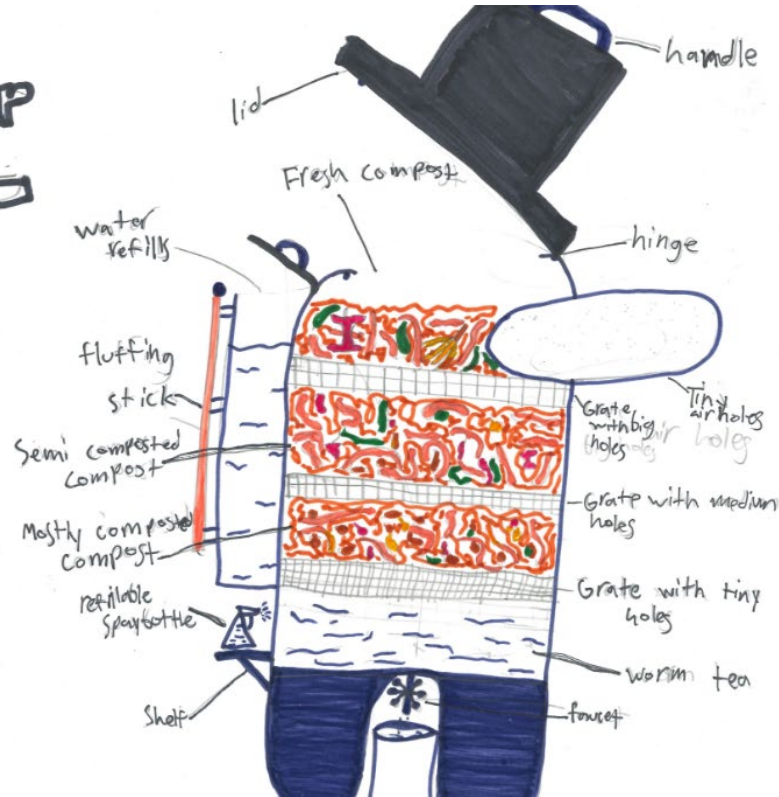


Winner – Grade 7

Composter

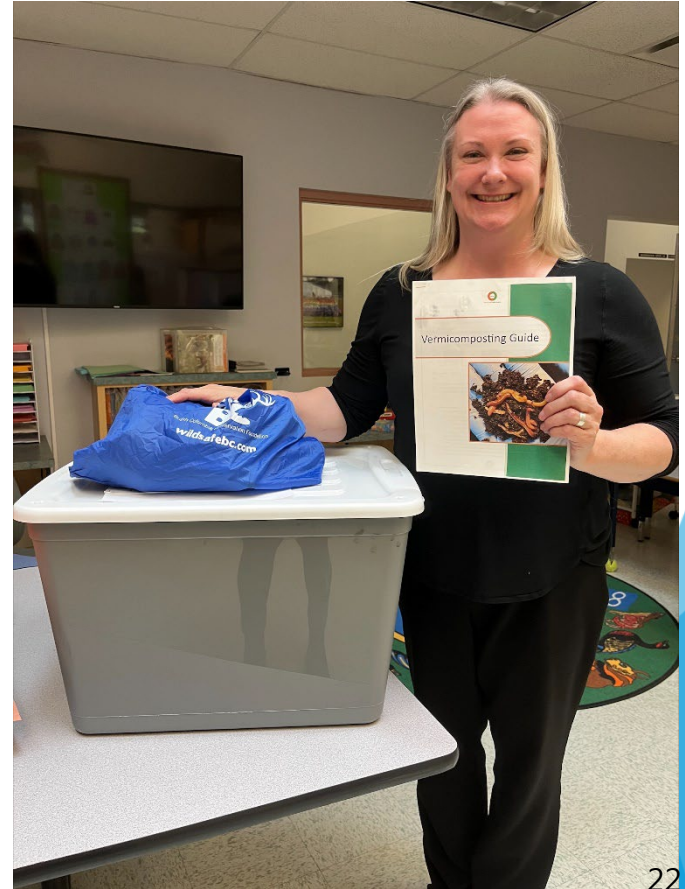
How it works

The way this worm composter works is you put the food in the top and it slowly breaks down and once it's small enough it will fit through the next grate, from there the process continues until it's fully composted once that's done it can be emptied using the tap at the bottom.



Worm Bin Recipient

Jennifer Ward, Grade
6 Teacher at Maple
Bay Elementary
School



Thank you/Huy ch q'u

Congratulations to this year's winners!

Municipality of North Cowichan

Special Council

MINUTES

March 20, 2024, 3:00 p.m.
Large Committee Room

Members Present

Mayor Rob Douglas
Councillor Mike Caljouw
Councillor Bruce Findlay
Councillor Chris Istace
Councillor Christopher Justice
Councillor Tek Manhas
Councillor Debra Toporowski

Staff Present

Ted Swabey, Chief Administrative Officer (CAO)
George Farkas, General Manager, Planning, Development and Community Services
Talitha Soldera, General Manager, Corporate Services
Amanda Young, Director, Planning and Building
Barb Floden, Manager, Communications and Public Engagement
Chris Osborne, Manager, Planning
David Conway, Director, Subdivision and Environmental Services
Marla Laycock, Director, Human Resources and Health & Safety
Neil Pukesh, Director, Parks and Recreation
Ron French, Fire Chief
Teri Vetter, Director, Financial Services
Terri Brennan, Executive Coordinator Office of the CAO and Mayor
Tricia Mayea, Deputy Corporate Officer

1. CALL TO ORDER

There being a quorum present, Mayor Douglas called the meeting to order at 3:00 p.m.

2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC

A late item related to legal advice was added to the closed agenda as item 3.3.4.

IT WAS MOVED AND SECONDED:

THAT Council close the meeting at 3:00 p.m. to the public on the basis of the following sections of the *Community Charter*:

- 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position 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)(d) the security of the property of the municipality.
- 90(1)(e) the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

- 90(1)(g) litigation or potential litigation.
- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

3. CLOSED SESSION

3.1 Approval of in-camera meeting agenda

3.2 Adoption of in-camera meeting minutes

3.3 In-camera meeting items

3.3.1 Closed under section 90(1)(e) Acquisition and (90(1)(g) Potential Litigation

3.3.2 Closed under section 90(1)(c) Labour and 90(1)(d) Security of Municipal Property

3.3.3 Closed under section 90(1)(a) Committee Appointments

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

3.4 Rise and Report

Council rose with report on:

- item 3.3.2 upon completion of negotiations, and
- item 3.3.3 following notification to all applicants.

4. ADJOURNMENT

The meeting adjourned at 4:29 p.m.

Certified by Corporate Officer

Signed by Mayor

Municipality of North Cowichan

Regular Council

MINUTES

March 20, 2024, 5:00 p.m.

Municipal Hall - Council Chambers & Electronically

Members Present

Mayor Rob Douglas
Councillor Mike Caljouw
Councillor Bruce Findlay
Councillor Chris Istace
Councillor Christopher Justice
Councillor Tek Manhas
Councillor Debra Toporowski

Staff Present

Ted Swabey, Chief Administrative Officer (CAO)
George Farkas, General Manager, Planning, Development and Community Services
Talitha Soldera, General Manager, Corporate Services
Amanda Young, Director, Planning and Building
Anthony Price, Development Planner
Barb Floden, Manager, Communications and Public Engagement
Caroline von Schilling, Development Planner
Clay Reitsma, Director, Engineering
David Conway, Director, Subdivision and Environmental Services
Heather Power, Legislative Coordinator
Neil Pukesh, Director, Parks and Recreation
Sarah Foulkes-Watson, Development Planner
Shawn Cator, Director, Operations
Teri Vetter, Director, Financial Services
Tricia Mayea, Deputy Corporate Officer

1. CALL TO ORDER

There being a quorum present, Mayor Douglas called the meeting to order at 5:01 p.m.

2. APPROVAL OF CONSENT AGENDA

IT WAS MOVED AND SECONDED:

THAT Council approve the Consent Agenda and the recommendations contained therein.

CARRIED

2.1 Items for decision

2.1.1 Council Meeting Minutes for Adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt the minutes of their regular meeting held March 6, 2024.

ADOPTED ON CONSENT

2.1.2 Accessibility Advisory Committee Terms of Reference

IT WAS MOVED AND SECONDED:

THAT Council amends the Accessibility Advisory Committee's Terms of Reference by:

1. changing the frequency of Committee meetings from a "monthly basis" to a "quarterly basis"; and
2. striking out "the General Manager of Corporate Services serves as the" under Staff Support.

ADOPTED ON CONSENT

2.2 Items for information

2.2.1 District of Hudson Hope re Support for Bill-34

IT WAS MOVED AND SECONDED:

THAT Council receive for information the March 7, 2024, letter from the District of Hudson Hope.

ADOPTED ON CONSENT

2.2.2 Ministry of Mental Health and Addictions Evaluation of Decriminalization Policy

IT WAS MOVED AND SECONDED:

THAT Council receive for information the February 21, 2024, UBCM notice.

ADOPTED ON CONSENT

3. APPROVAL OF REGULAR AGENDA

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as circulated.

CARRIED

4. MAYOR'S REPORT

Mayor Douglas provided a verbal update on meetings and activities he recently attended.

5. DELEGATIONS

None.

6. PUBLIC INPUT ON AGENDA ITEMS

Council received public input from 5 members of the public participating from Council Chambers and 1 member of the public participating electronically, regarding agenda 8.1, 8.4 and 8.5.

7. BYLAWS

7.1 Zoning Amendment Bylaw No. 3944, 2023 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Zoning Amendment Bylaw No. 3944, 2023.

CARRIED

7.2 Zoning Amendment Bylaw No. 3958, 2024 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Zoning Amendment Bylaw No. 3958, 2023.

CARRIED

8. REPORTS

8.1 Agricultural Land Commission Amendment Request of a Non-Farm Use Application for 1860 Herd Road

IT WAS MOVED AND SECONDED:

THAT Council authorize the Agricultural Land Commission application ID: 65467 to amend the existing covenant EM75358 to allow the clubhouse redevelopment and associated works at 1860 Herd Road to be forwarded to the Agricultural Land Commission with a recommendation to approve it.

CARRIED

8.2 Development Variance Permit Application for 1578 Adelaide Street

IT WAS MOVED AND SECONDED:

THAT Council authorize the issuance of Development Variance Permit DVP00102 and grant a variance to section 58(6)(a) of Zoning Bylaw No. 2950, 1997, to reduce the rear yard setback for a principal residential dwelling from 7.5 to 5.49 metres to facilitate future subdivision at 1578 Adelaide Street.

CARRIED

8.3 Development Permit with Variance at 6258 Seablush Crescent

IT WAS MOVED AND SECONDED:

THAT Council approve Application DP000334 and authorize issuance of a development permit for 6258 Seablush Crescent (PID: 031-866-743) for a townhouse building and grant a variance to Section 80.18 (6) of Zoning Bylaw 1997, No. 2950 to reduce the minimum front yard setback from 6 to 4.1 metres and the minimum side yard setback from 5 to 3.78 metres.

CARRIED

Councillor Manhas recused himself, declaring a conflict of interest on the next item, Development Permit with Variances application for Lots 1 and 2 Drinkwater Road and Lot 1 Ford Road, stating he has a pecuniary interest in the adjacent properties, and he left the meeting at 5:25 p.m.

8.4 Development Permit with Variances application for Lots 1 and 2 Drinkwater Road and Lot 1 Ford Road

IT WAS MOVED AND SECONDED:

THAT Council issue the Development Permit DP000253 for Lot 1, and Lot 2 Drinkwater Road (PID 003-108-163 & PID 000-209-457) and Lot 2 Ford Road (PID 005-926-866) to develop 262 units within a one 5-storey on Area 1 and two 4-storey apartments on Area 2 as attached to the Development Planner's report dated March 20, 2024, and grant these variances to Zoning Bylaw 1997, No. 2950, to:

1. Decrease the minimum apartment parking stalls from 1.5 parking spaces per dwelling unit plus 15% of the total number of units designated as visitor parking to 1.0 parking spaces per dwelling unit (135 stalls on Area 1; 127 stalls on Area 2)

plus 8% of the total number of units designated as visitor parking (14 visitor stalls on Area 1; 8 visitor stalls on Area 2) under section 21(1);

2. Decrease the parking layout dimensions 2-way aisle width from 7.6 m to 6.7 m in the underground parkade in Area 1 and Area 2 under section 24(1);
3. Decrease the minimum regular parking stall length from 5.8 m to 5.5 m in the underground parkade in Area 1 and Area 2 under section 24(1);
4. Decrease the minimum width of parking stalls at posts from 3.0 m to 2.7 m in the underground parkade in Area 1 and 2 under section 24(2)(a); and,
5. Decrease the off-street loading space dimension from 12.0 m (length) to 9.1 m (length) under section 28.

CARRIED

Councillor Manhas returned to the meeting at 5:32 p.m.

8.5 CleanBC Better Homes Program – 2024 update

IT WAS MOVED AND SECONDED:

THAT Council allocate \$40,000 towards the Better Homes Program for the period beginning April 1, 2024, and ending March 31, 2025.

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

9. NOTICES OF MOTIONS

None.

10. UNFINISHED AND POSTPONED BUSINESS

10.1 Primary Care in the Cowichan Valley

Council discussed the Cowichan Valley Primary Care's and the Saunders Foundation's presentations that were presented to Council on January 17, 2024.

THAT Council

(1) Authorize the Mayor to:

- a. send a letter addressed to the BC Minister of Health stressing our support for the proposal from the Cowichan Valley Primary Care Society;
- b. participate in the working group established by the Cowichan Valley Primary Care Society to advance the proposed model;
- c. provide letters of support for future grant applications by the Cowichan Valley Primary Care Society for the balance of the 2022-2026 Council term;

(2) Advocate for unique models of primary care, such as that outlined by the Cowichan Valley Primary Care Society, at the Union of British Columbia Municipalities;

(3) Provide a grant of \$1,000 from the grant-in-aid budget to support the activities of the Cowichan Valley Primary Care Society; and

(4) Defer consideration of how to implement the recommendations in the Community Health Care System Support Playbook until such time as the document has been made publicly available.

(Opposed: Findlay, Manhas)

CARRIED

11. NEW BUSINESS

None.

12. QUESTION PERIOD

Council received 5 questions from the public.

13. ADJOURNMENT

The meeting adjourned at 5:56 p.m.

Certified by Corporate Officer

Signed by Mayor

Municipality of North Cowichan Environmental Advisory Committee MINUTES

**March 26, 2024, 1:30 p.m.
Municipal Hall - Large Committee Room**

Members Present Councillor Mike Caljouw, Chair
 Cam Campbell
 Carolyn Drugge
 Dianne Hinkley
 William Valentine

Members Absent Dr. Jana Kotaska
 Sandra McPherson

Staff Present David Conway, Director, Engineering Projects
 Heather Power, Legislative Coordinator
 Jennifer Aldcroft, Climate Change Specialist

1. CALL TO ORDER

There being a quorum present, the Chair called the meeting to order at 1:31 p.m.

2. APPROVAL OF AGENDA

IT WAS MOVED AND SECONDED:
That the agenda be adopted as circulated.

CARRIED

3. ADOPTION OF MINUTES

IT WAS MOVED AND SECONDED:
That the Committee adopt the minutes of the meeting held January 25, 2024.

CARRIED

4. BUSINESS

4.1 Abbeyfield Houses Society of Duncan - 2024 Community Grant Report

Melinda Hull reported on project results from the installation of a heat pump, funded in part by a Climate Action and Energy Plan Reserve Fund community grant in 2024.

4.2 Climate Action and Energy Plan Reserve Fund – Annual Report

Jennifer Aldcroft, Climate Change Specialist, provided a report on the expenditures from the Climate Action and Energy Plan Reserve Fund for 2022 and 2023 and budget allocated for 2024, in line with the reporting requirements in the fund Terms of Reference.

4.3 Update on Circular Economy

Jennifer Aldcroft, Climate Change Specialist, gave an update on the Circular Economy Accelerator Program, as provided to the Economic Development Committee on February 23, 2024

5. NEW BUSINESS

None.

6. ADJOURNMENT

The meeting ended at 2:15 p.m.

Certified by Recording Secretary

Signed by Chair



March 15, 2024

Mayor Rob Douglas and Councillors

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

Dear Mayor Douglas and Councillors:

RE: 2024 AVICC Resolution: Fail to Appear Charges in Policing Statistics

I am writing to bring to your attention a resolution that will be considered at the upcoming Association of Vancouver Island Coastal Communities Annual General Meeting and Convention, and to respectfully request your support when the resolution is presented.

As described in the attached backgrounder, Fail to Appear is a Criminal Code charge brought against an individual who fails to attend a scheduled court appearance. These charges do not impact police resources because they are simply an additional charge against the individual.

Despite having no impact on police workload, these charges are counted alongside all other Criminal Code charges attributed to municipalities with courthouses, regardless of where the original offence occurred. Particularly in smaller jurisdictions, this practice significantly inflates the policing statistics for communities with courthouses. In the case of the City of Duncan, 80% of the Fail to Appear charges attributed to our community originated from outside of our jurisdiction, representing a 23% increase in the City's total 2023 Criminal Code cases. This inflated number has a significant and corresponding impact on the requests for the number of officers, particularly when a community is transitioning past the 5,000 and 15,000 population thresholds.

The City of Duncan recognizes that the impact of the Fail to Appear charges is felt differently across BC communities. We appreciate your consideration of the disproportionate impact of including Fail to Appear charges in policing statistics for jurisdictions in which courthouses are located, and respectfully request your support for our resolution to remove these charges from policing statistics.

Sincerely,

Michelle Staples
Mayor

Encl. Backgrounder: Fail to Appear Charges

cc: Duncan City Council

REQUEST

The City of Duncan respectfully requests delegates' support for our resolution requesting that the Province of British Columbia exclude Fail to Appear charges from the workload data of municipalities where courthouses are located:

WHEREAS 100% of Fail to Appear charges at provincial courthouses are assigned to the policing statistics of the municipality in which the courthouse is located, having a disproportionate impact on the policing costs assigned to small municipalities with courthouses that serve a much broader area outside their jurisdiction;

AND WHEREAS this inflates the Criminal Code case load for all municipalities with courthouses within their jurisdiction and results in an unfair burden to the taxpayers of those municipalities, especially considering that Fail to Appear cases have no effect on the workload of the local detachment;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia be urged to direct that Fail to Appear charges be excluded from the policing statistics of municipalities with courthouses.

BACKGROUND

The City of Duncan recognizes that the impact of the Fail to Appear charges is felt differently across BC communities. BC local governments with a courthouse in their jurisdiction with populations over 5,000 will likely be aware of the impacts of these calculations on their policing costs.

Duncan is a small urban municipality (population 5,047) that serves a much larger population outside of its jurisdiction. The population surpassed 5,000 in the 2021 census, and is now required to pay 70 percent of RCMP policing costs, with the federal government paying the remaining 30 percent, in accordance with the *Policing Act*. Duncan has negotiated with the province to determine how many police officers will be included in the policing agreement, which the province based on the number of Criminal Code offences within the City's policing statistics as part of ensuring "adequate and effective" levels of policing and law enforcement. The province was very inflexible with this methodology.

Through these negotiations, Duncan learned that Fail to Appear charges, a Criminal Code charge brought against an individual who fails to attend a scheduled court appearance, for the Duncan Courthouse (Provincial Court) are attributed to the City's policing statistics, regardless of where the original offence occurred. However, prior to 2022, Fail to Appear charges were simply added to the originating Criminal Code offence, as only the most serious offence was counted for statistical purposes. Now these Fail to Appear charges are added as a new charge because they were created on a different date.

The inclusion of Fail to Appear charges has inflated the policing statistics and consequently the number of officers required for not only Duncan, but likely for other jurisdictions where courthouses are located; particularly when transitioning past the 5,000 and 15,000 population levels. Furthermore, these charges do not impact police resources because they are simply an additional charge against the individual.

DISCUSSION

In the City of Duncan context, the inclusion of the Fail to Appear charges equates to two additional officers to address these charges. In 2023, the City is allocated 100% of the 325 Fail to Appear charges, whereas only approximately 65 of these cases (20%) originated from within the City of Duncan, versus 260 of these cases (80%) originated from other jurisdictions. These Criminal Code cases originating from other jurisdictions inflated the City's 2023 Criminal Code cases from 1,152 to 1,412; this was an increase of 23%. This inflated number has a significant and corresponding impact on the number of required officers.

Our secondary concern, confirmed by multiple senior RCMP officials, is that Fail to Appear cases have no effect on the workload of the local detachment; they are simply an additional charge against the individual.

If Fail to Appear charges are not excluded from the policing statistics of municipalities with courthouses, they should at least be tracked separately like Criminal Code traffic offences, so that their impacts on local policing can be appropriately considered.

KEY BENEFIT

Our hope is that delegates will recognize the disproportionate impact of including Fail to Appear charges in policing statistics for jurisdictions in which courthouses are located, particularly on small municipalities that serve a much larger population outside of their boundaries. If these charges are eliminated from the policing statistics used to calculate the number of officers, the jurisdiction in which courthouses are located could see dramatic impact on the cost of policing. By supporting this resolution, delegates can ask Province to remove Fail to Appear charges from the policing workload calculations of jurisdictions with courthouses for a fairer distribution of costs.

Contact: Mayor Michelle Staples | Phone: 250-466-9412 | Email: mayorstaples@duncan.ca

February 29, 2024

Via Email

UBCM Member Municipalities

Dear UBCM Members:

Re: Support for Resolution

I am writing to you on behalf of Osoyoos Town Council to request your support for our proposed resolution on legislative changes regarding personal and defamatory attacks on municipal leaders at the upcoming SILGA Convention, in advance of the UBCM Convention this fall.

Municipal leaders across the province are facing increasing levels of personal and defamatory attacks, which not only impact our ability to effectively serve our communities but also have a negative impact on the overall functioning of local government. It is imperative that we address this issue and advocate for legislative changes that provide better protection for municipal leaders.

At the February 27, 2024, Regular Open Council Meeting, Town Council passed the following resolution:

Whereas Local Governments recognize the importance of fostering respectful and constructive dialogue within the community; and

Whereas personal and defamatory attacks on local government leaders, including both senior staff and elected officials, undermine the integrity of the democratic process and create a hostile working environment, and

Whereas current legislative and legal frameworks, including those of WorkSafeBC and Workers Compensation Act, do not provide adequate protection against such attacks, thereby hindering the ability of local government leaders to carry out their duties effectively,

Therefore be it resolved that UBCM advocate for legislative changes that address the issue of personal and defamatory attacks on local government leaders; and

Further be it resolved that these changes should aim to strengthen protections for local government leaders against unfounded, defamatory and malicious accusations while also upholding principles of freedom of speech and transparency;

Further be it resolved that UBCM is encouraged to collaborate with other relevant stakeholders, the Ministry of Municipal Affairs, including legal experts and advocacy groups, to develop comprehensive proposals for legislative reform.

2

Together, we can work towards creating a safer, more respectful environment for all municipal leaders to effectively carry out their duties on behalf of their communities. We look forward to and appreciate your support on this matter.

Attachments:

ToO Background Information SILGA Resolution

Yours truly,



Sue McKortoff
Mayor

c: Town Council
R. Risling, CAO
Brienne Hillson, Director of Corporate Services
Honourable Anne Kang, Minister of Municipal Affairs

Legislative Changes - Personal and Defamatory Attacks on Municipal Leaders

Background Information:

There has been a concerning rise in the frequency and severity of personal and defamatory attacks directed toward municipal leaders (including Council members and staff). These attacks are often through various channels, including social media, and create a hostile working environment and hinder the ability of municipal leaders to carry out their duties effectively. The repercussions of defamatory personal attacks extend beyond the municipal realm and can detrimentally affect Council members who are working professionals by impacting their livelihood. The damaging effects of the personal attacks are not confined to professional settings; they often infiltrate into the personal lives of both staff and municipal council members, including incidents outside of business hours.



Our File: 0400-20-MOF

March 15, 2024

Ministry of Forests
PO Box 9049 Stn Prov Govt
Victoria, BC V8W 9E2
by email: FOR.Minister@gov.bc.ca

Attn: Honourable Bruce Ralston

Dear Minister Ralston

Re: Enhanced Provincial Support for the Port Alberni Mill

I am writing on behalf of the Municipality of Port Alberni to request enhanced provincial support for the Port Alberni paper mill and its workers represented by Unifor Locals 592 and 686. With the current challenges in the global paper market, we are increasingly concerned about the long-term future of this site, which is both our biggest employer and taxpayer in Port Alberni. To lose the paper mill would be devastating to residents who are directly and indirectly dependent on Paper Excellence for their employment, and to the Municipality, which annually receives \$4.9 million in property taxes from Paper Excellence, accounting for more than 15.57 per cent of the tax base.

This letter delves into specific operational aspects and policies impacting the mill's sustainability and productivity.

- **Coast Fibre Recovery Zone (FRZ) Maintenance:** We understand that the FRZ has helped increase the availability of logs by ensuring more comprehensive utilization of logs and reducing waste in the bush. This zone is crucial for supplying economical pulp logs to the mill. We urge the continuation and possibly the expansion of this zone to sustain and enhance these benefits.
- **Forest Enhancement Society of BC (FESBC) Funding:** The FESBC plays a pivotal role in facilitating the utilization of wood that would otherwise be uneconomical. The long-term commitment to FESBC funding would support continuity and expansion of projects to support this work.
- **Support for the Sawmill Sector:** The success of mills like Paper Excellence is closely linked to a robust sawmill sector. Issues such as the backlog of cutting permits, currently numbering around 700 provincially, and the performance of BC Timber Sales, are major concerns. These issues reduce the overall wood availability and impact the supply of residual chips, vital for the Port Alberni mill's operations. Prompt resolution of these issues is critical for maintaining a steady log flow.

- **Promotion of Commercial Thinning Practices:** Following insights from successful international models like Finland, we advocate for increased commercial thinning in BC. This practice not only enhances fibre production but also serves as an effective fire management tool, reducing wildfire risks. Implementing such practices will benefit both the industry and the communities.
- **Enhanced Support for the Wildfire Risk Reduction (WRR) Program:** While the WRR program has predominantly been focused on the interior regions, its applicability and expansion to coastal areas are becoming increasingly important due to longer, drier summers and heightened wildfire risks. The program's effectiveness in regions like the Kootenays, where it has aided in fireproofing communities and reducing wildfire intensity, should be a model for similar initiatives on the coast.

The combined impact of these specific areas of focus - the FRZ, FESBC funding, sawmill sector support, commercial thinning practices, and the WRR program - is vital for the continued success and sustainability of the Port Alberni mill and the high-paying unionized jobs that it provides in the municipality and the regional economy.

We appreciate the Ministry's attention to these matters and look forward to collaborative efforts involving the City of Port Alberni, Paper Excellence mill workers and the broader community towards innovative and sustainable forestry practices that align with provincial goals.

Thank you for considering our request for enhanced support.

Yours truly,
CITY OF PORT ALBERNI



Sharie Minions
Mayor

c: M. Fox, Chief Administrative Officer
D. Monteith, Director of Corporate Services
Mayor R. Douglas, Municipality of North Cowichan

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DATE: March 22, 2024

SUBJECT: A PRESENTATION ON LAND USE PLANNING FOR AGRICULTURE - INVITATION

Dear Local Government Council or Board,

With increasing pressures on provincial farming areas and the importance of agricultural land use planning in the province, B.C. Ministry of Agriculture and Food (Ministry) staff are pleased to offer interested Councils and Boards an opportunity for a Ministry staff delegation presentation on agricultural land use planning and the legislative tools available for consideration by local government elected officials.

The presentation:

- Will consist of a slide-deck that provides an update on the current economic and socio-economic state of the agricultural sector in B.C. and discusses available land use planning tools local governments can use to help ensure farmers can continue to farm successfully in the province;
- Are approximately 15 minutes in length. Ministry staff are available for questions following the presentation; and
- Are intended for local government Council, Board or Committee regularly scheduled meetings.

TIMELINE: Given available Ministry staff resources, presentations are anticipated be held either virtually, or in-person, between **April 2024 to June 2024** at the convenience of each local government. Other dates are potentially available.

NEXT STEPS: Please reach out to myself Jeff Weightman, Acting Director, Land Use and Geospatial Unit, Corporate Policy and Priorities Branch at Jeffrey.Weightman@gov.bc.ca to discuss further details and confirm presentation dates and times.

I look forward to hearing from you.

Sincerely,

Jeff Weightman
Acting Director, Land Use and Geospatial Unit
B.C. Ministry of Agriculture and Food

NOTE: Please place this letter for consideration on your next Council or Regional District Board

Report

Date

April 3, 2024

File: DVP00103

Subject

Development Variance Permit Application 9837 Napier Place, Chemainus. BC

PURPOSE

To consider a Development Variance Permit application to vary a side yard fence height for an existing fence from 1.2 m to 2.5 m at 9837 Napier Place.

BACKGROUND

The applicant recently replaced a fence, similar in height to the newly constructed fence, along the side yard adjoining their neighbour. Although the old and new fence are basically the same height, the neighbour has objected as the fence violates Zoning Bylaw section 37.1(8) which requires a side yard maximum side height of 1.2 m. The applicant is seeking relief from the bylaw standard to legalize the existing fence. Letter of Rationale (Attachment 1) and the north side yard fence drawing (Attachment 2) explain the circumstances and fence heights. Photos of the old and new fence (Attachment 3) illustrate the changes.

Other than height, the reason for the complaint is unclear, although the neighbour has cited the style, loss of light, and colour as reasons. The bylaw does not reference fence colour, style, or light requirements. Consequently, only the fence height is a violation. A minor change in the new fence's location may also have contributed to the complaint. It was previously located on the applicant's property a short distance but now follows the actual property line.

The neighbour requested that the side property line be resurveyed prior to any construction, which was done at the applicant's cost.

DISCUSSION

Factors involved in this application requiring Council's consideration include:

1. **Neighbourhood design:** The subdivision is zoned Chemainus Artisan Village Zone (CD6) (Attachment 4). When introduced in 2010, it was one of the first zones to create small single-family lots. The staff report introducing the bylaw explained the proposed new standards necessary for the small lot size. However, there was no commentary on the significant reduction of side yard fence height, which was changed from the traditional 2.0 m to 1.2 m.

Overall, the development is popular and well maintained. Residents have appreciated smaller lots and private areas in the rear yard. Napier Place does have a slope, so retaining walls are necessary to provide usable space for the rear yards. They were built as part of the development of the lots along the rear and side yards (Attachment 5). As a result, most homes in the development have fencing along the side yard greater than the maximum height of 1.2 m (3.93 ft), as illustrated in Attachment 6 (nearby examples of side yard fences).

2. **Zoning History for Fence Height:** Fencing is used to help define the space around a building. Front yard fences are typically low to distinguish the public street from the private property line, while allowing vision to and from the street for safety reasons. The side and rear yards by comparison are deemed private space.

Section 37.1(8) sets out fence heights for all zones in North Cowichan. Maximum front yard height of 1.2 m covers most zones except commercial, rural, or resource zones which have no standard. Side yard and rear yard maximum fence heights of 2.0 m (6.56 ft) predominate in all zones with a couple at 1.8 m (5.9 ft) for side yards. The notable exceptions are the CD6 Artisan Village and CD7 Stonehill zones at 1.2 m (3.9 ft). It is not known why these two zones have a lower fence height maximum than is typical elsewhere in North Cowichan and there is a lack of rationale present in the original Zoning Bylaw Amendment file to explain this disparity.

Of note is the Stonehill Zoning process. In the initial 2010 version of the CD7 zone under Conditions of Use section 3.01(3) it states: "*No fences over 2.0 m in height are permitted in the required side or rear yards.*" Bylaw 3452 was subsequently adopted with the following under Conditions of Use section 9(11): "*No fences over 1.8 m in height are permitted in the required side or rear yards.*" In the extensive commentary of changes, there is none given for the change in fence height.

The zoning bylaw was further amended last March (Bylaw 3891) by revising standards for fences and retaining walls citing among other reasons: "*lack of privacy between neighbours when in close proximity*" and "*lack of clarity*". Previously each zone had a separate *Conditions of Use* section with specifications on fencing heights. The solution was to place all fence heights into one table (section 37.1(8) (pgs. 32 & 33). In so doing, however, there was a further change made to the Stonehill CD7 Zone which replaced the prior side yard height from 1.8 m to 1.2 m. Reports do not mention the change despite the desire to address "*lack of privacy*". Again, it is unusual to have the side yard height the same as in the front yard.

Summary

Overall, the applicant has been endeavouring to follow the fencing practice in the neighbourhood. The oversight of not checking the zoning bylaw is common with many residents when it comes to such projects. This is evident in fencing, heat-pumps, sheds, etc. which are often sited contrary to zoning.

General planning practice in communities across BC, and elsewhere, is that maximum side yard fencing standards is higher than for front yards. The CD6 zone has been identified for update in this respect, whereas the CD7 zone is identified for elimination within the "Legacy Zones" Module 1 of the zoning bylaw review.

On a community wide basis, there seems to be a public expectation that side yard fences are usually 5 or 6 ft high. To single out the Artisan Village neighbourhood, which is already built out, to adhere to smaller side yards than elsewhere is potentially an ongoing issue administratively for North Cowichan as well as for the many residents with fencing exceeding the 1.2 m height limit.

Finally, the applicants request for a maximum height of 2.5 m rather than 2.0 m is intended to accommodate one fence post at the rear panel for consistency with the rear yard fence height of 2.0 m.

Staff are preparing a report updating the zoning bylaw to address a variety of matters which will include these inconsistencies with fence heights.

The ongoing zoning bylaw review will address a variety of matters which will include these inconsistencies with fence heights. Changes of this nature impacting "site standards" will likely be brought forward shortly after compliance with the new provincial residential density provisions has been achieved by the statutory June 30, 2024, deadline.

OPTIONS

1. **(Recommended Option)** THAT Council authorize the issuance of Development Variance Permit DVP00103 and grant a variance to section 37.1(8) of Zoning Bylaw No. 2950, 1997 to increase the maximum side yard fence height from 1.2 metres to 2.5 metres to regularize the existing fencing at 9837 Napier Place (PID 030-280-079).
 - This recommendation will allow the fencing to remain in place until it is replaced, at which time any new fencing shall be in accordance with current zoning requirements.
2. THAT Council deny Development Variance Permit DVP00103 and require the property owner to comply with the zoning bylaw in respect to fence height.

RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit DVP00103 and grant a variance to section 37.1(8) of Zoning Bylaw No. 2950, 1997 to increase the maximum side yard fence height from 1.2 metres to 2.5 metres to regularize the existing fencing at 9837 Napier Place (PID 030-280-079).

Report prepared by:

Chris Hall

Chris Hall
Contract Planner

Report reviewed by:



Amanda Young
Director, Planning and Building

Approved to be forwarded to Council:



George Farkas
Acting Chief Administrative Officer

Attachments:

- (1) Letter of Rationale
- (2) North side yard fence drawing
- (3) Photos of old and new fence
- (4) Zoning
- (5) Orthophoto
- (6) Photos of side yard fencing in neighbourhood
- (7) Development Variance Permit

To Whom It May Concern,

We, David and Terry Chatwin of 9837 Napier Place moved into our new home September 14th 2018. Our contractor Chris Clement provided us with a 2m high fence across the back of our property with the purchase of our home.

Chris allowed us and all the other residents to construct 2m and 1.5m high fences on the sides of our homes. With no fences past the front of the house or in the Front of the house at all.

The fence we had built in 2018 between 9833 Napier Place and us at 9837 Napier Place was 11.6 m long by 1.5m high with 3 fence panels 2m high for 8.3m at the back yard area connecting to the back 2m high fence. These 3 panels were tiered and stepped up to our back yard elevation.

On the South side of our property bordering Lennox Close we constructed a 1.5m high fence for 8.4m's and a cedar hedge for the remaining 11.7m's stopping at the front corner of our house.

Now 5 years later there were issues with both side fences. A corner post had sunk 8.6cm on the Lennox Close side pulling down the 2 fence panels connected to it.

And 1 of the 4x4 posts on the other side between 9833 Napier Place and us at 9837 Napier Place had rotted and broke off at the dirt line with just the panels connecting to it holding it up.

Being as the subdivision was so new, we never even gave it any thought or even had any idea that the municipality had assumed responsibility for the area. This is the reason for us not checking first with North Cowichan Municipality .

In April 2023 we hired a fence guy to fix the fence on the Lennox Close side of our property. This fence had the sinking corner post. We also noticed on that side that our cedar trees that extended the fence line to the front of our house were starting to move some of the rocks on the rock retaining wall with their roots. They were planted at the Street level and our lot is .94m lower than the street grade on Lennox Close. A .94m dry laid rock wall makes this transition.

The fence guy removed the trees and the old fence on the Lennox Close side and replaced it with a new 1.5m high x 17.3m long fence. At that time I had him look at the rotted and loose post on the side between 9833 Napier Place and us 9837 Napier Place. He pointed out many issues with the old fence and gave us a quote for a replacement. Mentioning at the time that he could make the fence line straight rather than it jogging .30m into our yard for 8.3m long to the back fence.

We had the property line between 9833 and us 9837 Napier place surveyed on May 23 2023 at the owners of 9833 Napier place request.

Our fence guy came back on September 6 2023 and removed the fence between 9833 Napier Place and us 9837 Napier Place and replaced it with one of the similar height and design to what we took down. The only change in that fence was the fact that the old fence jogged .30m into our property at the back

north west corner of our house. The jog ran back to the rear fence for 8.3m. He built the new fence along the property line (on our side) and made the last 3 panels 1.8m high, 1.93m high and 1.81m high joining to the back 2m high fence. The rest of the fence panels going towards the front of our house are 1.6m high.

The reason we like having the one 1.93m high fence panel on the side of our home at the back between 9833 Napier Place and us 9837 Napier Place are:

Privacy – the 2m and 1.5m fences give our neighbor's and us privacy in our very small back yards. Our Neighbor's patio is 1.5m from the property line so I would hope they would like a more private fence like we have had for the past 5 years. In the summer they spend many hours out on their patio.

Noise – In the summer the spinning noise from our heat pump I know must bother them. They sort of mentioned it once. A shorter 1.2m fence will let more heat pump noise get over the fence. A 1.2m fence will be noisier for them or future neighbors if the fence is lowered.

After having the 2m and 1.5m panels on the sides of our yard – we will be left with no privacy in our back yard and sides if we have to have a 1.2m fence.

Not to mention how it will look to have a 1.2m fence on the side joining a 2m fence at the back of our yard.

We are asking for a 1.25m variance over the allowed 1.2m height as the tallest fence post at the back is 2.45m high on the fence between 9833 Napier place and us at 9837 Napier Place. This is to allow the last fence panel to match the back fence that is 2m high.

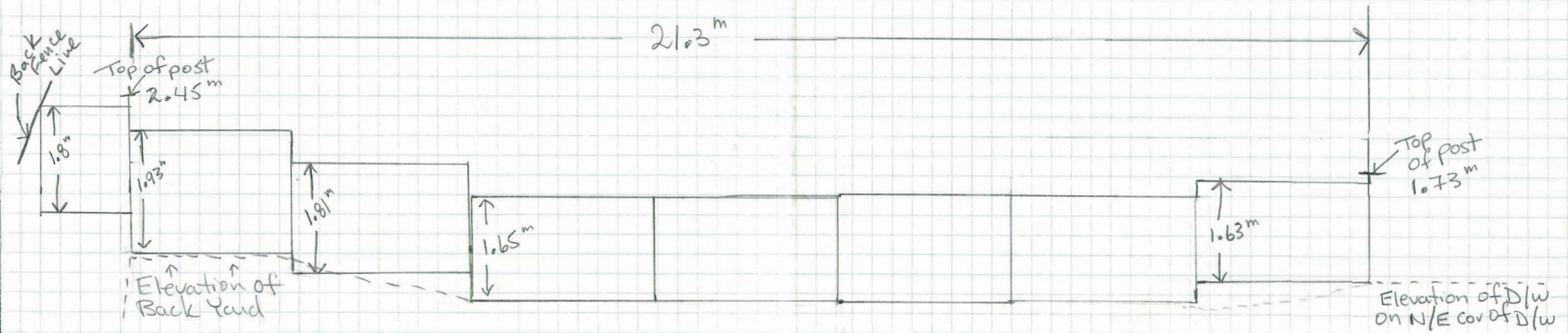
In the end we are asking for permission to keep what we have had the last 5 years.

Regards, David and Terry Chatwin

9837 Napier Place, Chemainus, B.C.

Lot 17 Section 17
Range 5 Chemainus Dist

ATTACHMENT 2



Fence View From 9837 Napier Pl.
Looking towards 9833 Napier Pl

Scale: 1:50

Fence Between 9833 + 9837 Napier Place 2018



Fence Between 9833 + 9837 Napier Place at Back
Before Demo



Fence Between 9833 + 9837 Nepin Place
Before Demo Showing jog in Fence line



New Fence Between 9833 + 9837 Napier Place 2023



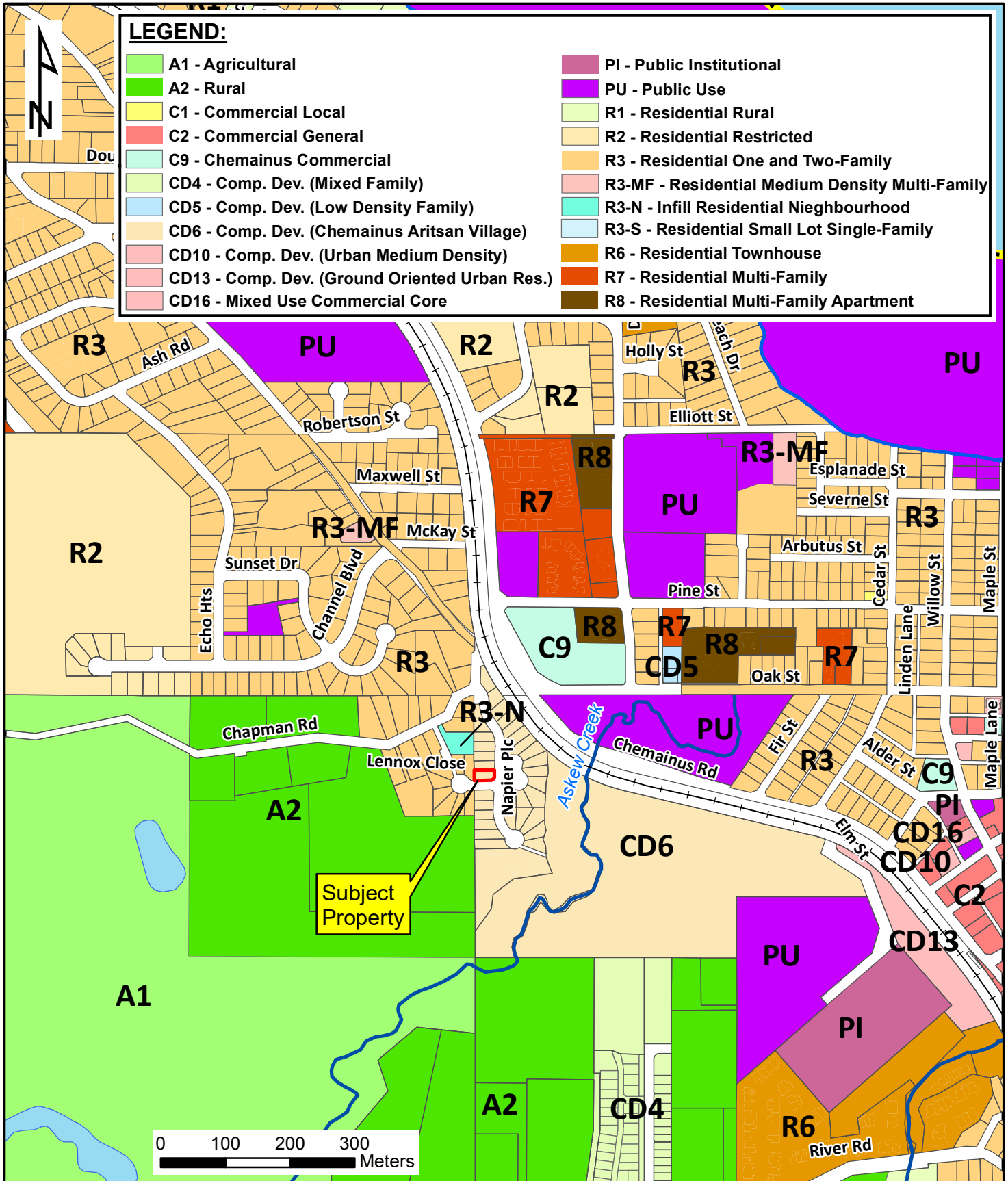
New Fence Between 9833 & 9837 Napier Place 2023

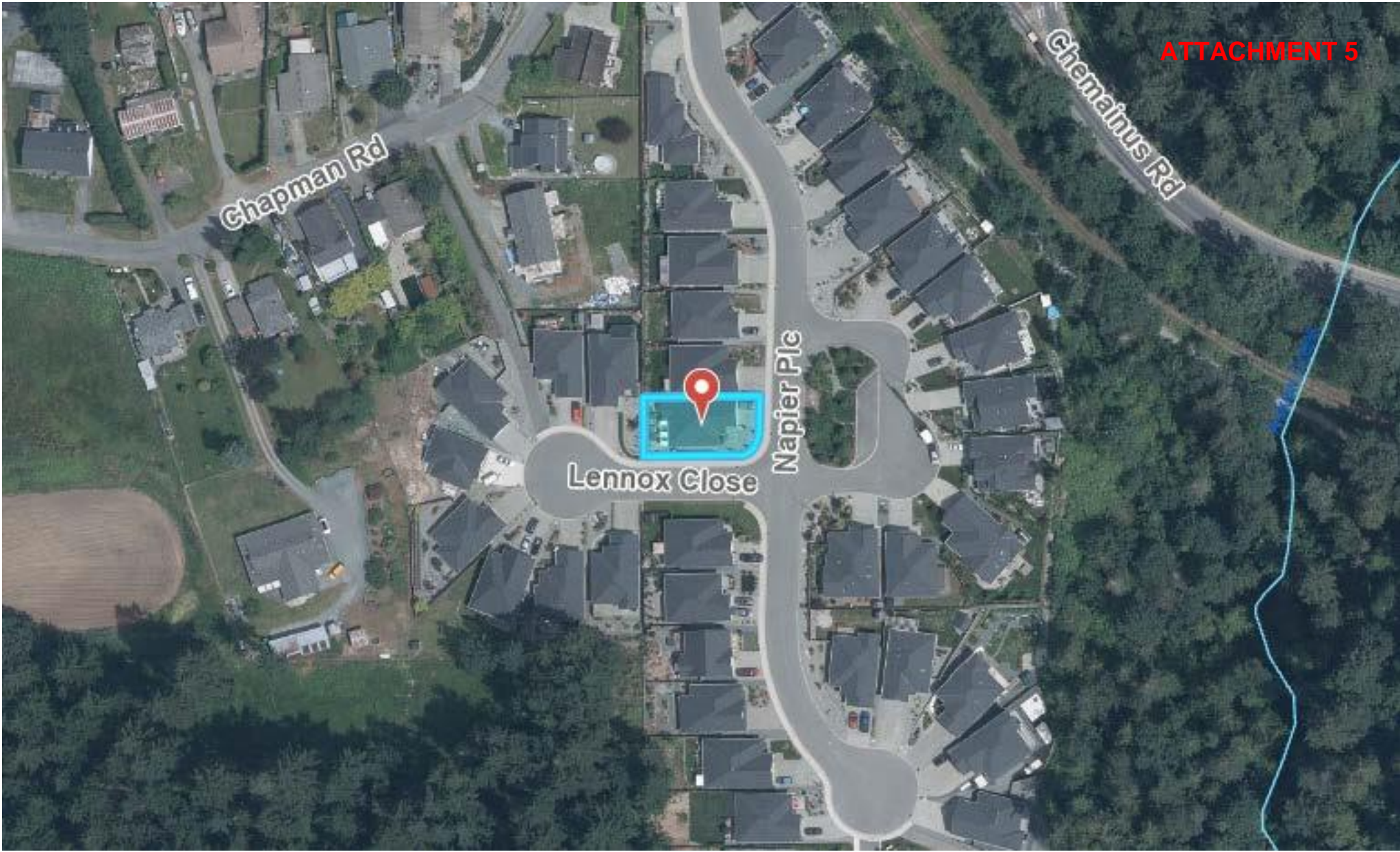


Back Section of Fence Between 9833 & 9837 Napier Place
showing connection to 2m Back Fence

2023

















Development Variance Permit

Permit No:	DVP00103		
Registered Owner(s):	David Gary Chatwin and Terry Jean Chatwin		
Subject Property:	9837 Napier Place	Folio:	15052-031
Description of Land:			
Parcel Identifier	030-280-079		
Legal Description	Lot 17, Section 17, Range 5, Chemainus District, Plan EPP73944		
Proposal:	To Vary Section 37.1(8) of Zoning Bylaw 1997, No. 2950 by increasing the maximum side-yard fence height from 1.2 metres to 2.5 metres to regularize an existing fence.		

Conditions of Permit:

1. This permit is issued subject to compliance with all relevant District of North Cowichan bylaws.
2. This permit applies to the lands described above, (hereinafter called 'the Lands').
3. Pursuant to Section 498 of the *Local Government Act* (RSBC 2015, c. 1), this permit varies Section 37.1(8) of Zoning Bylaw 1997, No. 2950 by increasing the maximum permitted side-yard fence height from 1.2 metres to 2.5 metres to regularize the existing fence on the Lands within the Artisan Village Comprehensive Development Zone (CD6).
4. This permit will allow the existing fencing to remain in place until and unless it needs to be replaced, at which time any new fencing shall be in accordance with the current zoning requirements.
5. This permit is not a building permit.

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

This permit was approved on (date of Council approval) and issued on (date of issue).

This permit expires on (two years from date of issue).

The Corporation of the District of North Cowichan

Amanda J. Young
Director, Planning and Building

Report

Date April 3, 2024
Subject Safer Community Plan

File:

PURPOSE

To provide direction to staff on whether to continue to implement the recommended actions under the Safer Community Plan or to initiate the development of a new plan.

BACKGROUND

In 2019, arising from crime and public disorder concerns, North Cowichan and the City of Duncan commissioned security consultant R. Churchill to develop a plan to enhance safety for the general public in the Cowichan Valley. Subsequently, at a regular Council meeting on July 17, 2019, Council adopted the Safer Community Plan. The plan included 7 "Recommended Actions" and focused mainly on the "corridor" – that portion of the Trans-Canada Highway between Silver Bridge and the Somenos Marsh. Council received an update in 2021 that assessed progress on each of the seven actions.

In June 2023, Council held an in-camera workshop on managing the corridor's homelessness, mental health, and addiction issues. Council recommendations arising from that workshop (Safer Corridor Improvement Strategies) were the subject of a Council report on September 26, 2023, that outlined the steps required to implement the strategies, including targeted advocacy requests to the provincial and federal governments. All the strategies in that report are actively underway, completed, or still under active consideration:

- A new Open Drug Use Bylaw.
- A strengthened Sidewalk & Parks Bylaw.
- A strengthened Nuisance Enforcement Bylaw.
- A plan for 24/7 bylaw staffing and deployment to assist with safety in the Corridor.
- Consider additional marsh patrols.
- Consider hiring a social planner.
- Consider implementing a clean team.
- Consider implementing nighttime security.
- Continue to explore coordination and partnerships with other jurisdictions.
- Consider reinstating the Community Safety Office.
- Consider partnership to achieve marsh patrols.
- Consider a new model for community policing.

At a January 23 joint Council meeting of North Cowichan and the City of Duncan, the respective Councils directed staff to review the Safer Community Plan 2019 to determine whether revising or updating it is required.

In February and March 2024, staff reviewed the Safer Community Plan with stakeholders, including City of Duncan Bylaw staff, North Cowichan Bylaw staff, the Safer Working Group, Cowichan Tribes Public Safety Working Group, the Cowichan Homelessness and Housing Coalition, the Wellness and Recovery Community Health and Safety team, the South Cowichan Community Policing Society, and the RCMP North Cowichan Detachment.

DISCUSSION

All stakeholders agreed that the Safer Community Plan 2019 has been largely completed and does not warrant revising or adjusting. They were also open to participating in the creation of a new plan that provides clear, pragmatic, and effective direction going forward.

The seven recommendations in the Safer Community Plan are:

- 1) Joint Local Government – Safer Working Group
- 2) Corridor Safety Office
- 3) Address impacts on business and the highway corridor
- 4) Health and Social Service roles
- 5) Crime Reduction – Crime Analyst
- 6) Crime Prevention through Environmental Design
- 7) Dealing with problem properties

The status of those recommendations are:

- 1) Joint Local Government – Safer Working Group
 - ✓ Operational and meeting regularly
- 2) Corridor Safety Office
 - ✓ Tried, deemed ineffective, closed
- 3) Address impact on business and the highway corridor
 - ✓ Ongoing
- 4) Health and Social Service roles
 - ✓ Collaboration and partnerships with social service agencies and provincial ministries are ongoing.
- 5) Crime Reduction – Crime Analyst
 - ✓ Completed
- 6) Crime Prevention Through Environmental Design (CEPTED)
 - ✓ Initial CEPTED work done, ongoing with a variety of stakeholders
- 7) Dealing with problem properties
 - ✓ Nuisance property bylaws in place (Bylaw No. 3804) insufficient volume to warrant a nuisance properties process addressing sites associated with public disorder.

OPTIONS

1. **(Recommended Option)** THAT Council direct staff to undertake a collaborative process to develop a new Safer Community Plan that addresses crime, public safety, public disorder, and the impacts of addiction and mental health crisis on our community, and that staff return to Council with a draft version of that report for consideration.
 - *Consultation with community stakeholders, including the business community, residents, RCMP, social agencies, provincial ministry staff, local government officials, and homeless individuals, would be the basis of any proposed plan of action. The resulting plan is expected to be short, simple, and focused.*
2. THAT Council direct staff to continue operationalizing the current Safer Community Plan and to continue implementing the Safer Corridor Improvement Strategies.
 - *All the activities contemplated in these two documents are underway.*

IMPLICATIONS

Council is likely aware that the social issues which underly the Safer Community Plan report and corridor recommendations are still visibly and persistently present in our community. The decision to resource a Social Planning function within North Cowichan suggests a continued focus by Council on ameliorating the impact on our community of homelessness, mental health, and addictions.

The recommended option to engage with the community and create a new vision of how to tackle these problems effectively does not carry immediate financial implications but does provide an opportunity to engage with residents and the business community on a subject that is very topical. An effective response will likely have a heavy emphasis on social and health services that would be wholly within provincial jurisdiction.

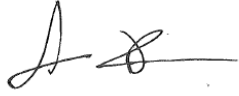
Consultation with the province and federal governments is recommended to maximize the financial support they provide to our community to address these issues. Local governments that actively engage and partner with senior levels of government to address these issues are more likely to see investments in their community.

It can be confidently asserted that we will need to be creative, bold, and action-oriented to have an impact. This means that innovative solutions and new ways of thinking about these issues will likely emerge from the proposed planning process.

RECOMMENDATION

THAT Council direct staff to undertake a collaborative process to develop a new Safer Community Plan which addresses crime, public safety, public disorder and the impacts of the addictions and mental health crisis on our community, and that staff return to Council with a draft version of that report for consideration.

Report prepared by:



John Horn
Director, Social Planning and Protective Services

Approved to be forwarded to Council:



George Farkas
Acting Chief Administrative Officer

Attachment:

(1) Safer Community Plan Recommendations

June 13th., 2019

Ted Swabey
Chief Administrative Officer
Municipality of North Cowichan

Peter De Verteuil
Chief Administrative Officer
City of Duncan

Re: Municipality of North Cowichan and City of Duncan – Safer Community Plan – Recommended Actions

Introduction

Thank you for this opportunity to submit the Recommended Actions in this Safer Community Plan (SCP). We have now as of June 6th. completed the Stakeholder Review part of the process. This review was by way of a group meeting with 24 of the original 30 interviewees able to attend and each give their overview comments to the larger group. I thank these Stakeholder attendees for their commitment to this process of moving forward to address the importance of a Safer Community and working together towards that goal.

I'd like to introduce additional comments in the SCP as a result of this Stakeholder input – both are found under Recommended Action #1 Safer Working Group – External Partnerships: 1) Future discussion with Cowichan Tribes as to their sitting on SWG and participating in the work of the Corridor Safety Office (CSO) and 2) Establishing linkage between the SWG and the Cowichan Community Action Team (CAT) which works with matters of substance use, the opioid crisis and issues related to mental health and homelessness. Both of these comments are described under Recommended Action #1 Safer Working Group – External Partners.

The neighbouring municipalities of the Municipality of North Cowichan and the City of Duncan (“the Communities” or the “Local Governments” [LG]), like many other municipalities, are faced with challenges as they deal with crime and public-disorder matters occurring in their respective communities.

To be successful, this SCP needs to include many stakeholders, including mayors and city councils, First Nations, the RCMP, LG departments, provincial ministries, area

businesses, health and social services and local neighbourhoods—all are vital to achieving the common goal of having a safer community.

Your collaborative and respectful relationships with the Cowichan Tribes brings with it a shared concern for the effects crime and public disorder are having on all people—and helps provide a way to move forward together in dealing with the emerging challenges arising from homelessness, poverty, mental health and substance use, crime and public disorder.

While listening to your community speak, I was reminded of the fact that homelessness is not just the result of mental illness and substance use. It is increasing as a result of poverty. This fact is evident in the diversity of the people who are on the street.

Similar to what is occurring in North Cowichan and Duncan, many communities across the province are now sharing their concerns regarding the rising levels of homelessness and public disorder. Many communities report that a rise in homelessness and public disorder began approximately two years ago—a rise that coincides with the opioid crisis and increasing signs of poverty.

Communities will need to face these emerging challenges together given their shared boundaries. Crime and public disorder do not take any notice of which side of the highway they are on or what community they are in.

Although I focus to a large extent on the crime and public-disorder aspects of addressing rising community concern, I want to say clearly that long-term actions to address these concerns will be best achieved through community support for the work being done by the health and social service agencies, and that the future availability of housing is integral to reducing crime and public disorder in all its forms.

Although this report deals specifically with an area known as the Highway Corridor, the specifics of the report and the recommended actions are meant to give the Communities tools they can adapt to address public disorder occurring elsewhere.

The key is to create a new organizational capacity and framework to address community public safety concerns in a variety of circumstances. In the case of the Communities, it starts with the Highway Corridor, but its impact will have further value through building partnerships among local governments, the police, social and health agencies and the business community.

Our ability to respectfully partner with those having differing security and social perspectives is key to successfully developing and implementing an effective SCP. Not only are the police important to lessening crime and disorder, but increased municipal efforts are also required as is the successful delivery of health and social services.

We are in this together for the betterment of all community members. We want to improve the situation for neighbourhoods, social services and businesses as well as for people who are street entrenched, dealing with poverty and dealing with mental illness and substance use.

Reducing crime and public disorder is a community problem and requires a community solution.

The writer interviewed thirty (30+) people in this process, including elected officials, First Nations staff, LG staff, RCMP, fire department staff, business owners, citizens, school officials, service providers, social services providers and healthcare professionals.

I wish to submit recommendations regarding actions that can be taken to lessen the impact of crime and disorder occurring in the Highway Corridor specifically and in the community generally.

Foreword

It is difficult to make recommendations for all the factors that can influence a rise or fall in crime or public disorder. Therefore, this report should be viewed as a submission that offers recommendations based on experience addressing similar factors that are occurring in the Communities, but not giving a guarantee of outcomes.

The SCP is intended to be action-oriented and to provide specific actions to respond to identified issues. This will be evident in the recommendations.

The Communities will need to weigh the benefits of the proposed SCP options as they consider costs, budgets, goals and future developments.

This report is not intended as any form of legal advice.

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Recommended Action #1: Joint LG – Safer Working Group

That the Communities jointly align LG staff and RCMP resources to create a Safer Working Group in order to coordinate actions to address crime and disorder occurring in the community.

That the Safer Working Group guides the operations of the Corridor Safety Office highlighted in Recommendation #4.

That the Communities consider harmonizing municipal bylaws that can lessen the impact from crime and public disorder, including those dealing with nuisance properties, overnight camping, drinking in public, littering and nuisance activities.

The SWG will serve as a permanent working and advisory body. It will be responsible for providing advice and/or making recommendations to councils and LG staff on matters related to crime, public disorder and safety within the Communities.

Crime and public disorder are of rising community concern, and the Communities will need to collaborate closely to address these issues. Closer coordination and communication can be achieved through the creation of a single SWG. This group will coordinate actions between internal LG departments and the RCMP, which will allow for their more effective joint engagement on matters regarding crime and disorder.

The SWG will also provide joint mayors and councils, senior LG staff and the RCMP detachment commander with an operational arm they can utilize when crime and disorder matters arise that are a concern within the community.

This includes, but is not limited to, developing operational responses to the following:

- Addressing community-wide and corridor-security issues
- Improving the protection of parks and facilities

- Developing the coordination and community between LG/RCMP enforcement personnel
- Integrating enforcement and health/social service responses on issues of community safety
- Giving operational focus to the goal of reducing crime and public-disorder activities as well as finding effective community-level responses
- Supporting the rollout of Crime Prevention Through Environmental Design (CPTED) actions and dealing with problem properties

This recommendation potentially has significant short-, mid- and long-term impacts on the ability of the Communities to address crime and public disorder. This joint LG-led working group aligns LG and RCMP resources to address crime reduction by implementing strategies that are based on problem-solving and by launching a partnership that can focus available resources more effectively.

Safer Working Group (SWG)



The SWG can function in the following ways:

- Reduce conflict, crime and public disorder in our community by developing a collaborative LG-staffed working group

- Take actions that recognize the fact that integrated health, social and enforcement responses succeed if they are collaborative and coordinated
- Oversee the operation of the CSO if approved
- Realize the ability of LG departments and the RCMP to collaboratively impact crime and public disorder occurring in the community,
- Provide a collective LG-led response to matters of security in the community
- Respond operationally to public-safety problems and develop Action Plans aimed at achieving an effective LG/police response to manage public disorder in both an ethical and practical framework
- Reduce criminal and disorderly behaviour on our streets while protecting the interests of the most vulnerable citizens in the Communities

Key Internal LG departments and police involved: RCMP, Fire, Bylaws, Parks, Public Works, Business Licensing and Planning

Key External partners: Cowichan Tribes, Provincial Health Services, Provincial Social Services, Business Community, Health & Social Service Providers

The SWG serves as a joint LG-led working group. The SWG is responsible for maintaining and enhancing a safe and healthy community that promotes and supports quality of life while encouraging resident involvement and input.

The SWG will invite other groups to attend meetings and engage with them as issues arise that would benefit from collaborations with those agencies or organizations to facilitate joint problem-solving. These groups could also help by providing advice with regard to crime and public disorder issues.

Under the category Key External Partners, I'd make two further comments based on Stakeholder input during the review stage.

- 1) That during the Implementation discussions occur with Cowichan Tribes to ascertain their interest to partner in both the SWG and the CSO. CT are integral partners to the LGs and would be a natural fit for both the SWG and CSO as their community deals with similar issues. As this report was proposed to address matters focussed on crime and public disorder occurring in the LGs, it started only considering the 2 LGS current involved in the SCP. Now having met with many stakeholders in the community, I believe inclusion of the CT in this process should be considered. It would definitely increase the effectiveness, collaboration and communication required for a successful outcome of the SCP.

- 2) It is important to recognize the importance of linkage between the SWG and the Cowichan Communities Action Team (CAT). This has been evident through input during the Stakeholder interview process. CAT deals with collaborative efforts in dealing with substance use, the opioid crisis and issues related to mental health and homelessness. CAT will be one of the key External Partnerships that be will promote effective operational actions by SWG. SWG is an operational group comprised of joint LG staff. I suggest during Implementation phase of SCP we have communication to promote collaborative and effective communication.

The purpose of the SWG is to provide mayors and councils with an ability to do the following:

- Align LG and policing resources to more effectively address crime and public-disorder matters
- Develop a proactive and integrated approach to issues of crime prevention, public disorder and safety
- Partner with First Nations, social, health, neighbourhood and business groups to address issues arising from crime or public-disorder matters that require LG involvement
- Provide co-ordinated services to support public safety throughout the Communities
- Reduce the adverse effects arising from public disorder or criminal activities
- Integrate enforcement and LG departmental responses to issues regarding community safety
- Respond to emerging issues related to public safety,
- Access services and joint strategies that lead to the protection of vulnerable persons
- Bring together those LG resources capable of lessening the crime, security and public-disorder impacts in the community

The SWG is a valuable tool that can help address issues concerning crime and disorder occurring in the whole community. In conjunction with LG bylaw enforcement officers, RCMP officers and private security ambassadors, the SWG can bring a joint focus to lessening crime and public disorder in the Highway Corridor.

Another area that requires consideration by the joint Communities is the fact that municipal enforcement bylaws and policies can differ along the Highway Corridor. This can lead to confusion within the public, business and street population. These bylaws and policies need to be harmonized where possible. The Communities could consider harmonizing municipal bylaws that lessen the impacts from crime and public disorder,

including those dealing with nuisance properties, overnight camping, drinking in public, littering, dealing with chattels and nuisance activities.

Recommended Action #2: Corridor Safety Office

That the Communities create a Corridor Safety Office “storefront” to coordinate and address crime and disorder occurring in the Highway Corridor.

That the Communities commit bylaw enforcement officers to being part of a coordinated presence in the Highway Corridor and as part of the increased enforcement presence addressing public disorder and supporting health and social responses.

That the Communities contract a daytime security ambassador to provide “eyes” on the street and a presence in the Highway Corridor to discourage crime and public-disorder activities.

That the RCMP addresses crime reduction in the Highway Corridor area and assigns supportive, investigative and analytical resources, as able, to reduce crime and public-disorder activities occurring in this area.

That the Communities create a separate “Who Do You Call?” information brochure that lets business owners and the general public know how to report suspicious occurrences, illegal activities and LG-maintenance issues to the right service provider.

This recommendation identifies actions that can be taken to assist in reclaiming, maintaining and protecting the future of the Highway Corridor and the general community as a safe place to visit, shop, work and live.

The Highway Corridor area is the first “Welcome” sign for visitors and travellers alike to the Communities. It is the doorway into downtown Duncan. It needs to be supported and public disorder needs to be addressed. The CSO will be a base for LG bylaw enforcement officers, contracted security ambassadors and RCMP investigative officers.

The Communities are changing rapidly, and public expectations for a safe community continue to increase and will continue to do so as the population grows. Provision of a secure Highway Corridor environment where the RCMP, bylaw officers and private security ambassadors have a visible presence will support that goal.

Public disorder will continue to increase if enforcement and security responders are not a more visible presence in the daily life of the Highway Corridor.

Coordination and communication are the key tools to regaining a sense of order in dealing with the stresses that can occur. To achieve that goal necessitates the daily presence of security resources centred in the core area that is under duress.

This will be actioned through the creation of a CSO. The CSO can help deliver daily street-level enforcement of bylaws as well as a police and security response that can help meet the needs of residents, business owners, property owners, social and health service providers and visitors to the community.

Function of Corridor Safety Office

The CSO will be able to provide the following functions:

- Be a central office in the Highway Corridor for communication and coordination of all enforcement and security matters
- Provide a “uniformed” presence in the Highway Corridor by all three enforcement tiers – bylaws enforcement officers, RCMP officers and contracted security ambassadors
- Function as an office for bylaw enforcement officers, RCMP officers and security ambassadors
- Help coordinate and manage the daily activities of contracted security ambassadors
- Allow the RCMP to have a supportive “come and go” presence focussed on crime reduction
- Work closely with Cowichan Tribes enforcement staff
- Allow enforcement personnel to work closely with health and social service providers by referring those in need to these services
- Assist with street-outreach programs that are being run by health and social service providers
- Assist with RMCP crime-reduction efforts
- Allow LG bylaw enforcement officers, RCMP officers and contracted security ambassadors to have a daily presence in the Highway Corridor depending on the most efficient scheduling of those resources,
- Be a point of contact for security problem-solving in the Highway Corridor
- Help promote effective communication within the Highway Corridor area
- Promote research on best practices in public safety and security for the area and for the community

- Help distribute written public safety as well as fire and emergency planning information
- Be a point of contact for merchants, residents and property owners on bylaw enforcement and security-patrol matters,
- Work with the business community and encourage the distribution of security-advisory notifications
- Explore the use of volunteers for communication and on-going educational aspects of service delivery on public-security matters

The CSO office will not be a full-service office. Staff will come and go as required and there will be no clerical support. When no staff are present in the office, the door will be locked.

Any complaints made to the CSO will occur as laid out in the recommended “Who Do You Call?” pamphlet.

Contracting of a Daytime “Security Ambassador” for the Highway Corridor

Business owners and citizens alike can experience crime and public-disorder matters in the Highway Corridor. This has been an on-going concern and a source of frustration in the community. One of the most effective tools to address and counter these concerns is to hire a contracted private security firm to provide “security ambassadors” (SA) to work in the Highway Corridor during key hours. The actual hours can be assigned based on input from the business community and on input from the RCMP regarding reported crime. One of the key times to have a street security presence is in the hour before businesses open so that potential disorder can be addressed in a timely manner.

This security ambassadors will become the constant “eyes” on the street that will enable RCMP and bylaw staff to respond to concerns based on immediate information when incidents are occurring. They can also provide focussed patrols in problematic areas.

The private security contractor who provides these security ambassadors will be required to provide staff who can communicate and engage the street population, work with enforcement personnel, have an understanding of the health and social services resources available, be able to support the work of street-outreach workers, be able to represent the community in an ambassadorial way and, most importantly, be able to work in a respectful way with the street population.

It is important that the same one or two security ambassadors be utilized in order to develop good relationships with all stakeholders—street people, business owners, enforcement personnel, the public, neighbours and visitors alike.

The following is the rationale for hiring a contracted security patroller service:

- Security ambassadors provide enforcement services with “eyes” on the Highway Corridor during key business hours
- Security ambassadors will be part of a coordinated effort by all enforcement services, including bylaw enforcement officers and RCMP officers, to increase their “visible” presence in the Highway Corridor
- Security ambassadors provide a connection to the public in the Highway Corridor
- Security ambassadors are a cost-effective way to address or prevent public-disorder activities—the people in this role will receive a higher wage based on their skill in building effective relationships with the varied clientele they encounter in their duties
- Security ambassadors can commence an early morning patrol before the start of each business day and help resolve any unwanted activity
- Security ambassadors provide the community with a contact person who can assess minor matters before they escalate to a criminal or public-disorder level
- Security ambassadors allow bylaw enforcement officers and RCMP officers to respond effectively to crime as well as bylaw and disorder matters when they are occurring
- Security ambassadors provide appropriate recording and reporting of incidents

Who Do You Call?

This simple recommendation will have a positive impact to help the public and merchants know who to call to report specific situations. The brochure/card will lay out what services are available and how to contact those services. It will be a handy guide to keep available for merchants and citizens alike who are often confused regarding who to call for a variety of public-disorder, security or bylaw matters.

Without this information being readily available, citizens and businesses often call the RCMP for matters that could be handled more efficiently by the LG department responsible for that area of LG operations.

The brochure will need to differentiate between the services being delivered in the two separate cities: the Municipality of North Cowichan and the City of Duncan.

The creation of this simple brochure will be an effective tool to lessen crime and public disorder by giving the public access to information that will allow them to receive a timely and appropriate response to their concerns.

Recommended Action #3: Impact on Business and the Highway Corridor

That the Communities look for ways to address the stress being experienced by the business community and citizens in the Highway Corridor.

That the Communities take joint actions to collaborate and coordinate their efforts to lessen the impact of crime and public disorder occurring in their respective communities.

That the broader business community consider ways to partner on actions that could support the collective lessening of crime and public disorder.

The Highway Corridor business community has been significantly affected by crime and public disorder during the last two years. They are a small group of businesses that are highly committed to the community and support it in many ways. They are concerned and are looking for input regarding strategies to deal with the on-going public disorder and crime they are experiencing in their daily work.

The last two years have seen a deterioration in the quality of experience for their clientele as the stress being experienced across the province increases through the effects of homelessness, fentanyl, poverty, lack of housing, mental health issues and substance use issues. Many of the businesses have taken on substantial costs to remedy the public-disorder issues associated with needles, garbage, loitering, disturbances, theft and break-ins. Also, the costs of installing CCTV and hiring private security in response to crime and public disorder are high. These businesses range in size but are predominantly smaller in size and do not have the ability to withstand the continued drain of their energies and finances without broader community involvement towards finding resolutions to the on-going pressures of crime and public disorder.

From meeting and talking to these owners, I can say without hesitation that each one I have spoken with understands the health and social needs of the street population, but that does not solve their need to have their business thrive in the face of issues not of their making. Hence, they are looking to local government to consider what would help lessen the effects of crime and public disorder they are facing daily in the Highway Corridor.

The Highway Corridor itself is the Welcome/Entranceway to both communities and perceptions related to public disorder can change how visitors and the travelling public see the whole community. This is an important factor for consideration, and it is important that the business and tourism community work together on possible solutions. Levies could be considered as a way to bring forth other solutions that could be cost-shared by the business community.

I have worked with organized business groups that bring new ideas and positive change to public-disorder matters. It typically starts by focussing collaborative efforts on a single aspect of the problem that could be jointly addressed in order to bring about a positive result for all businesses. Once this problem has been addressed, the group could build off their success by looking at other initiatives to implement.

Recommended Action #4: Health and Social Service Roles

That the Communities recognize the important role of health and social service providers in the Communities and see them as key partners towards reducing crime and public disorder.

That Communities recognize the important work already being done by health and social service providers, such as the Cowichan Valley Basket Society (Food Bank), the Canadian Mental Health Association Sobering Centre, the Canadian Mental Health Association Peers (Clean Team/Sharps Team, Island Health Mental Health and Substance Use/Royal Canadian Mounted Police Car 60 & Integrated Response and the Island Health Overdose Prevention Site, towards reducing crime and public disorder.

That the Communities consider ways to collaboratively address the problem of garbage, waste and needles left in the community and in the Cowichan River and also consider how the existing CMHA Peer Group could be engaged to assist business owners and property owners in dealing with this problem.

That Communities consider taking on a staff facilitation and communication response role, through a Good Neighbour Agreement process, when issues arise between service providers and neighbourhoods.

That the Communities recognize the importance of the Cowichan River to Cowichan Tribes, and all our communities, and work to address the effect of needles being thrown in the river and people not feeling safe while walking on the dikes.

During my time spent in the communities of North Cowichan and Duncan interviewing stakeholders, I had the opportunity to speak with stakeholders with many perspectives on the issues, their causes and the ways to address them.

Goals aimed at lessening crime and public disorder are not in conflict with health or social goals. They are compatible and mutually supportive processes. I can say clearly that the most significant long-term action to lessen crime and disorder is found in the support of health and social service providers dealing with mental health, substance use and poverty reduction as well as building a range of housing for those in need.

Since my focus is specifically on reducing crime and public disorder, I'd like to recognize particular programs that fit those topics closely, while also filling other important roles for their clients. In particular, I'd like to mention the following (not in any prioritized order) programs:

- 1) Cowichan Valley Basket Society (Food Bank)
- 2) Canadian Mental Health Association (CMHA) Sobering & Assessment Centre
- 3) CMHA Peer Group (Clean Team/Sharps Pick-up Team)
- 4) Island Health MHSU/RCMP Car 60 & Integrated Response
- 5) Island Health Overdose Prevention Site (OPS)

These services, in addition to all the valuable work they do for their clients, have a significant effect on the reduction of crime and public disorder in the community and should be recognized for the value they bring to lessening the impact of these issues.

The following are challenges I've learned about in your community that need community-wide assistance to lessen the impacts of crime and public disorder:

Needles

Needles are a magnet for community anger, angst, frustration and fear as well as a feeling of being victimized by those who discard of them improperly. It is particularly evident in talking to business and property owners that face the often daily need to move people along from their properties—and then dispose of the numerous needles as well as the garbage and waste left on their property.

Needles are a source of a high percentage of the frustrations I hear from the general community in almost every interview. Solutions are not there yet. I understand that addicts seek the instantaneous feeling they get from injecting. It is one of the preferred methods of drug use. I see great efforts to educate the public on how to dispose of

needles, but public concern for improperly discarded needles on private and public properties remains. In fact, the complaints appear to be increasing in the community.

Health and social service providers together with the community can help to resolve this disorder. Their existing programs, such as the Sobering & Assessment Centre, and CMHA Peer Group (Clean Team/Sharps Team) adds value to the community's effort to reduce crime and disorder while supporting people who are using substances.

Discarded needles and garbage left by the street population is one of the biggest "frustration factors" in the community, and we need to support efforts by health and social service programs to recognize the importance of these needle pick-up services to the community,

Without doubt, needles left on the street, which require the community to clean them up on its own, is a very concerning community issue. Health and social service programs that can help abate the problem and help with clean-ups need to be strongly supported by the entire community.

Efforts by the CMHA Peer Group need to be supported and appreciated. When the community sees the street population involved in solutions, it gives the community a sense of cohesion.

Needles in Cowichan River

The Cowichan River receives its name from the Cowichan Tribes "People of the Warm Land." The river is culturally and historically important in the lives of the people and to the salmon that are in it during the various stages of their lifecycle. This ancient heritage and culturally important river on the edge of the Highway Corridor and is under stress from literally 100s of needles being dropped into its waters. This is an example of public disorder that can be worked on by the whole community.

There needs to be a community-wide recognition of the harm being done to this river and the need to address needles in the river. There needs to be a willingness in the community to be part of the solution by recognizing, addressing, remediating and preventing this from happening in the future.

This could be part of the Safer Highway Corridor project or handled as a separate Communities-supported initiative. It is also a good project for the SWG in partnership with Cowichan Tribes and community services.

Island Health - Overdose Prevention Site

When I first started working on the SCP, I read newspaper articles about the opening of the OPS on Trunk Road and the concerns of the neighbourhood. I understand the community frustration, but I've also seen how these sites can fit in well with neighbours and significantly help influence safe needle disposal.

I encourage neighbours to engage and participate with any Good Neighbour Agreement (GNA) process that occurs. Discuss how community engagement in the beginning went, but then focus on opening up good lines of communication through the GNA process. The process works and I have been part of that experience on many other projects. The LGs have a role to play in helping facilitate collaboration within the community and resolution of community concerns.

From a crime and public-disorder perspective, the work of the OPS is exactly where the community needs to be in regard to full support. The OPS makes a significant difference to the levels of public disorder experienced on the street. Many in the community want needles off the street but they also want people to have a safe place use their drug of choice. The OPS provides this valuable role in the community.

The OPS is part of the solution, not part of the problem. It is an important way to reduce crime and public disorder in the community. A respectful GNA process involving the neighbourhood, local governments, the RCMP and Island Health will help everyone get through these often challenging start-up phases. The OPS can also encourage and communicate safe disposal practices with its client base as part of the solution.

Public Disorder Increases When There's Nowhere To Go

CMHA Warmland House offers services that are successful and vitally important to the community. However, it does not allow the use of drugs on its premises. This is not a criticism, simply a comment on the model. When a person takes opioids over a period of time, their body becomes dependant on it which leads to withdrawal symptoms within hours after the last use. The OPS is open from 1:00 p.m. to 7:00 p.m. and they have funding for six hours per day. Many people who use opioids need to use first thing in the morning or they start to feel the symptoms of withdrawal, which can be unbearable. People who use substances who cannot or do not want to stay at CMHA Warmland House or the Cowichan Women Against Violence (CWAV) Women's Shelter because of their need to use a substance to stay well, stay on the street. They have nowhere to go, so they sometimes stay on private property during the night and leave behind waste and needles for the property owner to address.

Cowichan Valley Basket Society (Food Bank) is one of the few places during the day that feeds and allows people to stay, play cards and talk during opening hours. Otherwise, the street entrenched spend a lot of hours each day with no place to be personally safe, or use substances safely (except during opening hours) and no place to sleep each night if they are unable to stay at a shelter. This is one factor as to why so many people living on the streets are leaving needles and garbage on the ground and camping rough.

The Communities, businesses, residents, police services, First Nations, visitors and neighbourhoods see the resulting crime and public disorder that occurs daily as the homeless population lives on the street in the Highway Corridor area. Are there other community solutions?

Recommended Action #5: RCMP Crime Reduction – Crime Analyst

That the Communities support crime reduction to address crime occurring in the whole community as well as in the Highway Corridor that is affecting the personal safety of the homeless population on the streets.

That the Communities consider supporting a full-time RCMP criminal intelligence analyst position at the North Cowichan/Duncan RCMP Detachment.

That the RCMP criminal intelligence analyst be part of the Safer Working Group (see Recommended Action #1).

Criminal Intelligence Analyst

The criminal intelligence analyst researches, collates, evaluates and analyzes information to develop intelligence products that assist management in decision-making and provides recommendations to further intelligence and investigations. The analyst develops and applies specialized knowledge in specific fields and in law enforcement specialties and makes ongoing decisions regarding products, identification of crime trends and insights into the criminal environment. Analysts are considered an expert resource for detachments.

A RCMP crime intelligence analyst employed at the North Cowichan/Duncan RCMP Detachment will, in addition to having a full-time role dealing with community-wide crime analysis, be able to assist in identifying key predatory offenders in the community who cause violent crimes within the homeless population and who use fear, drugs and intimidation to organize thefts in the business and general community.

One of the most effective tools to reduce crime and public disorder that I have seen deployed through crime reduction is having a crime analyst working full time. There are many examples on Vancouver Island of a crime analyst working with police investigators to deal with chronic/prolific offenders. North Cowichan/Duncan RCMP Detachment currently has the use of crime analyst services one day of the week.

The Communities would be well served by having a full-time person in this role. This greatly multiplies the ability of police investigators to achieve crime reduction in the whole community. It will also be a valuable tool to lessen resulting public disorder in the Highway Corridor.

It is also important as a tool to reduce violence towards the homeless. The street population is victimized by predatory individuals who use fear and violence to intimidate them into acts that can involve organized shoplifting, break-ins, other crimes or forced prostitution.

In most cases, predation occurs when the victim is a vulnerable person entrenched on the street and has their own mental health and/or substance use issues. These predators are a very small percentage of the street population but cause significant violence and harm if not identified and dealt with by the police and courts.

Recommended Action #6: Crime Prevention Through Environmental Design

That the Communities and the RCMP Detachment jointly learn, practice and apply Crime Prevention Through Environmental Design principles as another crime and public disorder reduction tool.

That the Communities use the upcoming Crime Prevention Through Environmental Design training hosted in the City of Duncan by Cowichan Community Policing as an opportunity to increase their knowledge regarding this valuable crime reduction tool in the community.

That the Communities consider hosting a presentation for community businesses, so they can learn about Crime Prevention Through Environmental Design practices and how to lessen crime and public disorder on their properties.

A successful action that a local government can take to assist a downtown, neighbourhood or business area, such as the Highway Corridor, under stress from crime and disorder is to train LG staff, enforcement officers and police to be able to provide a

CPTED assessment of specific areas under the most stress and to provide advice on the actions property owners can take to reduce those criminal activities.

During my time spent interviewing many persons in the Highway Corridor and surrounding area, I could see areas where previous CPTED actions have been taken. These actions have made a difference towards lessening crime and public disorder in those areas.

I've been involved in using CPTED as we tackled areas that experienced similar problems to those in the Communities. CPTED was used extensively and all staff dealing with public-disorder issues were CPTED trained. We also used the services of a CPTED professional for many LG-owned larger projects both in the planning stage and sometimes to address remedial security solutions where a CPTED assessment was not part of the initial building process.

Crime Prevention Through Environmental Design



CPTED training should also be considered as a necessary and valuable skill for bylaw enforcement officers, police officers, planners and park planning personnel. I recommend this training to communities as a valuable tool for addressing crime and public disorder. It is an integral part of developing safe public spaces in the community

and in areas under stress from crime or public disorder. This training can often be cost-shared with other communities.

I also recommend sponsoring a CPTED information session for businesses on how to take actions regarding their properties that lessen crime and discourage unwanted behaviour. It may also be possible to consider using real Highway Corridor areas as work examples for the training sessions. LGs may want to check with Cowichan Community Policing about this possibility.

Recommended Action #7: Dealing with Problem Properties

That the Communities and RCMP intervene early on nuisance properties occurring in neighbourhoods and consider implementing a nuisance property bylaw as an effective tool to deal with such properties.

Nuisance properties in community neighbourhoods can be identified as contributors to the distress being experienced. They are identified by the multiple visits from the police they receive because of noise and disturbance complaints from the neighbourhood. Nuisance properties are often associated with fights, yelling, shouting and disturbing the surrounding neighbourhood.

These properties can be drug houses or chronic “noisy party” houses operating in the neighbourhood. They can also be businesses that are not properly managing issues that arise as a result of their operations. Noise and neighbourhood disturbances are usually the common features regarding why complaints come into the police and often result in frustrated neighbours bringing their concerns to the attention of the mayor and council.

The goal of this recommendation is to provide the police with an LG-led response to a problem that causes frustration in a neighbourhood but cannot be remedied by laying criminal charges or by waiting through lengthy delays for court action.

The most successful resolution occurs when action is taken once the number of police visits shows a pattern of nuisance activity occurring or a significant neighbourhood concern has been reported and police visits have not been able to resolve the situation. When police cannot end the nuisance, the LG becomes involved by taking bylaw enforcement action under a nuisance-property bylaw.

The Communities need to have the ability to claim the costs for the visits by the police, the fire department and bylaw officers that are required to address nuisance activity at these properties. These properties, when acting as nuisances, can waste a large amount

of resources. By having to respond to a nuisance-property complaint, the police may be unable to respond to a more pressing issue in the community. Owners need to be held accountable for this misuse of police resources and for the unnecessary costs to the public.

The process of dealing with nuisance properties can require coordination and planning with health and social services if a displacement of persons is expected to occur. If needed, these services can work with youth and adult outreach services and help people find appropriate shelter, such as CMHA Warmland House and the CWAV Women's Shelter. These services are valued partners when dealing with people who need a place to go when a nuisance-property issue is being resolved. The process involves outreach to these services and they become part of the process when handling a nuisance property. The goal is to deal with neighbourhood concerns and fears created by nuisance activities that are on-going as a result of the resulting nuisance activity associated with the property. Another goal is to find assistance for those being displaced in the process.

Engagement of these properties should be coordinated and resolution should be sought through an LG-hosted person-to-person meeting involving the owner, the police and bylaw enforcement staff in order to gain early resolution.

In most cases, early intervention of this type brings positive action from the owner and the concern is usually addressed without a need for continual attendance. LG staff and RCMP officers would explain the nuisance-property process to the owner and provide information on the issues the owner needs to address in order to meet the requirements of the bylaw.

If the intervention meeting does not result in a resolution, the LG needs to be able to address such properties by way of fining or charging for costs. Each LG should look into the creation of a nuisance-property bylaw focussed on addressing problematic properties causing excessive calls for police, fire and bylaw services as a result of disturbances and nuisance behaviour caused by lack of action by the property owners.

As stated, this process starts with the goal of having the owner address the issues arising from their property. It is a positive interaction as long as the problem is addressed in a reasonable manner and timeframe and does not require the issue to be brought before council. If the issue is not addressed, council hears the matter and can elect to deem the property a nuisance.

Once deemed to be in contravention of the nuisance-property bylaw, cost recovery for services rendered attending nuisance properties can be sought through either fines or through taxes.

Note: LG will need to obtain an updated legal opinion when writing the bylaw.

Resourcing Considerations: Staffing Impact – Corridor Safety Office

That additional bylaw enforcement staffing and the contracting of a private security ambassador be considered as necessary to the resourcing of recommended actions in this SCP report.

That bylaw enforcement officers be in uniform due to the nature of enforcement duties.

That Occupational Health & Safety perform a workplace risk assessment to determine the need for bylaw enforcement officers to have personal protective equipment to perform their duties.

Municipality of North Cowichan – Staffing/Uniforms

The following recommendations are for the Municipality of North Cowichan.

The municipality should hire one (1) additional bylaw enforcement officer (BEO) to add to the two (2) current positions already in place and equally divide additional CSO duties between them. The current workload of your BEOs is approximately 330 files per year for each BEO. This is already higher than expected compared to other municipalities and I would consider your staffing level to be short by .75 of a position even without taking on the new CSO role. The municipality need to add an additional BEO and monitor the new CSO workload.

There will also be an increase in responsibility for the position of the senior bylaw compliance officer. This is a result of the increase in work out of the CSO and because bylaw enforcement officers will be responsible for a higher proportion of the action out of the SWG.

This new CSO duties for bylaw enforcement officers can only be performed by uniformed LG personnel due to the nature of enforcement duties in a challenging street

environment. I recommend that all three (2 existing and 1 additional BEOs) wear uniforms during the delivery of all bylaw services.

If not already completed, I recommend that an Occupational Health and Safety OHS Risk Assessment be done on the use of personal protective equipment (PPE) for officers performing a bylaw enforcement role.

City of Duncan – Staffing/Uniforms

The following recommendations are for the City of Duncan.

The city should consider reconfiguring its current staffing levels by adding hours to existing personnel in order to meet a .5 of a position, which will focus on the Highway Corridor area. Alternatively, reduced parking enforcement could lead to an increased ability to focus resources in Highway Corridor duties.

This new CSO role for bylaw enforcement officers can only be performed by uniformed LG personnel due to the nature of enforcement duties in a challenging street environment.

If not already completed, I recommend that an OHS Risk Assessment be done on the use of PPE for officers performing a bylaw enforcement role.

Shared Cost of Renting Office Space

I do not see the increase in crime and public disorder as being seasonal in nature. It appears to have been a rising concern through the winter and issues were actively rising months ahead of any expected springtime increase with the warmer weather.

To be successful in addressing crime and public disorder, strategies will need to be operational in the areas under stress. The opening of a CSO in the stressed Highway Corridor area will be an important step.

I recommend that the LGs rent suitable storefront space to house a CSO in the Highway Corridor. This office will be the central work office for bylaw officers, security ambassadors and RCMP crime reduction members. It could be considered for a one-year initial rental contract and assessed yearly thereafter.

Cost of Private Security Ambassador Staff

This private security role is important to the success of a safer Highway Corridor project as discussed. It requires the contracting of dedicated private security staff who are trained and comfortable in dealing with a challenging street environment. The role is outlined in Recommended Action #2.

Concluding Comments

A supported SCP process will focus on reducing crime and disorder occurring in the Communities and specifically in the Highway Corridor. The development of an SCP works to address community concerns by coordinating enforcement, improving community communication and collaboration, supporting the health and social service community, supporting the business community and supporting neighbourhoods so all citizens achieve the goals of having a safe and healthy community.

Recommended Roll-Out

The following process is recommended for the rollout of the report's recommendations:

- The report goes to joint councils as a draft
- If the joint councils approve the report in principle, the report goes forward as a draft for input by stakeholder groups
- The report will consider all input prior to being finalized
- The report goes back to the joint councils for final approval
- If approved, implementation of phase two of the Safer Community Plan commences

The recommendation for an SCP that is initially focussed on the Highway Corridor is not a process to start and stop. This will only make future efforts more difficult to launch. This is especially true in the Highway Corridor where shop owners have a high level of frustration with the lack of resolution regarding current crime and public disorder. They have a sense of being isolated and rely on themselves for solutions without broader local government involvement. They have stopped reporting crime through frustration over a perceived lack of disinterest by the court system regarding their victimization.

It requires a commitment by all stakeholders to understand and to be willing to look for ways to lessen public-disorder impacts while carrying on their many important roles in the community.

If the recommendations in this report are supported, reported crime and public disorder may actually increase in the early stages of the SCP Implementation Phase as more

citizens and businesses learn of the role of the CSO and decide that they now have somewhere to call and receive assistance based on the “Who Do You Call?” pamphlet.

Your community cares about the availability of health and social services to those in need. It also cares about the quality of life for neighbourhoods, businesses and all its citizens. The Communities have demonstrated the ability to achieve their goals through a history of working together, and I’m sure it will also achieve the goal of lessening the impact of crime and public disorder occurring in the community.

It is a pleasure to meet with individuals in the community while working on this SCP. I thank everyone that I have interviewed for sharing their words, wisdom and knowledge.

Thank you for inviting me to your community and receiving this report.

Randy Churchill
Consulting For Municipalities

Report

Date April 3, 2024
Subject Suspension of No Heavy Truck Route on Bell McKinnon Road

File:

PURPOSE

To consider suspending the “no heavy trucks” restriction on Bell McKinnon Road during the construction of the Cowichan District Hospital Replacement and designating Mays Road from Herd Road to Bell McKinnon Road as a “no heavy truck” route.

BACKGROUND

On May 5, 2010, Council endorsed the Public Works Committee recommendation to designate specific roads as “no heavy truck routes” to prevent large vehicles from using shortcuts through North Cowichan roads that would avoid the weigh scales. A copy of the April 21, 2010, engineering report has been included as Attachment 1.

“Heavy truck” means a commercial vehicle having a gross weight, including its load, in excess of 10,900 kg (Highway Use bylaw 2261). Section 13(1) of Highway Use Bylaw No. 2261, states that “*Council may by resolution designate ‘no heavy truck routes’ and no person shall drive or use any heavy truck on them at any time.*”

DISCUSSION

The construction of the new hospital on Bell McKinnon Road requires the closure of Herd Road between the Trans-Canada Highway and Bell McKinnon Road for a few months. This is needed to lower the road by about 1.5 m, widen the road at the intersection, replace water mains, add new storm drainage works, and add underground primary hydro feed and related works. The nature and extent of this work can best be accomplished safely and timely with the closure of Herd Road.

The Ministry of Transportation and Infrastructure supports the closure and creation of detour routes at Mays Road. Staff have been working with the project construction team to assess impacts to roadways in the area and concluded that motorists can get to their destinations with adequate signage, possible road repairs on Bell McKinnon Road, and traffic control personnel in place during working hours.

In general, traffic could travel with little interruption – other than trips would take longer. This is inevitable during construction but this situation warrants extra attention. Routing is described at a high level below:

1. Westbound traffic on Herd Road would be directed north at Bell McKinnon Road, then left onto Mays Road to the intersection with the Trans-Canada Highway. Options for northbound traffic exist at Osborne Bay Road and southbound traffic at Lakes Road.
2. Motorists eastbound on Highway 18 could turn left or right at the Trans-Canada Highway but not straight through the intersection. Signal timing would be adjusted for the change.

3. Eastbound traffic would be directed to Mays Road, where motorists would turn right, followed by another right turn southbound onto Bell McKinnon Road. Turning east at Herd Road would complete the detour.
4. Motorists travelling north or south on the Trans-Canada Highway will encounter signage to direct them to Mays Road if heading east of Bell McKinnon Road.
5. Signage on the minor roads would indicate local traffic only to reduce the short-circuiting on the otherwise low-volume roads. Bell McKinnon Road would be one way southbound for the construction of roads and utilities.

Five residences along the impacted section of Herd Road would be accommodated with some limitations based on construction activities. This would also apply to regular garbage, recycling, and compost collection.

While staff can approve detours as part of construction activities, the authority does not extend to the designation of the “no heavy truck” routes. Staff believe that suspending the no heavy truck route on Bell McKinnon Road between Herd Road and Mays Road will allow the intersection work to be completed safely and with the least disruption (disruption is inevitable). Single-lane alternating traffic that would otherwise be in place would completely disrupt the highway intersection signal timing, cause long wait times, motorist frustration, and reduce worker safety.

The no heavy truck routes referenced in the background section of this report were based on neighbourhood disturbance and bypassing weigh scales. This is evident by most roads not having the designation despite sometimes having a poor standard of construction. For example, Bell McKinnon Road, north of Herd Road, is a no heavy truck route, but Mays Road does not have the designation even though it is a chip seal road, nor does Bell McKinnon Road south of Herd Road. Bell McKinnon Road requires at least 130 t of level course asphalt to repair failures at this time. Staff believe that this repair work is necessary to support the detour either prior to detouring or upon completion.

Staff also believe that a no heavy truck route designation should be implemented along Mays Road from Herd Road to Bell McKinnon Road.

OPTIONS

1. **(Recommended Option)** That Council:

- (1) Suspend the “no heavy truck” designation on Bell McKinnon Road between Herd Road and Mays Road until the detour route is not required for the construction works related to the Hospital Replacement Project as determined by the Director, Subdivision and Environmental Services.
- (2) Designate Mays Road from Herd Road to Bell McKinnon Road a “no heavy truck” route and direct staff to install appropriate regulatory signage.
- (3) Direct staff to complete work with the hospital construction project team and the Ministry of Transportation and Infrastructure for effective and timely detour routing as described in the Director, Subdivision and Environmental Services report dated April 3, 2024.
- (4) Direct staff to work with the hospital construction project team on an as needed basis to ensure that Bell McKinnon Road is repaired to the equivalent conditions present or better, upon completion of the roadworks.

- (5) Direct staff to communicate with the public prior to detour routes becoming active and regularly throughout the construction at milestones that could affect motorists.
2. That Council deny the suspension of the "no heavy truck" designation on Bell McKinnon Road between Herd Road and Mays Road.
- This would create a very difficult situation for scheduling, timing, and safety related to construction of the required works. Staff have experience with projects such as lowering the hill at Moose Road on Lakes Road and a devastating accident on Beverly Street leading to the belief that this is an extremely poor option.
 - Staff believe that its likely many motorists would take the routes described by the detour out of frustration and many others would be angry that there was not another route option given, that would not involve excessive delays.

IMPLICATIONS

Communication needs to be regular and effective during a road closure of this nature. Staff should work closely with the hospital project team communications for timely updates.

Allowances for repairs ensures that Bell McKinnon Road is not damaged to the point of needing reconstruction before its end of useful life.

RECOMMENDATION

That Council:

- (1) Suspend the "no heavy truck" designation on Bell McKinnon Road between Herd Road and Mays Road until the detour route is not required for the construction works related to the Hospital Replacement Project as determined by the Director, Subdivision and Environmental Services.
- (2) Designate Mays Road from Herd Road to Bell McKinnon Road a "no heavy truck" route and direct staff to install appropriate regulatory signage.
- (3) Direct staff to complete work with the construction project team and the Ministry of Transportation and Infrastructure for effective and timely detour routing as described in the Director, Subdivision and Environmental Services report dated April 3, 2024.
- (4) Direct staff to work with the construction project team on an as needed basis to ensure that Bell McKinnon Road is repaired to the equivalent conditions present or better upon completion of the roadworks.
- (5) Direct staff to communicate with the public prior to detour routes becoming active and regularly throughout the construction at milestones that could affect motorists.

Report prepared by:



David Conway
Director, Subdivision and Environmental Services

Approved to be forwarded to Council:



George Farkas
Acting Chief Administrative Officer

Attachment:

(1) Engineering Report - No Heavy Truck Routes

Report

Date	April 21, 2010	File:	5400-01
To	Public Works Committee		
From	John P. MacKay, Director of Engineering and Operations	Endorsed by	
Subject	No Heavy Truck Routes - Confirmation of Routes		

Issue

"No Heavy Truck Routes" have been established within the Municipality to discourage truck traffic on Municipal roads which are attempting to avoid the scales.

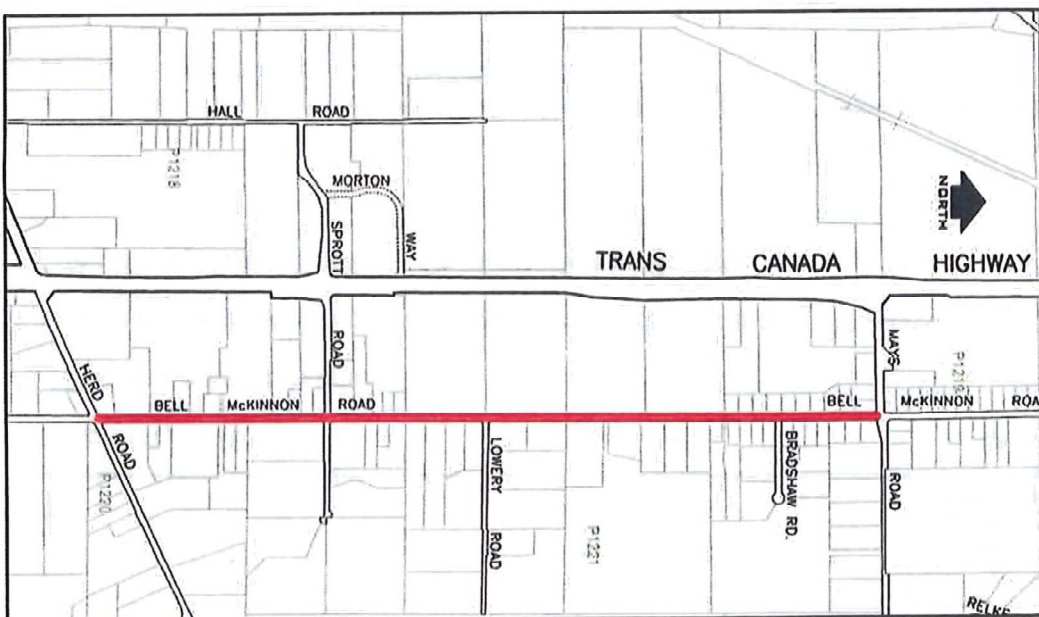
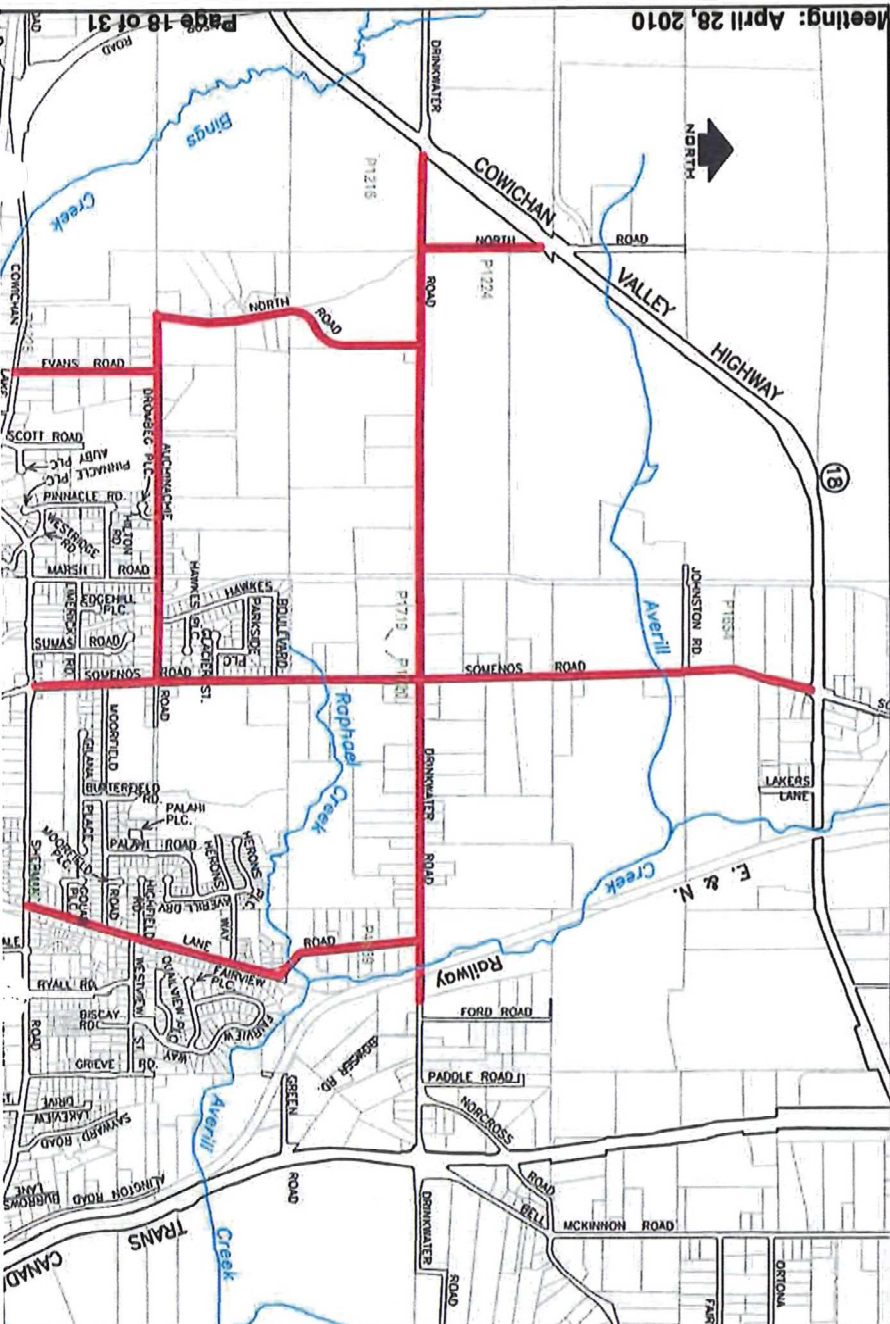
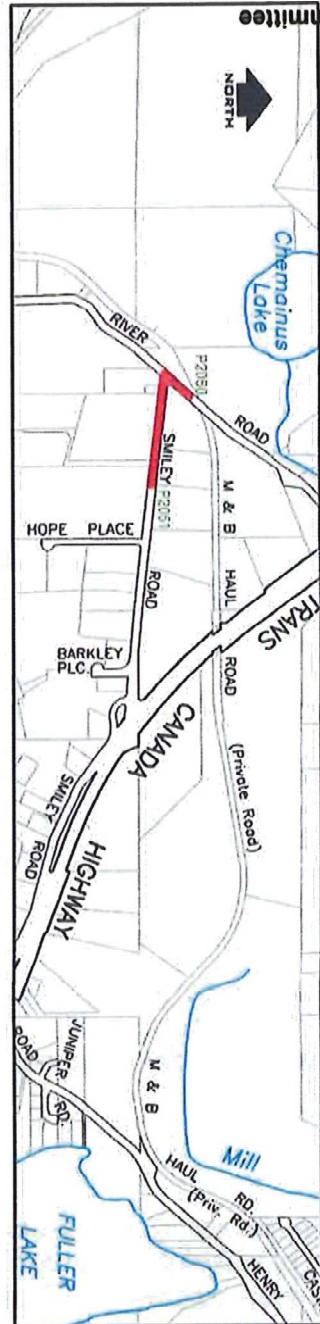
Background

These "No Heavy Truck Routes" have been in place for a number of years. Modifications to the "No Heavy Truck Routes" are proposed, as shown on the attached plan, to reflect changes to the Trans Canada Highway at Somenos Road and to designate portions of Lane Road, Auchinachie Road and Somenos Road as "No Heavy Truck Routes".

Recommendation

That Council authorize the "No Heavy Truck Routes", as shown on the plan prepared by the Engineering Department dated March 30, 2010.

JPM/gb
Attachment



Presented by The North Cowichan
Engineering Department
DATE: June 23, 2010
Drawing: P1654
NO HEAVY TRUCK ROUTE

LEGEND:
— NO HEAVY TRUCK ROUTE
— TRUCK ROUTE
P1654 MNC SIGN POST #

The Corporation of the District of North Cowichan
NO HEAVY TRUCK ROUTES