

# BACKGROUND

## ➤ Introduction

In the fall of 2017, a petition signed by 42 Forbidden Plateau Road area residents was submitted to the Comox Valley Regional District requesting a study to explore options for fire protection, primarily beyond the current Courtenay Fire Protection District boundary (5200 Forbidden Plateau Road). The petition was received by the CVRD's Electoral Areas Services Committee in October 2017, and funds for a feasibility study were approved.

The purpose of the study is to explore options associated with fire protection services on Forbidden Plateau Road, including, but not limited to, impacts to existing and future land use activities, the potential expansion of existing fire protection boundaries, a first responder vehicle located on Forbidden Plateau Road or a volunteer fire department.

It is important that the options evaluated in detail as part of the final report are aligned with the community's expectations, particularly in terms of level of service and cost impacts. This information package is designed to provide residents with important background information and an overview of a broad range of options for the community's consideration. Residents are encouraged to review the information and attend the Community Conversation meeting on Sunday, March 11th from 2pm to 4pm at Dove Creek Hall (3400 Burns Road) to share any thoughts and opinions. Residents who are unable to attend but would like to provide input to the study can contact Sarah Morden of Defero-West Consulting at 1-778-422-0913 or [smorden@defero-west.ca](mailto:smorden@defero-west.ca).

### Community Conversation

Sunday, March 11th  
2pm – 4pm  
Dove Creek Hall (3400 Burns Road)

## ➤ Study schedule

The study began in January and is scheduled to conclude in June 2018. Study-related documents will be posted on the CVRD website at [www.comoxvalleyrd.ca/ForbiddenPlateau](http://www.comoxvalleyrd.ca/ForbiddenPlateau).

This information package is based on the consultants' initial research and consultation with key participants and stakeholders. The Community Conversation is intended to identify the options that best reflect the community needs and expectations. During the next phase, the consultants will explore and compare the short-listed options in more detail for review by the CVRD and the community. A summary of the detailed research will be shared on the CVRD website and by email with the Forbidden Plateau Road Association and residents who sign up at the Community Conversation to receive updates. A comment period will follow, and residents are encouraged to submit feedback at this stage to the consultants by phone or email. The purpose of the comment period is to determine if the community has any strong preferences or concerns with respect to the options and/or to identify any further details or information that needs to be researched before preparing the final report to the CVRD.

## ➤ Local Government – who does what in the Forbidden Plateau Road area?

There are two local government authorities providing services in the Forbidden Plateau Road area – one is an improvement district (Courtenay Fire Protection District) and the other is a regional district (Comox Valley Regional District).

Improvement districts are a form of local government that typically look after a small number of services for communities that are not located within a municipality. Often these bodies were established prior to the creation of regional districts, which then became responsible for service delivery for areas outside municipalities. Now that regional

districts are in place, the Province no longer creates new improvement districts. In 2006 the Province developed the Policy Statement on Improvement District Governance. The provincial policy supports the continued gradual elimination of improvement districts, with municipalities and regional districts assuming the responsibilities of improvement districts over time.

The **Courtenay Fire Protection District (CFPD)** provides one service - fire protection - within its service area (see Figure 1 or digital version online at [www.comoxvalleyrd.ca/forbiddenplateau](http://www.comoxvalleyrd.ca/forbiddenplateau)), which includes properties up to and including 5200 Forbidden Plateau Road. Fire protection is provided to these properties through a service agreement with the City of Courtenay Fire Department. The CFPD was established in 1946 and is currently governed by three volunteer Trustees. The CFPD is a taxpayer funded organization, meaning that property owners pay for fire protection on an annual basis as part of their property taxes, and the total amount paid depends on the assessed value of their property. The net cost of the service to the CFPD

taxpayers on their 2017 property tax bill was approximately 43 cents for every \$1000 of assessed value. For home insurance purposes, these properties may qualify as “semi-protected”, and likely receive a discount on their home insurance accordingly. For those properties beyond 5200 Forbidden Plateau Road, the BC Forest Service Protection Program has wildfire fighting resources to respond to fires on wildlands (forest land, grass land), but does not fight structure fires.

The **Comox Valley Regional District (CVRD)** is one of 28 regional districts in British Columbia. Most regional district boundaries encompass municipalities as well as unincorporated lands, which are divided into smaller areas called electoral areas. The CVRD has three electoral areas – Electoral Areas A, B and C. All properties on Forbidden Plateau Road are within the boundaries of Electoral Area C. Each of the electoral areas has one representative on the CVRD Board of Directors - Area C is represented by Mr. Edwin Grieve. Municipalities within the region (City of Courtenay, Town of Comox, Village of

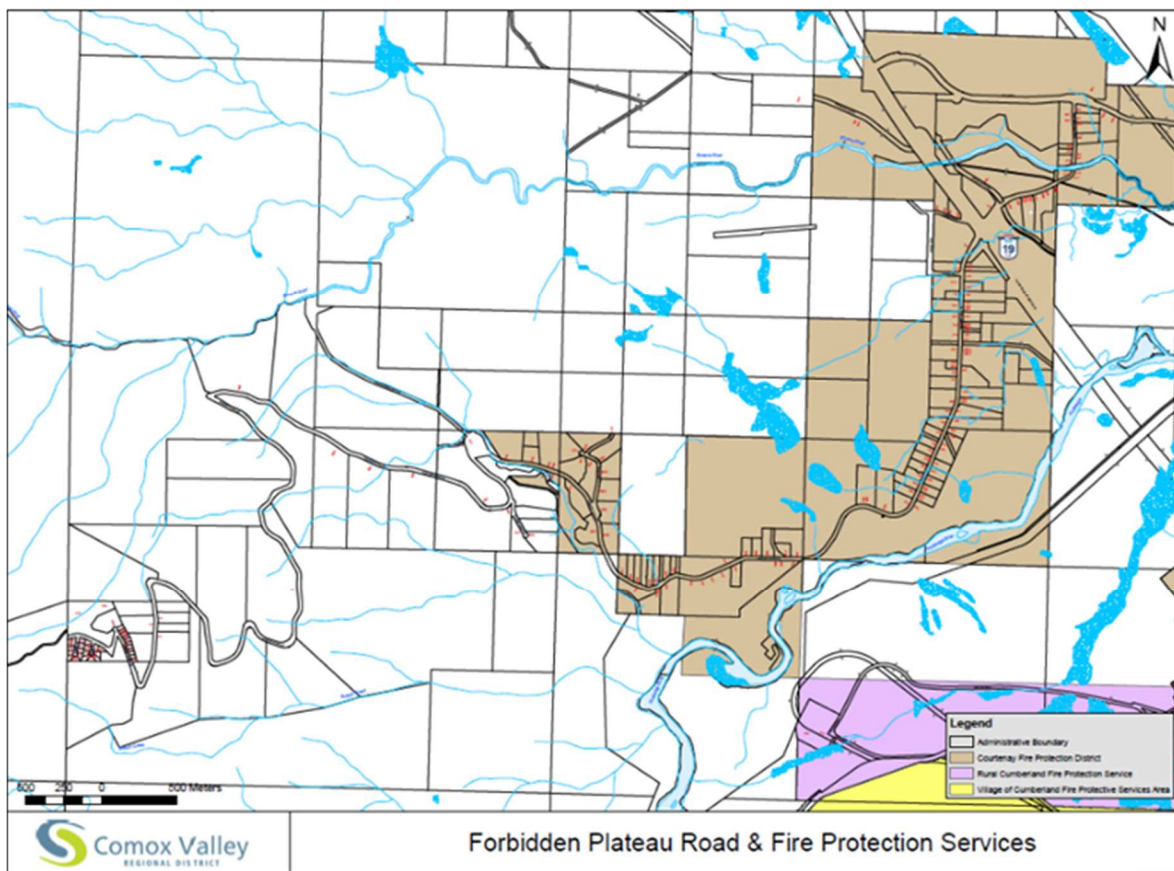


Figure 1 – CFPD Service Area Boundary on Forbidden Plateau Road

Cumberland) are also represented on the Board, which has a total of 10 Directors.

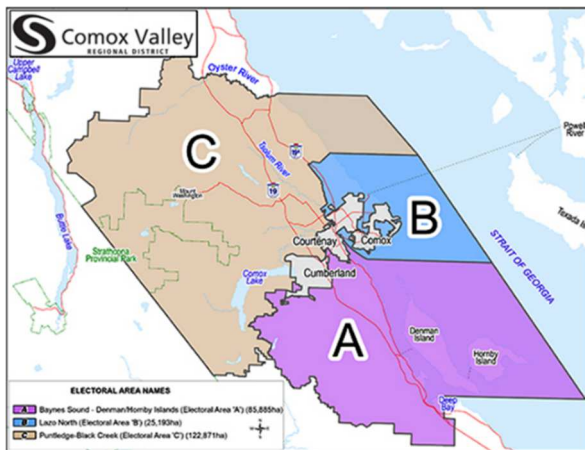


Figure 2 – CVRD Electoral Area Boundaries

### ► How are Regional District Services Established?

Regional districts are flexible structures that can provide a broad range of services, with the exception of a few provincially mandated services (e.g. roads, policing). Services offered are determined by the regional board, with the support of residents. Because the board only provides services that its members, or residents, agree the regional district should provide, the number and type of services varies by regional district and can be different within each electoral area or community. Some services, such as fire protection, may be provided on an area specific basis to a portion of an electoral area, or to a combination of electoral areas. Regional services are those that are provided to all electoral areas and municipalities.

To establish a new service, it must (in accordance with the *Local Government Act*) go through a process to determine its feasibility – this study is the first step in determining the feasibility of a fire protection service for the Forbidden Plateau Road area. If deemed feasible, a service establishing bylaw must receive support from the CVRD board. The bylaw must also be approved by the province's

<sup>1</sup> An alternative approval process (sometimes referred to as a counter-petition) is possible only if the service will not exceed 50¢ for each \$1,000 of net taxable value of land and improvements included in the service area. Otherwise, a referendum is required unless a petition meeting all of the requirements outlined in the *LGA* can be presented to the Regional District – this includes signatures from owners of at least 50% of the parcels in the service area, representing at

Inspector of Municipalities and supported by the residents that will participate in and pay for the service. Support can be demonstrated through an alternative-approval process,<sup>1</sup> referendum, petition or (in some cases) approval by an electoral area director on behalf of residents of that jurisdiction.

### ► What CVRD services does the Forbidden Plateau Road area currently receive?

Forbidden Plateau Road area residents pay for and receive the following CVRD services:

- Emergency planning and management (earthquake, tsunami, flood, wildfires)
- Community / land use planning
- Building inspection
- Bylaw enforcement
- Homelessness support service
- Recreation (Comox Valley Sports and Aquatics Centers)
- Regional parks
- Solid waste management
- Library<sup>2</sup>
- CVRD Governance / Administration

Residents pay for these services through property taxation and user fees where applicable (e.g. recreation centre fees and garbage tipping fees). In electoral areas, the Province collects property taxes. The Province then transfers funds to the regional districts to cover the cost of the services that the regional district provides, both region-wide and area specific. There is currently no area specific CVRD services that encompass all or part of the Forbidden Plateau Road area.

### CVRD Community Planning

The CVRD Regional Growth Strategy (RGS) is an overarching, region-wide plan containing high-level policies to direct growth while preserving the region's quality of life. The RGS was mandated by the Province in 2008 as part of the establishment of the CVRD and was completed in 2011. **All CVRD**

least 50% of the net taxable value of all land and improvements in the service area.

<sup>2</sup> Library service is provided to CVRD by the Vancouver Island Regional Library (VIRL). Although not delivered directly by the Regional District, the CVRD participates on the library board and collects taxes on behalf of the regional library board.

**bylaws (including the Official Community Plan and Zoning Bylaw), infrastructure and services must be consistent with the RGS.** This alignment is very important to consider when any new services are proposed, including fire protection options for the Forbidden Plateau Road area – services that are inconsistent with the RGS are unlikely to garner support from the regional board.

► **What do the regional plans say about the Forbidden Plateau Road area?**

Under the RGS, the Forbidden Plateau Road area is within a “**Rural Settlement Area**”, which encompasses all lands within the electoral areas outside of core settlement areas that are not otherwise designated as Agricultural Areas, Resource Areas, or Provincial Parks. The RGS emphasizes the importance of maintaining the rural character and function of these areas and sets out guiding policies with regard to land uses and lot sizes. The RGS also expressly acknowledges the “existing and ongoing pressure” to subdivide lands within Rural Settlement Areas for the purposes of creating small lots of less than 4 hectares in size, which (according to the RGS) would begin to change the character of Rural Areas and could result in the unintentional conversion of those areas into estate residential areas, creating conflict between uses.

The Rural Comox Valley Official Community Plan (OCP) flows from the RGS - under this Plan, the Forbidden Plateau Road area is again within a Rural Settlement Area. Policy objectives for Rural Settlement Areas include supporting rural lifestyles, restricting sprawl and parcel fragmentation, protecting working landscapes and minimizing the impact of new development on existing neighbourhoods. The minimum lot size for properties in the Rural Settlement Area is 20 hectares, unless there is space dedicated for public green space or environmental protection, and then (in accordance with the OCP policies) the minimum lot size may be reduced to as few as 4 hectares.

► **What sort of development is likely to occur in the Forbidden Plateau Road area?**

The current regional planning framework does not envision any significant development or growth in the Forbidden Plateau Road area, and no major reviews of the RGS or OCP are planned in the

foreseeable future. Recent residential development projects in the area include Mountain Spirit and Mystic Rise, and a Couverdon application to rezone six parcels (to enable subdivision into the minimum parcel size) is currently before the CVRD. The K’ómoks First Nation has also been offered two Crown parcels (currently Class C Provincial Park) at the top of Forbidden Plateau Road as part of the treaty settlement process – though the parcels have been offered ‘with protection’ (mainly to ensure public access to Forbidden Plateau and Strathcona Park), the KFN website indicates that they may be interested in developing the land in the future.

► **Fire Protection and Home Insurance**

There are many different reasons that communities desire fire protection, a common one being to reduce the cost of fire insurance. Most insurance companies rely on the Fire Underwriters Survey (FUS) to establish appropriate fire insurance rates for both residential and commercial properties. FUS classification and grading consider a variety of factors, including an area’s water system, fire department apparatus, number of trained/responding firefighters, and proximity to the firehall and/or hydrant.

The lower portion of Forbidden Plateau Road (up to and including the property at 5200) receives fire protection through the Courtenay Fire Protection District via a service agreement with the Courtenay Fire Department, which is a “recognized” service provider. According to FUS classification and grading systems, properties within the service area may qualify as “semi-protected” and may receive a reduction on their home insurance. Currently, properties located beyond 5200 Forbidden Plateau Road are considered “unprotected”, and do not qualify for reductions on home insurance. For those properties, the BC Forest Service has wildfire fighting resources to respond to fires on wildlands (forest land, grass land), but the BC Forest Service does not fight structure fires.