

**REPORT TO PORT RENFREW LOCAL SERVICES COMMITTEE
MEETING OF 08 JUNE 2006**

SUBJECT **PROPOSED AMENDMENT TO THE BOUNDARIES OF THE PORT RENFREW FIRE PROTECTION AND SOLID WASTE REMOVAL AND DISPOSAL LOCAL SERVICES AREAS – ESTABLISHMENT BYLAWS NO. 1743 AND NO. 1745**

PURPOSE

To seek approval from the Port Renfrew Local Community Services committee to amend the boundaries of the Fire Protection local service area and the Solid Waste Removal and Disposal local service area to include additional properties.

BACKGROUND

The Port Renfrew Local Services committee, at the meeting of 09 February, approved the inclusion of the six properties listed on Appendix A (item 1) into the Port Renfrew Fire Protection and Solid Waste Removal and Disposal local service areas. These properties had been identified as being developed or being used since the boundaries of the two service areas (same boundaries) were established in 1994. These properties should be included in the two service areas to ensure that the fire department can legally provide fire services in the event of a fire and to ensure that these property owners pay for the solid waste removal and disposal services which they have been using at no charge.

At the same meeting, the committee directed staff to prepare the appropriate amendment bylaws to the two respective local services establishment bylaws, to revise the boundaries to include these additional six properties and to forward the amendment bylaws to the Board for consideration and approval.

Staff, as directed, prepared the appropriate amendment bylaws to the respective local services bylaw. However, since the meeting the committee chair and fire chief have identified four additional properties (listed in Appendix A, item 2) that should also be added to the two local service areas as these properties also benefit or may benefit from the local services. Letters have been sent to all property owners informing them of the committee's intent to have their respective properties added into the two local services areas.

In order for the four additional properties, identified by the committee chair and the fire chief; to be added to both local services areas, the committee must formalize their inclusion by resolution. Copies of the proposed amendment bylaws, amendment Bylaw No. 3356 and Bylaw No. 3357 are attached.

ALTERNATIVES

No alternative was considered as the committee wishes to have all of these ten properties added to the Fire Protection and Solid Waste Removal and Disposal service areas.

FINANCIAL IMPLICATIONS

Adding these ten properties to the two local services areas will generate approximately \$2,750 per year in property taxes to help fund the fire protection and solid waste removal services.

The cost to add these properties to the two service areas is estimated at \$400 to advertise (Sooke Mirror) the two bylaw amendments. However, if the owners of the undeveloped, but in use, lands object to their property being included in the services areas, the Inspector of Municipalities may request a referendum amongst the ten property owners, which could cost \$3,000.

SUMMARY/CONCLUSIONS

The boundaries of the Port Renfrew fire protection and solid waste removal and disposal local services areas (same boundaries), were established in 1994. Since that time, properties outside the current boundaries of the service areas have developed or are in use and the owners/users have availed themselves of the solid waste removal and disposal services without paying. Also the fire department cannot legally respond to fires or emergencies at these properties.

The local area director, through the committee, can add properties into a local service area without the owners consent, if it can be argued that the properties benefit or may benefit from the local services. The committee has concluded that these ten properties benefit or may benefit from the services and should be added to the local services areas. Staff support the committee's position.

RECOMMENDATION

That the Port Renfrew Local Community Services committee:

1. approve adding the four properties listed in Appendix A (item 2) to the Port Renfrew Fire Protection and Solid Waste Removal and Disposal Local Services areas in addition to the six properties Appendix 1 (item 1) approved for inclusion by the committee at the meeting of 09 February 2006; and that
2. staff present the attached amendment Bylaw No. 3356 and Bylaw No. 3357 to the Board for consideration and approval.



John Craveiro, AScI
Assistant Manager, Solid Waste Division

COMMENTS

JC:jw
Attachments: 3

APPENDIX A

DEVELOPED OR IN-USE PROPERTIES IDENTIFIED OUTSIDE THE CURRENT PORT RENFREW FIRE PROTECTION AND SOLID WASTE DISPOSAL LOCAL SERVICE AREAS

ITEM 1

LEGAL PLAN
Lot 1, District Lot 155, Renfrew Land District, Plan 18813, except Plan 31230, PID 003-793-184 (see below)
Lot 1, Plan 31230
Lot A, Plan 35011
Lot 1, District Lot 155, Renfrew Land District, Plan 8601
Lot 2, District Lot 155, Renfrew Land District, Plan 8601
Lot 205 Renfrew Land District, PID 008-360-740

ITEM 2

LEGAL PLAN
Lot 2, Plan 31230
Lot 3, Plan 31230
Lot B, Plan VIP60552
Lot C, Plan 35011

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3356

A BYLAW TO AMEND BYLAW NO. 1743, "PORT RENFREW FIRE PROTECTION LOCAL SERVICE ESTABLISHMENT BYLAW NO. 1, 1989"

The Board of the Capital Regional District in open meeting assembled enacts as follows:

- 1. Bylaw No 1743, "Port Renfrew Fire Protection Local Service Establishment Bylaw No. 1, 1989", is amended as follows:

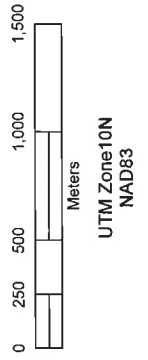
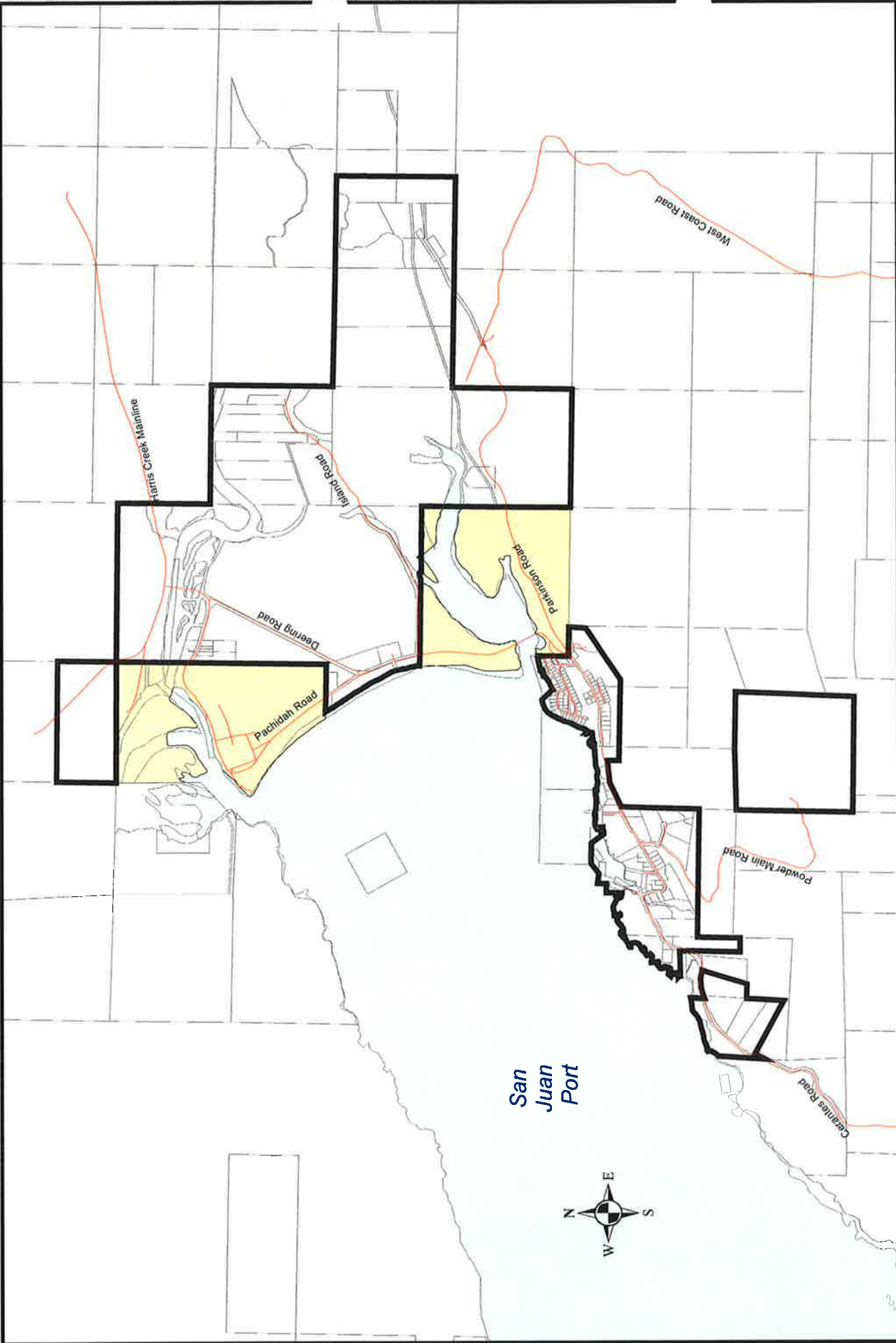
By deleting Schedule "A" and substituting the attached amended Schedule "A".
- 2. This bylaw may be cited as "Port Renfrew Fire Protection Local Service Establishment Bylaw No. 1, 1989, Amendment Bylaw No. 2, 2006.

READ A FIRST TIME THIS	day of	2006
READ A SECOND TIME THIS	day of	2006
READ A THIRD TIME THIS	day of	2006
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	day of	2006
ADOPTED THIS	day of	2006

CHAIR

SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS day of 2006



- Roads
- Fire Protection Service Area
- Lot Boundaries

UTM Zone 10N
NAD83

SCHEDULE "A"
Bylaw 3356
Port Renfrew Fire Protection Local Service Area



CAPITAL REGIONAL DISTRICT

BYLAW NO. 3357

A BYLAW TO AMEND BYLAW NO. 1745, "PORT RENFREW SOLID WASTE REMOVAL AND DISPOSAL LOCAL SERVICE ESTABLISHMENT BYLAW NO. 1, 1989"

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No 1745, "Port Renfrew Solid Waste Removal and Disposal Local Service Establishment Bylaw No. 1, 1989", is amended as follows:

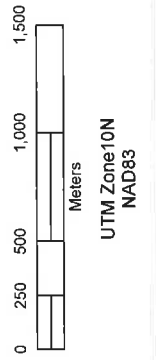
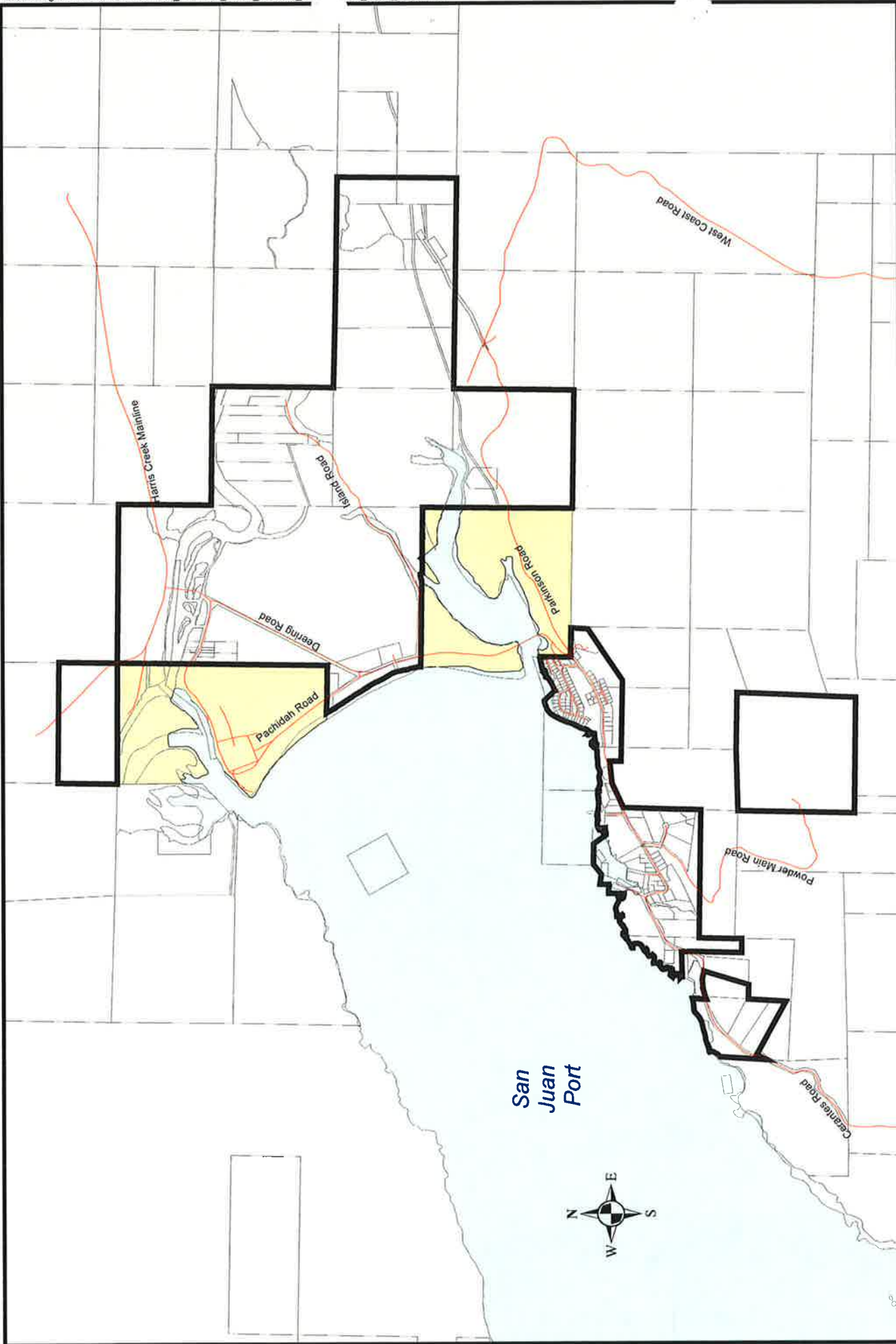
By deleting Schedule "A" and substituting the attached amended Schedule "A".
2. This bylaw may be cited as "Port Renfrew Solid Waste Removal and Disposal Local Service Establishment Bylaw No. 1, 1989, Amendment Bylaw No. 2, 2006.

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-  Roads
-  Solid Waste Service Area
-  Lot Boundaries
-  First Nations
-  Lot Boundaries

UTM Zone10N
NAD83

SCHEDULE "A"
Bylaw 3357
Port Renfrew Solid Waste Removal and Disposal
Local Service Area

