

To: Fraser Valley Regional District Board

Date: 2018-10-23

From: David Bennett, Planner II

File No: 732-05653.000

**Subject: Authorization for the discharge of a geo-hazard covenant from the title of 31050 Trans-Canada Highway, Electoral Area "B".**

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## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to the discharge of charge #LB0194332 from the title of 31050 Trans-Canada Highway, Electoral Area "B".

## STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy

Provide Responsive & Effective Public Services

## BACKGROUND

The owners of 31050 Trans-Canada Highway requested that the FVRD discharge a geo-hazard covenant from the title of the lands to facilitate the construction of a new single family dwelling.

The 2010 Yale Overview Study concludes that this property is located in an area that does not require further geo-hazard review for the construction of a single family home and new home construction does not require geo-hazard mitigation.

Discharging charge #LB0194332 from the title of 31050 Trans-Canada Highway, Electoral Area "B" will allow the owners to construct a new single family home on the property.

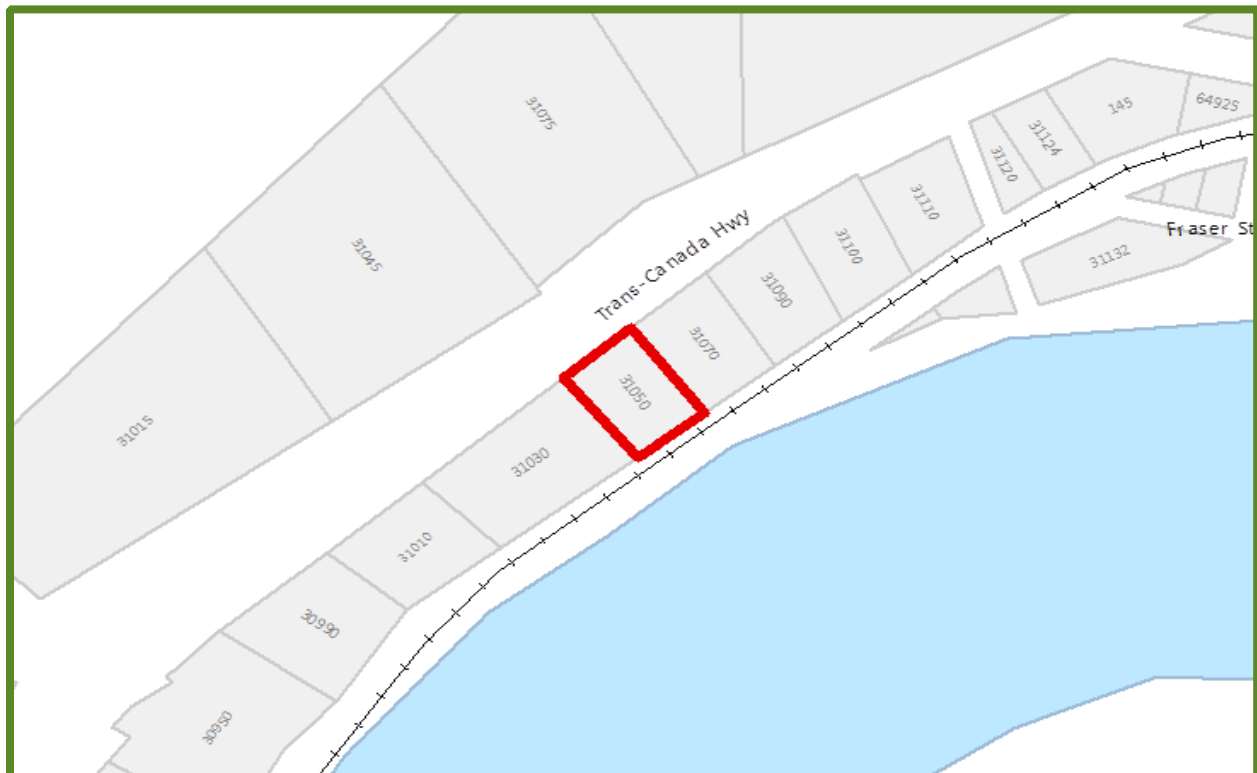
### PROPERTY DETAILS

<b>Electoral Area</b>	B
<b>Address</b>	31050 Trans Canada Hwy.
<b>PID</b>	012-874-086
<b>Folio</b>	732.05653.000
<b>Lot Size</b>	0.65 acres
<b>Owner</b>	Mary & Ronald Howitt
<b>Current Zoning</b>	Multi Use Residential (RS-4)
<b>Current OCP</b>	Rural (R)
<b>Current Use</b>	Residential
<b>Development Permit Areas</b>	Geological Hazard Development (DPA 1-B)
<b>Agricultural Land Reserve</b>	No

### ADJACENT ZONING & LAND USES

<b>North</b>	^	Multi Use Residential (RS-4), Single-family Dwelling / Mobile Home
<b>East</b>	>	Multi Use Residential (RS-4), Single-family Dwelling
<b>West</b>	<	Multi Use Residential (RS-4), Single-family Dwelling
<b>South</b>	v	Park Reserve (P-2), Crown Land

### NEIGHBOURHOOD MAP



## PROPERTY MAP



## DISCUSSION

31050 Trans-Canada Highway is a vacant rural residential lot located near the town of Yale.

In 2006, the owners applied for a building permit to construct a new home on the property. The property is located in a development permit area related to geo-hazard protection. The owners obtained a geo-hazard report in 2008 that detailed hazard mitigation to allow for new construction on the lot. The report contained certain recommendations for foundation height and a covenant was registered on title. The owners did not proceed with the proposed new house and the building permit expired.

In 2010, the FVRD undertook a community-scale geo-hazard assessment of the town site of Yale (Yale Overview Study). The purpose of the Yale Overview Study was to update the understanding of the geo-hazards in the community and to prepare a report that both the FVRD and homeowners could utilize for site-specific construction on properties in the area. The Yale Overview Study eliminated the need for property owners to prepare site-specific reports thus reducing costs and streamlining approvals.

In March of 2010, the FVRD Board received the Yale Overview Study. The Board resolved that the report's findings and recommendations were to be formally adopted henceforth for development approvals in the study area.

The Yale Overview Study represents the most up-to-date information regarding geo-hazards in Yale and concluded that the subject property is not within an area that requires additional assessment and that no mitigation is required for new construction on this property. The Yale Overview Study conflicts with the site-specific report prepared in 2008 for the property owners.

In 2018, the owners approached the FVRD to review the discrepancies between their 2008 site specific report and the Yale Overview Study with the goal of having the 2008 report discharged. FVRD staff reviewed both reports and note the following:

- The 2010 Yale Overview Study represents the most current information and scientific understanding of geo-hazards in the area.
- The FVRD Board previously authorized the utilization of the Yale Overview Study for permitting in the area.
- The 2008 report's recommendations prohibit the owners from constructing their proposed home with a level grade access.
- The Yale Overview Study concludes that the lands are located in an area that does not require further geo-hazard reporting and in an area that does not require mitigation.
- The FVRD is now relying on the Yale Overview Study and neighbouring properties are not required to obtain site-specific geo-hazard reports for new single family homes.

## **COST**

In accordance with the conditions of the covenant, the costs associated with the discharge of the covenant are the owners' sole responsibility.

## **CONCLUSION**

It is recommended that the FVRD Board authorize the discharge of charge #LB0194332.

## **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 comments.

**Paul Gipps, Chief Administrative Officer**

Reviewed and Supported.