

DATE: July 31, 2017

FILE: 4000-01

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Ann MacDonald
Acting Chief Administrative Officer

RE: Bylaw Enforcement Semi-Annual Report

Purpose

To keep the committee informed of the Comox Valley Regional District (CVRD) bylaw enforcement files and activities.

Policy Analysis

The bylaw enforcement policy requires that detailed reports are maintained on all bylaw enforcement activities, in addition to regular reporting of enforcement activity.

Executive Summary

This report references January 1, 2017 to June 30, 2017. Some highlights of this reporting period include:

- The Comox Strathcona Waste Management (CSWM) Illegal Dumping Program was approved and launched in April 2017. The program garnered much media attention and resulted in an increase of illegal dumping reports, increased public assistance, improved partnerships with other investigative agencies and community clean ups. CVRD bylaw staff maintains a database of complaints and coordinates any investigations with the Strathcona Regional District (SRD) and municipalities as required.
- Bylaw compliance closed a lengthy file involving an Area C property regarding zoning-use (residing within an RV) and unsightly premises including numerous derelict vehicles. Board approval was received for a Supreme Court Injunction relief due to non-compliance, however, the owner subsequently decided to comply and met the conditions set; therefore nullifying any legal action.
- A lengthy investigation continued for another Area C property regarding unsightly conditions including numerous derelict vehicles as well as animal control concerns (horses on the loose). This property owner has been subject to numerous bylaw and SPCA investigations since 2013 including unpaid municipal ticket information (MTIs). A Consent Order was served on the owner and some conditions were met; however the property is now subject to a court ordered sale. The bylaw investigation is on hold awaiting the property sale.
- A lengthy Area A investigation regarding noise and zoning (operating a car repair business) was subsequently closed after a consent order was issued and the property owner moved the business to another site.

Recommendation from the Chief Administrative Officer:

For information purposes only.

Respectfully:

A. MacDonald

Ann MacDonald
Acting Chief Administrative Officer

Background/Current Situation

This semi-annual report is for the period of January 1, 2017 to June 30, 2017.

There are 38 active files at this time.

- Of these, the largest numbers relate to “zoning” with 18 active files followed by eight “unsightly” files.
- Within this reporting period there were 81 new files opened. In the same reporting period in 2016 there were 47 new files opened.
- Within this reporting period there were 66 files closed.

Further to the above statistics, within this reporting period, bylaw staff has fielded:

- 400 phone calls related to specific enforcement files.
- 230 phone calls of general enforcement inquiries.

Bylaw staff continue to notice an increase in email enquiries and correspondence with many of these generated from the CVRD website to the general enforcement email.

In addition to bylaw enforcement activities, some notable success for CVRD animal control in this reporting period include:

- 1016 dog licences sold to date this year. At this time last year there were 1092 dog licences sold.
- The CVRD animal control officers have investigated 17 aggressive animals, 23 barking complaints, 84 dogs at large and seven livestock/poultry at large.

Options

This report is presented for information purposes only.

Financial Factors

There were no financial costs associated with this reporting period.

Legal Factors

Bylaw compliance staff continue to prepare and process all disputed MTIs issued by the CVRD bylaw and building staff as well as those issued by RCMP and animal control officers. Currently there are no open or pending legal action files.

The bylaw compliance staff along with planning staff continue to receive complaints and enquiries in regards to medical marihuana dispensaries and locations in the CVRD and zoning that would

permit such a use. Staff have been advising that the commercial sale of marihuana is illegal and any complaints of property used for sales will be directed to the RCMP via bylaw compliance staff.

Regional Growth Strategy Implications

Compliance is achieved on unsightly premises files by working with property owners and tenants that may be living in hazardous or unhealthy living conditions. A sound methodology in negotiating compliance achieves the aim of supporting a quality of life through the protection and enhancement of community health, safety and well-being.

Intergovernmental Factors

The bylaw compliance staff work closely with outside agencies such as the RCMP, Corps of Commissionaires, Agricultural Lands Commission, BC Hydro, Vancouver Island Health Authority, Ministry of Forests Lands and Natural Resources, Islands Trust, Ministry of Transportation and Infrastructure, M'Akola Housing Corporation, local fire halls and the local branch of the British Columbia Society for the Prevention and Cruelty to Animals. A close working partnership allows us to achieve compliance on our enforcement files.

Interdepartmental Involvement

Bylaw compliance works closely and assists the other branches of the CVRD with a variety of enforcement issues, including CSWM solid waste and engineering in regards to illegal dumping, enforcement in CVRD parks, and requirements and guidelines in regards to the issuance of MTIs.

Citizen/Public Relations

All bylaw complaints and inquiries are responded to in a timely manner. In addition, the CVRD website is utilized to keep the public informed about seasonal bylaw requirements such as dog licencing and firework permits, as well as a regional approach to illegal dumping (including updated website, 1-800 reporting and media campaign). Social media is also monitored to address any issues and/or questions that may arise.

Prepared by:

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Concurrence:

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Manager of Bylaw Compliance

Concurrence:

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Attachments: Schedule A – Semi-annual file statistics
Schedule B – Illegal dumping statistics

Schedule A
Semi-Annual Statistics (2017 files opened)

	Zoning/ Other	Unsightly	Noise	Weed Control	Illegal Dumping	Animal Control	Parks	Totals
Electoral Area A	12	2	5		10	1		30
Electoral Area B	13	5	1	1	3	1	1	25
Electoral Area C	9	1	7	1	7	1		26
Totals	34	8	13	2	20	3	1	81

Schedule B
Semi-Annual Statistics - Illegal Dumping (end June 2017)

Location	Reports
CVRD electoral areas	23
Village of Cumberland	10
City of Courtenay	2
Town of Comox	1
SRD	1

- Warning/illegal dumper voluntarily cleaned – 2
- Written warnings issued – 4
- MTT issued – 1
- Illegal dumper identified/not located – 1
- Significant community/partnership clean ups
 - Forbidden Plateau - 2000 kg of waste removed
 - Strathcona Parkway/Timber West – 20,000 kg of waste removed