

**REPORT TO ELECTORAL AREAS COMMITTEE  
MEETING OF WEDNESDAY, DECEMBER 13, 2023**

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**SUBJECT**     **Bylaw No. 4574 to Expand Shirley Fire Protection and Emergency Response Service Area Boundary (Bylaw No. 1927)**

**ISSUE SUMMARY**

The proposed bylaw amendment expands the Shirley Fire Protection Local Fire Service boundary to a single parcel of land with the civic address of 10440 West Coast Road.

**BACKGROUND**

One property in the Shirley area of the Juan de Fuca Electoral Area is currently excluded from the Shirley Fire Protection and Emergency Response service area. This property owner has worked with staff to prepare a petition to the Capital Regional District (CRD) to be included in the Shirley Fire Protection and Emergency Response service area boundary. The property boundary amendment would include the property located at 10440 West Coast Road (Appendix A).

The portions of the individual parcels and owner's names to be included into fire protection are:

Owner	Property ID	Civic Address
Funky Forest Inc	023-414-308	10440 West Coast Road

The petition process was concluded on October 27, 2023. The property owner provided unanimous support to the amended service area and results have been certified by the CRD Corporate Officer (Appendix B).

The proposed bylaw amendment ensures the property receives timely life-safety services and increases the tax base of the service. There are no operational concerns with the addition of the property. The proposal is supported by staff and the Shirley Fire Protection and Emergency Response Commission.

**ALTERNATIVES**

*Alternative 1*

The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That the attached Certificate of Results of the petition to expand the service area boundary for the Shirley Fire Protection and Emergency Response Service be received;
2. That Bylaw No. 4574, "Shirley Fire Protection and Emergency Response Service Establishment Bylaw No. 1, 1991, Amendment Bylaw No. 3, 2023", be read a first, second, and third time; and
3. That elector approval be obtained by Electoral Area Director consent on behalf.

*Alternative 2*

That this report be referred back to staff for additional information based on Electoral Areas Committee direction.

## **IMPLICATIONS**

### *Financial Implications*

This bylaw is not expected to negatively impact the service requisition.

### *Service Delivery Implications*

No negative impact to service area participants or volunteer firefighters is expected. The level of service provided to the property would be consistent with the policies and operating guidelines of the Shirley Fire Department.

### *Legal Implications*

All establishing bylaw amendments require elector approval prior to adoption. As this is a service entirely within the Juan de Fuca Electoral area, the most cost-effective method to obtain this is by way of Electoral Area Director consent on behalf.

The *Regional District Establishing Bylaw Approval Exemption Regulation*, BC Reg 113/2007, exempts an establishing bylaw amendment only adding a parcel to a service area from the need for Inspector of Municipalities approval before adoption. However, s.135 of the *Community Charter* and s. 228 of the *Local Government Act* require one clear day between third reading and adoption, where assent, consent, or approval is required. As this bylaw requires elector assent, the Board can read it three times then adopt it at a future meeting.

## **CONCLUSION**

The proposed bylaw amendment expands the Shirley Fire Protection Local Fire Service boundary to a single parcel of land with the civic address of 10440 West Coast Road. Staff recommend adoption of the attached local fire protection area service area amendment Bylaw 4574 (Appendix C).

## **RECOMMENDATION**

The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That the attached Certificate of Results of the petition to expand the service area boundary for the Shirley Fire Protection and Emergency Response Service be received;
2. That Bylaw No. 4574, "Shirley Fire Protection and Emergency Response Service Establishment Bylaw No. 1, 1991, Amendment Bylaw No. 3, 2023", be read a first, second, and third time; and
3. That elector approval be obtained by Electoral Area Director consent on behalf.

Submitted by:	Shawn Carby, CD, MAL, Senior Manager, Protective Services
Concurrence:	Kevin Lorette, P.ENG., MBA., General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

## **ATTACHMENTS**

Appendix A: Map of Proposed Shirley Fire Protection Local Service Area Amendment

Appendix B: Certification of Petition

Appendix C: Bylaw No. 4574, "Shirley Fire Protection Local Service Area Establishment Bylaw No. 1, 1991, Amendment Bylaw No. 3, 2023"