



## C·V·R·D

### PUBLIC HEARING REPORT Bylaws No. 3610

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Following is a summary of the proceedings of the Public Hearing for Zoning Amendment Bylaw No. 3610 (Steven Hornick/Janice Anderson), applicable to Electoral Area B – Shawnigan Lake, held on Thursday, July 26, 2012, at the Shawnigan Lake Community Centre (Dance Room), 2804 Shawnigan Lake Road, Shawnigan Lake, BC at 7:00 p.m.

#### HEARING DELEGATES

Director B. Fraser, Electoral Area B – Shawnigan Lake, Chairperson  
Director M. Walker, Electoral Area A – Mill Bay/Malahat  
Director M. Marcotte, Electoral Area H – North Oyster/Diamond

#### CVRD STAFF PRESENT

Ms. D. Leitch, Planner II, Planning & Development Department  
Ms. J. Lendrum, Recording Secretary, Planning & Development Department

Members of the Public:  
There were 6 members of the public present.

#### CALL TO ORDER

Director B. Fraser chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD staff present.

#### PROCEDURES

Ms. Leitch explained the requirements under Section 890 of the *Local Government Act*. She advised that notice of the Public Hearing was advertised in two consecutive issues of the *Leader Pictorial* (Wednesday, July 18, 2012 and Friday, July 20, 2012) and *Citizen* (Wednesday, July 18, 2012 and Friday, July 20, 2012) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Zoning Amendment Bylaw No. 3610 proposes to amend Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985 by rezoning Lot A, Range 1, Shawnigan District, Plan VIP721158, from F-1 (Primary Forestry) to R-2 (Suburban Residential). The Zoning Amendment Bylaw would permit the subdivision of the approximate 2.52 hectare subject property into four bare land strata lots ranging in size from 0.41 hectares to 0.72 hectares with the presence of community water services.

Ms. Leitch stated that two pieces of correspondence had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, July 26, 2012, at 4:30 p.m.

Ms. Leitch further added:

- The rezoning application was made to the CVRD in the fall of 2011 by Steven Hornick.
- The subject property is located at 3011 Gregory Road, at the end of Baron Road, in Shawnigan Lake.
- The property is approximately 2.52 hectares in size and has two single family dwellings currently located on it.
- The zoning of the property is F-1 (Primary Forestry) and the applicant is proposing to rezone the property to R-2 (Suburban Residential) in order to achieve four strata lots.

- The four strata lots that are being proposed are a 1.0 acre parcel, a 1.5 acre parcel, a 1.7 acre parcel, and a 1.3 acre parcel.
- The applicant is proposing to achieve these parcels by connecting the lands to the Shawnigan Lake North Community Water System. The property is located in the Shawnigan Lake North Water Service Area and is capable of connection.
- There is no capacity in the Shawnigan Beach Estates Community Sewer System to accommodate the subdivision, therefore septic systems are proposed on each lot. The Vancouver Island Health Authority will be referred a copy of the subdivision application. The septic location on each parcel will be determined at the time of subdivision.
- The applicant is proposing to access the site off of Baron Road by a private strata road and the Provincial Approving Officer will be examining the site access in more detail when the applicant applies to subdivide with the Ministry of Transportation and Infrastructure.
- This property was designated as Rural Residential during the South Cowichan Official Community Plan review, therefore no plan amendment is required just a zoning amendment.
- Although the immediate area is still characterized by some forestry uses, smaller lot residential subdivisions have developed in this area over the past 10 years. A majority of the lots east along Nugget and Baron Roads (which are zoned R-2) were created by subdivision in 2006. The lots along Miner Road were created in 2006 and the lots along Ingot Drive were created by subdivision in 2002.
- The South Cowichan Joint Advisory Planning Commission reviewed this application at its meeting March 22, 2012, and recommended that this application be approved.
- This application was reviewed by the Electoral Area Services Committee on May 15, 2012. They recommended that a public hearing be scheduled and that the Zoning Bylaw be forwarded to the CVRD Board for first and second reading.
- At the Committee meeting, staff did recommend that the applicants provide a draft copy of the park land dedication covenant and a wild land urban interface fire hazard assessment prior to scheduling the public hearing. Staff have received these.
- The applicant has also hired a biologist to conduct a Riparian Areas Assessment of the property as there are some sensitive areas onsite. The Biologist determined that the four building sites being proposed will not impact the sensitive areas onsite.
- In terms of park dedication, the applicant is proposing to dedicate a trail corridor on the north end of proposed strata Lot 1 which will continue the Silvermine Trail west towards the Kinstle Trestle. The land area for park dedication is 0.12 hectares (just over a quarter of an acre). As an amenity contribution, the applicant is paying for the cost of constructing the trail.
- Additionally, as an amenity contribution, the applicant is paying for fencing along the existing Silvermine Trail adjacent to proposed strata Lot 4, tree plantings along proposed strata Lot 1 and strata Lot 2 to fill in some gaps in vegetation and provide buffering between the trail and residential dwellings that exist along that section of the trail.
- Copies of the draft parks covenant, the wild land fire hazard assessment, and the draft bylaw have been placed on the side table for the public to view.
- There are also copies of the conceptual subdivision plan for the public to view along with the site plan from the Riparian Areas Assessment.

- The CVRD will be requiring that the property be included into the Shawnigan Lake Fire Protection Area. The applicant has received a letter from the Shawnigan Improvement District stating that the application has been approved.
- The public hearing minutes from tonight's meeting will be forwarded to the Board, and it will then be decided whether the bylaw gets third reading, likely in September 2012.

#### **Correspondence**

The following items were received and are attached to the Minutes as Exhibits:

- 1) Email dated July 23, 2012, from Karen Parker (EXHIBIT 1);
- 2) Letter dated July 25, 2012, from Mary Desmond (EXHIBIT 2);
- 3) Received Letter July 26, 2012 from Sue Shortreid (EXHIBIT 3);
- 4) Letter dated July 26, 2012, from Sheila Paul (EXHIBIT 4).

#### **Location of the File**

Director B. Fraser advised that the Information Binder was available for review on the back table along with copies of the proposed Amendment Bylaw. He advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

#### **Agent, Denise Kors**

Denise Kors, the agent, and the applicants, Steven Hornick and Janice Anderson, were present at the meeting. The agent stated the following with regard to Rezoning Application No. 4-B-11RS:

- Informed the public that she was helping the applicants with their application.
- Thanked the CVRD staff, particularly Dana Leitch and Rob Conway, for their help and support with the application.
- There are currently two houses on the property. The applicant is applying to rezone the property to R-2 in to get four lots all greater than one acre.
- The agent wanted to make sure there was not an OCP amendment required because those can be problematic.
- Pleased to see that this lot is rural residential, which does comply with this type of density and lot size.
- This is the last parcel at the end of the arm of the existing subdivision, which is in the Rural Residential area.
- This plan complies with policies of the Rural Residential designation with respect to lot size, community water service, preserving natural areas and a variety of other development permit requirements.
- Rural Residential designation permits lot size of one acre with a connection to the Community Water System.
- Received approval from the Engineering Department that the Shawnigan North Water has the capacity to service the lots.
- The two homes that are on the property are currently serviced with water.
- The applicants are going to be using the existing road that goes through the property as the access road.
- All the driveways that are going to the homes are either located there now or there will be new driveways.
- Access easement for the future subdivision is required by the Ministry of Transportation and Infrastructure if the rezoning is approved.
- An Environmental Consultant provided a Streamside Protection Report. Before there was a lot layout, the streamside protection areas were looked at to ensure the applicants would not be encroaching or have an impact on the SPEA.
- At this time, a RAR, Riparian Area, and SPEA Study have been completed. The Development Permit has not been applied for at this time.

- The agent used the map to demonstrate the evaluation and protection areas and the fact that there was no encroachment.
- Met with the Parks Commission and it was determined that there is going to be a five percent park dedication at the north boundary. This location is ideal for the dedication because it is going to provide connectivity around the property and into existing trails.
- Considered screening for the people of the homes that will walk on this property as well as other park users. The covenant is committed to provide screening of vegetation as well as a fence.
- The draft covenant needs to be registered prior to the final reading of the bylaws.
- Met with Parks Staff and they outlined that this trail would be a CVRD Type 3 Trail standard. They also gave an idea of a cost for the trail.
- The Applicants committed to the covenant to allow for the trails to be located in that park area to provide connectivity.
- The proposal was forwarded to the Shawnigan Improvement Fire District and has received their approval for inclusion in the fire protection area. A draft Fire Hazard Assessment has been completed to ensure fire smart principles with respect to the development of the property.
- This is a good development and all the impacts to the area have been considered.
- Thanked everyone for attending the public hearing and having the opportunity to review this application with the public.

**APPLICANT,  
Hornick & Anderson**

Steven Hornick, the applicant, stated the following with regard to Rezoning Application No. 4-B-11RS:

- Resides at the property and the strata road runs directly beside the property.
- Intends on enhancing the area and does not want to do anything that would damage it.
- If the rezoning is approved it will allow the subdivision to be finished.
- The trails border the whole side of the property. Extending the trail to the back of the property will link to the Silvermine Trail and provide great access to the trail.

**QUESTION PERIOD**

Director B. Fraser opened the public question period of the Public Hearing. He stated that the Public Hearing Delegates and staff members could answer questions at this time, and that after the close of the Question Period and the opening of the official Public Hearing there could be no questions taken.

**Sue Shortreid  
1944 Ingot Drive**

- How is the capacity for the community water system assessed?
- How was the assessment done for the water?

**Director Fraser**

- The Shawnigan Lake Water System draws directly from Shawnigan Lake and it supplies that general area.

**Sue Shortreid**

- Is it the Shawnigan Lake Water System that services the Beach Estates?

**Director Fraser**

- Yes, the Engineering Department assesses the availability of water. They look to determine how much water they are licensed for and whether there is still capacity for more.
- In the last few years the Engineering Department has been working on a conservation program within the system. While in the past, the system was starting to reach the limits of the water license, they have been able to conserve and bring the usage down to 85 percent.
- There is still considerable capacity for these properties to attach to the water system.

- Sue Shortreid** ➤ Do the Beach Estates also get water from the Silvermine Estates Water System?
- Director Fraser** ➤ The Engineers will be looking at the capacity left in the system. This is one of the primary considerations for this kind of subdivision.
- Sue Shortreid** ➤ Are you on the same Shawnigan Beach Estates Water System?
- Applicant** ➤ There is connection to the property, but it has not actually been hooked up yet.
- Sue Shortreid** ➤ Are you planning on connecting the other houses?
- Applicant** ➤ Everything will be hooked up once the application goes through. If the application does not go through the other two houses will still be hooked up.
- Agent** ➤ This property is inside the water services area that the Engineering Department created. If it was not, the applicants would have had to make a request to be included in it.
- Sue Shortreid** ➤ That clarifies what system it will belong to.
- Dana Leitch** ➤ There is a map at the back of the room which shows the properties that are in the Shawnigan Lake North Community Water system.
- Sue Shortreid** ➤ Clarified that Baron Road is in the Silvermine Estates Water System.
- Director Fraser** ➤ Would anybody else like to ask questions of the applicant at this point?
- Sheila Paul** ➤ How and why was the sign put around the corner, as opposed to on your property where you come into the cul-de-sac?
- Applicant** ➤ The sign needed to be located on the subject property and that is why it was put there.
- Agent** ➤ Referred to the map to demonstrate the subject property and location of the sign.
- Sheila Paul** ➤ Was that the recommendation by CVRD Staff?
- Applicant** ➤ The sign was to be put at the edge of the subject property and it is placed at the edge of the subject property.  
➤ The property in front, directly at the end of the cul-de-sac, isn't being rezoned or changed and that is why it isn't there.
- Sheila Paul  
Shawnigan Lake** ➤ The public cannot see the sign, it is obscured. There are also no trespassing signs and private property signs.  
➤ Have lived in the area about 20 years and is quite familiar with signs. The sign needs to be at the beginning of the property.  
➤ Are there any comments from the CVRD or directors?
- Director Fraser** ➤ Does the question have to do with the nature of the placement of the sign?
- Dana Leitch** ➤ The Fees and Procedures Bylaw states that signs should be visibly located on the subject property and also have a certain height and size restriction.

- Believes those requirements have been met.
  - The CVRD does get a lot of complaints about signs and the placement of signs. People interpret the placement of signs differently.
- Applicant**
- Would you prefer to see the sign on the front of another piece of property and not on the property that is being subdivided?
- Sheila Paul**
- Placement of the sign should be wherever it is visible.
- Director Fraser**
- Are there any other questions?
- Sheila Paul**
- Was there any consideration for a community access trail as opposed to dedicating something?
  - Specifically asking about Section 56, the simple access trail makes it easy to hook onto the Kinsol Trestle as opposed to the applicant dedicating something. This makes the applicants look like they did a good thing.
  - Was there consideration for the parks?
- Director Fraser**
- Shawnigan Lake Parks and Recreation Commission walked the site and looked at the opportunities for access to the rest of the trail system in the area.
  - The consideration was to have access along the edge of the property, which is currently used as a trail, and at the north end of the dedication parcel. The trail through would allow connections to other trails in the area.
  - They were satisfied that the trail would allow for public access along the edge of the property and to the north into other sections of the trail.
- Sheila Paul**
- Under Section 56, would this have alleviated registering a covenant?
- Bruce Fraser**
- The process is that in order to dedicate those pieces they would be under a registered covenant at the time of the subdivision. It would ensure the public access both along the side and across the north end of the property.
- Sheila Paul**
- Crown Land and the Covenant.
  - Did the parks even consider that?
- Director Fraser**
- That is something I can't answer.
- Director Marcotte**
- What does Section 56 say?
- Sheila Paul**
- Haven't read through it, just making reference to it, but it makes accessing the community trail system simple.
  - That is what they are utilizing on the Trans Canada Trail. That Section is being used a lot.
- Director Marcotte**
- This is the normal process regarding a subdivision application.
  - There is a commitment when there is a covenant. It is the best protection for the public. For example, if the owner never carries through with this application and abandons it, but gets the subdivision, the next owner would then be committed because there is a covenant on the property and not on the owner. Is unclear with Section 56, but will look into it.
- Director Fraser**
- Asked if there were any further questions of the applicant?

- Sheila Paul** ➤ The bylaws are unfinished. The wording Suburban Residential is going to be changed to Rural Residential in the new OCP. Are we not bound by the bylaws as they are right now until they are completed and signed into the law by way of a formal official rezoning?
- Director Fraser** ➤ There is an Official Community Plan and draft bylaws are out for circulation, but at present the existing bylaws are in place.
- Director Marcotte** ➤ Are you referring to Zoning Bylaws?
- Dana Leitch** ➤ Yes, just to Zoning Bylaws.  
➤ The Official Community Plan was adopted in July, 2011 and designated this property Rural Residential  
➤ The Zoning still needs to be changed, that is why we are going to hearing.
- Director Marcotte** ➤ Are you asking whether it is the draft bylaws or the old ones?
- Sheila Paul** ➤ Bylaws are being changed. In the new OCP, the new name will be Rural Residential. There has not been an official public process for this yet, therefore, which name will be used?
- Dana Leitch** ➤ Are you talking about a Zoning Bylaw?
- Director Marcotte** ➤ This official public process for this application is in loom.  
➤ Dealing with a rezoning bylaw includes a whole group all at once, as well as dealing with all the lands in the area.  
➤ When there is only one amendment that needs to be changed, it makes sense to change it as if one was amending a bylaw even during a transition period because you never know how long a transition period can last.
- Sheila Paul** ➤ This is a vague and complicated area.
- Sue Shortreid** ➤ Suburban Residential vs Rural Residential.
- Sheila Paul** ➤ Does wildlife interface address the two streams and the presence of fish?
- Dana Leitch** ➤ Yes, the Riparian Area Assessment addressed the protection of the two streams.
- Sheila Paul** ➤ Is the whole issue drafted?
- Dana Leitch** ➤ We have copies on the side.
- Director Marcotte** ➤ Are the reports online?
- Dana Leitch** ➤ The reports are not available online, but could be. There is also a binder at the office with all the information. The binder is also brought to the Public Hearing.
- Director Fraser** ➤ Are those all of your questions Ms. Paul?
- Sheila Paul** ➤ Rural residential is vague and complicated. Does this development contradict Policy 13.1.2?

- Director Fraser** ➤ We are familiar with the clause.
- Dana Leitch** ➤ The application is consistent with most of the rural residential policies and the plan policies with respect to policy 13.1.2  
➤ The lots are not tiny, there is some crown land to the west. The lots are over an acre.  
➤ They provide a buffer between some of the other parcels to the east.  
➤ It is a rural residential type of zone.  
➤ It would provide rural residential housing options outside the village containment boundary.
- Director Fraser** ➤ Are there any further questions?
- Sheila Paul** ➤ Are there any concerns that this application is going to pave the way for more?
- Dana Leitch** ➤ Are you asking if it is going to set a precedent?
- Sheila Paul** ➤ Yes, is this the last one?  
➤ Could you comment on the density and the development coming forward?
- Dana Leitch** ➤ The South Cowichan Official Community Plan is a long term plan, a visioning document that is supposed to indicate where future growth and development will take place; for example the village containment boundaries.  
➤ When Rural Residential was designated, from a planning point of view, the community wanted to see the parcel as a rural residential parcel.  
➤ The zoning is not necessarily in line with that, but with regards to plan, the application is consistent with the plan policies
- Sheila Paul** ➤ Are you talking after the fact? It is Forestry right now.
- Dana Leitch** ➤ It is zoned as Forestry with the OCP designation being rural residential.
- Sheila Paul** ➤ Did the OCP decide that this piece of land should fall into that designation?
- Dana Leitch** ➤ It was designated as rural residential at the time of the OCP review.
- Director Fraser** ➤ Are there any further questions?
- Sheila Paul** ➤ There are only two letters in the binder. In one of the letters somebody mentioned the possibility of six dwellings. Could someone please comment on that?
- Dana Leitch** ➤ The proposed zoning permits a single family dwelling and a suit. It could be a secondary suite contained in the principle home or a small suite stand alone or attached accessory building.  
➤ If there are four parcels, technically, two dwellings are permitted on each parcel.  
➤ There are already two on the property, therefore six more total could be provided.
- Sue Shortreid** ➤ Could they contain a household?
- Dana Leitch** ➤ Yes.

- Sheila Paul**
- Are there allowed to be six more separate homes?
  - Four lots with the possibility of two legal suites, wouldn't that make eight?
- Dana Leitch**
- There are already two dwellings, therefore six more dwellings could be allowed.
- Sheila Paul**
- Which neighbours were notified?
- Dana Leitch**
- Any property that is within 60 metres of the subject property would have been notified.
  - The owners were mailed a letter whether they live there or not and if there is a discrepancy between people that live there or off site, we do hand deliveries to those properties.
- Sheila Paul**
- Were there any comments?
- Dana**
- Just the email.
- Sue Shortreid**
- It is the summer.
- Director Fraser**
- Asked for further questions from the public present three times regarding Zoning Amendment Bylaw No. 3610.

## **PUBLIC COMMENTS**

The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Fraser reminded the public that the Information Binder was available for review located on the side table and copies of the proposed Amendment Bylaw was located on the back table, and that all submissions must be received at the head table prior to the close of the Public Hearing.

### **Sue Shortreid 1944 Ingot**

- Is not against development and has supported other developers in the area, but is concerned about this application.
- Representing neighbours that were not present.
- When Silvermine Estates started, Alf and Ralph got an application to develop 200 acres, the original was for 48 two and a half acre lots that were to be Rural Residential, but under the old name which was Suburban Residential.
- One of the first people to purchase property off Coleman. Ingot was not even in yet. When Ingot Road was developed, an application was submitted to have a secondary driveway for the house.
- There are two main concerns for the people that are living in this area right now. The first is the existing water table. The second is increased traffic.
- Began phoning the CVRD in the summer. The developer drilled the well and received permission for the subdivision to go up top. Apparently there was enough water for the subdivision.
- The CVRD didn't think about the existing people with the 2.5 acre lots who wanted to have animals, a hobby farm, or a stable and horses.
- There was already a chance of having two households on all of those properties, which means two drawing off the water.
- All the 2.5 acre lots had to have wells drilled to a standard in order for the lots to be sold.
- Rents a suite on the property.
- Explained to the CVRD that the water table was being affected. In the summer, before the subdivision went in, there was a lot of water. Being well owners, there is a concern regarding conserving and taking care of the water, paying attention not to over water.

- The first summer the subdivision went in it was astounding how much the water table changed and the concern was expressed to the CVRD. Each of the lots that were for sale could have a house built on it, a suit in the basement to help pay the mortgage, and now there are two households using the water table.
- The CVRD explained that this new residential area would be on the Beach Estates Water System. It is interesting that the CVRD pumped water from those wells to supply the upper subdivision, the wells that already supply the existing residents. The Beach Estates were having issues with their water. It is called the Shawnigan Lake North Water System.

**Director Fraser**

- Those have since been rectified.

**Sue Shortreid**

- The CVRD was informed that after short periods of watering, the pump would click on and it was obvious that the water table was down.
- The days the CVRD pump water into Beach Estates to supplement is very obvious. It is affecting the existing homeowners' water. All the water initially went into Silvermine Estates, now it is supplying more subdivisions and homes.
- This property is going to be divided into four pieces of land, within the four pieces of land there actually could be eight households, and some of those houses may have another suite in the basement. The reality is there are a lot more people drawing on the water.
- With the CVRD still pumping water from Silvermine Estates into Beach Estates, it is affecting the water for the people of the existing land area. That is what the CVRD needs to be concerned about. To ignore it is going to allow the chopping of land.
- Spoke with a gentleman at the CVRD yesterday. There is another application going in on another piece of property. It is ten acres and the applicant wants to divide into small lots. That subdivision will also be on the same water system. Gradually, if the OCP has their vision, more applications will come forward on several pieces.
- It is nothing against the applicants. The concern is having water in the future. The applicants should be concerned too. This new application could allow subdivision of little pieces right in everybody's back yard.
- Inquired to the CVRD regarding the size of the lots, but the CVRD was not sure. There was an application in for a subdivision that is going to come off of Ceylon Road and people will be able to drive to Beach Estates.
- As far as the water table goes, the CVRD better know what they are doing. People can't even use their wells in the summer.
- There are about four or five people who moved to this area from Saanich. They love the Cowichan Valley, have horses and want animals. The people in this area don't abuse the water system and are very conscious.
- It is worrisome when people water non-stop and have green lawns up on Baron. There are signs and notices of water restrictions posted, but people ignore it, they are used to living in suburban settings, and don't think of the people living on acreage. They don't understand how water tables work.
- There is going to be added traffic to Coleman Road. What do you think of Coleman Road?

**Applicant**

- What do I think of Coleman Road?

**Sue Shortreid**

- There is going to be another subdivision behind the applicant and all the roads are going to connect up.

- Coleman Road is terrible, it is a cow trail. There have been accidents on it and when there is construction on the road it makes it really tough for the regular residence.
- Ingot is too straight and people drive down it very fast. Most people move there for the rural setting and they worry about their kids on bikes.
- CVRD needs to discuss this concern with Ross. People in the neighbourhood have tried to talk to Ross, but he doesn't want to talk.
- There are not traffic signs or numbers anywhere on the road.
- Water and traffic are the two major concerns that need to be considered by the CVRD. The concern was brought to the OCP Committee, but they didn't seem to be concerned. We were told that a lot of places will be on the Beach Estates Water. Water tables are starting to all be connected.
- Submitted a letter in confidence that the CVRD will consider the impacts that are affecting the water table.
- Is not against the development, but wants to ensure to have water now and in five years from now.
- It is a known fact that the Vancouver Island's water table is going down and it is not as good as it used to be 20 years ago. This is a wake-up call.

**Director Fraser**

- Are there any other comments?

**Sheila Paul  
Shawnigan Lake**

- Uses the term Shawnigan Lake as her address because she has had developers come to her house.
- Husband is in the construction business and has been for 30 years.
- Water is an issue. Recently experienced losing water to her house for the first time in 20 years. There has still been no explanation as to why the water was lost. Neighbours are contacting her, but she feels she should not be the one to answer this.

**Director Fraser**

- Is it the Fern Park Water System?

**Sheila Paul**

- Is not exactly part of the Fern Park Water System, is on their own water system.
- There is a comment about water in the book and it takes on another interesting perspective.
- Still concerned about the sign, it does not need to be on the subject property, but it is very difficult to find.

**Dana Leitch**

- Will ask the applicants to move the sign.

**Sheila Paul**

- It is more friendly and neighbourly if people can actually see the sign.
- Understands the need to have private property and no trespassing signs so people are not driving down the driveway.

**Applicant**

- It is a liability.

**Sheila Paul**

- Is going to look further into Section 56. It is known that covenants protect everybody, but it seems that it didn't even occur to the parks.
- The park amenity condition is giving something back to the community, but it was already there in a round-about way with the crown land.
- Walking the dog and kids on Coleman road is like taking your life in your hands.
- Familiar with the trails, but very confused because there is a new boardwalk
- Forestry land that is being subdivided is a very dangerous precedent.

- Sue Shortreid mentioned there is another application in at the CVRD and the area is going to be subdivided little, by little, by little.
- Sue Reidman**
  - Is that in the OCP?
- Sheila Paul**
  - That is the OCP and it is a document that needs to be written so that it will last many years. There are a lot of loose ends and the process still needs to be done. There is no determination regarding how long it will take and it is obvious that applications need to be looked at in the meantime.
  - Sat at OCP hearings where volunteers were trying to drat the document. It takes hours and days. There were concerns about the loose ends.
  - This issue is one of the loose ends in the OCP, and people were concerned. The OCP draft is large, but the comments on the survey were hopefully helpful.
- Director Fraser**
  - Could you focus on the application in your comments?
- Sheila Paul**
  - The final point has to do with the stream. The staff report addresses the issue in detail. Is there any fish in the stream and will they be protected?
- Director Fraser**
  - Do you have anything further to add Sheila?
- Sheila Paul**
  - I am opposed to this application, mostly with respect to the Forestry land.
- Director Fraser**
  - Reminded the public if there are any documents that they would like to file now is your last chance to do so before the end of the hearing. This is also the opportunity to make any further comments. Is there any further comments?
- Applicant**
  - I will make one about the water issues.
- Director Fraser**
  - It is mainly for the public to make comments.
  - All these comments with respect to water will be taken into consideration by the CVRD. Also, if there is a need to talk to the applicant further that may also be done later.
- Sue Shortreid**
  - The neighbours were not contacted with respect to how the neighbourhood water system is working. After all the phone calls, no one ever got back to me.
  - There has been another study and there is a lot of capacity and if it is from the Beach Estates they can draw the lake.
  - There seems to be miscommunication in the CVRD water division.
  - The public hearing is a great place to be heard.
- Director Fraser**
  - That point is well recorded and will be taken up with the CVRD.
- Director Marcotte**
  - If you see us very mute and quiet it is because it is the public hearing portion. This is where we listen and cannot comment.
  - After the hearing closes you cannot speak to the Hearing Committee or the Directors. We don't take phone calls or emails.
- Director Walker**
  - You can talk to staff.
- Director Fraser**
  - Our job is to listen. After this hearing, staff take into consideration the documentation they get and create a staff report to take to the Board and at that time a decision is made.

**Director Marcotte**

- All of your comments and the minutes are circulated to the Electoral Area Directors.

**ADJOURNMENT**

Chairperson Fraser asked for public comments or submissions three times from the public present regarding Zoning Amendment Bylaw No. 3610.

Chairperson Fraser declared the Public Hearing closed at 8:16 p.m.

**CERTIFICATION:**

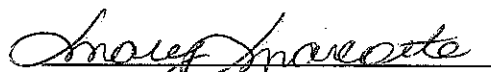
We attended the Public Hearing on Thursday, July 26, 2012, and hereby certify that this is a fair and accurate report of the Public Hearing.

\_\_\_\_\_  
Director B. Fraser

Date \_\_\_\_\_

  
\_\_\_\_\_  
Director M. Walker


Date August 28/2012

  
\_\_\_\_\_  
Director M. Marcotte

Date <sup>m</sup> Sept 04, 2012

  
\_\_\_\_\_  
Dana Leitch, Planner II

Date August 27, 2012

  
\_\_\_\_\_  
Jessica Lendrum, Recording Secretary

Date August 27, 2012