

**OTTER POINT & SHIRLEY**  
**RESIDENTS & RATEPAYERS ASSOCIATION (OPSRRA)**  
**Concerns with the Current Draft of the**  
**Otter Point Official Community Plan**

**Corrections, Updates and Additional Information Requirements**

**1. Examples of Corrections Required:**

- a) Page 10 Gravel Pit chart: Incorrect information. One of these (6260A) is not an MOT pit.
- b) Page 11 Orveas Bay wetlands are missing on Map 3. DeMamiel Creek is definitely salmon bearing as indicated in next paragraph re Rocky Creek.
- c) Page 26 The note at the bottom of the page refers to Crown Land shown on Map 2. The Crown Lands are not shown on the map.
- d) Page 26 There is no statistic for the area covered by the Settlement Containment Areas.
- e) Page 36 Roads & Servicing: The Section referred to as 4.11.6 does not exist.
- f) Page 40 DPA No. 2 refers to an assessment by a “qualified professional”. Is this a person designated in the provincial Riparian Area regulations? A B.C. Land Surveyor is not mentioned in the provincial legislation.
- g) Page 41 DPA No. 3 titled Watercourses, Wetlands & Riparian Areas. Word “wetlands” is missing under first sentence of Justification.
- h) Page 42 Word “lake” is missing from non-tidal areas included under DPA.
- i) Map #2 omits some properties that should be included within a settlement area according to Map #4 that shows Development Approval Information Areas. For example the boundary line for Settlement Area #1 omits two properties immediately west of where DeMamiel Estates meets Otter Point Rd. A property on the northwest corner of Otter Point Rd. and Youngs’ Lake is omitted.
- j) Map #3d omits the Commercial area on West Coast Rd., near Kemp Lake Rd., occupied by the Kemp Lake Store.

**2. Examples of Updates Required:**

- a) Page 8 Building Permit Trends Chart – update trend data to 2005.
- b) Page 11 The list of rare species at Kemp Lake is incomplete.
- c) Page 13 Community Water Systems. The number of households on the KLWD system is now 404, not “approximately 350”.
- d) Page 14 Local (Community) Parks: Poirier Lake and DeMamiel Estates parks are missing from the descriptions of community parks and are not identified on the related map.
- e) Page 25 Delete reference to Butler Beach – it is now in Sooke.
- f) Page 26 Correct the Land Use Inventory statistic for the total land mass within the OCP area to reflect the land annexed by the District of Sooke
- g) Page 36 Roads & Servicing: (4.7.3.3c) Title of CRD Director of Regional Planning has changed

### **3. Examples of Additional Information Requirements:**

- a) Page 11 Map 3 is missing some key environmentally sensitive areas: the Kemp Lake watershed; creek estuaries and flood plains.
- b) Page 48 Development Permit Information Area: Small-scale subdivisions are exempted from the DPAI requirements. This section begins with a justification of protecting the environment. Development of any size should not be exempted. A rationale for this exemption is required.
- c) Page 26 Land Use Inventory Statistics: The number of hectares covered by the Settlement Area is misleading and can be confused with the smaller Settlement Containment Area. Adding a separate statistic on the area covered by the Settlement Containment Areas would clarify.
- d) Page 30 Development Policies (4.2.2.2 c) in Settlement Containment Areas needs further explanation. What are incompatible land uses? How high and wide should the separating buffers be? Clarifying information is required.
- e) Page 38 Development Permit Area No. 1 Steep Slopes: The justification for the development permit area should include the need to ensure safe access by emergency vehicles.
- f) The JDF Electoral Area Parks Plan, when completed, needs to be attached to the OCP.

## Other Key Policy Issues

### 1. Settlement Area Designation

Part 4.2 (page 29) deals with the description of settlement containment areas in Otter Point, specifying their predominant use for residential purposes, desired parcel sizes and various development policies to be followed within the settlement containment areas. However, the section is entitled “Settlement Area Designation” not “Settlement Containment Area Designation.” Moreover, the first line of the preamble specifies, “The settlement designation signifies that the predominant land use is for residential purposes.” Map 2 identifies the entirety of Otter Point (other than roads, parks and water bodies) as being a settlement area. The terminology is confusing and could be misunderstood to mean that the predominant land use in all of Otter Point is for residential use; irrespective of its zoning or current uses (e.g., agricultural land reserve, forestry, watershed, industrial, commercial, etc.). To avoid public confusion and potential legal challenges, Part 4.2 should be renamed “Settlement Containment Area Designation” and the first line in the preamble should be changed to “The settlement area containment area designation signifies that the predominant land use is for residential purposes.”

### 2. Protection of Environmentally Sensitive and Wetland Areas:

- a) Our OCP must contain provisions for the on-going process of mapping, assessment and inventory lists relating to riparian wetlands and dominant sensitive ecosystems.
- b) The OPSRRA recommend that the Otter Point OCP state objectives and provisions for riparian, wetlands and other eco-sensitive areas similar with those found in the Metchosin and Highlands OCPs. For example: “All such areas and features will be protected” and “supersede all other land use policies and designations ... except ALR.”
- c) The Otter Point OCP should stipulate application of the Proper Functioning Condition assessment standards and process.
- d) Additional protection should be sought for the Kemp Lake Watershed, as contained in the District of Sooke Supplementary Letters Patent February 2006, dealing with the portion of the Butler Lands, within the watershed, that are now located within the District of Sooke.

### 3. Protection of Agricultural Land Reserve Areas:

In the general development policies Part 4.1, page 28, specific protection has been given to private forest lands by specifying that any privately owned forest land assessed as managed forest under the *Private Managed Forest Act* should be retained and managed as long term forest lands and that uses and regulations permitted under this Act also be permitted uses under the Otter Point Official Community Plan. It is recommended that agricultural land reserve farmlands identified pursuant to the *Agriculture Land Reserve Commission and Related Regulations Act* also be provided a similar level of support and protection under the Otter Point Official Community Plan

#### **4. Non-Binding Community Policies:**

a) Change of Heading

Part 5.0, Page 49 should be more accurately entitled "Future Development of Community Policies" as this section outlines recommendations as to the development of policies dealing with the acquisition of land for community trails and establishing working relationships between Otter Point and its neighbours.

b) Community Trails

Part 5.1 indicates that the OCP Review Committee recommends that the JdF Electoral Area Parks Commission be encouraged to acquire, over time, a network of trails for the community. This should be expanded upon by suggesting that the following trail developments be specifically considered, namely:

- The establishment of a multi-use trail in the Crown Lands adjacent to Kemp Lake Road and Otter Point Road beginning at the site of the Old Otter Point School;
- The establishment of public access to trails into the Broom Hills Crown Land; and
- The establishment of a trail linking the Galloping Goose and the Juan de Fuca Trails.
- The acquisition of portions of Muir Creek as parkland.

c) Boundary Review

Part 5.3.2.1 notes that a review will be carried out within one year to determine whether or not the current Muir Creek boundary between Otter Point and Shirley/Jordan River should be moved in either an easterly or westerly direction. Clarification should be provided as to who would carry out such a review, what the review criteria will be and how public participation would be provided.

#### **5. Settlement Containment Area Boundaries**

The Settlement Containment Area boundaries identified on Map #2 need to be reviewed.

- a) Some properties along Otter Point Rd between DeMamiel Estates and Youngs' Lake Rd. have been omitted.
- b) A large tract of wilderness Rural "A" land north of DeMamiel Estates has been retained within Settlement Area #1. It should be removed.
- c) Settlement Containment Area #2 should be expanded to include all of the Kemp Lake Waterworks' present water services district - excluding any ALR land. This area is already designated for development and should not be excluded from the Settlement Containment Area.

**Submitted to the Otter Point Official Community Plan public hearing  
November 6th 2006 by the Otter Point & Shirley Residents & Ratepayers  
Association.**