

## Debbie Schulz

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**From:** Debbie Schulz  
**Sent:** March 31, 2021 2:41 PM  
**To:** Debbie Schulz  
**Subject:** FW: HERITAGE HILLS PARK NAMING

**From:** Christy Malden <cmalden@rdos.bc.ca>  
**Sent:** March 31, 2021 2:26 PM  
**To:** Debbie Schulz <dschulz@rdos.bc.ca>  
**Subject:** FW: HERITAGE HILLS PARK NAMING

**From:** Susan Baker  
**Sent:** March 31, 2021 1:27 PM  
**To:** Christy Malden <[cmalden@rdos.bc.ca](mailto:cmalden@rdos.bc.ca)>  
**Subject:** HERITAGE HILLS PARK NAMING

Please distribute this letter to the RDOS Board Members.

Dear Chair and members of the RDOS Board,

**Subject: The convoluted facts of how a park in Heritage Hills finally became established and how it has been inappropriately named despite RDOS policies:**

Please consider the following facts before deciding on a name for our park in Heritage Hills.

- In 1992 Heritage Hills subdivision (Phase 1) was approved;
- The RDOS was entitled - indeed obliged – to take 5% of the land being developed for a park (approximately 5 acres);
- The RDOS chose to take no land, even though there was no park in the community;
- The RDOS then could take 5% cash-in-lieu of the value of the subdivision (estimated value of 5% = \$500,000.00)
- Records show the RDOS at most accepted \$44,000.00 for the 5% value;
- The RDOS then granted a park dedication exemption to the developer for any other land to be developed in Heritage Hills;
- Subsequently, over 100 additional lots were created – no additional land or cash was ever secured for parkland purposes;
- In 2010, the Heritage Hills/Lakeshore Highlands Community Association was formed and securing a park for the community became a top priority;
- The developer of Chadwell Place (in Heritage Hills) expressed no interest in creating a park;
- In 2015 Chadwell Place subdivision was approved;
- With the strong lobby effort of the community and assistance of Area “D” Director Tom Siddon, \$400,000.00 was secured for parkland acquisition for Heritage Hills;
- There was a large financial windfall in a parkland deal for the developer;
- RDOS staff negotiated the acquisition of approximately 5 acres of land from the Chadwell Place developer;

- An approximately 3 acre unserviced lot – mostly encumbered by Rights of Way, easements and riparian restrictions, rockfall zones and fill – was “donated” by the developer (it is questionable whether a building permit could have been obtained for this lot)
- **No appraisal was ever conducted for this lot;**
- The RDOS issued a \$385,000.00 tax receipt for this lot;
- The RSOS purchased 2 half-acre unserviced lots from the developer;
- The RDOS paid \$200,000.00 for each lot, (coincidentally the exact cash amount the RDOS had for park acquisition);
- **The RDOS carried out no appraisal for these lots;**
- The developer had the lots appraised and the RSOS has no record of these appraisals;
- The fourth lot adjacent to these two lots is leased by the RDOS from the developer for 20 years with an option to purchase;
- The RDOS had this unserviced leased lot appraised four years after the acquisition of the two adjacent lots, and in a rising real estate market. The appraiser’s conclusion was the highest value he could justify at this time was \$175,000.00;
- The land acquisition agreement with the developer does not guarantee his singular ability to name the park;

**RDOS Board approved Corporate Donation Policy. The Policy states:**

**Section 6(a) and (b)**

- If a tax deductible receipt is issued for a donation, the donation be valued at fair market value and if the value is uncertain an appraisal will be requested:

**Section 5(f)**

- The donation not be accepted from an individual not in good standing with the RDOS in violation of bylaws or under litigation:
- It is my understanding and I have been informed that the developer has been in contravention of zoning bylaws and regulations on properties he owns;
- It is my understanding and I have been informed that the developer violated/ignored the Development Variance Permit granted by the RDOS for rock crushing in the Chadwell Place subdivision;
- It is my understanding and I have been informed that the developer has been in contravention of Ministry of Environment Operating Permits on the sewage treatment plant he operates adjacent to the Heritage Hills park and has been issued a Pollution Abatement Order by the Ministry of Environment; a mandatory penalty referral for non-compliance regarding the operation of the sewage treatment plant, non-submission of monitoring reports, water quality reports, ground water and fecal content reports. (Ministry of Environment Order AMS file 110100-17170 dated October 23<sup>rd</sup>, 2019 signed by Daniel P. Biggs, for Director Environmental Management Act);

**Section 14(b)**

- If all requirements have been legitimately met, the donor is permitted to have input in the naming rights of the project (park)

**Section 14(c)**

- Names submitted should represent geographic location, geological features of the landscape, persons who have made a significant contribution to the project or the community or an uplifting message or inspirational phrase.

The Heritage Hills parkland acquisition and naming saga leaves many questions unanswered. Clearly, many errors and mistakes have been made and an investigation by the RDOS Board of how this all happened is warranted.

**Conclusion:** The residents of Heritage Hills, Lakeshore Highlands merely expect a fair and reasonable process wherein the community's thousands of hours of volunteer efforts and fund-raising of \$500,000.00+ for our park development is recognized and an appropriate name - Skaha Vista Park at Heritage Hills – as recommended by a community-wide public process and unanimously approved by the RDOS Parks & Recreation Commission, is given to our park.

Thank you for your attention to this matter.

Sincerely,

Doug Lychak