

To: Fraser Valley Regional District Board

Date: 2020-06-09

From: Julie Mundy, Planner 1

File No: 733.01269.000

Subject: Authorization for the discharge of a geo-hazard covenant from the title of 47840 Chilliwack Lake Road, Electoral Area E

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to the discharge of covenant BM197518 and the registration of a replacement geo-hazard covenant to the title of 47840 Chilliwack Lake Road, Electoral Area E, subject to the completion of development permit 2019-08.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The property owners of 47840 Chilliwack Lake Road have requested that FVRD discharge a geohazard covenant with a specified building area from the property title. The purpose of discharging covenant BM197518 is to enable registration of a new geohazard report which allows for a larger building envelope.

The property owners have provided a new geotechnical hazard assessment which meets FVRD Hazard Acceptability Thresholds for Development Approvals. Both FVRD and the former Ministry of Environment, Lands, and Parks (signing authority now held by MOTI) are signatories on the covenant.

PROPERTY DETAILS

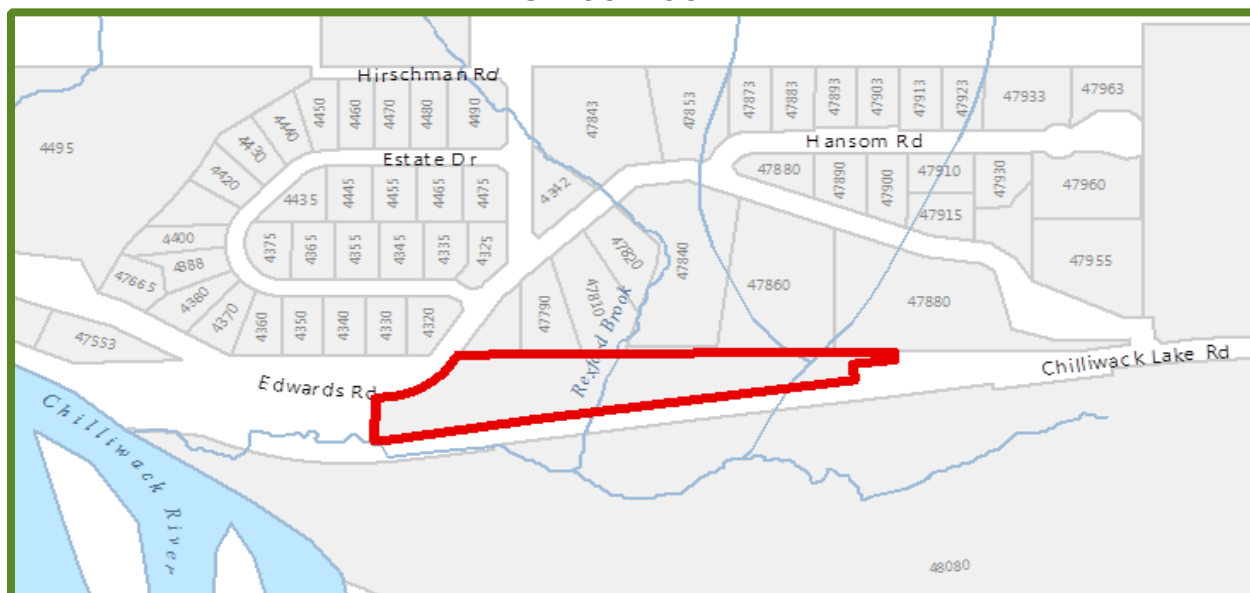
Address	47840 Chilliwack Lake Road, Electoral Area E
PID	007-578-237
Folio	733.01269.000
Lot Size	4.5 acres
Owner	Cameron & Amanda Van Klei
Current Zoning & OCP	Rural (R)
Current OCP	Rural (R)
Development Permit Areas	DPA 2-E (River Hazards), DPA 3-E (Slope Hazards), & DPA 5-E (RAR)

Agricultural Land Reserve	No
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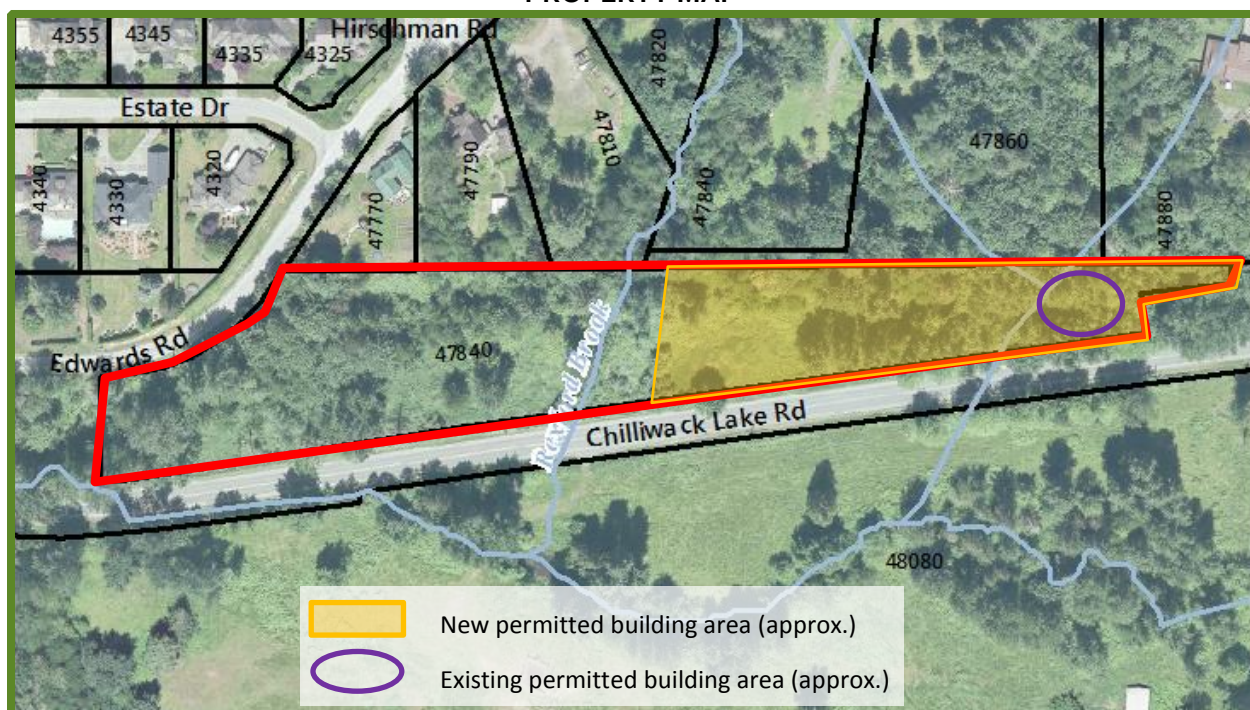
ADJACENT ZONING & LAND USES

North	^	Rural (R) & Rural Residential 2 (RS-2) & Country Residential (CR), Single Family Homes
East	>	Agricultural (A-1), Single Family Home
West	<	Rural (R), Single Family Homes
South	v	Rural (R), Single Family Homes

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

BM197518

Covenant BM197518 was registered to the property title in 1998 at the time of subdivision. It includes a site-specific geotechnical report and a diagram illustrating the permitted building area in the eastern corner of the property. Geohazard mitigation measures in the covenant include flood construction levels for habitable space and for fixed equipment damageable by floodwaters. Both FVRD and Ministry of Transportation and Infrastructure approval is required to discharge the covenant.

New geohazard assessment

The property owner has obtained a new geotechnical hazard assessment prepared by German Silva of Cornerstone Geotechnical Engineering dated April 24, 2020. The report adheres to FVRD terms of references and FVRD Hazard Acceptability Thresholds for Development Approvals. The report includes siting requirements to avoid debris slide hazards and elevation requirements to avoid property damage from floodwaters. The report also includes a larger potential building area than the original geohazard assessment. If the discharge of BM197518 is approved, the new geohazard assessment would be registered to the property title in its place.

MOTI has reviewed the request to replace covenant BM197518 with the new Cornerstone GeoStructural Engineering geotechnical hazard assessment. They have indicated support to 1) discharge covenant BM197518, and 2) register the new hazard assessment to the property title.

Property history – Development Permit 2019-08

There is currently open bylaw enforcement on the property for land alteration in a riparian area. These works occurred on the west side of the property are not directly tied to the safe building requirements in BM197518 and the April 2020 Cornerstone Geotechnical Engineering report.

The property owner requires written authorization from a provincial water protection officer and a completed development permit from FVRD in order to remediate the riparian area and to close the bylaw enforcement file. Staff recommend that development permit 2019-08 (which is underway) be completed prior to discharge of covenant BM197518.

COST

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

CONCLUSION

Staff recommend that the FVRD Board authorize the discharge of charge BM197518 and the registration of a replacement geohazard covenant once the in progress development permit is issued.

COMMENTS BY:

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

Kristy Hodson, Acting Director of Financial Services: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.