

OTTER POINT & SHIRLEY RESIDENTS & RATEPAYERS ASSOCIATION (OPSRRA) INFORMATION UPDATE FEBRUARY 2009

The Otter Point & Shirley Residents & Ratepayers Association (OPSRRA) is a registered non-profit society with an elected Board of Directors and strives to present the points-of-view of its members to local government. OPSRRA was founded in 1992 and has a membership of about **385**. Any resident or property owner in Shirley and Otter Point is eligible for membership.

Lifetime memberships cost \$5.00 per person and are available from OPSRRA directors—see our web site (www.opsrra.ca) for further information and on-line registration. Associate (non-voting) memberships are available for persons who do not reside or own property in Shirley or Otter Point, but who wish to support the Association.

The purpose of our society is to:

- Ensure that the development of the two communities of Shirley and Otter Point takes place in an orderly way and in the best interests of its residents.
- Co-operate with local government and other public bodies in the furtherance of the objectives of the society and benefits to the community.
- Concern itself with the performance of government agencies.
- Encourage citizens to stand for public office.
- Promote community spirit and sense of identity by organizing or supporting appropriate activities.

Are you an OPSRRA member? Do you want to receive the OPSRRA newsletter and notice of meetings directly to your e-mail address? OPSRRA now e-mails this newsletter to over **225** of our members. Contact Arnie Campbell at: d.acampbell@shaw.ca if you want to receive this membership service.

OPSRRA's EXECUTIVE AND DIRECTORS

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1. UPCOMING MEETINGS AND EVENTS

Contact Arnie Campbell at: d.acampbell@shaw.ca or 642-3113 to have your community event listed in our monthly community events calendar.

Thursday January 8	Juan de Fuca Parks Committee 5:00 p.m. JDF Electoral Area Services Office 2-6868 West Coast Road, Sooke BC
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Saturday February 7	Juan de Fuca Community Trails Society King Creek Trails 9:30 a.m. This is another easy walk. Because the January rains washed out the ford at King Creek, we will now meet at 2452 Kemp Lake Road (near the corner at Chubb Road) where there are wide shoulders for parking. We'll take the King Creek Trails in from the Kemp Lake entrance. Phone Rosemary Jorna, 250-642-2767 or email sid2767@shaw.ca for details. Please note our new web address: www.jdfcommunitytrails.ca
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Monday
February 15

**OPSRRRA Board of Directors
Monthly Meeting**
Members welcome!
7:30 p.m.
Boardroom
SEAPARC Leisure Complex
2168 Philips Road Sooke BC

Thursday
February 19

**Sooke Electoral Area Recreation Commission (SEAPARC)
Meeting**
7:00 p.m.
Multi-Purpose Room "A"
SEAPARC Leisure Complex
2168 Philips Road Sooke BC

Tuesday
February 124

JDF Electoral Area Land Use Committee (LUC) Meeting
7:00 p.m.
District of Sooke Council Chambers
2225 Otter Point Road

Because of on-going matters related to LUC structure, this is a tentative date. Check with CRD Planning Services to confirm.

You can obtain the agenda the Friday before the meeting at the CRD Planning Services office, 2-6868 West Coast Road or on the CRD website at: www.crd.bc.ca/jdf/index.htm
Click on "Agenda" at the top of the page.
See newsletter story item number 5 for details.

Thursday
February 26

**JDF Economic Development Commission
Monthly Meeting**
6:00 pm
Village Foods Meeting Room
6661 Sooke Road, Sooke BC

Thursday
March 5

Juan de Fuca Parks Committee
5:00 p.m.
JDF Electoral Area Services Office
2-6868 West Coast Road, Sooke BC

Saturday
March 7

**Juan de Fuca Community Trails Society
Cedar Grove Trail and Cougar Ridge**
9:30 a.m.
This is a 2.5 to 3 hour hike with a great view of Matheson Lake and Broom Hill from Cougar Ridge.
Meet at the Roche Cove Parking lot for the Galloping Goose Trail.
Bring a snack and dress for the weather. Parts of the trail can be muddy.
Phone Rosemary Jorna, 250-642-2767 or email sid2767@shaw.ca for details.
Please note our new web address:
www.jdfcommunitytrails.ca

Second & Shirley Quilters and Crafters
Fourth 10:00 a.m. to 3:00 p.m.
Thursday Shirley Community Hall
of every
month

2. CORRECTION TO SHIRLEY FIRE TRUSTEES

Last month's newsletter item on the newly elected Shirley Fire Trustees contained an incorrect name. The CRD Board appointed the following persons to the newly created Shirley Fire Commission: Jurgen Kirste, Ian Blaney, Conrald LeClerc, Sharon Cormier, Eric Ellis and Andy Barber.

3. SHIRLEY COMMUNITY ASSOCIATION HAS NEW CONTACT INFORMATION

The Shirley Community Association has a new a new e-mail address:

sca@shirleycommunity.org

and has launched a new web site:

www.shirleycommunity.org

4. JUAN DE FUCA ELECTORAL AREA APPOINTMENT TO SOOKE HISTORICAL SOCIETY BOARD OF DIRECTORS

The Sooke Historical Society, operators of the Sooke Region Museum, held its Annual General Meeting on January 25. In addition to the 10 directors elected by the membership, the Juan de Fuca Electoral Area, District of Sooke and the T'Sou-ke First Nation each have one appointed representative to the Board. Anne Boquist of Otter Point has been appointed as the JDFEA representative.

5. CHANGE OF DATE AND STRUCTURE FOR JUAN DE FUCA ELECTORAL AREA LAND USE COMMITTEE

The following information was submitted to the OPSRRA newsletter by Heather Phillips, Otter Point's representative on the Juan de Fuca Electoral Area Land Use Committee (LUC).

The ripples from Judge Metzger's 23 December 2008 decision have touched the Juan de Fuca Land Use Committee. With no participating municipalities and no present means to add members to this committee, there are only seven members. The establishing bylaw for the Juan de Fuca LUC specifies that it will have no less than eight members. Although it is desirable to get moving on land use issues that need CRD Board approval, it is also important that the procedure not be subject to challenge. For this reason, an amendment to the establishing bylaw must be crafted and put in place before the Juan de Fuca LUC meets again. At the same time as membership is addressed, outdated maps still attached to the establishing bylaw will be corrected. Because the amendment cannot be in place by 3 February, the meeting proposed for that date is cancelled. The next target meeting date is 24 February.

While Judge Metzger's ruling is in place, the CRD Board will also change the voting pattern for JDFEA land use business to conform to the Order in Council from 2001. It sets out Land Use Committee A [JDFEA, Sooke, Metchosin, Langford and

Colwood] for business from East Sooke and the JDFEA west of Sooke. Land Use Committee B (JDFEA, Highlands, Langford Saanich and Central Saanich) will vote on business from Malahat and Willis Point. More members may be identified for the Juan de Fuca LUC in the forthcoming bylaw amendment but the Juan de Fuca Land Use Committee will include the JDF Regional Director and the sub-area representatives. This committee will continue to make recommendations to the directors responsible for voting on JDFEA land use business.

6. OPSRRA ANNUAL GENERAL MEETING: CALL FOR NOMINATIONS

OPSRRA will be holding its Annual General Meeting (AGM) in March 2009.

Elections for all executive and director positions are held annually at the AGM. Nominations for any position can be sent to the Nominations Committee c/o Arnie Campbell, President, OPSRRA. A nominee must be a resident or property owner in either Shirley or Otter Point and a member of the association at the time of the election.

7. OPSRRA'S STATEMENT IN RESPONSE TO THE CAPITAL REGIONAL DISTRICT'S DECISION TO APPEAL THE SUPREME COURT DECISION REGARDING THE LEGALITY OF LAND USE COMMITTEE VOTING PROCEDURES IN THE JUAN DE FUCA ELECTORAL AREA

The following statement was prepared in response to a request from various media for OPSRRA's response to the December 23 decision of the Supreme Court regarding who was entitled to vote on JDFEA Land Use Committee (LUC) recommendations at the CRD Board.

The Otter Point & Shirley Residents & Ratepayers Association (OPSRRA) is prepared to work with the Juan de Fuca Electoral Area (JDFEA) Regional Director, the JDFEA Land Use Committee, the CRD and the province to find a solution to the governance and zoning problems that have contributed to the legal issues surrounding land use decisions in the Juan de Fuca Electoral Area.

Our association's primary concern is that development in the communities of Otter Point and Shirley happen in an orderly manner and in the best interests of its residents. Our efforts in this area, for the past four years, have focused on long range planning. For example, we have supported the Otter Point, Shirley and Jordan River Developing a Strategic Vision project and have lobbied for governance, zoning and Official Community Plan (OCP) reviews. Our position during this time has been that:

- The present governance system needs to be changed. Presently, CRD directors who neither live in the area nor adequately understand the needs of the community, have the right to vote on land use issues in the JDFEA. This system needs to be replaced with a decision-making process that allows residents of the JDFEA to make their own choices about their community's future within a regional planning strategy.
- Invalidating the six bylaws passed by the CRD in April of 2008 (to control development on resource lands and large rural properties) or the voting procedure that approved them, will not resolve the land use problems in our community. The consequence of this legal challenge has been to question all of the recommendations of the JDFEA Land Use Committee that have been approved by the CRD Board since April 2006.
- The present JDFEA zoning bylaw needs to be publicly reviewed and replaced. Bylaw 2040 is 15 years old and predates the incorporation of Sooke; over half of its zones don't even exist in the JDFEA. Issues such

as the permitted use of provincial strata legislation to allow four homes on Rural A properties (4-on-10) and the possible subdivision of resource lands for residential use were not thought of when Bylaw 2040 was passed. It is this neglect of land use planning within the JDFEA which has contributed to the public controversy and legal challenges.

- Options have been voiced about the development of some rural lands: a community compromise could be reached. One suggestion has been to “grandfather” existing rural land owners who wish to continue doing 4 on 10 developments on their property. However, there is little support for “grandfathering”, especially if that provision had to be extended to the private forest lands that the province released from TFL 25. A compromise might be to allow landowners in the old Rural A zone to subdivide (not strata) their property to a minimum lot size of 4 hectares. Alternately, a general public review of the zoning bylaw might support the rezoning of some of these properties for different land uses with smaller minimum lot sizes.
- Long term planning for much of the area west of Sooke is incomplete or in the process of being reviewed. This planning needs to be finished before major development decisions are made. The current outdated zoning bylaw needs to be replaced. The Official Community Plans (OCPs) for Otter Point and Shirley/Jordan River need to be reviewed as part of the zoning review. The CRD Parks plan for the area west of Sooke is still in draft form. The JDFEA Parks Plan has yet to go to public hearing. The CRD’s Regional Growth Strategy is being reviewed between now and 2010. The Rural Resource Lands Comprehensive Land Use & Development Plan needs to be finalized and brought to public hearing.
- Major mapping west of Sooke needs to be completed: watersheds, aquifers, lakes, ponds, streams, wild life corridors, sensitive ecosystems, dangerous slopes, seasonal water flows and private water systems are some of the factors that need to be taken into consideration when planning any major change in land use.
- The concept of “public interest” needs to be clarified and resolved. The Provincial courts have given municipalities the right to exercise their authority in the “public interest”. Deciding what is in the “public interest” in the JDFEA is not limited to matters involving land use and zoning. Conflicts have arisen where an industrial operation meets the Provincial criteria under its regulations but not the local ones. As a result we have seen how difficult it is to enforce local bylaws that are meant to regulate industrial operations such as mining and forestry, which operate under provincial legislation but are also expected to meet conditions laid-out in local bylaws.
- Long term planning is desperately overdue and necessary for good decision making about the future of the JDFEA. A commitment by the JDFEA and the CRD to funding and staffing for such planning is an essential first step.

8. MEETING WITH JUAN DE FUCA REGIONAL DIRECTOR

The directors of OPSRRA had an informative three hour meeting with Regional Director Mike Hicks on January 2. June Klassen, Manager, Local Area Planning attended. This meeting was in response to a request from OPSRRA for a meeting to update the regional director on a range of community issues and initiatives that are of interest to our association. Most of the time was spent discussing governance and zoning issues. Other topics covered were:

1. Arden Gravel Pit – Resolving Community Concerns.

2. Fire Protection for Jordan River
3. Regional Growth Strategy Review.
4. Otter Point and Shirley/Jordan River OCP Reviews.
5. Park Issues. e.g. Poirier Lake, Broom Hill, park maintenance.
6. Water and Watershed Mapping and Protection. e.g. Kemp Lake, Sheringham Estates.
7. Road Issues. e.g. shoulder upgrade, safety for non-vehicular users, larger volumes because of Circle Route and more development west of Otter Point, truck frequency and size with mining operations, reflector lights.
8. Developing a Strategic Vision Project Goals and Strategies
9. Economic Development/Tourism
10. Future of WFP Lands
11. Role of OPSRRA

9. THANK YOU LETTER TO MINISTRY OF HIGHWAYS

OPSRRA sent the following letter of thanks to the Ministry of Highway on December 30.

OTTER POINT AND SHIRLEY RESIDENTS AND RATEPAYERS ASSOCIATION

Mr. Dan Sari
Area Manager Minister of Highways
240-4460 Chatterton Way
Victoria BC V8X 5J2

Dear Mr. Sari:

I am writing on behalf of the Otter Point & Shirley Residents & Ratepayers Association (OPSRRA) to express our thanks for the extra effort that the Ministry and your contractor Mainroad South Island Contracting Limited have put into keeping our local roads clear of snow and ice in the recent spell of winter weather.

The frequent appearance of plows and sanding trucks helped the community cope with an unusual amount of snow and ensured that all of our primary and most of our secondary roads remained passable for emergency vehicles as well as enabling residents to get to work and out for groceries and other essentials.

We look forward to this increased level of service in the future.

10. DID YOU KNOW THAT ...

The Shirley Community Association can trace its origin to a card game party in 1934? Here is the story as told on their new web site (www.shirleycommunity.org).

During a card game party in 1934, a few friends in Shirley came up with the idea of forming a committee to realize a dream: building a community hall for all residents in the neighbourhood to meet and socialize. Thus the establishment of the Shirley

Community Association in the same year. In 1937, that dream became a reality with the construction of a hall and lean-to, built on a small parcel of land donated to the Association. Most of the work was done by the volunteers and all the materials were donated. At the time, membership fee was 10 cents. Residents from around the area came to the hall for card games, dancing, dinners, crafts and more. Electric power came to Shirley in 1953, telephone services followed soon after. West Coast Road was built. Today, high tech living has become part of our life—TV, cell phone, and internet. People move to this area from around the globe. Shirley's landscape has indeed evolved over the years. The Shirley Community Association has evolved along with the change of time, yet we remain true to the tradition of community spirit and volunteerism.

Over the years, the Association has expanded the hall and added two additional buildings. The Shirley Volunteer Fire Department makes its home in a building adjacent to the hall. The Association also purchased one acre of land next to the hall. Pioneer Park thus became part of our landscape.

Today, the Association carries on multiple functions, among them the Association:

- provides a hall facility for public use and private events.
- organizes events throughout the year to celebrate our community spirit.
- maintains Pioneer Park for public enjoyment
- provides a home base for Shirley Volunteer Fire Department
- provides a facility for JDF Emergency Response Shirley Chapter.
- provides emergency shelter in case of disaster
- serves as conduit for communication between various government agencies and local residents
- provides a forum for local residents to raise their concerns/comments

To satisfy these needs, the Association finances these operations through membership fees, fund raising events, hall rentals, lease rents, and government grants.

Chuck Minten, our current Association President and a long-time member of the Association, sums it up this way, "The Association gives a sense of belonging and a means of contributing to the well being of our community and the greater good of all".

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Do you have local historical information that you would like to share or questions that you would like answered? If so, let us know and we'll try to help.

11. FREE SMALL BUSINESS LISTING ON OPSRRA'S WEB SITE

New OPSRRA business listing

We welcome the following Health and Wellness business to our free local Business listings on the OPSRRA website:

Reflexology by Marlene Barry

- ◆ Location: 2113A Otter Point Road (Downstairs) Sooke, B.C.
- ◆ Hours: Daytime Monday through Friday
Evening appointments available Monday through Thursday
- ◆ Cell: 250-884-9955
- ◆ Alternate: 250-642-3390
- ◆ Email: barryfambarry@netscape.net
- ◆ Website: <http://www.sooke.org/marlene/index.htm>

Reflexology is a natural healing art based on the principle that there are reflexes in the hands, feet and ears which correspond to every part, organ and gland of the body. Through application of pressure on these reflexes, reflexology helps to relieve tension, improve circulation and balance the body's energy. Reflexology is especially helpful with relieving tension, circulation and inflammatory conditions such as Carpal Tunnel Syndrome & Plantar Fasciitis. Reflexology also helps to slow the degenerative process of peripheral neuropathy common with diabetes, stimulates the digestive system, and complements other methods of healing.

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Full Sessions: one full hour of reflexology with extra time allocated for information gathering and relaxation.
\$60.00 fee.

Half Sessions: one half hour of reflexology with some extra time as well.
\$35.00 fee.

Marlene is a Registered Canadian Reflexology Therapist with over 14 years experience in hand and foot reflexology. Mobile services available (add \$10.00 for travel time and expenses).

Do you operate a small business? Are you an OPSRRA member? OPSRRA is offering a free business listing service for members, on its web site: www.opsrra.ca. We will list non-members for a suitable donation!

The purpose of this service is to provide an opportunity for businesses in Jordan River, Shirley and Otter Point to advertise their goods and services to their local community. We anticipate having listings for accommodation, farm produce, art, furniture-making, fishing charters, eco-tours, firewood, knitting, soaps, landscaping, bookkeeping, sewing, spas and more. More information, businesses already listed, and an on-line registration form are available on OPSRRA's web site (www.opsrra.ca) under **Business Listings**.

Note: OPSRRA does not accept responsibility for the services provided. Always check references and ask for confirmation of Work Safe B.C. Registration if applicable.

The OPSRRA web site has more information about the following business listings

- | | |
|-----------------------------------|----------------------------------|
| 1001 Welding & Equipment Repair | Accent in Grooming |
| ALM Organic Farm | A Point of View B&B |
| Beaches West B&B | Bear Home Remodelling |
| Birds Edge Press | DanCyn Kioti Excavation |
| Eagle Cove Beachfront Guest Suite | Fancy That Esthetics & Body Care |
| Full Circle Seeds | Heron's Rest B&B |

Jambo Pet Sitting Service	Kemp Lake Store
Knotty Beds by Nature	Le Sooke Spa
Malahat Farm Heritage Cottage	Otter Point Beach House
Reflexology by Marlene Barry	Rhythm's Edge Percussion Shop
Road's End Construction	Sandy's Drywall Ltd
Stick in the Mud Coffee House	Straitview Ridge Bed & Breakfast
Tugwell Creek Honey Farm	Tugwell Creek Meadery
Wood Visions	

Note: Fancy that Esthetics and Body Care (Robinson Road in Otter Point) has updated information on the OPSRRA website.

12. BACK ISSUES OF THE OPSRRA NEWSLETTER

Back issues of the OPSRRA newsletter are available on the OPSRRA web site.

This monthly newsletter is prepared by the directors of OPSRRA. It is available to members by e-mail and to others on our web site: www.opsrra.ca. To have an item you would like to have considered for placement in the newsletter, or make a comment about the newsletter, contact an OPSRRA director. OPSRRA tries to verify the correctness of the information in this newsletter; if we got it wrong we will acknowledge that and make a correction as quickly as possible.
