

April 28 2015: Area Planning Committee meeting

Attendees: Jeff Abbott (Chairman), Shawn Carlow, Joe Tatham (alternate director attended as a resource member), Don Beldessi, Sharon Nelson (observing member of public), Aspen Gainer (scribe)

Meeting called to order 7 pm by chairman Abbott

Old business:

Gazebo at 9888 Swordfern Way

Beldessi makes motion to support regional board staff on their comments to have gazebo removed (to get discussion started)

Carlow seconded.

Beldessi: I'm drawn on this application, despite riparian zone. Nice planting etc. if we tell him to remove it, what will regional board do with all the docks down the way? (what precedent set?) If we tell him to tear down, and his neighbours don't have to, that is my biggest concern. If regional board applies same rational to neighbours...

Carlow: if we set precedent to allow, what does that mean for future? For example...roads built very close to Goldstream. This, however is built on right of way, restricted covenant area. Makes whole restricted area null for everybody...we can only advise, up to board to make decision. They've gone against our recommendations a number of times. Main concern is that it's not on his property, it is in the riparian area.

Nelson: how did this come about?

Abbott: neighbour complaint

Tatham: I think it can be removed with minimal damage to riparian zone/SPIA, manually, etc. Secondly, we're offering to give a development permit after the fact in return for him to doing restoration to riparian zone and SPIA. We understand he's spent a lot of money to do repairs. On one hand, I feel like he's paid the price for this. 3rd aspect: House is for sale. Variance affects his ability to sell. My recommendation would be to approve this, subject to neighbours writing a letter saying that they're okay with it being approved. If neighbourhood doesn't mind, then I would recommend approval.

Abbott: see page 3 of 18. Nature of development specific activities background. 2nd paragraph. (Abbott reads). Note: removal of structure would cause damage. Biologists recommend owner plants native species to replant riparian zone. Owner has done so to date.

Attendees discuss Burns' and Madrone's report as well.

Beledessi: main concern is the precedent.

Abbott echoes Tatum, 'if neighbours are happy, then we're happy.'

Who is **for** Beldessi's motion to support regional board staff on their comments to have gazebo removed? **Beldessi**

Against: **Abbott, Carlow**

Abbott: motion defeated.

Beldessi makes motion to approve QEP recommendation and approve retaining the gazebo. Subject to the applicant providing letters in support of gazebo from neighbours as he indicated he was prepared to do at his presentation. Esp. if two adjacent neighbours are in agreement with application.

Carlow seconded.

All in favour: **Carlow** and **Beldessi**. Motion carried.

New business: Johns application 7:17 pm

Abbott: -comments from neighbours that homeowners are not full-time residents

- need to square small part of deck with one wall (see p. 13 of 18)

- concern that it is setting precedent

- rumor that there is water running below—this is Health department's concern, not within scope of APC

Tatham: it is encroaching on the SPIA, but there wasn't a SPIA when it was originally built

Carlow (reads from report): deck extends 40+ metres, cantilevered out 1 metre. Extension would cover SPIA area for total of approx. 20 m.

Carlow makes motion to approve application.

Motion seconded by **Beldessi**.

Bruce and **Doris Johns** arrive 7:24 p.m.

Introductions all around.

Abbott reviews discussion so far.

Bruce Johns discusses that he has had someone out to test a patch, assess location of water table. Says biologist felt water table is the lake. "Septic tank guys" say that septic pipes should be close to surface, not under soil.

Carlow explains that saturation happens on broader scale through that system and allows evaporation. Simply a different system.

Johns say that septic was pumped out last year.

Beldessi: question regarding sun deck—front, where cantilevered?

Bruce Johns: currently have deck 4.5-5 ft off ground. Proposing to pour another slab on top and it is cantilevered out so it doesn't touch ground. 1 extra meter.

Tatham: why do you want extra meter?

Bruce Johns: to make extra room for more family visits. We want to raise up deck to make it less awkward, also if it was wider it will function better.

Tatham: also extending deck to east?

Bruce Johns: correct.

-clarification of cantilevered area.

Bruce Johns: actual house is correctly positioned to current regulations, as per planning dept. current deck is in SPIA, which was introduced after house was built. We want to extend roofline. Everything from front of house back is positioned correctly. But the deck is the area that will need variance. Biologist proposed in order to compensate for SPIA encroachment, he suggested an area front of house be naturalized to SPIA. Homeowners agree. Biologist proposed an additional portion naturalized as well, homeowners agree, despite it not being in original proposal.

Doris Johns: we want look to remain fairly conservative.

-More discussion of changes of roofline, details of building.

Bruce Johns: deck is keystone to our plans. Hope the proposal is reasonable and conservative.

Tatham: will you compromise on the 1 metre cantilever? It's over SPIA.

Bruce Johns: we've considered cantilever, it could accommodate shade plants.

Tatham: you don't consider that you are compromising SPIA, but from outsider's perspective, you are.

Bruce Johns: aerial trespass.

Carlow agrees with phrase.

Bruce Johns: technically it is not part of building, but is a landscape feature.

Bruce and **Doris** discuss process of choosing plans, keeping them inconspicuous from water instead of ostentatious.

Carlow: Any more questions?

Tatham: discussion of talking with lake and river stewardship society. Will you agree to restore a portion of property to riparian zone and SPIA?

Bruce Johns: what I said to biologist, we could see how going further west would make sense. But SPIA didn't exist 30 yrs ago. We're not opposed to enhancing area, but we don't want it in a contract that has a dollar value attached to it.

Tatham: can we get some sort of commitment that you will restore some of area.

Doris Johns: we've discussed it. There is a beaver that is causing issues.

Bruce Johns: we have to consider wildlife. Discusses many considerations.

Tatham: can we agree that you're happy to sit with stewardship society to initiate restoration project.

Johns's: yes, we are agreeable to that. That has always been our intention.

Abbot: in favour? **Carlow, Abbott**

Against: **Beldessi.**

Abbott: motion carried in favour. 7:52 pm

APC members reiterate: please note we are simply the advisory board. We aren't the final step.

7:56 Carlow leaves.

Meeting adjourned 8:08 p.m.