



Powered by Clickability

Click to Print

[SAVE THIS](#) | [EMAIL THIS](#) | [Close](#)

Peninsula News Review

Senanus petition deemed to be valid

By Christine van Reeuwijk - Peninsula News Review

Published: July 15, 2008 1:00 PM

Updated: July 16, 2008 1:27 PM

Bylaw to extend waterline still on hold

Muddy waters continue in the saga of water on Senanus Drive and Mount Newton X Road. Central Saanich council said it will rescind its motion of April 7, to instruct municipal staff to bring them the necessary bylaw to further advance the project, pending the outcome at a Regional Context Statement amendment process.

Mayor Jack Mar read the decision council had made during a rise and report: “That after further review and due consideration of the various positions and submissions which have been received pertaining to the proposed Mt. Newton/Senanus Waterline Extension project, including the issues and concerns reported in the Administrator’s Memorandum of May 14, 2008 and further consultation and review by the Municipal Solicitor: The District proceed with the necessary process to amend the Regional Context Statement (July 2005) which is contained in the district’s Official Community Plan so as to ensure consistency with the language in the Capital Regional District’s Regional Growth Strategy with respect to the extension of urban sewer and water services beyond the Urban Containment Servicing Areas except to address pressing public health and environmental issues, to provide fire suppression or to service agriculture.”

The Regional Context Statement in the Central Saanich OCP and the CRD Regional Growth Strategy say the municipality should not be extending water and sewer outside the urban settlement area. However, the Regional Growth Strategy has statements outlining exceptions — such as for health or fire suppression reasons — which the Regional Context Statement does not include.

Questions also swirled around the validity of the petition, which municipal administrator Gary Nason addressed in the May 14 memorandum. Concerns included allegations of coercion to sign the petition, inaccuracy in the project description and approaches to select properties only. Though some residents have said that others were aggressively advised to sign the petition, no one has come forward first-hand to the municipality. Council agreed to Nason’s advice not to proceed with the bylaw necessary to move the project forward but to hold a neighbourhood meeting.

At that meeting, for the residents in the area affected by the proposed water main extension, staff attempted to clear any muddied water. In the time between the May 14 memorandum and the neighbourhood meeting, the municipality also had further legal input on the petition.

The petition is necessary to create a Local Service Area, to fund the costs of the proposed water main project not covered by the Municipal Rural Infrastructure Funding grant Central Saanich received.

In this instance the petition was not a council initiative, which would require petitioning against the project, but initiated by the residents, requiring more than half the affected area to sign in favour of the project.

The nature of that process is such that some residents likely weren't approached to sign the petition, as there's only a need for specifically more than 50 per cent of the affected area to agree. The other 49 per cent could be left without information, or even being approached.

"There is no legal obligation for everyone to be presented with the same information," Nason explained during the neighbourhood meeting.

Another concern was the lack of archaeological study in the area.

Lori Waters noted that North Saanich paid out more than \$700,000 in archaeological costs when they came upon First Nations remains during sewer upgrades in that district.

Municipal engineer Nirmal Bhattacharya explained that neither an environmental or archaeological study was required; however, some sites might be of archaeological concern, which would be dealt with in the design process. When they're looking at where the connections may go, it could require some form of assessment, Nason added.

While an environmental study wasn't required, Nason added, the project would have to adhere to all the usual regulatory bodies such as Fisheries and Oceans.

Resident Don Henderson wondered about cost overruns, such as those in North Saanich, and the fact residents would be on the hook for the funds. He questioned what council and the district might consider a significant funding overrun, and how it might differ from residents' definition of significant.

"It's like the tap's running here, money-wise," said Don Henderson.

Director of Financial Services Rosalyn Tanner suggested a figure in the range of 15 per cent would create the need for legal advice, and possibly a new petition.

Ian Vantreight, who owns land in the area, said it was "ludicrous" to move forward with a project to provide only the basic water — not enough for fire suppression or agricultural uses.

"I think everybody has a right to clean, potable water," Vantreight said. "Years from now we're not going to be fighting wars over oil, we're going to be fighting for water."

He felt there should at least be the services in the ground for future use.

A trio of options were originally presented to council: basic water, water with fire suppression flow, and water, fire suppression and agricultural irrigation capabilities. Council opted for the least expensive project — potable water only — for the grant application.

reporter@peninsulanewsreview.com

Find this article at:

http://www.bclocalnews.com/vancouver_island_south/peninsulanewsreview/news/25518424.html