



**Electoral Area B (Shawnigan) APC Minutes  
7 pm, Thursday, September 3, 2015  
Shawnigan Lake Watershed Planning Office**

**Present:**

|                   |            |
|-------------------|------------|
| Grant Treloar     | Chair      |
| Dave Hutchinson   | Vice-Chair |
| Kelly Musselwhite | Secretary  |
| Pieter Devries    | Member     |

Bruce Stevens      Member

**Guests:**

|                       |                      |
|-----------------------|----------------------|
| <b>Sonia Furstenu</b> | <b>Area Director</b> |
| Ian Caesar            | Alternate Director   |
| Barane McCartney      | Resident             |
| Cliff Evans           | Resident             |
| Bill Savage           | Resident             |
| Mr. Cliff/Ms. McVie   | (08-D-15DP)          |
| Andrew Higginson      | (03-B-15DP)          |

**Absent:**

|               |        |
|---------------|--------|
| Mike Hennessy | Member |
| Steven McLeod | Member |
| Reid Boulter  | Member |

**1. Introductions**

**2. Approval of Agenda** – moved and carried

**3. Adoption of Minutes**

- a) Minutes of the meeting of Aug. 6, 2015 – moved and carried

**4. Business Arising From Minutes**

- a) Grandfathering Issues on Bylaw Infractions – update  
Ian – the community needs to support if this is to be successful  
MoTH must get involved  
No progress since last meeting
- b) Land Conservation Evaluation Framework – update  
Mike absent

**5. Delegations** - none

**6. Correspondence** - none

**7. Information** - none

**8. Reports**

- Director’s Report  
Court date of August 14, 2015  
Judge Bracken ruled against SIA/CHH regarding request of \$80K security  
“In the interest of justice, the case needs to move forward.”  
Active Earth asking that Shawnigan residents pay legal costs – denied  
Full disclosure of relevant documents pertaining to business agreement  
between parties is due tomorrow, Sept 4, 2015  
Former employee SIA testimony to be entered into legal considerations
- CVRD legal case ought to proceed in November  
Delay – opposing counsel on vacation in Africa
- Director’s meeting scheduled for Sept 14<sup>th</sup> at the Community Centre at 7 pm
- Demolition of old community to start tomorrow and will take about 8 weeks  
Will be done by hand



Museum and trails have “dibs” on any wood deemed recyclable

- Question of non-compliance of Stark mill on Shawnigan Lake Rd  
No follow up yet  
Question still outstanding

#### 9. Unfinished Business – none

#### 10. New Business

- a) SD application (Cliff/McVie)  
Sub-division to 4 half/acre lots facing Worthington Rd  
Board noted that it is of interest to the community to record “valued” trees  
SBS will be actively dialoguing with residents to encourage tree protection  
Cannot apply this to F1 land so this is for residential RR2 zones only  
Ought to research other municipalities and review their tree bylaws  
Promote interest from other Directors to invoke a tree preservation bylaw  
**Motion to recommend that the application be accepted as it has been written**
- b) SD application (Earth Corporation – Devin Hawes)  
**Motion to recommend that the application be accepted as it has been written with the additional recommendation that the comments associated with Guideline 1 (page 4) written by the planner (Beverly Suderman) be recommended to the developer: “The CVRD’s Parks Department has asked that a 10m buffer be left along the eastern boundary of proposed Lots 8 and 9 ...to protect the trail from encroachment by future property owners and protect those areas identified as being disturbed sensitive ecosystems.”**
- c) SD application (Andrew Higginson for Pinder)  
Discussion to extend end of cul de sac – park would allow access for pedestrians (or trail)  
Empress Park is now an asset held by the CVRD, which is slated for sale  
Because no green space is achievable, cash in lieu (5%) is to be paid  
Discussion regarding riparian area on the tributary (Burnham Creek)  
No fish on report but there are fish in the creek (Pieter – local resident)  
The riparian set back would be the same for a fish-bearing stream  
The creek in its state is not the best habitat for fish so the intent is to enhance the riparian to support fish habitat  
Question regarding a possible covenant on a fir tree  
Approach is that the tree ought to stay as a great property feature  
Advised by arborists and biologists that this tree is on private property and on the road’s edge  
To protect now could create a danger down the road  
Approach is to keep it and see what happens  
Question of other trees  
There is a second tree of interest but again situated on future private land  
Three way stop (i.e. the development of east facing road) is intended to improve the traffic from its current dangerous state  
Developer will be funding this road 100%



Three names will be provided to MoTH who will then decide the name of the new road

Pieter nominated Francis Kelsey as one potential

Proposed name is Pinder Place given history of Pinder family

Again, it would be desirable to formalize a process to protect the trees

Why was the zoning changed in 2013 by the CVRD? No clear answer

**Motion to recommend that the application be accepted as it has been written**

## **11. Public Questions**

- a) Discussion took place about building a trail or an easement from Empress Rd to the Northgate development cul de sac as a convenient access of entrance for those in the area
  - CVRD has slated the park for sale as per the recommendation of the Parks Commission
- b) Cliff Evans - Question of new fill on the Goldstream Heights application – none noticed
- c) Is there a timeline to put in the Elkington fire hall? Malahat Fire Department to provide the truck  
None known
- d) Bill Savage – what specific Bylaws are being grandfathered for infractions?  
Millicent Rd – items at the end of the road are grandfathered as per the bylaw enforcement officer  
If this has been legitimized in any documents by the CVRD this would mean all road ends fall into this grandfathered category  
Both lakefront and non-lakefront owners are encroaching on road ends  
This initiative is not focused on road ends, but rather on the lack of enforcement with all issues of non-compliance  
This issue is a regional problem i.e. lack of enforcement

## **12. Adjournment – 8:30**