

Report of the Electoral Area G (Saltair)  
Advisory Planning Commission  
May 29, 2013

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In attendance: Ted Brown, Ruth Blake, John Silins, Greg Taylor, Director Mel Dorey

Also in attendance: Mr. Kevin Kivela (applicant)

Several residents living in the vicinity of the proposed development also attended as observers. With the Chairman's permission these residents distributed a brief written submission to the APC members, a copy of which is attached to these Minutes.

The purpose of the meeting was to review Development Permit Application No. 3-G-12DP to permit a 16 unit manufactured home park, part of which lies within the Ocean Shoreline Development Permit Area.

Kevin Kivela, who is the general contractor for the project appeared on behalf of WCY Rentals, the owner. Mr. Kivela provided an overview of the proposed development noting that the initial work would include cleaning up the bank (where old appliances, etc. had been disposed of), removal of the existing asphalt and removal of trees where required for the purposes of the development. A drainage plan has been prepared for the site by an engineering firm and a plan for the slope area and retaining wall is under preparation. Mr. Kivela undertook to forward a copy of the vegetation and retaining wall plans to the Chairman for distribution to the APC members to allow more specific comments on these plans to be forwarded to the CVRD if thought to be necessary.

Work on the retaining wall is scheduled to take place in July and August which is the period permitted for this type of work by the Department of Fisheries and Oceans. DFO approval will be required for the retaining wall.

Mr. Kivela noted that all recommendations contained in the geotechnical study commissioned for the development will be complied with and the geotechnical engineers will supervise this part of the project. He also noted that, given the manufactured home nature of the development, the laundromat and storage area required by CVRD bylaws would not be needed but that a contribution to the Saltair parkland fund would be made as an alternative.

Following discussion of the proposed development by the APC members, the following motion was made:

*That the Advisory Planning Commission recommend that the application be approved subject to the following matters being addressed to the satisfaction of the approving authority:*

- 1. Provision of a storm water management plan for the site demonstrating how both surface and piped storm runoff will be handled without negatively impacting neighboring properties, the ocean shoreline bank or the beach. Further, that steps be taken to monitor the adequacy of this system until such time as the project is built out.*
- 2. Provision of a detailed plan for the ocean shoreline bank which sets out how the retaining wall recommended by the geotechnical study is to be constructed, the design and materials to be used for the public walkway to the beach and the landscaping plan for the slope and immediate upland area and that this plan also be reviewed by the CVRD Parks Department.*
- 3. Provision of a sanitary sewer plan for the entire site demonstrating that there will be no negative impacts on neighboring properties, the slope area or the marine environment.*
- 4. Given the bare land strata form of development, a listing of the provisions that will be put in place to insure that the property is managed in a responsible manner following completion of the development (e.g., what procedures and funding mechanisms will be put in place to insure that the sewer system is properly maintained on an ongoing basis?). Further, that that these provisions be monitored by an independent expert to ensure compliance and that the strata maintains an adequate annual budget as well as a capital replacement fund.*
- 5. Identification of any proposed legal agreements, covenants, etc. proposed that would insure that the development proceeds as set out in the applicant's plans and other undertakings and that further subdivision of the property does not take place at some time in the future.*
- 6. That notice be placed on the title of the individual properties restricting the number of bedrooms in each unit to that provided for in the original approval and requiring compliance with the proper management and funding of the sewage treatment system.*

Carried Unanimously

## **CVRD POLICIES FOR THE REDEVELOPMENT OF EXISTING MOBILE HOME SITES**

Given the history of this development and, in particular, the manner in which the previous tenants of the mobile home park were evicted the APC members wanted to record their strong concern over what took place and made the following recommendation to the CVRD in this regard:

*That the CVRD adopt policies and regulations that would see mobile home park residents who are displaced as a result of a redevelopment of their park fairly compensated for the expenses incurred as a result of their having to move and that the parties responsible for the redevelopment be required to ensure that alternative mobile home sites are reasonably available for those forced to relocate.*

Ted Brown  
Chairman  
Saltair Advisory Planning Commission

## ATTACHMENT - Written Comments from Area Residents

### Precautionary Notes to the APC Members

We appreciate that we are unable to speak at this meeting so I thought that I'd just jot down a couple of notes that are important to consider when deliberating over the development variance permit for 11281 Chemainus Road.

1. Approval of this variance will establish that the property is no longer being considered as a manufactured home park which needs laundry facilities due to limited space that manufactured homes have. Similarly, storage requirements are needed for manufactured homes but not for the larger homes that are being considered.
2. Removing the requirement for storage, washrooms, and laundry facilities simply improves the profit margin for the owners.
3. Please note that the increased FSR for the lower 3 lots combined with better saleability of the upper lots if the lower ones are kept to one floor are bonuses for the owners and can be considered independently from the outbuilding requirements.
4. Making this project less costly by removing the outbuilding requirements is making a complete mockery of calling it a manufactured home park as well as rewarding the owners for bad behaviour.

While the following are not directly relevant to the development variance permit application, they need to be considered.

- The footprint of the homes will be 4.5 times the lot coverage of the previous homes that were on the property. On clay substrate, that means that drainage will become a serious issue when the lots are fully built out. The Bosmas 4 doors down had to plant several cedars to try to stabilize their bank. South of the lagoon, a resident had about ¼ of his property slide away due to unstable clay soil under water pressure. When these problems happen, insurance doesn't cover the cost of damages. By that time, the owners/developers will be long gone and the costs will be borne by the new residents or the taxpayers.
- The VIHA technician, Glenn Gibson, agreed that it is unlikely that the private septic system will be adequate for the number of households and soil conditions on the property. However, he told me and emailed me that, if the CVRD approves a subdivision, he can only ask owners to follow the guidelines for sanitary sewers. This again, will come back on the new residents or taxpayers to fund remedial work. More importantly, it gives a good reason for Ladysmith to expand its borders to Davis Lagoon as their community sewer system is just one block away from the development.
- When we turn on the bathtub and run water in the sink, the water pressure goes down to a trickle. The fire standpipe is directly above our house that provides water in case of fire to the development. No one at the CVRD has answered my questions regarding fire safety. It seems that engineering and fire protection requirements of this development are being overlooked.