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**REPORT TO ELECTORAL AREAS COMMITTEE
MEETING OF WEDNESDAY, MAY 08, 2024**

SUBJECT **Bylaw No. 4592 to Expand Otter Point Fire Protection and Emergency Response Local Service Area Boundary (Bylaw No. 2042)**

ISSUE SUMMARY

The proposed bylaw amendment expands the Otter Point Fire Protection and Emergency Response Local Fire Service Area boundary to three parcels of land described as Section 41, Otter District as shown on plan deposited under DD 55112I, Lot A Plan EPP103577 District Lot 39 Malahat and Lot B Plan EPP103577 District Lot 39 Malahat.

BACKGROUND

Three properties in the Otter Point area of the Juan de Fuca Electoral Area are currently excluded from the Otter Point Fire Protection and Emergency Response Local Service Area. The property owners have worked with staff to prepare petitions to the Capital Regional District (CRD) to be included in the Otter Point Fire Protection and Emergency Response Service Area boundary. The property boundary amendment would include the land parcels described as Section 41, Otter District as shown on plan deposited under DD 55112I, Lot A Plan EPP103577 District Lot 39 Malahat and Lot B Plan EPP103577 District Lot 39 Malahat.

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

Owner	Property ID	Civic Address
A-3 Holdings	009-497-757	Section 41, Otter District, Plan DD 55112I
Martin and Susan Nagy	Lot A Plan EPP103577 District Lot 39 Malahat	2727 Anderson Road, Otter District, BC V9Z 1G2
Millar and Anisa Montgomery	Lot B Plan EPP103577 District Lot 39 Malahat	Lot B Plan EPP103577 District Lot 39 Malahat

The petition processes concluded on March 22, 2024. The property owners 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 properties receive timely life-safety services and increases the tax base of the service. There are no operational concerns with the addition of the properties. The proposal is supported by staff and the Otter Point 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 petitions to expand the service area boundary for the Otter Point Fire Protection and Emergency Response Service be received;

2. That Bylaw No. 4592, “Otter Point Fire Protection and Emergency Response Local Service Establishment Bylaw No. 1, 1992, Amendment Bylaw No. 8, 2024”, 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 properties would be consistent with the policies and operating guidelines of the Otter Point 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 three parcels 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 Otter Point Fire Protection Local Fire Service Area boundary to three parcels of land described as Section 41, Otter District as shown on plan deposited under DD 55112I, Lot A Plan EPP103577 District Lot 39 Malahat and Lot B Plan EPP103577 District Lot 39 Malahat. Staff recommend adoption of the attached local fire protection area service area amendment Bylaw No. 4592 (Appendix C).

RECOMMENDATION

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

1. That the attached Certificate of Results of the petitions to expand the service area boundary for the Otter Point Fire Protection and Emergency Response Service be received;
2. That Bylaw No. 4592, “Otter Point Fire Protection and Emergency Response Local Service Establishment Bylaw No. 1, 1992, Amendment Bylaw No. 8, 2024”, 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 Otter Point Fire Protection Local Service Area Amendment
- Appendix B: Certificate of Results of the Petitions
- Appendix C: Bylaw No. 4592, “Otter Point Fire Protection and Emergency Response Local Service Establishment Bylaw No. 1, 1992, Amendment Bylaw No. 8, 2024”