

## Report to Council

<b>Report Title:</b>	Fischer Dairy Road Smoking Concerns		
<b>Prepared By:</b>	Sonya Watson, Chief Administrative Officer and Fiona Hamilton, Clerk		
<b>Department:</b>	Clerk's		
<b>Date:</b>	August 27, 2019		
<b>Report Number:</b>	CLK2019-24	<b>File Number:</b>	C11CL
<b>Attachments:</b>	Map of Walkerton District Community School Property WDCS Letter re Smoking Concerns WDCS Response		

### Recommendation:

That the Council of the Municipality of Brockton hereby accepts Report Number CLK2019-24 - Fischer Dairy Road Smoking Concerns, prepared by Sonya Watson, Chief Administrative Officer, and Fiona Hamilton, Clerk, for information purposes.

### Report:

#### Background:

At the Council Meeting on June 18, 2019, it was noted that many residents were complaining about local students smoking at the intersection of Hinks Street and Fischer Dairy Road in Walkerton. Residents were complaining that the intersection was littered with cigarette butts and garbage, and that students were often seen sitting on the road. Staff were directed to contact the South Bruce O.P.P. to arrange that the School Resource Officer speak with Walkerton District Community School's ("WDCS") Principal about respect in this residential area.

Sonya Watson, Chief Administrative Officer, sent a formal letter to Sarah Slater, the Principal of WDCS and copied Krista Miller, the South Bruce O.P.P detachment commander, about the complaints that were received from residents in the area of Fischer Dairy Road and requesting additional support and assistance from these organizations. Responses were received regarding the difficulty in this area and limitations on alternative solutions.

At the Council Meeting on July 9, 2019, Sonya Watson, Chief Administrative Officer, provided a verbal update to Council about these response. Council directed Ms. Watson to arrange a meeting with the South Bruce O.P.P and representatives from the WDCS to brainstorm solutions. Sonya Watson, Chief Administrative Officer and Fiona Hamilton, Clerk attended the meeting on Monday, August 19, 2019 at WDCS. The local Tobacco

Enforcement Officer from the Grey Bruce Health Unit, local police officer from the South Bruce O.P.P and the Principal and Vice-Principal of WDCS were also in attendance at this meeting.

### **Analysis:**

Unfortunately, the meeting highlighted a number of challenges for all of the parties involved. The main issue is arising from a change in the legislation that occurred in the past year. Previously, individuals were prohibited from smoking on school property. The amended legislation prohibits individuals from smoking within 20 metres of school property. The map that has been attached shows the property boundaries in light green and the 20 metre radius where smoking is prohibited in red. The legislation also prohibits putting an outdoor ashtray in any location where a person is prohibited from smoking. These legislative changes have resulted in the same or similar challenges for many school across Grey Bruce – particularly those schools with grades k-12 where enforcement may be more of a priority.

As shown in the map, there are no good alternate locations where students can be directed to smoke instead of the intersection at Fischer Dairy Road. Municipal staff suggested that a potential compromise may be asking the student to smoke at the edge of the parking lots by the track (behind the TD Bank). This location would be less visible and not promote smoking in accordance with the intent of the legislation. It is also located away from a residential area, away from the storefronts and not along a road where students risked being hit by traffic, but it would not strictly meet the 20metre requirement.

The compromise suggested by Municipal staff was not supported by either WDCS or the Tobacco Enforcement Officer. Staff from WDCS were skeptical that students would walk across the track in the winter and were concerned that the distance would make students late for classes. The Tobacco Enforcement Officer was not willing to refrain from enforcing the legislation in this location. Unfortunately, there were no alternative proposed solutions offered by these agencies. Municipal staff encouraged these agencies to increase their efforts to educate students about smoking cessation and respectful behaviour and to refrain from gathering in large groups and affecting residential property and encouraged the school to suggest this area is more suitable than the residential corner.

There is also a small greenspace at the corner of Yonge St. South and Cemetery Road. Although most of this location is still in the prohibited area, there might be the possibility that a small area of the road allowance where an outdoor ashtray could be located and students could smoke. This small greenspace may push students into the prohibited zone in the winter months when there are high snowbank. It also makes smoking more visible for elementary students (at both WDCS and Mother Theresa), but as a compromise this area may warrant further investigation.

The representatives from the South Bruce O.P.P. have committed to assisting the Municipality of Brockton with increased education for all the parties. The School Resource Officer will make it a priority to speak with students about respectful behaviour, and putting garbage in the correct location. The South Bruce O.P.P will also assist Municipal staff in informing residents that the situation is resulting from provincial legislation that is creating problems for school across the region.

At a minimum, staff can arrange for an additional garbage receptacle to be placed on the road allowance behind WDCS at Hinks Street to make it convenient for students to dispose of garbage to try to address

resident's concerns about garbage and littering. Ultimately, the only meaningful solutions to this challenge may be political rather than operational in nature.

### **Sustainability Checklist:**

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- Do the recommendations help move the Municipality closer to its Vision? N/A
- Do the recommendations contribute to achieving Cultural Vibrancy? N/A
- Do the recommendations contribute to achieving Economic Prosperity? N/A
- Do the recommendations contribute to Environmental Integrity? N/A
- Do the recommendations contribute to the Social Equity? N/A

### **Financial Impacts/Source of Funding:**

- Do the recommendations represent a sound financial investment from a sustainability perspective?  
N/A

#### **Reviewed By:**



**Trish Serratore, Chief Financial Officer**

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#### **Respectfully Submitted by:**



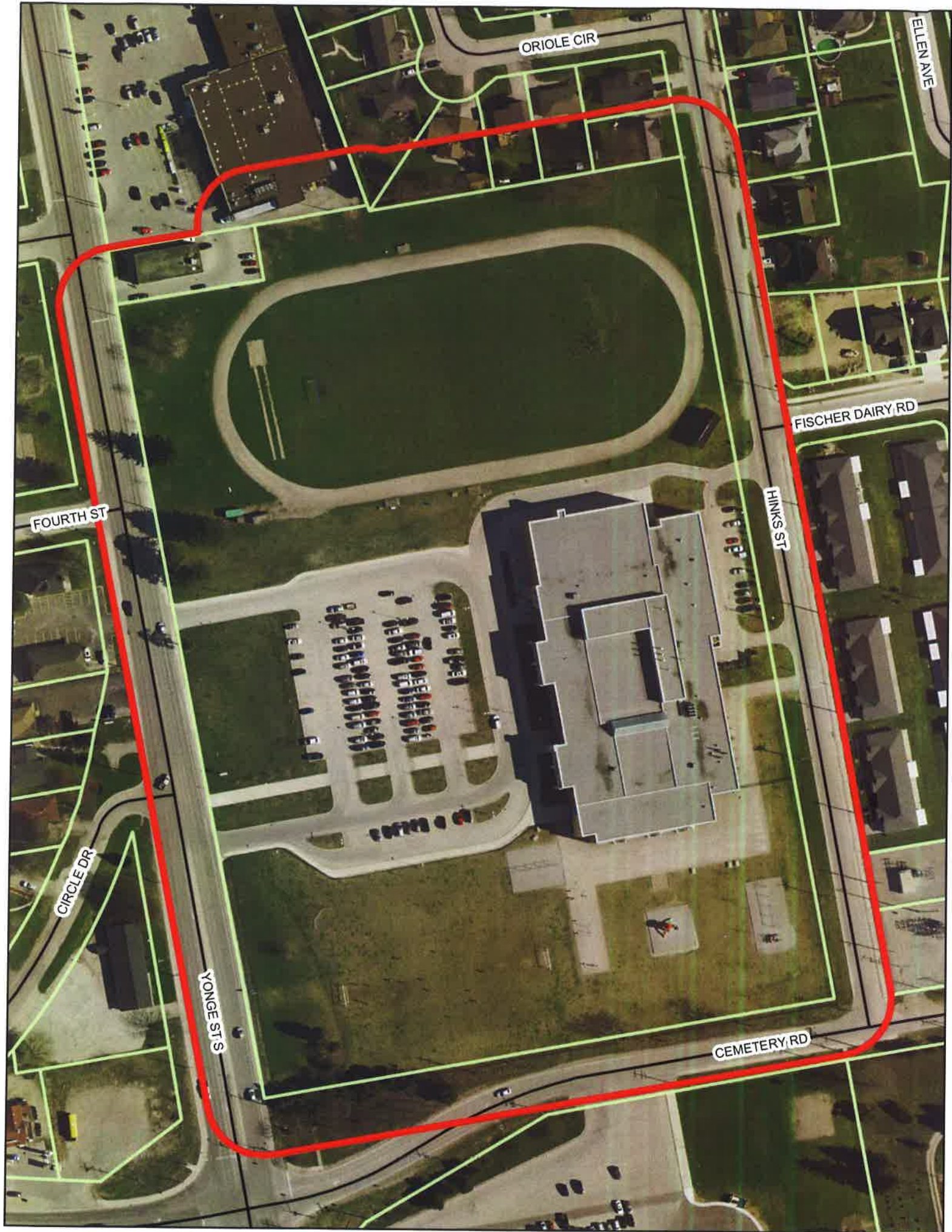
Fiona Hamilton, Clerk

#### **Reviewed By:**



**Sonya Watson, Chief Administrative Officer**





ORIOLE CIR

ELLEN AVE

FISCHER DAIRY RD

HINKS ST

CEMETERY RD

YONGE ST S

CIRCLE DR

FOURTH ST



Walkerton District Community School  
Attention: Sarah Slater, Principal

Dear Ms. Slater

At the June 18<sup>th</sup>, 2019 Brockton Council Meeting a concern was brought forward regarding the area behind the Walkerton District Community School. It has been brought to our attention that since students at WDCS are not allowed to smoke on school property they are socially smoking in the Fischer Dairy Subdivision (Hinks Street, Turner Street, Heritage Way) behind the school. Complaints have been brought forward to Council from concerned residents. The students are creating a safety concern as they are constantly on the roadways, sitting in the street or on the curbs and not moving for passing traffic. This is especially concerning with the Phase 4 Development of the subdivision and the amount of large dump truck and construction vehicles coming and going. This also involves a great deal of littering onto private properties which includes garbage and smoking debris. There have also been instances of inappropriate behaviour and comments to residents who reside in that area. The Municipality has been in contact with the South Bruce OPP and the school resource officer and they are aware of the issue, and have previously increased patrols in that area when time permits.

Council is seeking assistance from the Walkerton District Community School, along with the South Bruce OPP in regards to reviewing this matter. Increased communications early in the school year in this regard could help mitigate the problem before it starts. I understand it is the end of the school year and this activity may cease in the immediate future. However, in September I am sure it will pick up again and we would like to get ahead of it before it occurs to this extent again.

Please feel free to contact me should you wish to discuss further.

Sincerely,

Sonya Watson  
Chief Administrative Officer





# Walkerton District Community School

Sarah Slater, Principal  
Stephanie Bouchard, Vice Principal  
Kevin Matheson, Vice Principal

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June 26, 2019

Re: Student smoking concern at WDCS

Dear Sonya,

Thank you for your letter regarding concerns about our students smoking in the Fisher Dairy Subdivision. We share your concerns about the safety of our students and about the inconvenience to the neighbours. Many of them have brought their concerns to us.

In our discussions with various neighbours it has become clear that very few people are aware of the additional pieces to the provincial legislation that came into effect on October 17<sup>th</sup>, 2018 when cannabis was legalized. At that time, as I'm sure you are aware because it impacts public buildings as well, there were changes to the Smoke Free Ontario Act, 2017, that altered what we are allowed to have happen at the school. Up until that time our students were required to be just off property if they were smoking. No one has been allowed to smoke on school property for quite a long time, but we were able to provide a space on our side of Hincks Street that we could monitor and that allowed us to ensure the safety of our students. We made sure there was a garbage pail and seating so students would stay there.

The October 17<sup>th</sup> changes mean that students, and everyone else, is required to be at least 20 metres from school property, as with any other public areas, such as parks and arenas. Someone walking by on the sidewalk could, theoretically, be charged as well.

For the fall and winter, and on into the spring, we spent our time educating the students and letting them know about the regulation changes, with warnings that they could be charged at any point. This spring there were charges laid against a number of students, mostly for smoking on school property, but at that point they did have to make the move to 20 metres from the school property. There is not a good place for them to go 20 metres from the school property. It does not work in any direction. It does not work for us and it does not work for the neighbours. Unfortunately, Fisher Dairy is safer than Cemetery Road and is much safer than Yonge Street. Cemetery Road would also have a greater impact on elementary students from both WDCS and St. Teresa.

Unfortunately, we do not have a good solution. We have brainstormed ideas and have come up with nothing more useful than where they are right now. We would be very open to having a discussion with the Municipality of Brockton and the South Bruce OPP to try to come up with a more workable solution. It might be helpful to also include our Tobacco Enforcement Officer, Miguelle Mann, in the discussion.

Thank you.

Sarah Slater  
Principal, Walkerton District Community School