



Saltair Bylaw 4427 – Questions and Answers – July 6, 2022		
Name (if available)	Question	Answer
	Stantec	See general letter response. Answers in that letter are referenced here.
Megan Norfolk	<ul style="list-style-type: none"> • Cost to homeowners to be in compliance with bylaw (Geotech, permits, etc.) • Implications on resale value with results of geotech put on the title. • These costs and burdens are being put on this limited area when new development is occurring (and will likely increase) above us—cannot deny these developments are connected and possibly have downstream (down hill) implications, but they are not sharing in the costs/burdens. • No one wants to “bury our head in the sand”—we just don’t feel we should be the only ones and meanwhile other potential factors are ignored/unchecked. 	Answer 9
Andrew Barnes	The above lot is for sale, and I need to know as much as possible about the enactment of the proposed slope bylaw on the future development of this lot in order to pass it on to the purchaser. There is a falling slope at the rear of the lot and if there is a further setback imposed, it has the potential to severely limit, if not extinguish, the entire building	Answer 9

	footprint. This concerns me. Can anyone address my concern?	
Margaret Peters	Lagoon Rd. sliding bank only held by occasional trees.	Answer 6
Ron Allan [or CVRD?]	I believe that the issue is shoreline stability along the whole coast and that the focus should be a practical solution for homeowners independent of applications for development.	Answer 6
John and Esther Sharp	<ol style="list-style-type: none"> 1. Was any consideration made of the fact that driveways were carved out of the slope and that this may appear to be a landslide? 2. Many of the original houses along the coast were built on debris and fill. We removed a lot of debris when we built a new house on our lot. 3. Can anyone tell us the rough cost of a geotechnical assessment? 4. Many properties have old tress on them. Will this be considered when assessing slope stability? 	<p>Answer 3 Answer 6 Answer 9</p>
Margaret Graham	We have some questions and would like some clarification from the open house held on Thursday, June 2, 2022. The map from the Stantec assessment (Fig. D-3) shows 2 large observed landslides by Cross	<p>Answer 1 Answer 3 Answer 4 Answer 8</p>

Section Lines 24 and 26 on our property that we are not aware of. My family has owned this property at 3945 Porter Rd. for 110 years. Some history of the area missing from this report is that a sawmill on the west bank of Stocking Creek milled all the accessible timber in the area surrounding Stocking creek and Davis Lagoon. After the slopes of Davis Lagoon and Stocking Creek were clear cut in the 1880's the sawmill was dismantled and moved to a new area to log. In the observed slide area from the report there are cedar stumps with springboard notches that are approx. 10 feet in diameter, that would have been logged 140 years ago.

In the 1980's, the Dept. of Highways (now MoTI) drilled several 2" pipes up to 70 plus feet deep into the face of the slope facing Chemainus Road, starting about 100 meters east of Davis Lagoon. At that time the pipes were visible but now are overgrown. There was never any evidence of water weeping from these pipes for the years they were visible.

Why would the government drill these pipes so far into an unstable slope?

	<p>My questions from the open house are:</p> <ol style="list-style-type: none"> 1. What criteria were used to determine these observed landslides on our property? 2. At the information meeting we left a written question about landslide hazard on Cross Reference Line 26 as to the slide direction. The reason for this is the hydrology of the area has surface and subsurface water flowing East away from the bank. This eastern slope around Davis Lagoon does not weep any water and is populated with Douglas Fir, which need a dry substrate to thrive. What is the research basis for the slide hazard and direction here? 3. When will the public hearing for this bylaw be scheduled? 	
<p>Greg Main</p>	<p>I am requesting clarification regarding the proposed OCP area G amendment. The Stantec / Palmer Coastal Slope Stability assessment references a setback that includes the entire properties along the shoreline and significant upland properties of area G. The definition of setback in CVRD definitions is "means the minimum permitted horizontal distance required under the bylaw, between a building or structure and a specified parcel line". Will the designation change to</p>	<p>Answer 1 Answer 4</p>

	<p>set back require a Development Variance Plan Application vs the current Development Plan Application? The merit of the assessment without appropriate testing is questionable and the negative implications to property owners due to proposed CVRD designation is onerous. Please forward my request for clarification to the CVRD board.</p>	
	<p>Ministry of Transportation</p>	
<p>Steve & Debbie Neil</p>	<p>Storm water management needs to be addressed. The roads and ditches are not designed properly and do not manage storm water drainage properly. The CVRD and MOTI need to work together to address this problem. This increases the risks of landslides in our area! Every time it rains, a river of water runs down Punnett Close and across Gardner Rd. and down my driveway. This water should be going into the ditches and managed properly. We have called MOTI and they do <u>nothing</u>.</p>	<p>This has been previously discussed with the landowners.</p> <p>Though common law, the “natural drainage principle” has been developed and applies to surface water. The natural drainage principle does allow higher land to drain on to lower land naturally (higher landowner [MOTI] has no obligation to prevent this). At the same time, the lower landowner has no duty to accept the surface water, and may erect a barrier against it (under the “common enemy rule”) but not to the detriment of any other property.</p> <p>The Ministry’s ditches are intended for road drainage.</p>
<p>Murray Welte</p>	<p>When will this Ministry of Transport deal with the storm water in the ditches and run-off water? This proposed bylaw amendment should be tabled until these issues are resolved. Then, with public input from residents, a new bylaw can be drafted.</p>	<p>The Ministry’s ditches are intended to convey water off of the road and are for road drainage only.</p> <p>Ministry of Transportation and Infrastructure plans and improves transportation networks, builds new infrastructure, provides transportation services, and implements transportation policies to allow for safe and efficient movement of people and goods. The Ministry is not responsible for the creation and</p>

		<p>implementation of community Storm Water Management Plans.</p> <p>MOTI's maintenance contractor, Mainroad, is responsible to ensure that the drainage inventory is functioning as designed. Any blockages, defects, etc. can be reported directly to Mainroad via its 24/7 hotline: 1-877-215-6006.</p>
Sandra Hendricks	<ul style="list-style-type: none"> • Maintaining the bigger problem • Storm water, etc. • Not being inclusive of every taxpayer in the community, only [selecting?] the few "affected" • Devaluing our property • Pushing through development outside of the "affected" areas • You have not looked at the successful measures taken by homeowners who have improved these issues on their properties. 	<p>Mainroad, is responsible to ensure that the drainage inventory is functioning as designed. Any blockages, defects, etc. can be reported directly to Mainroad via its 24/7 hotline: 1-877-215-6006.</p>
Paul [Overena?]	<p>The trail at the rear of my property is MOTI jurisdiction but is not maintained in accordance with the property development guidelines. I would like a rep from MOTI to contact me. Thank you.</p>	<p>MOTI does not maintain trails. Under permit or licence, this responsibility belongs to the Regional District.</p> <p>Please call 250-751-3246 to speak to a representative with MOTI who can further assist with your inquiry.</p>
Andrew Barnes	<p>The above lot is for sale, and I need to know as much as possible about the enactment of the proposed slope bylaw on the future development of this lot in order to pass it on to the purchaser. Can anyone advise what method of storm water drainage is likely to be required as there isn't a</p>	<p>This appears to be a question directed to the CVRD regarding the proposed slope bylaw.</p> <p>MOTI has no comment.</p>



	community system in this neighbourhood as I understand.	
Unnamed	Farmland removing trees and filling in creek caused flooding.	This appears to be a question directed to the CVRD/FLNRORD regarding property development/works within a stream. MOTI has no comment.
Tom Peters	Re: Lagoon Rd.: Concerns are related to the curvature and slope of Chemainus Road. The water run-off is totally sloped toward the four properties on ocean side rather than toward the drainage ditches on the non-water side. The slope from the highway down to the residential houses is dangerous.	Though common law, the “natural drainage principle” has been developed and applies to surface water. The natural drainage principle does allow higher land to drain on to lower land naturally (higher landowner [MOTI] has no obligation to prevent this). At the same time, the lower landowner has no duty to accept the surface water and may erect a barrier against it (under the “common enemy rule”) but not to the detriment of any other property.
Unnamed	Stormwater run-off as a result of the deforestation of Bazan Rd.	Perhaps this is in regard to the “deforestation” of properties adjacent to Bazan Rd.? In that case, this appears to be a question directed to the CVRD regarding the property development. Any noted maintenance issues of Bazan Rd. can be reported directly to Mainroad via their 24/7 hotline: 1-877-215-6006.
Deborah Holley	MOTI – What is the role of MOTI to ensure houses are not being swamped by run-off and ground water issues due to saturation all around culverted ditches?	Surface Water Though common law, the “natural drainage principle” has been developed and applies to surface water. The natural drainage principle does allow higher land to drain on to lower land naturally (higher landowner [MOTI] has no obligation to prevent this). At the same time, the lower landowner has no duty to accept the surface water, and may erect a barrier against it (under the “common enemy rule”) but not to the detriment of any other property. Ditches are constructed to bring the surface water that lands on MOTI roads back to the nearest natural watercourse (creeks, rivers, oceans, etc.)



		<p>Subsurface Water</p> <p>It is ambiguous as to where this water goes once it disappears underground.</p>
<p>Deb Neil</p>	<p>MOTI needs to meet in person with Saltair taxpayers regarding what solution they have. Not just taxpayers in Saltairs' role.</p>	<p>MOTI and Mainroad consistently meet members of the community in person or via any mode of communication desired by the community member.</p> <p>Please refer to previous comments regarding storm water and drainage.</p>
<p>Jack and Penny Moffat</p>	<p>In the report under 5.2 Land Use, Drainage, Stantec and Palmer recommend the development and implementation of a stormwater management plan to avoid direct discharge to the slope and to avoid further exacerbating slope movement.</p> <p>The ditch on Stuart Road is not discharging to any specific site. The Ministry of Transportation did not repair a collapsed culvert but filled it in with dirt, which plugged up any flow. This is directly across the street from me. They said that it seeps under the road and not through any pipes. The water also runs down our driveway and saturates our property.</p> <p>There is also a collection as the end of Stuart Road in the cul-de-sac. The water, again, does not get directed anywhere but drains under the road into the properties below.</p>	<p>Though common law, the “natural drainage principle” has been developed and applies to surface water. The natural drainage principle does allow higher land to drain on to lower land naturally (higher landowner [MOTI] has no obligation to prevent this). At the same time, the lower landowner has no duty to accept the surface water and may erect a barrier against it (under the “common enemy rule”) but not to the detriment of any other property. No regrading/repaving of the road will occur.</p> <p>Ditching Mainroad has incorporated the ditching works of Stuart Rd to the cross culvert under Shannon Drive. This work is to occur in the summer of 2022. Given the generally flat slope of this ditch, it is unknown as to how effective the ditching will be. Surface water may still be stored in the ditches after the ditching has occurred.</p>

	<p>The Ministry said that they have no budget to improve the discharge of the water by installing pipes down to the bottom of the bluff. The original culvert piping has all collapsed and the system that was originally in place no longer works.</p> <p>How do we get the Ministry of Transportation to implement a stormwater drainage system? Thank you.</p>	
<p>John and Esther Sharp</p>	<p>1. What will the CVRD be doing to minimize the effect of infrastructure on slope stability? For example, when Whitecap Place was extended 15 to 20 years ago, the height of the road was raised several feet. This added tons of weight to the top of the slope. Ditches were built on either side of most of the extension. This completely changed the flow of water, cutting off the water that flowed to the ocean, and changing the direction of the water flowing west to flow south. We had to make changes to get the water to flow west again, but the land is far wetter than is used to be. The ditches do not seem to have enough slope to drain</p>	<p>All subdivisions, permits, and approvals are reviewed by the Ministry's Developments Services Officers (DSOs). In particular, road construction projects go through a rigorous review period conducted by the DSO and a team of engineers to ensure all current standards and practices are upheld and met.</p> <p>Road standards can be reviewed in Chapter 1400 of the BC Supplement to TAC Manual here:</p> <p>http://www2.gov.bc.ca/gov/content/transportation/transportation-infrastructure/engineering-standards-guidelines/highway-design-survey/tac-bc</p>

	<p>the water to the storm sewer to the north. The ditches remain full of water for several days after rain, soaking the ground. The ditches are too high to drain the land on the outside of the ditches away from the road.</p> <p>2. Will the map locations showing storm sewers be checked for the actual location of storm sewers?</p>	
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