

# Lower Fraser Valley Regional Plan Court Capacity Expansion Project Final Report

Submitted by:



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# EXECUTIVE SUMMARY

## Study Context

Demands on the justice system are of increasing concern in the Lower Fraser Valley (LFV), due to system capacity shortfalls, including facilities that are putting at risk governments' ability to continue providing timely and accessible justice services to the citizens of the LFV. The effects are far-reaching and reflective of demographic growth in the LFV and the complexities of the Ministry of Justice and Attorney General's (JAG) overall service delivery structure. A consortium of JAG, the Cities of Abbotsford, Surrey, Chilliwack, Langley, and the Township of Langley was formed to undertake the project. The study objective was to identify long-term requirements for courtrooms and court facilities in the LFV and to develop a cost-effective strategy for meeting this demand that will provide timely and accessible courthouses and justice services for the citizens of the LFV.

## Projected Requirements and Shortfalls

Provincial Court hears most criminal (Adult and Youth), family, small claims, civil and traffic cases. Today, the LFV requires 32 Provincial Courtrooms but only has 22 (14 at Surrey, 5 at Abbotsford, and 3 at Chilliwack) a deficiency of more than 30%. In 20 years from now the LFV will need a total of 38 Provincial Court Rooms. In addition to the growth in demand, the five existing courtrooms at Abbotsford Provincial Courthouse need urgent replacement. The status quo is not sustainable. Additional Provincial Courtrooms in the LFV are required as soon as possible and must be a short-term priority for the Province.

Supreme Court hears very serious adult criminal, civil and family cases. Supreme Court demand is largest for Surrey, with Abbotsford second, Langley third and Chilliwack fourth. The majority of Supreme Court cases originating out of the LFV will continue to be heard at New Westminster Law Courts. The Supreme Court demand generated in the LFV area to the east of Surrey is equivalent to approximately 2 courtrooms and is currently accommodated at Chilliwack Law Courts. By 2033 the demand for Supreme Courtrooms in the LFV will increase such that 5 additional Supreme Courtrooms will be required, with the majority of the demand being generated west of Chilliwack. Supreme Court facilities in the LFV should be located to best serve Surrey, Abbotsford, Langley and Chilliwack in that order.

Abbotsford Provincial Courthouse has serious deficiencies and it will be difficult to maintain safe and effective operations at this location beyond 2018. The loss of the 5 Provincial courtrooms at Abbotsford, combined with the increase in demand over the next 5 years, results in a combined 18-courtroom shortfall by 2018. By 2033 the shortfall will grow to 24 courtrooms.

## Courts Development Objectives and Priorities

Reducing current shortfalls in a timely manner and resolving the deficiencies at Abbotsford Courthouse are both considered high priorities. In devising a suitable development strategy other objectives were also deemed important:

- Provide equitable access for residents;
- Economize on development costs
- Economize on operating costs
- Optimize police travel time for court appearances;
- Resolve deficiencies at Surrey and Chilliwack in a timely manner;

- Provide flexibility for adapting to changes in the region's demand and the delivery of justice services over time; and
- Minimize disruption to current court activities.

## **Regional Service Model**

There are economies of scale with operating courthouses based on size. In populated areas such as the LFV, it is not efficient to operate a courthouse with less than five courtrooms. In the case of Supreme Court, there are operational advantages to having the majority of Supreme Court activity in a centralized location. The most appropriate location would be at Abbotsford or Langley, as those locations are closest to where the majority of demand originates. As Abbotsford Courthouse requires replacement as soon as possible, co-locating the Supreme courtrooms with new Provincial courtrooms in Abbotsford will provide equitable access to Supreme Court Services for the next 20 years. A Supreme Court presence will be retained in Chilliwack.

The service strategy models considered during the study ranged from a single courthouse to four courthouses across the LFV. In general, the variations in capital and operating costs were not significant enough to establish any one model as clearly superior. The pros and cons relating to public accessibility, travel costs for police attending court, timeliness in resolving shortfalls and deficiencies, and keeping options open for adjusting to future changes in demand patterns, were more relevant in choosing a preferred strategy. After several rounds of discussion a three to four-courthouse model was selected as the best strategy for the LFV Regional Courts Plan.

## Proposed LFV Regional Courts Plan

The Proposed LFV Regional Courts Plan comprises two phases.

- **Phase 1: High Priority Projects** – The first phase entails capital projects that must commence immediately to alleviate existing shortfalls and to replace the aging Abbotsford Courthouse in a timely manner, preferably by 2018.
  - Expand Surrey Provincial Courthouse by 5 Provincial courtrooms
  - Construct a new 14-courtroom Integrated Courthouse (5 Supreme, 9 Provincial courtrooms) in Abbotsford
  - Rectify deficiencies at Surrey Courthouse in accordance with the 2011 NORR Report
  - Rectify deficiencies at Chilliwack Courthouse in accordance with the 2011 NORR Report
  - Demolish the existing Abbotsford Courthouse when the new facility begins operation
  
- **Phase 2: Medium-Term Construction** – By 2028, it is projected that the facilities constructed in Phase 1 will have reached their capacity. Starting in 2022, JAG will begin to define suitable projects for Phase 2. Pending this update, possible options for this phase include:
  - Construct a new 5-courtroom Provincial Courthouse in Langley
  - Expand Surrey Provincial Courthouse by 3 Provincial courtrooms and expand Chilliwack Courthouse by 2 Provincial courtrooms

However, the number of courtrooms required may vary, depending on population growth patterns and the potential impacts of Justice Transformation and other Courts' programs and initiatives. To keep pace with changing conditions, JAG will update its courts demand projections every five years. A decision on Phase 2 projects will need to be made by around 2023.

Figure 6: Proposed Implementation Timeframes

|  | 2013 - 2018  | 2018 - 2023  | 2023 - 2028                                      | 2028 - 2033   |
|--|--|--|--|---|
| <b>Phase One</b>   |  |  |  |   |
| <b>LFV Regional Courts Plan</b>  | Approve LFV Regional Courts Plan   |  |  |   |
| <b>Project 1:</b> 5-courtroom expansion to Surrey Courthouse               | Planning, funding approval, design, building system upgrades, new construction | <ul style="list-style-type: none"> <li>• Commissioning</li> <li>• Move-in</li> </ul>   |  |   |
| <b>Project 2:</b> New 14-courtroom Abbotsford Courthouse                   | Planning, funding approval, design, construction                               | <ul style="list-style-type: none"> <li>• Commissioning</li> <li>• Move-in</li> <li>• Demolish existing Courthouse</li> </ul>                               |  |   |
| <b>Project 3:</b> Chilliwack Courthouse Upgrade                            | Planning, funding approval, design,  | <ul style="list-style-type: none"> <li>• Building systems upgrades</li> <li>• Reconfiguration renovations</li> </ul>                                       |  |   |
| <b>Phase Two</b>   |  |  |  |   |
| <b>LFV Regional Courts Plan</b>  |  | <ul style="list-style-type: none"> <li>• Update development strategy for 2028 to 2043 (in 2022)</li> <li>• Confirm Phase Two projects (in 2022)</li> </ul> |  |   |
| <b>Project Option A:</b> New 5-courtroom Langley Courthouse                |  |  | Planning, funding approval, design, construction | <ul style="list-style-type: none"> <li>• Commissioning</li> <li>• Move-in</li> </ul>                                    |
| <b>Project Option B:</b> Courthouse Expansions at Surrey and/or Chilliwack |  |  | Planning, funding approval                       | <ul style="list-style-type: none"> <li>• Design and construction</li> <li>• Commissioning</li> <li>• Move-in</li> </ul> |
| <b>Ongoing Demand Projections</b>  |  | Update Demand Projections to 2038  | Update Demand Projections to 2043                | Update Demand Projections to 2048   |

## Construction Cost Estimates

The following estimates represent order of magnitude construction costs. Full development costs will be approximately 40% higher.

|   |   |
|---|---|
| <b>Project 1:</b><br>Surrey Provincial<br>Courthouse<br>5 Courtroom<br>Expansion                | <b>Estimated Construction Costs</b> (not escalated) <ul style="list-style-type: none"><li>▪ New Construction: \$16.8 Million</li><li>▪ Deficiency Rectifications and Renovations: \$7.4 Million</li><li>▪ Alterations to Surrey Courthouse: \$1.8 Million</li><li>▪ <b>Total Construction Costs: \$26.0 Million</b> (excludes planning, design, administration, and other soft costs)</li></ul> |
| <b>Project 2:</b><br>New Abbotsford<br>Law Courts<br>9 Provincial<br>5 Supreme                  | <b>Estimated Construction Costs</b> (not escalated) <ul style="list-style-type: none"><li>▪ New Construction: \$62.5 Million</li><li>▪ Demolition of Existing Courthouse: \$0.3 Million</li><li>▪ Parking and Landscape: \$0.9 Million</li><li>▪ <b>TOTAL: \$63.7 Million</b> (excludes planning, design, administration, and other soft costs)</li></ul>                                       |
| <b>Project 3:</b><br>Upgrade Chilliwack<br>Courthouse<br>(Deficiencies and<br>Reconfigurations) | <b>Estimated Construction Costs</b> (not escalated) <ul style="list-style-type: none"><li>▪ Resolve Deficiencies and Interior Reconfiguration</li><li>▪ <b>TOTAL: \$1.2 Million</b> (excludes planning, design, administration, and other soft costs)</li></ul>   |

## Conclusions

The two-phase strategy for the LFV Regional Courts Plan satisfies all the development objectives.

- It provides equitable access to Provincial and Supreme Court services for residents in all LFV municipalities based on optimizing services to the areas where the demand is generated.
- It provides sufficient capacity to resolve the current shortfalls by 2018 and accommodate anticipated growth to 2028, without creating significant surplus capacity for extended periods.
- It incorporates a phased development approach with an update of demand every five years thereby providing a high degree of flexibility in adapting to changes in the region's demand patterns and justice needs over time.
- It resolve deficiencies at Surrey and Chilliwack Courthouses in a timely manner (by 2018)
- It mitigates police travel time for court appearances by maintaining proximity between police facilities and courthouses for each courthouse.
- It is economical in terms of both capital and operating costs.



# LOWER FRASER VALLEY COURTS REGIONAL PLAN FINAL REPORT

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## PART 1: PROJECT BACKGROUND

### 1.1 Study Goals and Objectives

Demands on the justice system are of increasing concern in the Lower Fraser Valley (LFV) due to system capacity shortfalls, including facility shortfalls that are putting at risk governments' ability to continue providing timely and accessible justice services to the citizens of the LFV. The effects are far-reaching and reflective of demographic growth in the LFV and the complexities of the Ministry of Justice and Attorney General's (JAG) overall service delivery structure.

A consortium consisting of JAG, the Cities of Abbotsford, Surrey, Chilliwack, Langley City, and the Township of Langley is undertaking this project. As noted in the Project Charter included in Appendix B, the Consortium is:

*“tasked with preparing a regional long term plan for the expansion of court capacity in the Lower Fraser Valley (“LFV”). Abbotsford has been designated as the Lead Municipality for the plan.”*

The purpose of this study is to identify long-term requirements for courtrooms and court facilities in the LFV and develop a cost-effective strategy for meeting this demand that will provide timely and accessible courthouses and justice services for the citizens of the LFV. The LFV Courts Regional Plan will take into account Justice Reform Initiatives and will be used to:

- Support business cases for future court expansion;
- Re-establish JAG court demand baseline information; and
- Contribute to improvements in overall JAG resource management to enhance staff retention and commitments.

In order to be considered acceptable, the capacity expansion strategies in the LFV Courts Regional Plan must satisfy an integrated set of objectives including:

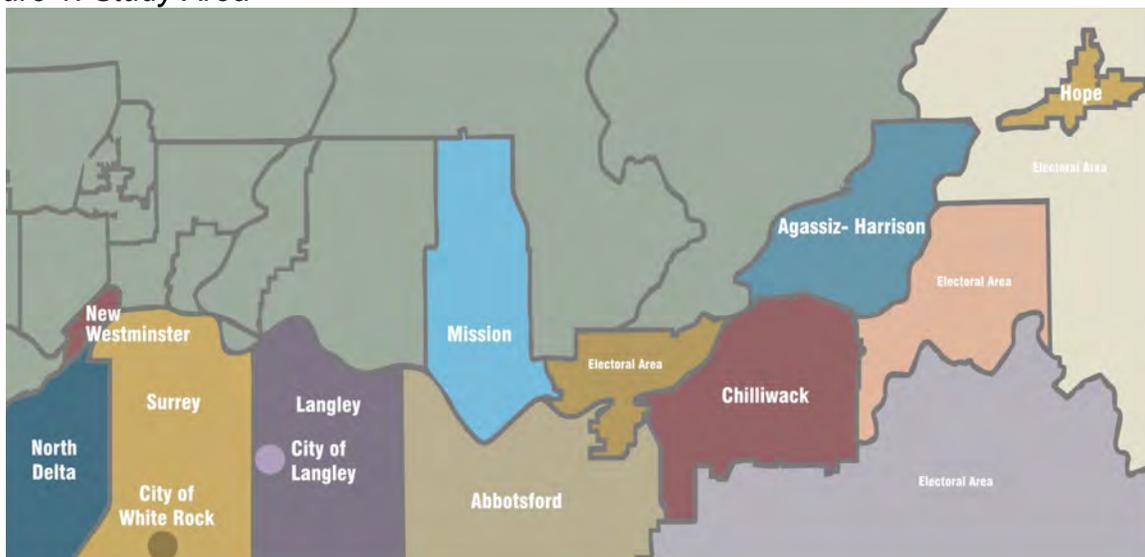
- Provide equitable access for residents;
- Economize on development costs
- Economize on operating costs
- Optimize police travel time for court appearances;
- Resolve deficiencies at Surrey and Chilliwack in a timely manner;
- Provide flexibility for adapting to changes in the region's demand and the delivery of justice services over time; and
- Minimize disruption to current court activities.

## 1.2 Study Area: Lower Fraser Valley (LFV)

For the purposes of the Regional Plan, the LFV is considered to include the municipalities and unincorporated areas currently served by the Surrey, Abbotsford, and Chilliwack Courthouses. Communities in the LFV include:

- Surrey
- City of Langley
- Township of Langley
- Abbotsford
- Mission
- Chilliwack
- Agassiz-Harrison
- Hope
- North Delta (see note)

Figure 1: Study Area



**Note:**

The City of Delta is served by Surrey Courthouse and Richmond Courthouse (which is not included in this study). North Delta is defined as the population cluster within Delta that is located near Surrey and therefore represents a demand on the Surrey Courthouse. This part of Delta is geographically distinct from the rest of Delta and is the only portion of Delta that is considered part of the LFV for the purposes of this project.

The LFV is comprised of these municipalities plus the surrounding unincorporated areas. For the purpose of this study, the Local Health Areas (LHAs) associated with the municipalities were used, which include each municipality's outlying unincorporated areas. This allows the entire population of the LFV to be assigned to the 9 municipalities listed above. LHAs are defined by Fraser Health.

While the study area encompasses all of the cases generated in the LFV, this study also considers New Westminster Courthouse, which provides Supreme Court services to Surrey and North Delta. In order to determine the capacity available for LFV cases, demand was also modeled for areas served by New Westminster Courthouse that are outside the LFV. A key boundary on this study is that New Westminster will continue to accommodate Supreme Court demand originating in Surrey and North Delta. Only when New Westminster reaches capacity will the excess demand be met through Supreme Court facilities in the LFV.

### **1.3 Approach and Methodology**

Courthouses require specialized measures to provide appropriate security separation and access controls for the public, witnesses, accused in custody, judges and staff. They also require suitable spaces for courtroom procedures and other types of conflict resolution procedures. As purpose-built facilities that are relatively expensive to construct and/or expand, they need to be considered in a long-term context so that there is sufficient capacity to accommodate anticipated growth. A planning time frame of 20 to 50 years is typically adopted for courts facilities planning depending on the context. The population of the LFV area is expected to continue growing at a relatively rapid pace for the foreseeable future. The estimated pace and pattern of growth over the next 15 to 20 years are considered sufficiently reliable for planning purposes, but there is less confidence in longer-term projections.

For this study, court capacity requirements have been projected for a 20-year planning horizon (up to the year 2033). As the Plan progresses, it is anticipated that these projections will be updated and extended past 2033 as appropriate. The current Courts Needs Analysis model<sup>1</sup> used by the Ministry is courthouse-based, focusing on projecting demand for existing courthouses. For the LFV Courts Regional Plan, a municipally based demand approach has been adopted so that regional patterns of demand can be examined and used to help establish the most appropriate distribution of courthouse capacity within the region. This approach is explained further in Section 3. The study has proceeded according to the following logic:

- Identify, engage, and consult stakeholders.
- Estimate regional demand by municipal areas.
- Identify suitable courts services strategies based on service delivery goals and objectives.
- Explore alternate strategies for courts expansion, taking into account existing courthouses in LFV.
- Evaluate relative merits and identify preferred strategy.
- Establish a phased implementation strategy.
- Prepare LFV Courts Regional Plan.
- Communicate the LFV Courts Regional Plan to stakeholders.

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<sup>1</sup> See “2009 Update, Court Needs Analysis Model” (January 2011) by Matrix Planning Associates

A highly collaborative approach was adopted involving coordination with several branches of the Ministry of Justice to gather and analyze data, interviews with staff, tours of existing courts facilities, preparation of interim Working Papers, and a series of meetings with the Working Group and the Steering Committee to obtain guidance and feedback.

## **1.4 Key Participants**

Figure 2 illustrates the communications and reporting structure for the key participants in the project.

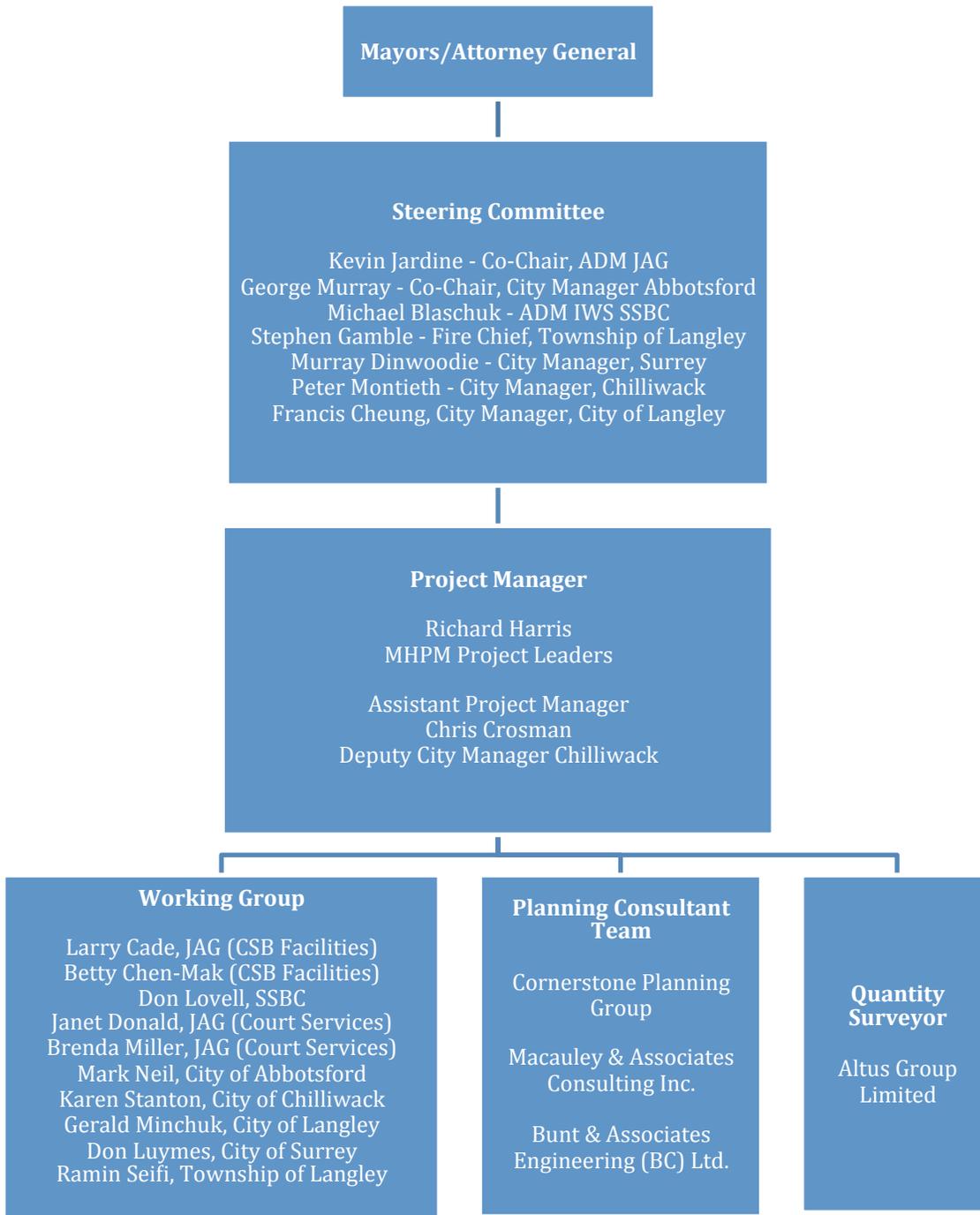
The project was guided by the Steering Committee, which includes representatives from each of the Consortium member municipalities as well as from JAG. The role of the Steering Committee was to provide overall project direction to the Consultant Team and to review interim Working Papers and the Final Report.

MHPM Project Managers served the Project Manager Role, with the Deputy City Manager from the City of Chilliwack assisting. Responsibilities included coordination of the Consultant Team and the Working Group, and retaining and managing a Quantity Surveyor.

The Planning Consultant Team was responsible for conducting research, analysis, and recommending conclusions, with guidance and collaboration with the Working Group.

The Working Group consisted of representatives from each of the five Member Municipalities and representatives from Shared Services BC (SSBC) and JAG's Court Services Branch (CSB). The group was established to advise and support the Project Manager and the Planning Consultant.

Figure 2: Study Participant Structure



## PART 2: EXISTING CONTEXT

### 2.1 Existing Courthouses

There are three courthouses located in the LFV – Surrey Provincial Court, Abbotsford Provincial Court, and Chilliwack Law Courts. Although Supreme Court cases from Surrey are accommodated at New Westminster Courthouse, it is not considered a Lower Fraser Valley facility.

#### *Surrey Provincial Courthouse*



**Surrey Provincial Courthouse** is located within a campus of government buildings on City of Surrey owned land. Neighbours include the Surrey RCMP Detachment, Surrey Pretrial Centre, and Surrey City Hall, which is expected to be vacated within a year. The courthouse's proximity to related justice facilities creates valuable synergies. A 2011 Facility Assessment prepared by NORR Architects describes the physical condition of the building as being 'generally good'. The report recommends a number of short-term mechanical and electrical repairs and additions, and upgrades to the building's IT infrastructure to keep up with new technology. For planning purposes it is assumed that the 14-courtroom Surrey Provincial Courthouse will continue to operate as a Provincial Courthouse and could be expanded if required. It was further assumed, and validated by the Steering Committee that Supreme Court cases originating in Surrey and North Delta will continue to be accommodated at New Westminster Law Courts.

#### *Abbotsford Provincial Courthouse*



**Abbotsford Provincial Courthouse** is located on a campus of government buildings owned by the City of Abbotsford. Neighbours include City Hall, Abbotsford Police, Fire Hall, Public Library, and a performing arts centre. Expansion or new-build is not subject to significant site constraints, particularly if below-grade or structured parking is built. The site has good access via public transit or motor vehicle. Crown Counsel offices are currently four blocks away in leased facilities. The 2011 NORR Report notes a number of technical deficiencies including asbestos, building envelope condition, vermin infestation, and poor predicted seismic performance. Power distribution has exceeded design life and significant upgrades would be needed to IT infrastructure to support new technology. There are also a number of very serious functional, overcrowding, security and safety issues.

- One of the five courtrooms is not connected to the secure circulation and cannot be used for cases involving parties in custody.
- The NORR Report calls judicial security ‘very low,’ with no secure parking and judge’s chambers’ windows facing the public at ground level.
- Vehicular access to holding facilities located below grade is via a narrow ramp. There is insufficient space to turn around at the lower level loading area and vehicles are required to drive in reverse up the ramp. This is a high-risk arrangement considered unsafe and insecure.
- Main lobby is very overcrowded at daily peak times.
- Stairwell from holding area to public area (used for daytime release of prisoners, and access to holding area by counsel) is narrow and unsecure.
- No sheltered screening area at main entrance. Public must queue outside when security screening is in effect.
- Expansion of holding cells resulted in two cell blocks, making it difficult for Sheriffs to monitor cells and respond to incidents.
- Insufficient meeting space for Sheriffs and court staff.
- Access for transfer of records boxes to records room is via a steep and narrow stairwell representing a health and safety risk.
- Accused docks in courtrooms are not to current standards.
- Inadequate space for friends of the court and other related services.
- Poor acoustics in some courtrooms.
- Insufficient number of judge’s chambers.
- Insufficient staff and public washroom capacity.
- Courtroom ceiling heights are lower than standard.

For more detail on these and other deficiencies, see the 2011 NORR Facility Assessment in Appendix E. The NORR report recommends that this building be replaced by a new facility. This study further validates that recommendation.

For planning purposes, it has been assumed that the 5-court courthouse will need to be replaced by new facilities as soon as possible. The current site can accommodate a larger courthouse if required.

### Chilliwack Law Courts



**Chilliwack Law Courts** is located on provincially owned land in Chilliwack's City Centre. This location provides the site with good access from public transit and good motor vehicle access. The entire site is currently occupied by the building, meaning that expansion would require acquisition of adjacent property. The building is relatively new (2002) and in good physical condition. The Facility Assessment by NORR Architects identified only minor improvements such as ergonomic millwork, upgrades to courtroom voice amplification system, and upgrade of Crown Counsel security system. For planning purposes it is assumed that the 5-courtroom (3 Provincial, 2 Supreme) Chilliwack Law Courts will continue to function and could be expanded if necessary.

## 2.2 Current Supply and Demand Conditions

There is a current total shortfall of approximately 8,800 hours of court time, equivalent to 10 courtrooms in the LFV. The most severe shortfall is in Provincial Courts. Supreme Court capacity in the LFV is approximately equal to LFV demand (0.2 courtroom shortfall), excluding Surrey and North Delta demand, which is accommodated at New Westminster. Figure 3 documents for the demand for and supply of courtrooms by type.

Figure 3: Courtroom Demand and Supply 2013

| <b>SUPREME</b>                   | <b>2013</b>  |
|----------------------------------|--------------|
| <b>Demand</b>                    |              |
| Surrey/North Delta               | 6.3          |
| LFV (remainder)                  | 2.2          |
| <b>Total Demand</b>              | <b>8.5</b>   |
| <b>Supply</b>                    |              |
| New Westminster                  | 6.3          |
| Chilliwack                       | 2.0          |
| Abbotsford                       | 0.0          |
| <b>Total Supply</b>              | <b>8.3</b>   |
| Surplus (Shortfall)              | (0.2)        |
| <b>PROVINCIAL</b>                |              |
| <b>2013</b>                      |              |
| <b>Demand</b>                    |              |
| <b>Total Demand</b>              | <b>31.7</b>  |
| <b>Supply</b>                    |              |
| Surrey                           | 14.0         |
| Abbotsford                       | 5.0          |
| Chilliwack                       | 3.0          |
| Langley                          | 0.0          |
| <b>Total Supply</b>              | <b>22.0</b>  |
| Surplus (Shortfall)              | (9.7)        |
| <b>TOTAL SURPLUS (SHORTFALL)</b> | <b>(9.9)</b> |

For planning purposes, it has been assumed that Supreme Court cases generated in Surrey and North Delta will continue to be accommodated at New Westminster until New Westminster Courthouse no longer has sufficient capacity. At the present time New Westminster Courthouse also accommodates Supreme Court cases from areas other than Surrey and North Delta, including New Westminster, Maple Ridge, and Coquitlam Local Health Areas. This demand is equivalent to 11 Supreme Courtrooms, which is one less than the 12 available. By 2023 it is anticipated that New Westminster Law Courts will be at capacity and subsequent excess Surrey Supreme Court cases will need to be accommodated in LFV Supreme Courtroom facilities.

The balance of Supreme Courtroom demand from the Lower Mainland for the study period is adequately captured in other facilities, such as Vancouver Law Courts.

## **PART 3: DEMAND PROJECTION**

### **3.1 Service Delivery Planning Assumptions**

Demand estimates are predicated on the following service delivery assumptions:

- LFV courts should accommodate all Provincial Court criminal and civil demand generated in the areas presently served by the three existing courthouses (Surrey, Abbotsford, and Chilliwack).
- Supreme Court demand from Surrey and North Delta is to continue to be met at New Westminster Courthouse until total Supreme Court demand at the New Westminster Law Courts reaches maximum capacity. Excess Supreme Court demand originating out of Surrey/North Delta at New Westminster is to be accommodated by LFV courts. Supreme Court demand generated by the rest of the study area served by the three existing courthouses is to be fully accommodated by LFV courts.
- All traffic court demand generated in the LFV is to be accommodated in LFV court facilities.
- Demand generated in Delta is considered to be met by Surrey Courthouse and Richmond Courthouse. Cases from North Delta, which is adjacent to Surrey, are treated as a driver for demand in Surrey Provincial Courthouse, while it is assumed that cases from the rest of Delta are tried in Richmond. For the purposes of this study, only demand generated in North Delta is considered for LFV demand estimates.
- One of the key service objectives is to provide equitable access to courts services throughout the LFV region.

### **3.2 Demand Generation Model**

The model used to generate projected annual courtroom demand over the next 20 years uses as a base the existing population based model developed in the study *Court Needs Analysis Model: 2009 Update* (January 2011) by Matrix Planning Associates (the Matrix Model). The Matrix Model was updated based on population data current to 2012 and projections by age group, both provided by BC Stats. These estimates were then updated with court usage data current to 2012, including updates of annual court usage data and criminal cases by courthouse and originating agency.

Figure 4: Court Needs Analysis Model



Using this updated data, the demand model predicts courtroom demand by correlating certain courtroom activities by age group. The model uses the following age ranges to predict demand:

- 0-49 – population drivers for family court activity (Provincial and Supreme Court);
- 12-17 – population drivers for youth criminal court activity (Provincial Court);
- 18-39 – population driver for adult criminal and traffic court activity (Provincial Court) and criminal court activity (Supreme Court);
- 20-64 – population driver for civil court activity (Provincial and Supreme Court) and appeals (Court of Appeal);

These calculations provide demand estimates expressed as courtroom-hours. In order to express this demand in terms of facilities (courtrooms) the current JAG standard of 900 operating hours per year per courtroom<sup>2</sup> was applied. The originating agency data (location where the charge originates), provided by Courts Services Branch was an important link, as it allows the model to connect past courtroom usage to past population and age makeup by municipality. This makes it feasible to use municipally based population projections and age makeup to help generate future courtroom demand by Municipality.

### 3.3 Court Services Demand Factors

Demand estimates (expressed as courtrooms) derive from an interactive set of factors:

- a. Population and Demographics
- b. New Case Rates
- c. Time per Case

#### a. Population and Demographics

While the size of the population affects demand, it is the size of different age groups that is the most relevant given that different types of cases are predominately generated

<sup>2</sup> 250 working days \* 4 hours sitting time \* 90% (10% discount for collapsed matters) = 900 hr/crtm

by specific age groups. Figure 5 presents the projection of the population drivers for each of the three existing courthouses in the LFV. The Local Health Area populations making up the population drivers are identified in the notes. While some analysis suggests that there is a “bulge” of criminally active participants working its way through the population profile, our demand projection is based on the specific age groups identified in Figure 5 as implemented by the Matrix Model.

Figure 5: Population Drivers for Provincial Court

| Courthouse & Category | Age Group | 2013    | 2018    | 2023    | 2028    | 2033    |
|-----------------------|-----------|---------|---------|---------|---------|---------|
| <b>Chilliwack (1)</b> |           |         |         |         |         |         |
| PC - Criminal Adult   | 18-39     | 28,577  | 31,043  | 33,131  | 34,294  | 34,662  |
| PC – Traffic          | 18-39     | 28,577  | 31,043  | 33,131  | 34,294  | 34,662  |
| PC - Criminal         | 12-17     | 7,561   | 7,812   | 8,561   | 9,049   | 9,631   |
| PC – Civil            | 20-64     | 61,621  | 65,665  | 68,900  | 71,050  | 74,167  |
| PC – Family           | 0-49      | 65,273  | 69,296  | 73,842  | 77,727  | 81,339  |
| <b>Abbotsford (2)</b> |           |         |         |         |         |         |
| PC - Criminal Adult   | 18-39     | 58,509  | 62,772  | 65,782  | 66,378  | 68,116  |
| PC – Traffic          | 18-39     | 58,509  | 62,772  | 65,782  | 66,378  | 68,116  |
| PC - Criminal         | 12-17     | 13,700  | 14,389  | 15,534  | 17,310  | 18,226  |
| PC – Civil            | 20-64     | 114,193 | 124,676 | 134,039 | 141,423 | 149,612 |
| PC – Family           | 0-49      | 124,691 | 134,203 | 144,980 | 153,217 | 159,184 |
| <b>Surrey (3)</b>     |           |         |         |         |         |         |
| PC - Criminal Adult   | 18-39     | 212,601 | 225,110 | 234,722 | 246,665 | 255,294 |
| PC – Traffic          | 18-39     | 212,601 | 225,110 | 234,722 | 246,665 | 255,294 |
| PC - Criminal         | 12-17     | 51,771  | 52,225  | 55,298  | 57,152  | 61,359  |
| PC – Civil            | 20-64     | 434,007 | 460,313 | 485,569 | 518,713 | 553,603 |
| PC – Family           | 0-49      | 461,300 | 479,853 | 507,283 | 544,492 | 576,846 |

#### Notes

- (1) Local Health Areas for Chilliwack, Hope and Agassiz–Harrison.
- (2) Local Health Areas for Abbotsford and Mission.
- (3) Local Health Areas for Surrey Aggregate, Langley and Delta (53.6%).

#### b. New Case Rates

The projected number of new cases by case type is based on historical rates for the identified cohort groups (per 100,000) for each of the three courthouses as set out in Figure 6. Two features shown in the table are of particular interest.

- The new case rate for Adult Criminal, which accounts for about two-thirds of Provincial Court hours in these courthouses, is significantly higher for Chilliwack than for both Abbotsford and Surrey.
- The low rate of traffic court activity is accounted for by the fact that most of Surrey traffic cases have been shifted to Richmond Provincial Court during the period represented by the data.

The projected number of new cases in Figure 6 reflects changes in historical activity rates since 1996 and will reflect changes in crime rates that have been realized throughout that time period.

Figure 6: Number of New Cases Per 100,000 Population

|                            | Courthouse |            |        |
|----------------------------|------------|------------|--------|
|                            | Chilliwack | Abbotsford | Surrey |
| <b>PC – Adult Criminal</b> | 9,241      | 6,460      | 6,254  |
| <b>PC – Traffic</b>        | 14,046     | 9,311      | 511    |
| <b>PC – Youth Criminal</b> | 1,335      | 1,042      | 1,354  |
| <b>PC – Civil</b>          | 516        | 451        | 475    |
| <b>PC – Family</b>         | 763        | 472        | 228    |

### c. Time per Case

The projected average amount of court time per case by type is based on historical rates for each of the three courthouses as set out in Figure 7. Hours per case for Adult Criminal are significantly higher for Chilliwack than for both Abbotsford and Surrey.

Figure 7: Number of Court Hours per New Case

|                            | Courthouse |            |        |
|----------------------------|------------|------------|--------|
|                            | Chilliwack | Abbotsford | Surrey |
| <b>PC – Adult Criminal</b> | 1.15       | 0.92       | 0.87   |
| <b>PC – Traffic</b>        | 0.11       | 0.10       | 0.11   |
| <b>PC – Youth Criminal</b> | 0.90       | 0.92       | 0.99   |
| <b>PC – Civil</b>          | 0.56       | 0.65       | 0.51   |
| <b>PC – Family</b>         | 1.82       | 2.25       | 3.45   |

## 3.4 Courtroom Requirement Projections to 2033

Total court hour demand is estimated using the Matrix Model updated with recent court activity information provided by Courts Services Branch and new population estimates and projections provided by BC Stats. For the LFV Courts Regional Plan, a municipally based demand approach has been adopted so that regional patterns of demand can be examined and used to help establish the most appropriate distribution of courthouse capacity within the region. The projection of court hours by case type and courthouse location generated using the Matrix Model has been allocated to the municipalities associated with that court activity as follows:

- For Provincial Court criminal and traffic, court activity has been allocated based on information about the originating agencies (primarily police forces) associated with criminal and traffic cases for each courthouse.
- For Provincial Court civil and family court, activity has been allocated based on the share of each municipality in the population drivers by case type and courthouse.
- For Supreme Court, court activity has been allocated based on the share of each municipality in the population drivers by case type and courthouse.

Court hours were converted to courtrooms based on the provincial standard of 900 hours per fully equipped courtroom. Figure 8 sets out the Baseline courtroom demand

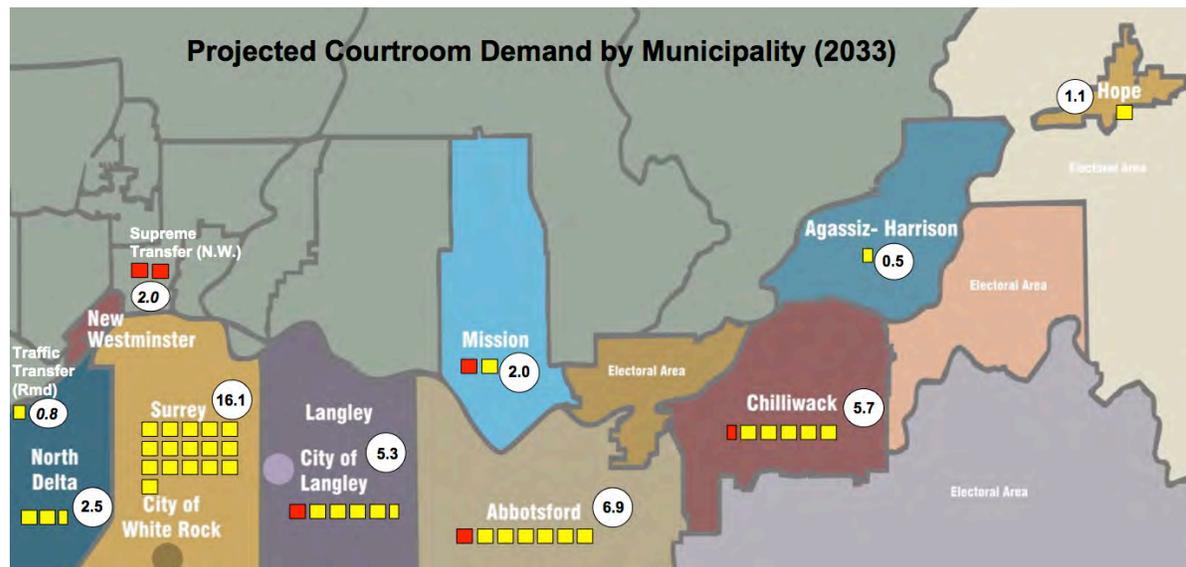
scenario on a municipality basis for Provincial Court and in total for Supreme Court including: i) The projection of Surrey and Delta originating traffic court activity assumed to flow back to the LFV, and ii) the excess demand for Supreme Court services from the New Westminster Law Courts assumed to flow back to the LFV when New Westminster Courthouse is projected to reach capacity (2018 - 2023).

Figure 8: Demand Estimates for LFV Regional Courts Plan – BASELINE

| Municipality                | Court Level       | 2013        | 2018        | 2023        | 2028        | 2033        |
|-----------------------------|-------------------|-------------|-------------|-------------|-------------|-------------|
| Hope                        | Provincial        | 0.9         | 1.0         | 1.0         | 1.0         | 1.1         |
| Chilliwack                  | Provincial        | 4.2         | 4.5         | 4.8         | 5.0         | 5.2         |
| Abbotsford                  | Provincial        | 5.0         | 5.3         | 5.6         | 5.8         | 6.0         |
| Langley                     | Provincial        | 3.4         | 3.6         | 3.8         | 4.1         | 4.3         |
| Surrey Aggregate            | Provincial        | 13.4        | 14.1        | 14.7        | 15.5        | 16.1        |
| Delta                       | Provincial        | 1.9         | 2.0         | 2.0         | 2.1         | 2.2         |
| Mission                     | Provincial        | 1.4         | 1.6         | 1.6         | 1.7         | 1.7         |
| Agassiz – Harrison          | Provincial        | 0.5         | 0.5         | 0.5         | 0.5         | 0.5         |
| <b>Totals</b>               | <b>Provincial</b> | <b>30.6</b> | <b>32.5</b> | <b>34.2</b> | <b>35.8</b> | <b>37.1</b> |
|                             | <b>Supreme</b>    | <b>2.2</b>  | <b>2.4</b>  | <b>2.6</b>  | <b>2.7</b>  | <b>2.9</b>  |
|                             | <b>Totals</b>     | <b>32.8</b> | <b>34.9</b> | <b>36.8</b> | <b>38.5</b> | <b>40.0</b> |
| <b>Transfers</b>            |                   |             |             |             |             |             |
| Richmond Traffic to Surrey  | Provincial        | 0.8         | 0.9         | 0.9         | 0.9         | 0.8         |
| Richmond Traffic to N.Delta | Provincial        | 0.3         | 0.3         | 0.3         | 0.3         | 0.3         |
| New Westminster Transfer    | Supreme           | 0.0         | 0.0         | 0.7         | 1.4         | 2.0         |
| <b>Totals</b>               | <b>Provincial</b> | <b>31.7</b> | <b>33.7</b> | <b>35.4</b> | <b>36.9</b> | <b>38.2</b> |
|                             | <b>Supreme</b>    | <b>2.2</b>  | <b>2.4</b>  | <b>3.3</b>  | <b>4.1</b>  | <b>4.8</b>  |
| <b>Grand Totals</b>         |                   | <b>33.9</b> | <b>36.1</b> | <b>38.7</b> | <b>41.0</b> | <b>43.0</b> |

Figure 9 provides a graphic illustration of the distribution of LFV courtroom demand by municipality. Each square represents demand for a courtroom (Provincial demand is yellow, Supreme demand is red).

Figure 9: Courtroom Requirements by Municipality 2033



### 3.5 Justice Transformation Initiatives

Justice transformation initiatives and technology will likely affect the volume and nature of court activity. Some of these initiatives have particular relevance for courtroom demand estimates. The potential impacts of the Civil Resolution Tribunal<sup>3</sup> (CRT), Driving Notice Review Board<sup>4</sup> (DNRB) and family justice initiatives were explored to assess the potential implications of these initiatives. Subject matter experts within JAG were consulted. Two scenarios were examined to illustrate the relative impacts of moderate and high impact assumptions.

#### Moderate Impact Scenario

- **Small Claims** – Assume that participation of small claims parties in the CRT is voluntary and will result in displacement of 10% of Civil court cases from Provincial Court to the CRT in 2015, increasing to 15% by 2020.
- **Family** – Assume that a Justice Access Centre (JAC) will be opened in the Surrey Provincial Courthouse. Surrey is already a Rule 5 courthouse<sup>5</sup> and the benefits of clients interacting with Family Justice Counselors will have already been realized in Family court activities. Based on analysis from similar court situations, we have incorporated a modest additional reduction in Civil court cases for the Surrey Provincial Courthouse as a result of information and advice provided in the JAC.
- **Traffic** – Assume that 80% of traffic court activity will be diverted to the DNRB by the beginning of fiscal year 2018/19.

<sup>3</sup> Established under the *Civil Resolution Tribunal Act*, SBC 2012, c. 25.

<sup>4</sup> Established under the *Motor Vehicle Amendment Act (No. 2), 2012*, Bill 52 – 2012, with the introduction of new Parts 10 through 12 of the *Motor Vehicle Act*, RSBC 1996, c. 318.  
[http://www.leg.bc.ca/39th4th/1st\\_read/gov52-1.htm](http://www.leg.bc.ca/39th4th/1st_read/gov52-1.htm). For more information see  
<http://www.drivesmartbc.ca/government/law-motor-vehicle-amendment-act-2-2012>.

<sup>5</sup> Pursuant to Rule 5 of the Family Rules, before the parties can appear in court they must meet with a Family Justice Counsellor, who will assist them in resolving any part of their dispute.  
<http://www.provincialcourt.bc.ca/types-of-cases/family-matters>

Figure 10: Alternate Demand Scenario – MODERATE IMPACT

| Municipality        | Court Level       | 2013        | 2018        | 2023        | 2028        | 2033        |
|---------------------|-------------------|-------------|-------------|-------------|-------------|-------------|
| Hope                | Provincial        | 0.9         | 0.9         | 1.0         | 1.0         | 1.0         |
| Chilliwack          | Provincial        | 4.2         | 4.2         | 4.4         | 4.6         | 4.7         |
| Abbotsford          | Provincial        | 5.0         | 5.0         | 5.2         | 5.3         | 5.5         |
| Langley             | Provincial        | 3.4         | 3.5         | 3.8         | 4.0         | 4.2         |
| Surrey Aggregate    | Provincial        | 13.4        | 13.8        | 14.4        | 15.1        | 15.7        |
| Delta               | Provincial        | 1.9         | 1.9         | 2.0         | 2.1         | 2.2         |
| Mission             | Provincial        | 1.4         | 1.5         | 1.5         | 1.6         | 1.6         |
| Agassiz – Harrison  | Provincial        | 0.5         | 0.5         | 0.5         | 0.5         | 0.5         |
| <b>Totals</b>       | <b>Provincial</b> | <b>30.6</b> | <b>31.4</b> | <b>32.7</b> | <b>34.2</b> | <b>35.5</b> |
|                     | <b>Supreme</b>    | <b>2.2</b>  | <b>2.4</b>  | <b>2.6</b>  | <b>2.7</b>  | <b>2.9</b>  |
|                     | <b>Totals</b>     | <b>32.8</b> | <b>33.8</b> | <b>35.3</b> | <b>37.0</b> | <b>38.4</b> |
| <b>Transfers</b>    |                   |             |             |             |             |             |
| Richmond Traffic to | Provincial        | 0.8         | 0.4         | 0.2         | 0.2         | 0.2         |
| Richmond Traffic to | Provincial        | 0.3         | 0.1         | 0.1         | 0.1         | 0.1         |
| New Westminster     | Supreme           | 0.0         | 0.0         | 0.0         | 0.7         | 1.4         |
| <b>Totals</b>       | <b>Provincial</b> | <b>31.7</b> | <b>31.9</b> | <b>33.0</b> | <b>34.5</b> | <b>35.7</b> |
|                     | <b>Supreme</b>    | <b>2.2</b>  | <b>2.4</b>  | <b>3.3</b>  | <b>4.1</b>  | <b>4.8</b>  |
| <b>Grand Totals</b> |                   | <b>33.9</b> | <b>34.3</b> | <b>36.3</b> | <b>38.6</b> | <b>40.5</b> |

The Moderate Case results in an overall reduction as compared to the Baseline estimate of 2.6 courtrooms by 2033.

### High Impact Scenario

- **Small Claims** – Assume that participation in the CRT is mandatory for small claims actions other than enforcement and will result in displacement of 30% of Civil court activity from Provincial Court to the CRT in 2015, increasing to 90% by 2020 as streams are converted from voluntary to mandatory, leaving some activity in the court for enforcement and other non-CRT matters.
- **Family** – Assume that in addition to the JAC at Surrey Provincial Courthouse, the remaining courthouses will become Rule 5 courthouses. Family cases will be diverted or narrowed and will result in a 13% reduction of court hours for Family cases in the Provincial Court in 2015 and after.
- **Traffic** – Assume that 80% of traffic court activity will be diverted to the DNRB by the beginning of fiscal year 2018/19.

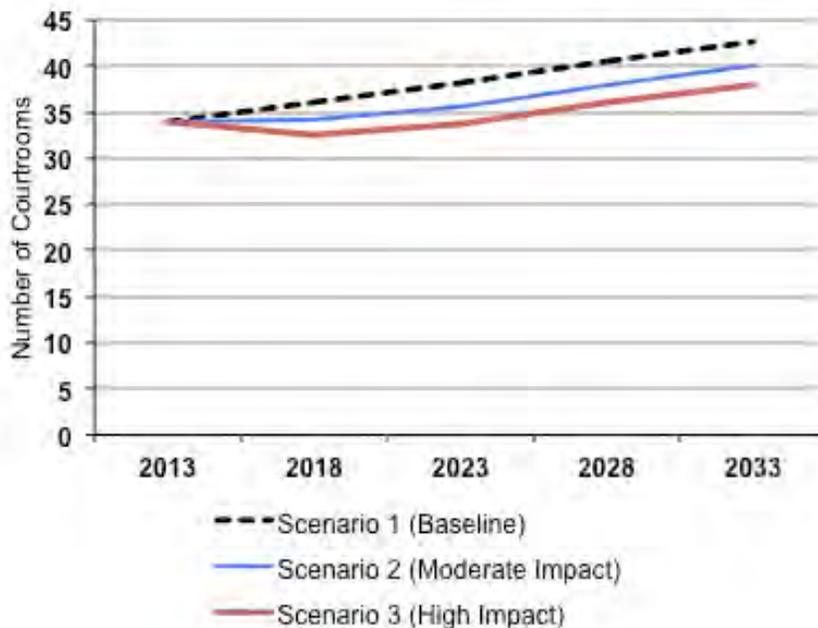
Figure 11: Alternate Demand Scenario – HIGH IMPACT

| Municipality        | Court Level       | 2013        | 2018        | 2023        | 2028        | 2033        |
|---------------------|-------------------|-------------|-------------|-------------|-------------|-------------|
| Hope                | Provincial        | 0.9         | 0.9         | 1.0         | 1.0         | 1.0         |
| Chilliwack          | Provincial        | 4.2         | 4.0         | 4.1         | 4.3         | 4.4         |
| Abbotsford          | Provincial        | 5.0         | 4.6         | 4.7         | 4.8         | 5.0         |
| Langley             | Provincial        | 3.4         | 3.4         | 3.6         | 3.8         | 4.0         |
| Surrey Aggregate    | Provincial        | 13.4        | 13.2        | 13.7        | 14.5        | 15.0        |
| Delta               | Provincial        | 1.9         | 1.9         | 1.9         | 2.1         | 2.1         |
| Mission             | Provincial        | 1.4         | 1.4         | 1.4         | 1.5         | 1.5         |
| Agassiz – Harrison  | Provincial        | 0.5         | 0.4         | 0.5         | 0.5         | 0.5         |
| <b>Totals</b>       | <b>Provincial</b> | <b>30.6</b> | <b>29.7</b> | <b>30.9</b> | <b>32.4</b> | <b>33.5</b> |
|                     | <b>Supreme</b>    | <b>2.2</b>  | <b>2.4</b>  | <b>2.6</b>  | <b>2.7</b>  | <b>2.9</b>  |
|                     | <b>Totals</b>     | <b>32.8</b> | <b>32.1</b> | <b>33.5</b> | <b>35.1</b> | <b>36.4</b> |
| <b>Transfers</b>    |                   |             |             |             |             |             |
| Richmond Traffic to | Provincial        | 0.8         | 0.4         | 0.2         | 0.2         | 0.2         |
| Richmond Traffic to | Provincial        | 0.3         | 0.1         | 0.1         | 0.1         | 0.1         |
| New Westminster     | Supreme           | 0.0         | 0.0         | 0.0         | 0.6         | 1.3         |
| <b>Totals</b>       | <b>Provincial</b> | <b>31.7</b> | <b>30.1</b> | <b>31.2</b> | <b>32.6</b> | <b>33.8</b> |
|                     | <b>Supreme</b>    | <b>2.2</b>  | <b>2.4</b>  | <b>3.3</b>  | <b>4.1</b>  | <b>4.8</b>  |
| <b>Grand Totals</b> |                   | <b>33.9</b> | <b>32.5</b> | <b>34.5</b> | <b>36.6</b> | <b>38.6</b> |

The High Impact Scenario results in an overall reduction as compared to the Baseline estimate of 4.4 courtrooms by 2033.

Figure 12 indicates the relative growth projections of the Baseline scenario and the two justice-transformation initiative Scenarios (Moderate and High Impact).

Figure 12:  
Alternate Demand Scenarios Comparison



### **Planning Approach for Justice Transformation Impacts**

Each of the justice transformation initiative scenarios depends upon an appropriate environment being in place (legislation, regulations and policy) as well as the availability and successful appropriation of the necessary funds. The Moderate Scenario is more conservative in terms of the scale of the impacts on demand for courtrooms and therefore could be considered more plausible than the High Impact Scenario.

However, reducing 2033 courtroom demand projections at this stage of planning based on assumptions regarding the pace and scale of justice transformation impacts could result in situations where new facilities reach capacity prematurely, leading to overcrowding before the next phase of construction is completed and/or expensive and disruptive expansions of the new facilities. Given that the additional courtrooms will likely be constructed over a 5 to 15 year period, there will be ample time to adjust future demand estimates based on the actual impacts of justice transformation initiatives. If demand were indeed reduced, the new facilities would be able to accommodate growth for beyond the current planning time frame. Accordingly, the Baseline projections have been used for planning purposes.

### **Specialized Courts**

Specialized courts are typically created in partnership with the province by the judiciary in response to an identified community need. They require support by JAG to provide sheriffs, court administration staff, and Crown Counsel. They may also involve many other government and non-government service providers, including justice, health and social service organizations. B.C. has a number of specialized courts, including domestic violence courts, First Nations courts, a drug treatment court, an integrated court and a community court. Specialized courts can range from a completely dedicated courthouse, such as the Downtown Community Court in Vancouver, to scheduling a courtroom one day per month solely for domestic violence cases.

The JAG has committed to exploring, with the judiciary and other justice partners, establishing a framework to guide the establishment of specialized courts in B.C. This will involve taking into consideration results of the evaluation of the Victoria Integrated Court, the Downtown Community Court, as well as evidence from other specialized court models to develop an evidence-based and integrated approach for specialized courts in the province. Establishment of specialized courts in the LFV in the future will be considered in the context of this broader framework but has no immediate bearing on the LFV Regional Courts Plan.

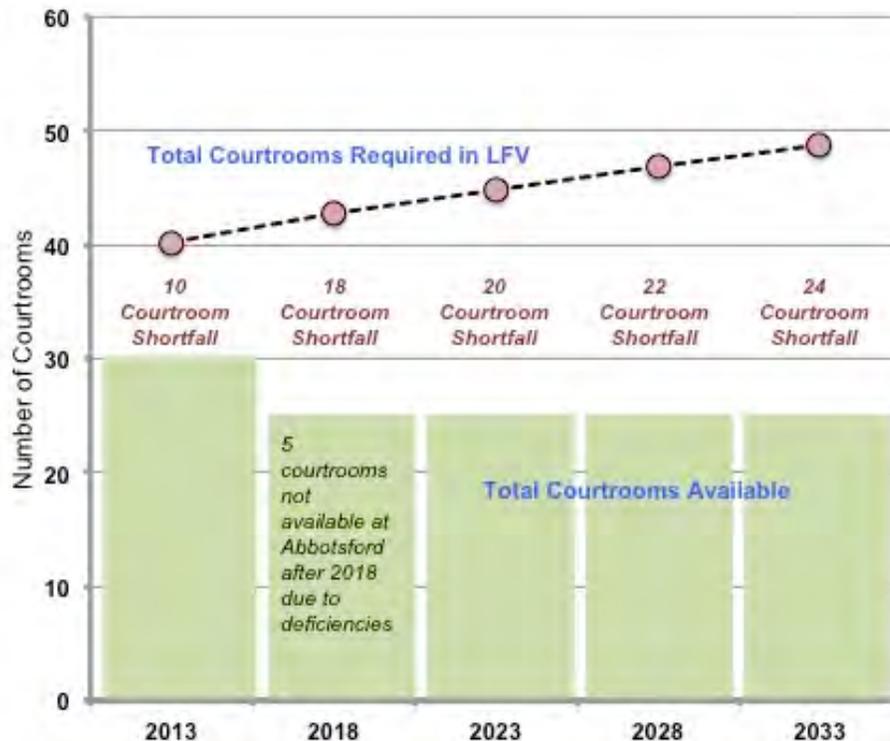
### 3.6 Projected Requirements and Shortfalls

Provincial Court hears most criminal (Adult and Youth), family, small claims, civil and traffic cases. Today, the LFV requires 32 Provincial Courtrooms but only has 22 (14 at Surrey, 5 at Abbotsford, and 3 at Chilliwack) a deficiency of more than 30%. In 20 years from now the LFV will need a total of 38 Provincial Court Rooms. In addition to the growth in demand, the five existing courtrooms at Abbotsford Courthouse need urgent replacement. The status quo is not sustainable. Additional Provincial Courtrooms in the LFV are required as soon as possible and must be a short-term priority for the Province.

Supreme Court hears very serious adult criminal, civil and family cases. Supreme Court demand is largest for Surrey, with Abbotsford second, Chilliwack third and Langley fourth. The majority of Supreme Court cases originating out of the LFV will continue to be heard in New Westminster. The Supreme Court demand generated in the LFV area to the east of Surrey is equivalent to approximately 2 courtrooms and is currently accommodated at Chilliwack Law Courts. By 2033 the demand for Supreme Courtrooms in the LFV will increase to 5 Supreme Courtrooms, with the majority of the demand being generated west of Chilliwack. Supreme Court facilities in the LFV should be located to best serve Surrey, Abbotsford, Langley and Chilliwack in that order.

Abbotsford Courthouse has serious deficiencies and it will be difficult to maintain safe and effective operations at this location beyond 2018. The loss of the 5 Provincial courtrooms at Abbotsford, combined with the increase in demand over the next 5 years, results in a combined 18-courtroom shortfall by 2018. By 2033 the shortfall will grow to 24 courtrooms.

Figure 13: Projected Courtroom Shortfalls



## **PART 4: Proposed LFV Courts Regional Expansion Plan**

### **4.1 Courts Development Objectives and Priorities**

The scale of the current Provincial Court shortfall and the deficiencies at the Abbotsford Provincial Courthouse are having a significant adverse impact on the effective delivery of Provincial courts services in the LFV. Therefore, reducing current shortfalls in a timely manner and resolving the deficiencies at Abbotsford Provincial Courthouse are both considered top priorities. In devising a suitable development strategy other objectives were also deemed important:

- Provide equitable access for residents;
- Economize on development costs;
- Economize on operating costs;
- Optimize police travel time for court appearances;
- Resolve deficiencies at Surrey and Chilliwack in a timely manner;
- Provide flexibility in adapting to changes in the region's demand over time; and
- Minimize disruption to current court activities.

### **4.2 Courts Services Delivery Context**

Figure 14 illustrates the existing locations of courthouses, police stations, and correctional facilities across the LFV.

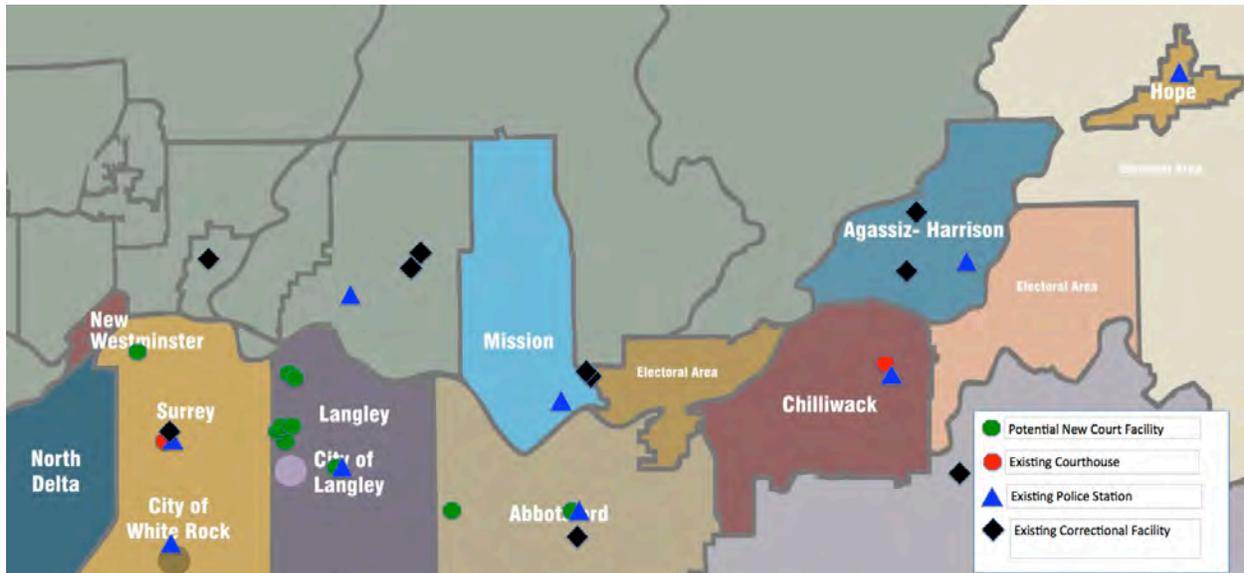
#### **a. Starting Assumptions**

Based on their age, functionality and condition (refer to Section 2.1 of this report), the existing Courthouse locations in Surrey and Chilliwack will continue to function and are considered fixed locations for planning purposes. Surrey is located adjacent to their primary police facilities and Chilliwack is in close proximity to their police facilities, which is desirable to help optimize police travel time for court appearances. Surrey Provincial Courthouse is also adjacent to the recently expanded Pre-Trial Centre.

Due to its existing condition, functional and operational problems the existing Abbotsford Provincial Courthouse is not a fixed location for planning purposes.

New Westminster Law Courts is a long-term asset and is treated as a fixed location for planning purposes as it applies to the context of this study.

Figure 14: Justice Facilities Context



### b. Central Escort Services

Central Escort services transport persons in custody by vehicle to and from court and police stations and holding facilities. Central Escort services are currently based out of Coquitlam. As police and corrections facilities are spread across the entire Lower Mainland, the Escort services typically follow variable routes and pick up or drop off at several locations on each run. The resources required to transport persons in custody is therefore not dramatically affected by the precise location of courts facilities. While there will be cost implications for existing Community Correction and Corrections operations depending upon alternative facility location and configuration decisions, these implications are expected to be relatively modest.

### c. Population Distribution and Density

Given the population distribution and geographic scale of the LFV Region, it is impractical to consider providing equitable accessible courts services from a single location. The largest concentration of population is in the western portion of the LFV Region with Surrey being the largest urban centre. The Langley, Mission, Abbotsford area has the second largest population with a relatively lower overall density. The eastern portion that includes Chilliwack, Hope and Agassiz-Harrison is the least densely populated.

## 4.3 Proposed Regional Service Strategy

The LFV is currently served by three courthouses – Surrey Provincial, Abbotsford Provincial and Chilliwack Law Courts. New Westminster Law Courts accommodates Supreme Court demand generated in Surrey and North Delta, an arrangement that is expected to continue. In the past there were more courthouses, but services were consolidated during the late 1990's and early 2000's. The courthouse closures included Mission, Langley, Delta, and Hope resulting in a decrease of seven courtrooms.

### **a. Supreme Courts**

There are economies of scale with operating courthouses based on size. In populated areas such as the LFV, it is not efficient to operate a courthouse with less than five courtrooms. In the case of Supreme Court, there are operational advantages to having the majority of Supreme Court activity in a centralized location. The most appropriate location would be at Abbotsford or Langley, as those locations are closest to where the majority of demand originates. As Abbotsford Courthouse requires replacement as soon as possible, co-locating the Supreme courtrooms with new Provincial courtrooms in Abbotsford will provide equitable access to Supreme Court Services for the next 20 years. A Supreme Court presence will be retained in Chilliwack.

### **b. Courthouse Distribution Models**

The service strategy models considered during the study ranged from a single courthouse to four courthouses. In general, the variations in capital and operating costs were not significant enough to establish any one option as clearly superior. The pros and cons relating to public accessibility, travel costs for police attending court, timeliness in resolving shortfalls and deficiencies, and keeping options open for adjusting to future changes in demand patterns, were more relevant in choosing a preferred strategy.

#### *Single Courthouse*

Although Abbotsford Provincial Courthouse will need to be replaced, both Surrey and Chilliwack are valued assets for continued use. Abandoning one or both of these courthouses to establish a single location is not considered practical or economical. This model also reduces the accessibility of courts services for large parts of the region and increases municipal policing costs due to travel time for police court appearances. As it would not likely be feasible to build the full 2033 capacity in a single stage, construction would take place in two or more stages, which is costly and disruptive.

#### *Two Courthouses*

Expanding Surrey and Chilliwack courthouses to accommodate the total regional demand has similar issues to a single courthouse option. Staging the projects to avoid building both to full 2033 capacity in a single stage, would adversely affect accessibility and police travel cost issues. Disruption issues would be compounded if both locations involved staged construction.

#### *Three Courthouses*

A number of options for replacing Abbotsford Courthouse and expanding Surrey and/or Chilliwack were examined. These options were more effective in

achieving accessibility than the one and two courthouse models and offered more potential for effective phasing and adaptability. With Surrey and Chilliwack locations considered as fixed, the third courthouse would be located in the Abbotsford / Langley area, to best serve the growing population in the central LFV. Placing the third courthouse in either location will reduce public accessibility and increase police travel time for the other.

#### *Four Courthouses*

A number of options for replacing Abbotsford Courthouse, constructing a new Courthouse in Langley, and expanding Surrey and/or Chilliwack were examined. The main advantages of a four-courthouse model were in achieving the highest level of public accessibility and lowest cost for police travel to court appearances. The other key advantage is that having four projects allows for a greater degree of flexibility in establishing phases that can be adjusted to reflect future changes in demand and community needs.

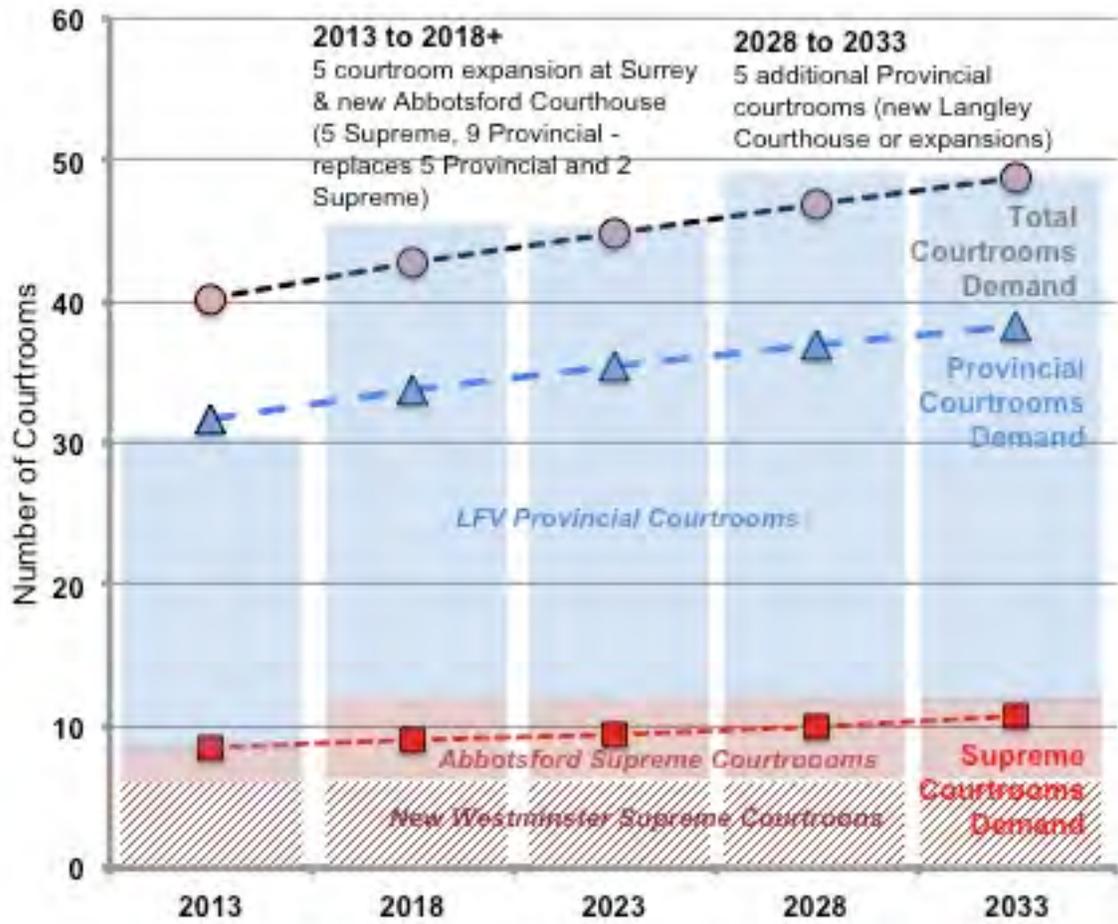
A total of seven options were analyzed in detail to determine relative costs and merits. After several rounds of discussion, a three to four-courthouse model was selected as the preferred strategy approach for the proposed LFV Regional Courts Plan.

#### **c. Project Phasing**

Phase One involves construction of a new Integrated Courthouse in Abbotsford to replace the existing Provincial Courthouse and an expansion at Surrey Provincial Courthouse. These two projects, as proposed will provide sufficient capacity to accommodate projected demand to about 2028. The additional courtrooms required to accommodate demand from 2028 to 2033 represent a provisional estimate, subject to an update of projected requirements and a refinement of estimating assumptions taking into account the outcomes of Justice Transformation Initiatives and regional growth over the next 10 years.

It is expected that the planning update in advance of Phase 2 will take into account current trends and produce new 20-year projections based on an updated methodology and dataset. The number of additional courtrooms required may be greater or smaller than the estimates to 2033 generated in this study. Phase Two project(s) may include a new Provincial Courthouse in Langley and/or expansions to one or more of the other LFV Courthouses. The proposed strategy provides an effective match of demand and supply, with no significant surpluses or shortfalls for extended periods.

*Figure 15: Phased Expansion Overview*



## 4.4 Proposed Phasing

The Proposed LFRV Regional Courts Plan comprises two phases:

- **Phase 1: High Priority Projects** – The first phase entails capital projects that must commence immediately. It is assumed that the high priority projects will take 5 years to be planned, designed, fully built and commissioned from project approval and funding. This means that projects undertaken immediately will come on line in 2018 at the earliest. This first stage of expansion will primarily be built to alleviate existing shortfalls in Provincial Courts, and to replace the problematic Abbotsford Provincial Courthouse in a timely manner. In addition, upgrades and renovations to Surrey and Chilliwack courthouses will be undertaken in accordance with the 2011 facility assessments by NORR Architects.

Phase 1 entails two capital build projects, one demolition, and two renovation projects to deliver 19 new courtrooms in 2018:

- Expand Surrey Courthouse by 5 Provincial courtrooms
  - Construct a new 14-courtroom Abbotsford Courthouse (5 Supreme, 9 Provincial courtrooms)
  - Rectify deficiencies at Surrey Courthouse in accordance with the 2011 NORR Report
  - Rectify deficiencies at Chilliwack Courthouse in accordance with the 2011 NORR Report
  - Demolish the existing Abbotsford Courthouse when the new facility begins operation
- **Phase 2: Medium-Term Construction** – By 2028, it is projected that demand for court services will have grown enough that the facilities constructed in 2018 will be at capacity. In order to continue to deliver efficient and responsive court services until 2033, five additional courtrooms will be needed based on current projections. Starting in 2022, it is recommended that JAG begin to define suitable projects for Phase 2. This may involve greater or fewer courtrooms depending on the outcome of justice transformation initiatives and population growth patterns. Pending this update, possible options for this phase include:
    - Construct a new 5-courtroom Provincial Courthouse in Langley.
    - Expand Surrey Provincial Courthouse by 3 Provincial courtrooms and expand Chilliwack Courthouse by 2 Provincial courtrooms.

In order to respond to changing demand patterns, it is recommended that demand projections be updated every 5 years.

Figure 16: Proposed Implementation Timeframes

|  | 2013 - 2018  | 2018 - 2023  | 2023 - 2028                                      | 2028 - 2033   |
|--|--|--|--|---|
| <b>Phase One</b>   |  |  |  |   |
| <b>LFV Regional Courts Plan</b>  | Approve LFV Regional Courts Plan   |  |  |   |
| <b>Project 1:</b> 5-courtroom expansion to Surrey Courthouse               | Planning, funding approval, design, building system upgrades, new construction | <ul style="list-style-type: none"> <li>• Commissioning</li> <li>• Move-in</li> </ul>   |  |   |
| <b>Project 2:</b> New 14-courtroom Abbotsford Courthouse                   | Planning, funding approval, design, construction                               | <ul style="list-style-type: none"> <li>• Commissioning</li> <li>• Move-in</li> <li>• Demolish existing Courthouse</li> </ul>                               |  |   |
| <b>Project 3:</b> Chilliwack Courthouse Upgrade                            | Planning, funding approval, design,  | <ul style="list-style-type: none"> <li>• Building systems upgrades</li> <li>• Reconfiguration renovations</li> </ul>                                       |  |   |
| <b>Phase Two</b>   |  |  |  |   |
| <b>LFV Regional Courts Plan</b>  |  | <ul style="list-style-type: none"> <li>• Update development strategy for 2028 to 2043 (in 2022)</li> <li>• Confirm Phase Two projects (in 2022)</li> </ul> |  |   |
| <b>Project Option A:</b> New 5-courtroom Langley Courthouse                |  |  | Planning, funding approval, design, construction | <ul style="list-style-type: none"> <li>• Commissioning</li> <li>• Move-in</li> </ul>                                    |
| <b>Project Option B:</b> Courthouse Expansions at Surrey and/or Chilliwack |  |  | Planning, funding approval                       | <ul style="list-style-type: none"> <li>• Design and construction</li> <li>• Commissioning</li> <li>• Move-in</li> </ul> |
| <b>Ongoing Demand Projections</b>  |  | Update Demand Projections to 2038  | Update Demand Projections to 2043                | Update Demand Projections to 2048   |

## 4.5 Phase 1 Projects

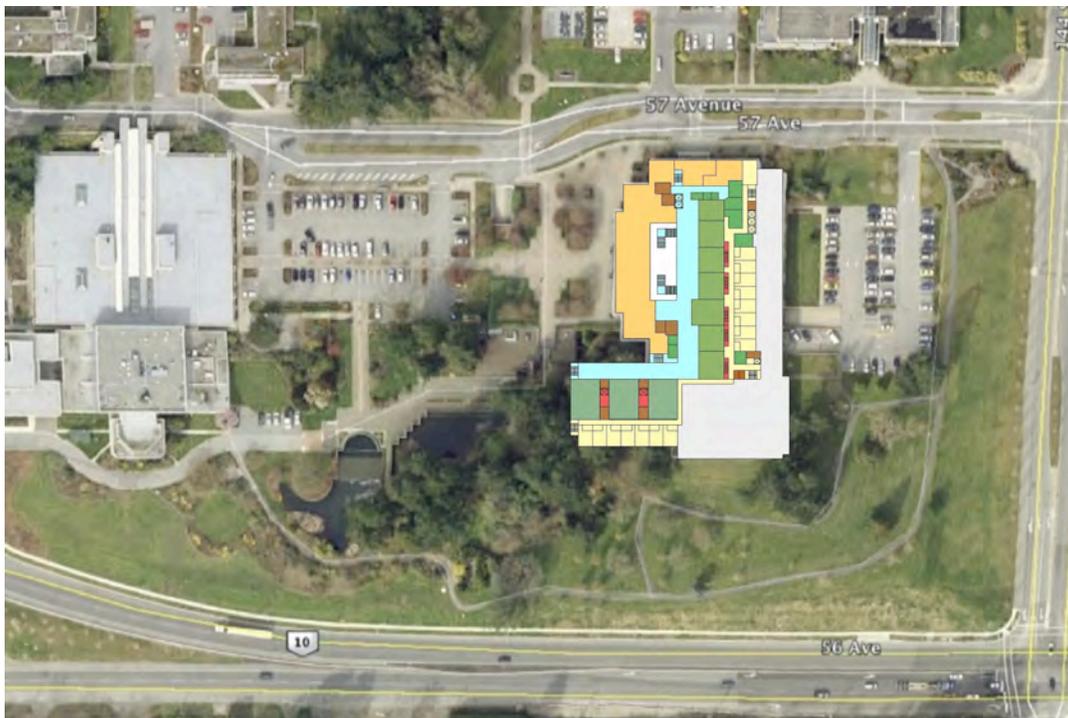
Building area estimates are based on JAG standards and comparable data from other courts projects. Capital and development cost estimates were prepared by professional quantity surveyors and utilize applicable unit cost allowances (\$/m<sup>2</sup>) and contingency factors. These estimates are intended to provide a reliable basis for making strategic and overall budgeting decisions. If projects are approved, more detailed planning and costing would be required. More detailed costing information is included in Appendix D.

**Project 1: Surrey Expansion**

Surrey Provincial Courthouse is located in a precinct at the corner of 56th Avenue and 144th Street in Surrey. The precinct includes the primary Surrey RCMP Detachment, a large pre-trial centre and the existing Municipal Hall. A 5-courtroom addition is proposed, and should be designed to allow for possible future expansion in Phase 2.

|   |  |
|---|--|
| <b>Target Completion</b>                            | 2018   |
| <b>Scope</b>  | 5 Provincial courtroom expansion plus rectifying deficiencies as noted in NORR report (see Appendix E)   |
| <b>Gross Building Area</b>                          | Addition: 3,300 m <sup>2</sup>   |
| <b>Estimated Construction Costs (not escalated)</b> | New Construction: \$16.8 Million<br>Deficiency Rectifications and Renovations: \$7.4 Million<br>Alterations to Surrey Courthouse: \$2.0 Million<br>TOTAL: \$26.2 Million |

Figure 17: Surrey Courthouse Addition Site Concept Diagram



## Project 2: New Abbotsford Courthouse

Although the existing courthouse is not suitable for continued use (refer to Section 2.1, Appendix E), the existing Abbotsford courthouse site can accommodate a new facility. The site, referred to as the 'Abbotsford Civic Precinct' also contains Abbotsford City Hall, Abbotsford Police Headquarters, a Fire Hall, Public Library and The Reach - a performing arts centre. School District offices are adjacent to the site, on a separately owned parcel. The site is centrally located in Abbotsford, with commercial development on South Fraser Road and multifamily residential land uses nearby.

|   |   |
|---|---|
| <b>Target Completion</b>                            | 2018  |
| <b>Scope</b>  | New integrated courtroom facility (9 Provincial/5 Supreme)  |
| <b>Gross Building Area</b>                          | New Courthouse: 12,500 m <sup>2</sup>   |
| <b>Estimated Construction Costs (not escalated)</b> | New Construction: \$62.5 Million<br>Demolition of Existing Courthouse: \$0.3 Million<br>Parking and Landscape: \$0.9 Million<br>TOTAL: \$63.7 Million |

Figure 18: Aerial View of Abbotsford Civic Precinct



### Project 3: Chilliwack Courthouse Upgrade

This project involves rectifying technical deficiencies identified in the NORR report and preparing Chilliwack for a larger proportion of Provincial cases in preparation for the new Supreme facilities in Abbotsford.

|   |   |
|---|---|
| <b>Target Completion</b>                            | By 2018   |
| <b>Scope</b>  | Renovations and systems upgrades (See Appendix E) |
| <b>Gross Building Area</b>                          | Not applicable                                    |
| <b>Estimated Construction Costs (not escalated)</b> | Construction: \$1.3 Million                       |

## 4.6 Phase 2 Project Options

Projects for Phase 2 cannot be definitively identified at this stage, given that the projected requirements for courtrooms will be updated again in 2022. Pending this update, the following options provide an indication of potentially viable projects.

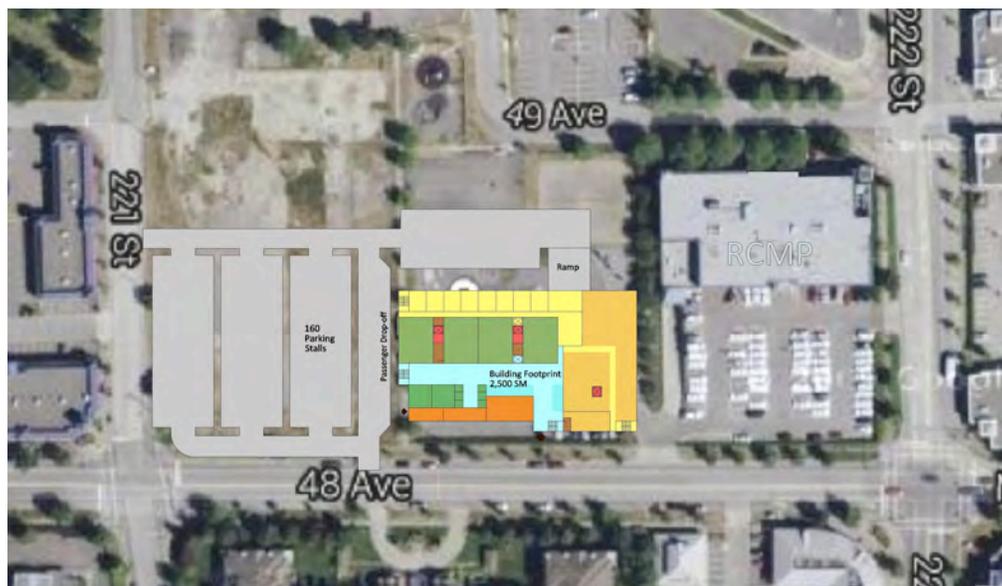
Each of these options have been closely examined and analyzed. Either on their own (Option A) or in combination (Options B and C) they provide a plausible and responsive solution to the LFRV Regional Courts needs from 2028 to past 2033 based on the current forecast demand.

### Option A: New Langley Courthouse

While further study will be needed to confirm the best site available, a site directly adjacent to the Langley RCMP Detachment is seen as a desirable location. The Township of Langley presently owns the land. Langley School Board Headquarters are adjacent to the site, forming the Murrayville Civic Core. The proposed site is occupied by an outdoor skate park, an outdoor ball hockey court, and parking for the RCMP Detachment. Nearby land uses include multifamily residential and commercial uses.

|   |   |
|---|---|
| <b>Potential Scope</b>                              | New 5-courtroom Provincial Court  |
| <b>Gross Building Area</b>                          | New Courthouse: 3,800 m <sup>2</sup>  |
| <b>Estimated Construction Costs</b> (not escalated) | New Construction: \$20.6 Million<br>Parking and Landscape: \$0.6 Million<br>TOTAL: \$21.2 Million |

Figure 19: New Langley Courthouse Site Concept Diagram



**Option B: Surrey Courthouse Expansion**

A second round of expansion would build upon the 2018 addition to Surrey Provincial Courthouse, adding potentially 3 or more new courtrooms. The footprint of the building would expand to the west. This might be in conjunction with an expansion of Chilliwack Courthouse.

**Potential Scope**      3 Provincial Courtroom expansion

**Gross Building Area**      Addition: 2,000 m<sup>2</sup>

**Estimated Construction Costs** (not escalated)      New Construction: \$8.7 Million  
TOTAL: \$8.7 Million

*Figure 20: Surrey Courthouse Expansion Concept Diagram*



### Option C: Chilliwack Courthouse Expansion

Another possibility would involve adding Provincial Courtrooms to the existing Chilliwack Courthouse. The existing courthouse is located on provincially owned land in Chilliwack's City Centre. The entire site is currently occupied by the building, meaning that expansion would need to occur on adjacent sites. All adjacent sites are currently built out with the exception of the City-owned parking lot to the rear (west). The diagram below illustrates a two-court expansion using some of the existing City of Chilliwack-owned land at the rear (west) side of the site.

|   |   |
|---|---|
| <b>Potential Scope</b>                              | 2 Provincial Courtroom expansion                        |
| <b>Gross Building Area</b>                          | Addition: 1,300m <sup>2</sup>                           |
| <b>Estimated Construction Costs</b> (not escalated) | New Construction: \$8.2 Million<br>TOTAL: \$8.2 Million |

Figure 21: Chilliwack Site Layout Concept Diagram



## 4.7 Attributes Summary

The LFV Regional Courts Plan satisfies all the established development objectives:

| <b>Objectives</b>                                   | <b>Plan Attributes</b>  |
|---|---|
| Reduce court facility shortfalls in a timely manner | <ul style="list-style-type: none"> <li>• If the Plan is implemented according to the proposed timelines, the current severe shortfall will be resolved by 2018 and the new facilities will accommodate projected growth to 2028.</li> <li>• The Plan recommends that planning for Phase Two be initiated within the next 5 to 10 years so that subsequent projects can be undertaken to provide suitable capacity for 2028 and beyond.</li> </ul>   |
| Provide equitable access for residents              | <ul style="list-style-type: none"> <li>• The Plan allows for Provincial courts facilities to be located in Surrey, Abbotsford, Chilliwack and Langley. Distributing the Courthouse facilities in this manner, as opposed to consolidating in fewer locations, optimizes access for residents.</li> <li>• For operational efficiency and service quality reasons, the 5 Supreme courtrooms required for the LFV are grouped together. The Abbotsford location was selected to best serve the pattern of demand, which is primarily generated in Langley and Abbotsford and integrates well with the timing of Abbotsford’s replacement. Additionally, Supreme capability is maintained in Chilliwack, providing convenient service to Chilliwack and the nearby area.</li> </ul> |
| Economize on Development and Operating Costs        | <ul style="list-style-type: none"> <li>• The Development and Operating costs were similar for the various strategies examined. The costs of the proposed Plan are in the middle-range – neither most nor least expensive.</li> </ul>  |

|  |   |
|--|---|
| <p>Optimize police travel time for court appearances;</p>                          | <ul style="list-style-type: none"> <li>• The current and proposed Provincial courtrooms are all located in Courthouses that are in close proximity to police facilities. This helps to mitigate the amount of police officer time spent on travelling to Court appearances, thereby helping municipalities to achieve more community benefits from police services expenditures.</li> </ul>   |
| <p>Undertake upgrades in a timely manner;</p>                                      | <ul style="list-style-type: none"> <li>• The Plan places a high priority on replacing the Abbotsford Courthouse as soon as possible as well as rectifying deficiencies at Surrey and Chilliwack Courthouses.</li> </ul>   |
| <p>Provide flexibility in adapting to changes in the region's demand over time</p> | <ul style="list-style-type: none"> <li>• The two phase approach adopted for the Plan provides sufficient capacity in the short term to alleviate the major current shortfall, and then updates projections within 5 to 10 years to determine the most appropriate strategy for the longer term.</li> <li>• This approach allows sufficient time to examine the impacts of Justice Transformation Initiatives and apply the findings to future demand projections.</li> </ul>  |
| <p>Minimize disruption to current court activities;</p>                            | <ul style="list-style-type: none"> <li>• The new Abbotsford Courthouse can be constructed at the same location as the existing courthouse on adjacent land. This will enable operations to continue at the existing courthouse until such time as the new facilities are ready for occupancy and will only involve one move.</li> <li>• An expansion at Surrey Courthouse has been previously examined and it appears feasible to construct the addition with a minimum of disruption.</li> <li>• Renovations and reconfigurations at Chilliwack will cause some disruption but given the scale of the work, it should be feasible to organize the construction to minimize impacts on ongoing operations.</li> </ul> |