

OTTER POINT & SHIRLEY RESIDENTS & RATEPAYERS ASSOCIATION (OPSRRA) INFORMATION UPDATE - OCTOBER 2005

The Otter Point & Shirley Residents & Ratepayers Association (OPSRRA) is a representative community organization with an elected Board of Directors and strives to present the points-of-view of its members, residing in the rural communities of Shirley and Otter Point, to local government. OPSRRA was founded in 1992 and has a membership of about 325.

Lifetime memberships are \$5.00 and are available from OPSRRA directors—see our web site (www.opsrra.com) for further information.

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 is now e-mailing this newsletter to over 90 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 to have your community event listed in our monthly community events calendar.

Sunday October 2	Shirley Education & Action Society (SEAS) Annual General Meeting 2:00 p.m. Shirley Community Hall
Tuesday October 4	JDF Land Use Committee Meeting Cancelled
Monday October 17	OPSRRA Directors Meeting Members welcome! 7:30 p.m. Board Room SEAPARC Leisure Complex 2168 Philips Rd. Sooke
Tuesday October 18	JDF Land Use Committee Meeting 7:00 p.m. District of Sooke Council Chambers Council Chambers 2225 Otter Point Road 2168 Philips Rd. Sooke
Wednesday November 2	OPSRRA All Candidates Meeting 7:00 p.m. Otter Point Fire Hall
Second and Fourth Thursday of every month	Shirley Quilters and Crafters 10:00 a.m. to 3:00 p.m. Shirley Community Hall

2. OPSRRA'S MONTHLY DIRECTORS' MEETING

OPSRRA's directors' meetings are open to members. Our next meeting is scheduled:

Date: Monday, October 17

Time: 7:30 p.m. – 9:30 p.m.

Place: SEAPARC Leisure Complex – 2168 Philips Road, Sooke

Agenda: Any OPSRRA member can request a copy of the agenda by contacting an OPSRRA director. If you want to receive an agenda on a regular basis, contact Arnie Campbell at 642-3113 or e-mail d.acampbell@shaw.ca

3. HIGHLIGHTS OF OPSRRA'S SEPTEMBER MEMBERSHIP MEETING

About 40 people attended the September 21st OPSRRA meeting. The following items were covered:

- Treasurer's report: \$256.90 in the bank.
- OPSRRA community notice boards: nine made, two installed. Need more posts and volunteers to make and install more. About \$250 donated in cash and materials.
- OPSRRA web site being up-dated: new coloured map of Shirley & Otter Point just added. More to come such as on-line registration for membership & business listings.
- Chairs of the Shirley/Jordan River and the Otter Point OCP/Zoning Committees reviewed progress. OCPs are now approved by LUC and before the CRD Board before going to the province. Zoning by-law committees need more meetings before going to public hearing(s).
- Discussion of the role of the APC—suggestions: APC should represent the community at LUC; APCs should meet whenever something affects zoning or OCP; expand role to include land use concepts; use APC to “maintain” the OCP. Comments from meeting will be sent to regional director.
- Presentation on OPSRRA activities since membership passed a motion at the AGM opposing annexation of Otter Point border-land by Sooke. (See September newsletter for summary of these activities).
- Planning for the November 2 All Candidates meeting: add APC & LUC candidates to the Otter Point meeting only, as Shirley will have a separate All Candidates meeting; order of speakers would be APC, LUC, School Trustees & Regional Director candidates; candidates will be asked to bring written material, keep presentation short; Q & A sessions intended.

4. SUMMARY OF OPSRRA'S ACTIVITIES SINCE THE FEBRUARY 05 AGM

1. OPSRRA Directors have met seven times.
2. Published monthly newsletter on OPSRRA's web site (www.opsrra.com), and sent to approximately 90 members on-line.
3. Continued to update web site.
4. Attended JDF Land Use Committee, Advisory Planning Commission and Parks Commission meetings.
5. Attended Official Community Plan & Zoning Committee meetings.

6. Attended OCP public hearings.
7. Wrote Minister of CAWS asking for a JDF governance study.
8. Wrote Minister of CAWS concerning the Otter Point/Sooke border lands.
9. Met with Otter Point fire trustees about proposed annexation.
10. Wrote to JDF Regional Director re proposed renaming of West Coast Road.
11. Wrote provincial Crown Lands & Forestry about "Pioneer Park" property.
12. Met with provincial election candidates for Malahat/Juan de Fuca.
13. Wrote letters to land surveyor & province asking for a clarification of Kemp Lake shoreline.
14. Wrote Election B.C. regarding location of voting place and boundary for Polling District 068A..
15. Participated in meetings regarding soil removal permit renewal in Shirley.
16. Met with MLA re local issues (annexation, governance study, park, soil removal).
17. Met with Acting/ADM CAWS regarding proposed annexation of border lands.
18. Met with mayor of Sooke re proposed annexation of border lands.
19. Presented concerns regarding proposed annexation at Sooke Council.
20. Met with other local area ratepayer associations regarding proposed annexations.
21. Wrote Ministry of Transportation regarding road side mowing.
22. Wrote JDF Regional Director regarding role of Advisory Planning Commission.
23. Wrote Ministries of Health & Environment about Kemp Lake watershed.
24. Completed nine community notice boards and began installation.

5. NOVEMBER 19 ELECTION PREPARATIONS & OPSRRA'S NOVEMBER 2 ALL CANDIDATES MEETING

Registration for candidates occurs between October 4 and October 14. At OPSRRA's request, the names of registered candidates for Advisory Planning Commission (APC) and Land Use Committee (LUC) will be released, upon request, instead of being held in confidence until registration closes at 4:00 p.m. on October 14. Contact: Carmen Thiel, CRD Corporate Secretary, 524 Yates St. Victoria. Phone: 360-3128

If you have any concerns about the "legality" of any issue related to a candidate's eligibility or the operation of the election, contact Thomas Moore, Chief Elections Officer. Phone: (250) 472-0059.

The OPSRRA newsletter will run candidate information in its November newsletter. All Shirley/Jordan River and Otter Point candidates for APC, LUC, School Trustee and Regional Director are invited to submit their election information for consideration by Thursday, October 27 to any OPSRRA director or to d.acampbell@shaw.ca OPSRRA reserves the right to limit the length of a submission and to refuse any material that we consider offensive or slanderous.

OPSRRA will be hosting a public All Candidates meeting before the November 19 elections.

Date: Wednesday, November 2
Time: 7:00 p.m. – 10:00 p.m.
Place: Otter Point Fire Hall, 3727 Otter Point Road
(Otter Point Road at Kemp Lake Road).

This All Candidates meeting will be for candidates running for election for the following:

- Otter Point Advisory Planning Commission (APC): 5 positions.
- Otter Point representative to the Juan de Fuca Land Use Committee (LUC): 1 position.
- Sooke School District #63 School Trustees (Milnes Landing Zone): 3 positions.
- Juan de Fuca Regional Director: 1 position.

Note: There will likely be a separate All Candidates meeting in Shirley, sponsored by either the Shirley Community Association (SCA) or the Shirley Education & Action Society (SEAS). Candidates for the Shirley/Jordan River APC and LUC committee will hopefully be invited there, along with the regional director and school trustee candidates.

6. UPDATE ON PROPOSED ANNEXATION OF OTTER POINT PROPERTIES BY THE DISTRICT OF SOOKE

The following events have occurred since the September newsletter:

- The Ministry of Community Services has denied the District of Sooke's request to delay submitting their Regional Context Statement, which includes identifying their urban containment boundary, until after the boundary extension issue had been decided. The original deadline for submitting their Regional Context Statement to the CRD was August 13. The District of Sooke has been directed, by the Ministry, to work with CRD regional planning staff to develop a proposed regional context statement as soon as possible. The District of Sooke had wanted to delay identifying its urban containment boundary so that properties in East Sooke and Otter Point, proposed for annexation, could have been included within the District's urban containment boundary. Once urban containment boundaries are agreed upon, as part of the CRD's Regional Growth Strategy, it requires the approval of the CRD Board (not just the District of Sooke) to change them. One of the CRD's strategies, to contain urban sprawl, is to limit the extension of community services, such as water and sewer, into areas outside of the urban containment area. If the District of Sooke has to submit its regional context statement before the boundary extension issue is settled, it is highly likely that the properties proposed for annexation would remain outside of the urban containment boundary. Without access to community water and sewers the new Vancouver Island Health Authority (VIHA) sewage disposal standards for subdivisions would prevent subdivision below one dwelling per 2.5 acres.

- The counter petition campaign organized by the Sooke Area Ratepayers Association (SARA), asking for a referendum on the proposed boundary extension, was successful. They were required to submit 725 petitions from Sooke voters by September 24. The final numbers submitted were 1178 asking for a referendum on the Kemp Lake boundary extension and 1176 asking for a referendum on the East Sooke boundary extension.
- The District of Sooke held a special Council meeting on Sunday, September 25 and received the following report from District staff:

Background:

In August 2005, the Council resolved to support a request from property owners to extend the municipal boundaries of the District of Sooke to include the "East Boundary" lands currently located in East Sooke and the "West Boundary" lands currently located in the Otter Point/Kemp Lake area.

Discussion:

The District of Sooke has completed the statutory public notice requirements. The petition period closed on Saturday, September 24th, 2005 and petitions were submitted from eligible Sooke electors.

More than the required 10% of the electors responded to the question and in accordance with section 20 of the Local Government Act, Council must submit the question of the proposed extension to the electors of the municipality.

Electors Assent

The question of the boundary extensions can be presented to the electors with the 2005 General Municipal Election. The required notice can be combined with the statutory notices of election and the voting opportunities will be available concurrently with the 2005 election voting.

Supplementary Letters Patent

Staff has met with the Otter Point Volunteer Fire Department, the Kemp Lake Water Improvement District, East Sooke Fire Improvement District, and the Capital Regional District to discuss and resolve outstanding issues. The Ministry of Community Services has advised that when agreements are reached, they can be solidified within the Supplementary Letters Patent.

Staff has also met with the T'Sou-ke First Nation and the Te'Mexw Treaty Association who have advised that they have no need to interrupt the boundary extension process and have no objection to it proceeding.

Staff will continue to discuss with the Ministry of Community Services the draft supplementary letters patent (SLP) for the District of Sooke. These SLPs establish the boundary extension effective date and any agreements reached with affected parties.

Options for Council's Consideration:

1. To direct staff to proceed with just the East Boundary extension process;
2. To direct staff to proceed with just the West Boundary extension process;
3. Council may advise the Ministry that it does not wish to proceed with the boundary extension at this time.

- Council voted 4 to 0 (3 members of Council were absent) to proceed with separate referenda on each of the boundary extension options. The referenda will be held in conjunction with the District of Sooke's elections for mayor and councillors on November 19.
- OPSSRA recently submitted the following letter to the Ministry of Health. (a similar letter was also sent to the Ministry of the Environment):

Hon. George Abbott
Minister of Health
P.O. Box 9050
Victoria, B.C. V8W 9E2

Re: Kemp Lake Watershed

Dear Minister Abbott:

I'm writing on behalf of the Otter Point & Shirley Residents & Ratepayers Association (OPSRRA) to inform you of our opposition to the proposed annexation, by the District of Sooke, of properties along Otter Point's eastern border with Sooke.

OPSRRA is opposed to this proposed boundary extension for the following reasons:

- Annexation of the properties in Section 42 & 43 would divide the Kemp Lake watershed and Kemp Lake between two different municipal jurisdictions with two different approaches to land use.
- The Kemp Lake Waterworks District relies upon the watershed and Kemp Lake to supply drinking water to about 420 homes in Otter Point. Their access to a reliable source of potable water could be compromised by development that is denser than allowed under our present Official Community Plan.
- Properties in Section 42 & 43 slope toward the lake, therefore increasing the likelihood that run-off will need to be carefully controlled to prevent contaminating the lake.
- Contamination of Kemp Lake would put these 420 homes on the Kemp Lake Waterworks system without a source of water.
- We do not want to see a repetition of what happened with Sooke Harbour (where storm and sewer water has polluted the Harbour), occurring with Kemp Lake. While Sooke is in the process of installing sewers in an effort to clean up the sewer pollution in the Sooke Harbour, they still have not implemented a plan for a storm drain system.
- With no future plans to extend sewer or water to Section 42 & 43, and having seen what damage development has done to Sooke Harbour, we feel it could be a potential disaster to further develop the shores of Kemp Lake
- Kemp Lake is the only alternate source of potable water for the Sooke Area, in the event of a natural disaster cutting the area off from the Greater Victoria Water System, and should be protected.

The Ministry of Community Services recommends boundary extensions and Cabinet makes the final decision, after it has heard from all interested parties. The issue of extending the District of Sooke's western boundary to include the Kemp Lake watershed has come up twice before and has been decided against by the province because it would result in the watershed and the lake being divided between two municipal governments. We therefore implore you to express our concerns to the Ministry of Community Services and to Cabinet.

Also, we have become aware of the new Action Plan for Safe Drinking Water in B.C. and your Ministry's chairmanship of the Inter-Ministry Drinking Water Committee. We would like to make a presentation to this committee but don't know where and when they meet. If you could put us in contact with this committee it would be appreciated.

We look forward to a reply and, if possible, an opportunity to meet with yourself or a representative of your ministry, to further discuss our concerns. I have attached some recent correspondence with the Ministry of Community Services that may be helpful.

Yours truly,

Ken Pungente, President OPSRRA

Copy: John Horgan, MLA Malahat Juan de Fuca
Erik Lund, Regional Director Juan de Fuca Electoral Area
Gary Paget, Executive Director Governance & Structure Division
Ministry of Community Services

7. UPDATE ON THE RESORATION OF THE CHEW PROPERTY IN SHIRLEY

The following was submitted to the OPSRRA newsletter by Brenda Mark, one of the community representatives on the committee that worked on reaching this agreement.

This is an up-date on activity over the last two months regarding the agreement reached with Chew Excavating, the CRD and Shirley residents on July 25 concerning Chew's gravel operation at French Beach:

- The \$50,000 Letter of Credit was provided by Chew to the CRD to ensure all remedial work is completed.
- The gravel has been removed; no more fill is being dumped. This also means there is much reduced truck traffic.
- The damaged portion of the access road has been resurfaced.
- The rock crusher and some other equipment have been removed.
- The slope of the fill site has been reduced and erosion control measures have been started in preparation for hydro-seeding and tree planting.
- Some of the ditches diverting runoff to the two creeks have been filled in.
- Chew engaged a consultant to prepare a Riparian Planting and Revegetation Plan. This plan was made available to the community representatives, who negotiated the agreement and did the walk-around on the property. With some clarifications, this plan seems favourable and appears to be a positive step forward.
- Trees have been planted in areas of the two creeks. Chew says the number is 1000 or so.

According to Ron Watson, of Chew Excavating, hydro-seeding of the fill site is planned for the weekend of October 1 and this area is also going to be replanted with trees.

After the heavy rain on Thursday, September 29, it is apparent that there are still some problems with runoff from the removal site which have not been dealt with. Chew was informed that these are still issues.

8. UPDATE ON THE FRENCH BEACH R.V. PARK ADVISORY PLANNING COMMISSION MEETING

The Shirley/Jordan River Advisory Planning Commission (APC) met on Wednesday, September 7 to consider an application from Bullock Baur associates Ltd. For 642461 BC Ltd. (Tieulie Place) for proposed 28 units Recreational Vehicle Park near French Beach Provincial Park.

Concerns were raised about the R.V. Park possibly polluting Goudie Creek, which is a source of drinking water; short-term R.V. spaces being converted to long-term; fire risk; access from Tieulie Place onto West Coast Rd.; development inconsistent with OCP.

It was recommended to the Land Use Committee that the application not be approved.

9. CHANGES AT THE JDF/CRD PLANING SERVICES OFFICE

There will be some changes coming to the local CRD Planning Services office by the end of the calendar year.

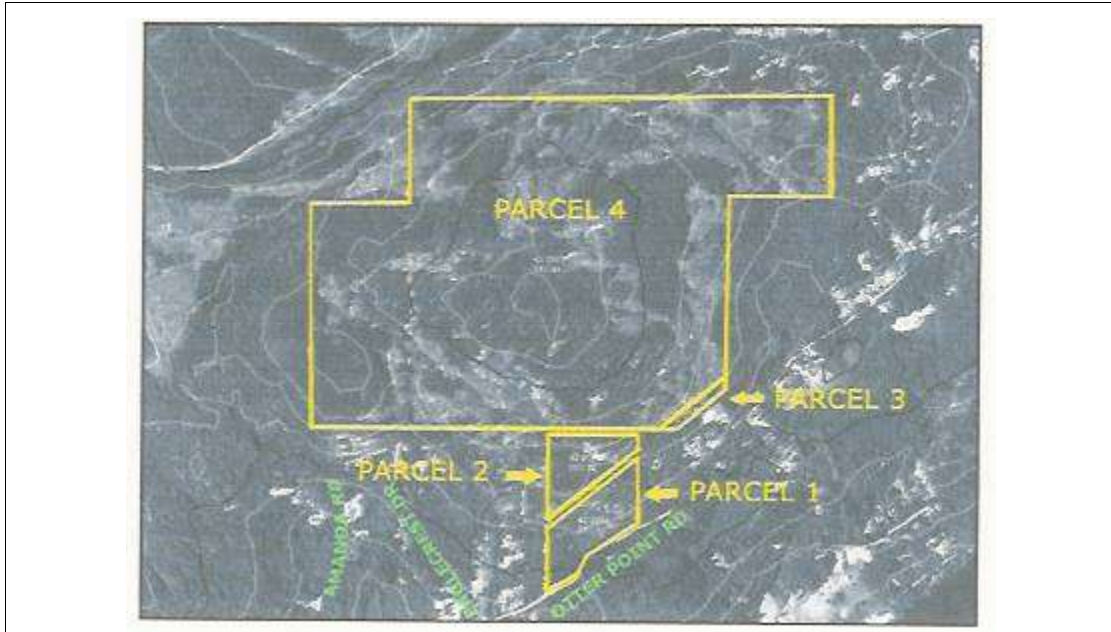
- Graham Stallard, who assumed the duties of Planner/Administrator in June from Ken Cossey, is retiring. This is a contract position and negotiations are underway with a replacement. Graham will likely stay until December.
- The lease on the CRD Planning Services and Building Inspection space in the Sooke municipal building is up in December and the District of Sooke has indicated that they may want to takeover the space to expand their office area. The CRD is presently looking for new space in the event that a move is necessary.

10. TIMBER WEST LAND IN OTTER POINT BEING SOLD

OPSRRA contacted Timber West regarding its plans for a 557 acre parcel of managed forest land in Otter Point, between Farmer Road (West) and Tugwell Road (East). Timber West informed OPSRRA that it has already placed the property for sale as potential residential development acreages. The property is presently zoned Rural A. World-wide real estate services company jjBarnicke is handling the sale and they have listed the property at \$4.4 million dollars. Parcel 1 is 19.75 acres, Parcel 2 is 20.3 acres, Parcel 3 (directly behind the Otter Point Fire Hall) is 2.91 acres and Parcel 4 is 513.72 acres—see map below.

Timber West has been actively logging the remainder of the timber off this property for the past few months. The loud “whirring & buzzing” noise, that some local residents have been hearing as early as 4:45 a.m., is a mechanical harvester. So,

if you were blaming a mower, chipper, industrial planner or sawmill for having your morning sleep-in interrupted this past summer and fall, you were wrong!



11. FREE ADVERTISING FOR LOCAL BUSINESSES ON OPSRRA'S WEB SITE

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.com. 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, fishing charters, eco tours, firewood, knitting, soaps, landscaping, bookkeeping, sewing and more. More information, businesses already listed and a registration form are available on OPSRRA's web site (www.opsrra.com) under Business Listings.

The following business listings are on the OPSRRA web site:

Malahat Farms B&B	Beaches West B&B	Birds Edge Press
ALM Organic Farm	Full Circle Seeds	Tugwell Creek Honey Farm
Tugwell Creek Meadery	Kemp Lake Store	Sandy's Drywall Ltd
1001 Welding & Equipment Repair		Otter Point Beach House

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.com. 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 have got it wrong we will acknowledge that and make a correction as quickly as possible.
