



# CORPORATE REPORT

To: CAO for the Fraser Valley Regional District Board

Date: 2019-09-18

From: Andrea Antifaeff, Planner I

File No: 3320-20 2018-05642

**Subject: Subdivision Covenants for PID 000-493-961 (Stave Lake Road), Electoral Area F**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board authorize its signatories to execute all legal documents relating to the two-lot subdivision of PID 000-493-961 (Stave Lake Road), Electoral Area F, file 3320-20 2018-05642.

### STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship  
 Support Healthy & Sustainable Community  
 Provide Responsive & Effective Public Services

### PRIORITIES

Priority #2 Air & Water Quality

## BACKGROUND

The property owners of PID 000-493-961 (Stave Lake Road) are completing a two-lot subdivision. The property is located within Geologic & Stream Hazard Development Permit Area 1-F and Riparian Areas Development Permit Area 2-F. Durieu Creek runs through a portion of the lands. Covenants are required to establish a safe building area, no disturbance area and water supply. The covenants require FVRD Board approval prior to the FVRD's final approval for registration of the subdivision.

### PROPERTY DETAILS

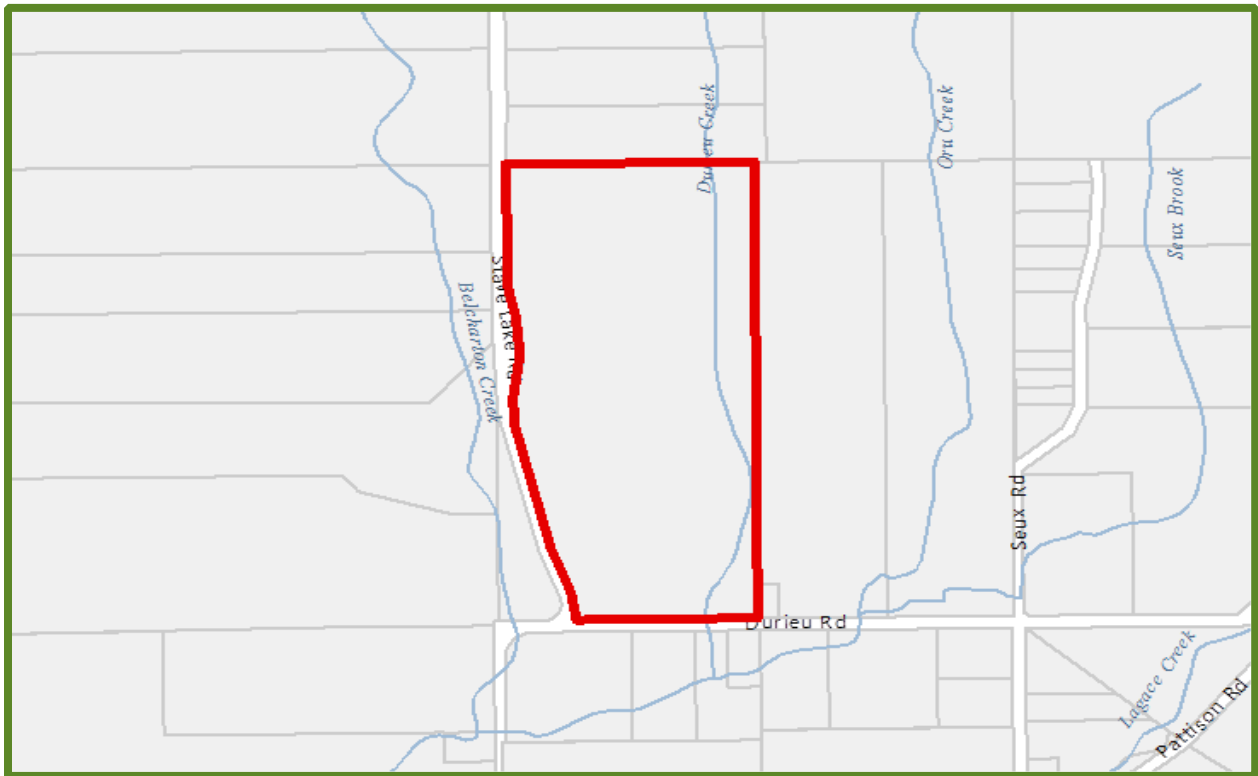
|                                 |  |                        |           |
|---------------------------------|--|------------------------|-----------|
| <b>Electoral Area</b>           | F  |                        |           |
| <b>Address</b>                  | Stave Lake Road                                |                        |           |
| <b>PID</b>                      | 000-493-961                                    |                        |           |
| <b>Folio</b>                    | 775.02295.000                                  |                        |           |
| <b>Lot Size</b>                 | 71.825 acres                                   |                        |           |
| <b>Owner</b>                    | Peter & Beverly Kokoska                        | <b>Agent</b>           | n/a       |
| <b>Current Zoning</b>           | Upland Agriculture (A-1)                       | <b>Proposed Zoning</b> | No change |
| <b>Current OCP</b>              | Agricultural (A)                               | <b>Proposed OCP</b>    | No change |
| <b>Current Use</b>              | Farm   | <b>Proposed Use</b>    | Farm      |
| <b>Development Permit Areas</b> | DPA 1-F (Geo-Hazard) and 2-F (RAR)             |                        |           |
| <b>Hazards</b>                  | Fraser River Floodplain, Potential Hazard (PH) |                        |           |

Agricultural Land Reserve Yes

**ADJACENT ZONING & LAND USES**

|              |   |  |
|--------------|---|--|
| <b>North</b> | ^ | Upland Agriculture (A-1) / ALR, Residential                              |
| <b>East</b>  | > | Upland Agriculture (A-1) / ALR, Farm                                     |
| <b>West</b>  | < | Rural 3 (R-3) and Floodplain Agriculture (A-2) / ALR, Residential / Farm |
| <b>South</b> | v | Rural 1 (R-1) and Floodplain Agriculture (A-2) / ALR, Residential / Farm |

**NEIGHBOURHOOD MAP**



## PROPERTY MAP



## DISCUSSION

The property is located within the Agricultural Land Reserve and the ALC has granted approval for the proposed two-lot subdivision. The Ministry of Transportation and Infrastructure, as the subdivision approving authority has issued a letter of preliminary layout approval (PLA) for the proposed subdivision. The recommendation is to authorize all associated legal documents and covenants associated with the subdivision.

### Geo-Hazard

A portion of the lands are located within Geologic & Stream Hazard Development Permit Area 1-F. In 2008, the FVRD commissioned an overview geotechnical study of Hatzic Valley and property proposed to be subdivided includes the ravine associated with Durieu Creek and its tributaries. The ravine area is subject to potential debris sloughs/slumps and flooding. The geo-hazard report will form part of a development permit and also be registered as a covenant on title. The proposed lots will have sufficient buildable area for future development. In the future, the property owner may obtain a site specific geo-hazard assessment to establish potential alternative safe building sites on either of the newly proposed lots. The Ministry of Transportation and Infrastructure will also be party to this covenant.

### Riparian Areas

All future construction and land alteration must be outside of the 30 metre setback unless a Riparian Areas Assessment Report is submitted which establishes a smaller streamside protection enhancement area. The proposed lots will have sufficient buildable area for future development to the west of the creek. The 30 metre setback is offered in-lieu of a riparian area regulation assessment report. The 30 metre setback being offered by the owners provides a significant riparian buffer which is equal to or greater than a buffer that may be established through the Riparian Areas Regulation. Registration of the proposed covenant will also exempt the owners from having to obtain a development permit for future construction outside of this area which will improve future building permit processing timelines.

The covenant will include language that any residential, commercial, institutional or industrial development including the alteration of land, the disturbance of soil or vegetation or construction of or addition to a building or structure within the 30 metre Riparian Area Assessment cannot occur without a Riparian Area Assessment being conducted on the property. This will mean that agricultural activities can occur within this area as long as they are in line with any Ministry of Agriculture and FVRD Zoning Bylaw requirements.

### Water Connection

A no-build covenant on the remainder parcel is required until the property is connected to the FVRD Hatzic Prairie Water System or until such a time that the property owner is able to provide details of the proven water supply as per the requirements of the *Fraser Valley Regional District Subdivision and Development Servicing Bylaw No. 1319, 2015*.

### **COST**

The costs for covenant registration are the responsibility of the property owner.

### **CONCLUSION**

Staff recommend that the FVRD Board authorize its signatories to execute all legal documents relating to the two-lot subdivision of PID 000-493-961 (Stave Lake Road), Electoral Area F, file 3320-20 2018-05642. The covenants will prevent development and land alterations within the ravine and 30 metres from the top of the ravine bank and will address both geotechnical and riparian concerns. Accordingly, no further geotechnical or riparian assessments would be required by the FVRD outside of the mapped area will be required.

**COMMENTS BY:**

**Graham Daneluz, Deputy Director of Planning & Development:** Reviewed and supported.

**Margaret Thornton, Director of Planning & Development:** Reviewed and supported.

**Mike Veenbaas, Director of Financial Services:** No further financial comment.

**Jennifer Kinneman, Acting Chief Administrative Officer:** Reviewed and supported.