

Neighbourhood group fights Central Saanich water plan

BY RICHARD WATTS, TIMES COLONIST MAY 9, 2009

A neighbourhood association filed a lawsuit yesterday seeking to overturn the decision to bring municipal water to a part of Central Saanich where some complain their wells no longer work.

In a petition to B.C. Supreme Court filed in Victoria, the Mount Newton Neighbourhood Association is seeking to quash the municipal bylaw creating a local service area to permit the construction of a municipal water-distribution system.

The petition contends significant irregularities occurred when a petition was circulated in 2007 achieving the required 51 per cent support necessary to create the local service area and extend the waterline.

Acting for the neighbourhood association, lawyer Irene Faulkner -- who helped successfully overturn the City of Victoria's anti-camping bylaw -- listed several problems with the petition, arguing some people have tried to withdraw their support, incorrect information was distributed and newcomers to the area have been unable to voice an opinion.

"The whole petition process was problematic," said Faulkner in an interview at the Victoria Courthouse.

The water problem first surfaced in the 1980s. Wells serving some of the 22 homes along Senanus Drive, at the western end of Mount Newton Cross Road, turned brackish, becoming steadily more foul. The water is now so high in contaminants, it corrodes pipes and hot-water tanks, stains porcelain and laundry and has been declared unfit to drink by health authorities.

Officials have stopped short of calling it a health hazard, except for those required to be on low-sodium diets, however.

The water line will also extend along Mount Newton Cross Road by 42 homes whose owners will now become part of the local improvement area, although many of them say their wells are just fine. They resent having to pay \$810 more in municipal taxes for 15 years to pay for the pipe.

The total cost of the project has been estimated at \$1.69 million. The provincial and federal governments have already agreed to pay \$1.1 million.

Provincial laws say residents who have access to a municipal service, like water, must pay for it, whether they hook up or not.

Lori Waters, a member of the Mount Newton Neighbourhood Association, said she still wants to see evidence of problems with the wells on Senanus Drive.

Gordon Denford, a Senanus Drive resident and developer who estimates he has spent \$125,000 replacing corroded pipes, tanks, new wells and cisterns, said municipal lawyers have pronounced the

petition process legal.

Meanwhile, Denford said the municipality turned down his offer to donate his company's services to manage construction for the project, guaranteeing to complete the job for \$1.49 million and possibly less.

Denford said he was told it would be a conflict of interest for his firm to take on the project.

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