

Still more park issues

Permit confusion in ongoing mobile home demolition moves

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A resident of the former Falls Road trailer park has called on the city to take action against a developer for moving ahead with demolition of several units without a permit.

Debbie Molloy said she has kept track of the permitting process for the Riverbank Estates project, via the city website, and some recent activity has gone forward outside the rules.

"(Husband) Junior was up there on the weekend and they had a front-end loader working," she said.

"Trailer C is now gone. There was no permit for Trailer D, and it's been demolished. And Trailer K has had its roof torn off, also with no permit."

Molloy said she has contacted the city to demand to know what action they will take.

"If there's no demolition permit issued, there shouldn't be any demolition," she said.

Molloy said she and her husband were asked to sign the permit months ago after vacating the site, leaving their trailer and much of its contents behind.

"We were asked on the phone and Junior said, 'I don't know what I'm signing,'" Molloy said, adding that she has been in contact with city building inspector Dave Cappus since November to see a copy of the permit before signing anything.

When she asked why her signature was required now that she is no longer paying tax on the property, Cappus wrote: "A demolition permit will notify B.C. Assessment and take its existence off the assessment roll and end tax being charged for the unit. The owner needs to sign the permit application to give permission for the work." That failed to satisfy the Molloys.

"The demolition permit is still hanging on the fact that we haven't signed one, and the city is now stonewalling us," Molloy said.

On Tuesday, Cappus said getting the trailer off the tax roll was his main concern, so the new owner would not be taxed on the building.

"Usually with a demolition permit, the land title assessment authority is automatically notified that the building no longer exists," he said. "(The developer) hasn't got the permit yet, but we're working on it. Right now, we're trying to clarify the ownership."

Cappus was asked if the title transferred to the developer when the Molloys vacated their trailer.

"We're still working on that," he said. But according to developer Lynn Mickalko, the permit is a non-issue.

"They don't have to sign it. We gave residents one year's notice, with a deadline of Sept. 1, 2009. Under the Mobile Act, after 30 days, [a trailer] is considered abandoned," Mickalko said. "We followed all the procedures, so I think everything is all right."

The site is quiet this week, with some of the old lots now cleared of trailers. The twisted steel remains of one unit lie near the entrance to the old park, and on one lot, a small addition that was detached from the main unit sits alone, woodstove and brickwork open to the elements.

"That's somebody who's moving a trailer. It was purchased from Jack Goldie," Mickalko said, noting that the unit was roadworthy and will be moved soon. The woodstove addition will be added back on in the new location. Mickalko said her group has been "more than fair" in allowing former owners back in to retrieve items and materials from their old homes.

Molloy said that, after the long fight to save their home, she and her husband were too exhausted to try to salvage much when they moved out of the home. "We packed up and basically walked away from it," she said.

In the mean time, the developers are waiting for a riverbank report from Fisheries and Oceans Canada that will set building guidelines such as set-backs from the river.

"We are a few months behind. It's costing us money to sit and do nothing," Mickalko said.

At the B.C. Assessment Authority, assessor Bill MacGougan said the developer won't pay property tax on improvements if it fails to demolish the trailers by a specified time.

"The valuation of the property was set on July 1 2009, but it would be based on the condition of the property in October 2009," MacGougan said. "That includes if there has been a change of use in the zoning and the physical use at the time. But ownership doesn't necessarily have any effect on the tax roll."

The site, which overlooks the Somass River near the Riverbend (Orange) Bridge, was rezoned from Mobile Home District to Low Density Multi-family Dwelling District in 2007. "As soon as we get it cleaned up, people will be able to see the potential," Mickalko said.

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