

DATE: December 3, 2021**FILE:** 7200 / BCOB**TO:** Chair and Directors
Black Creek/Oyster Bay Services Committee**FROM:** Russell Dyson
Chief Administrative OfficerSupported by Russell Dyson
Chief Administrative Officer*R. Dyson***RE: Black Creek-Oyster Bay Fire Protection Service – Service Area Amendment****Purpose**

The purpose of this report is to introduce a proposed boundary amendment to the Black Creek/Oyster Bay (BCOB) Fire Protection Service Area to include a number of properties at the request of the owners.

Recommendation from the Chief Administrative Officer:

THAT the board consider three readings and subsequent adoption of Bylaw No. 624 being “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997, Amendment No. 7” to amend the boundary of the Black Creek Oyster Bay Fire Protection Service Area to include properties located at 4030, 4040, and 4050 Deerfield Road as outlined in the staff report dated December 3, 2021;

AND FURTHER THAT the Directors for Electoral Area C and Electoral Area D, being the service participants, be authorized to consent to the amendment of Bylaw No. 1964 being the “Black Creek/Oyster Bay Fire Protection Service Local Service Area Conversion/Establishment Bylaw No. 1964, 1997” in writing.

Executive Summary

The BCOB Fire Protection Service provides fire protection, rescue, motor vehicle extrication, and emergency first responder services. During a review of the fire protection boundaries in the area, it was discovered that several properties were not within a fire protection service area. A petition process was undertaken to provide these properties the opportunity to join the BCOB Fire Protection Service Area. To date, three properties have responded by submitting a formal petition to be included in the service area: 4030, 4040 and 4050 Deerfield Road. The properties are adjacent to the boundaries of the BCOB Fire Protection Service Area and there exists no natural, physical or other barriers to providing service to the property.

In order to grant service, the Comox Valley Regional District (CVRD) Board is required to approve an amendment of the boundaries of this service area. The draft amending bylaw, including service area map, is provided as Appendix A and includes a boundary adjustment to the service area boundary for the three aforementioned properties.

Prepared by:

L. Dennis

 Lisa Dennis
 Manager of Legislative
 Services

Concurrence:

B. Green

 Bruce Green
 Fire Chief, Oyster River Fire
 Rescue

Concurrence:

J. Martens

 Jake Martens
 General Manager of
 Corporate Services
Background

The CVRD delivers fire protection services in the BCOB area by way of Bylaw No. 1964 being “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997”. These fire protection services are provided by the Oyster River Fire Department through an operational contract.

Under Section 337 of the *Local Government Act* (RSBC, 2015, C. 1) and under the *Regional District Establishing Bylaw Approval Exemption Regulation*, amendments to service establishment bylaws are permitted to add or remove parcels to the service area upon submission of a petition to the regional district to change the boundaries of the service area and with the consent of at least 2/3 of the participants to the amendment. Under section 347 of the *Local Government Act* (RSBC, 2015, C. 1) an Electoral Area Director can provide participating area approval by consenting in writing to adoption of the service establishment bylaw amendment.

In accordance with the requirements of the *Local Government Act* and the *Community Charter*; the Corporate Legislative Officer has certified the petition from the property owners as sufficient and valid for this purpose.

Options

The committee has the following options:

1. Recommend that the request for inclusion in the fire service be approved.
2. Recommend that the request for inclusion in the fire service be rejected.

Financial Factors

The current service establishment bylaw authorizes a maximum levy of the greater of \$301,629 or \$1.00 per \$1,000 of taxable assessment of properties within the service area. In 2021, the estimated residential tax rate for the service was \$0.6315 per \$1,000 of taxable assessment. Once staff submits the bylaw to BC Assessment for inclusion in the 2022 revised assessment roll, the estimated residential tax rate for 2022, and resulting tax impacts, will be calculated based on the budget for the service to be brought forward as part of the 2022 – 2026 financial planning process.

Strategic Considerations: Strategic Drivers and Regional Growth Strategy

CVRD Board Strategic Drivers:					
Fiscal Responsibility		Climate Crisis and Environmental Stewardship and Protection		Community Partnerships	Indigenous Relations

The subject of this report does not relate to the CVRD Strategic Drivers.

CVRD Regional Growth Strategy Goals:							
Housing		Ecosystems, Natural Areas and Parks		Local economic development		Transportation	
Infrastructure		Food Systems		Public Health & Safety	✓	Climate Change	

The improvement of fire rescue services relates to the Regional Growth Strategy Goal of public health and safety by supporting a high quality of life through the protection and enhancement of community health, safety and well-being.

Intergovernmental Factors

None.

Citizen/Public Relations

The recommendations of this report are the result of the property owners' requests. The recommendations only affect the subject properties.

Attachments: Appendix A – Proposed Bylaw No. 567 being “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997, Amendment No. 6”

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 624

A bylaw to amend the boundaries of the Black Creek - Oyster Bay Fire Protection Service

WHEREAS the Black Creek – Oyster Bay Fire Protection Service was created by the adoption of Bylaw No. 1964 being “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997” on the 27th day of April 1998; for the purpose of providing fire prevention, suppression and assistance;

AND WHEREAS the board wishes to adjust the service area boundary to reflect the inclusion of the following properties:

- Lot B, Block 29, Plan VIP12474 Section 31 Township 4, Comox Land District, THAT PART SHOWN ON PL EPP68755 (4030 Deerfield Road);
- Lot B, Block 29, Plan VIP12474, Section 31, Township 4, Comox Land District, Except Plan VIP59641, & EXC PL VIP66333, EPP68755, & EPP78707 (4040 Deerfield Road); and,
- Lot 1, Block 29, Plan EPP78707 Township 4, Comox Land District (4050 Deerfield Road);

AND WHEREAS this amendment is exempt from inspector of municipalities’ approval under regulation where the owner consents to the boundary amendment by petition;

AND WHEREAS the Corporate Legislative Officer has certified the petitions as sufficient and valid in accordance with the requirements of the *Local Government Act* and the *Community Charter*;

AND WHEREAS participating area approval has been obtained in writing from the directors of Electoral Area C (Puntledge – Black Creek) and Electoral Area D (Oyster Bay – Buttle Lake);

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Amendment

- (1) Bylaw No. 1964 being “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997” is hereby amended by:
 - (a) extending the boundaries of the service area to include the properties outlined on Schedule B attached to and forming an integral part of this bylaw; and
 - (b) Deleting Schedule A of Bylaw No. 1964 and substituting the attached Schedule A attached to and forming an integral part of this bylaw.

Citation

This Bylaw No. 624 may be cited as “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997, Amendment No. 7”.

Read a first and second time this	day of	2021.
Read a third time this	day of	2021.
Consented to by petition by the property owner at 4030 Deerfield Road this	23rd day of September	2021.
Consented to by petition by the property owner at 4040 Deerfield Road this	19th day of October	2021.
Consented to by petition by the property owner at 4050 Deerfield Road this	2nd day of October	2021.
Consented to in writing by the Electoral Area C (Puntledge – Black Creek) director this	day of	2021.
Consented to in writing by the Electoral Area D (Oyster Bay – Buttle Lake) director this	day of	20xx.
Adopted this	day of	20xx.
Adoption rescinded this	day of	20xx.
Adopted this	day of	20xx.

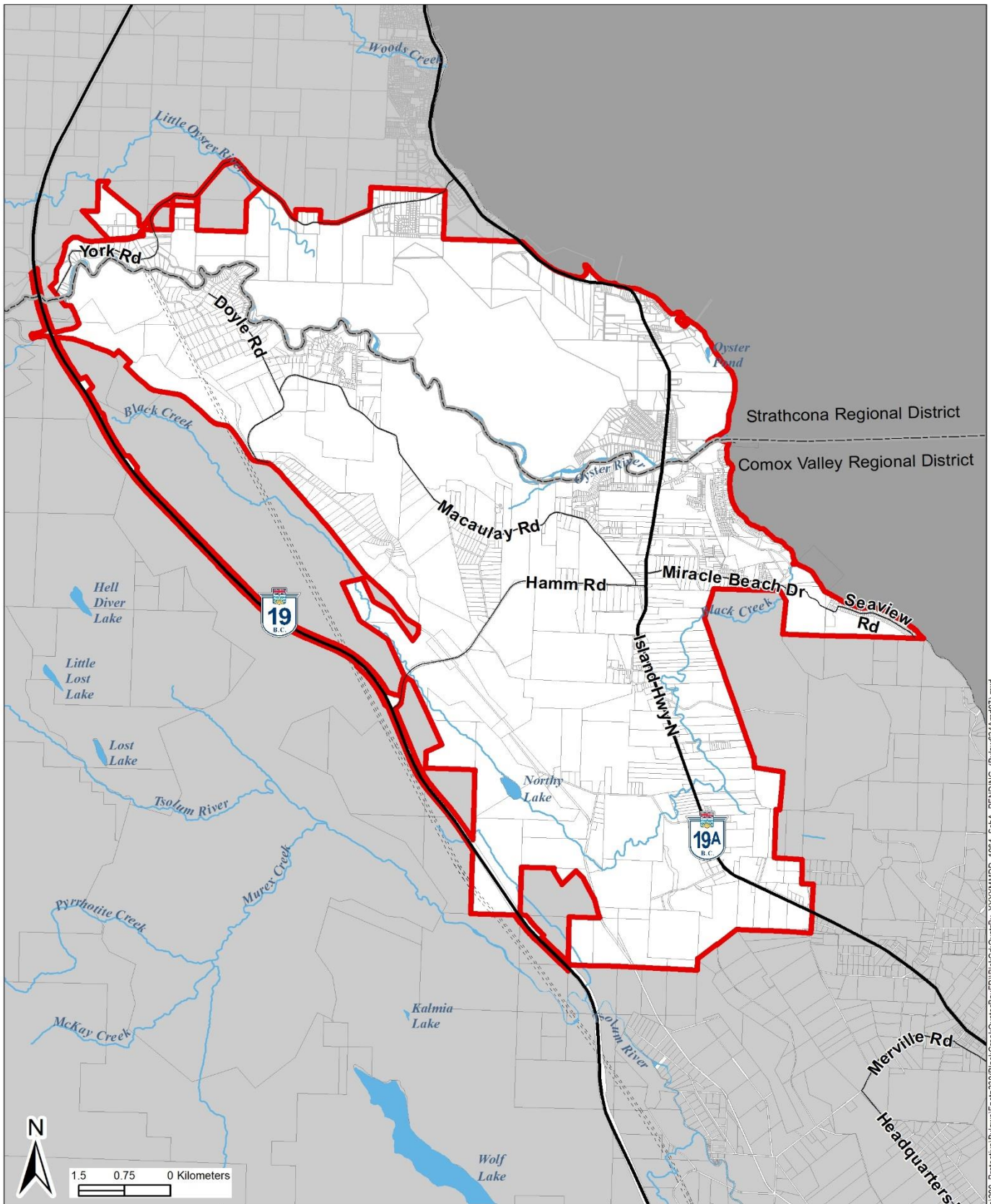
Chair

Deputy Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 624 being “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw Amendment No. 7” as adopted by the board of the Comox Valley Regional District on the day of 2021.

Deputy Corporate Legislative Officer

Schedule A



Schedule "A"

Black Creek/Oyster Bay Fire Protection Local Service Area
Conversion/Establishment Bylaw No. 1964, 1997, Amendment No. 7

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Schedule B

