

ITEM 11  
MANAGER'S REPORT NO. 72  
COUNCIL MEETING 1980 11 24

RE: LETTER FROM UNION OF BRITISH COLUMBIA MUNICIPALITIES WHICH APPEARED ON  
THE AGENDA FOR THE 1980 NOVEMBER 17 MEETING OF COUNCIL (ITEM 5 i)  
FLOOD PLAIN AREAS

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Appearing on last week's agenda was a letter from Union of British Columbia Municipalities regarding the above subject. Following is a report from the Director of Planning on this matter.

RECOMMENDATION:

1. THAT the recommendations of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER  
FROM: DIRECTOR OF PLANNING  
RE: FLOODPLAIN AREAS

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PLANNING DEPARTMENT  
1980 November 17  
Our File: 09.222

RECOMMENDATIONS:

1. THAT Council endorse the principles outlined in the floodplain management policy of the Ministry of Environment, as represented in their policy directive which is attached to the 1980 November 06 letter from the Union of British Columbia Municipalities; subject to the following:

Consideration be given to streamlining the current approval process by giving local jurisdictions the authority to approve development in areas in which satisfactory floodproofing requirements are in place.

2. THAT a copy of this report be forwarded to Mr. C.S.J. McKelvey, Executive Director, Union of British Columbia Municipalities, #204 - 604 Blackford Street, New Westminster, B.C. V3M 1R6.

SUMMARY

Council is being requested to comment on the current floodplain management policy of the Provincial Government. In principle, the Planning Department is supportive of the management objectives and we have instituted floodproofing controls in our approval processes. Recommendations have been advanced to expedite the approval process by removing what we believe to be an unnecessary step in the Province's approval practise.

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BACKGROUND

Council has been requested to review certain policy directives of the Ministry of Environment which are outlined in a 1980 November 06 letter from the Union of British Columbia Municipalities. The U.B.C.M. executive is developing a composite response to the Ministry on their policy and Council's comment on the impact on local zoning and land use controls, their practicability and other matters where these policies may have a significant restraint on proposed local development, has been requested.

EXISTING SITUATION

The Planning Department has reviewed the Ministry's policy directive and has concluded that we support in principle the directives outlined therein. Ostensibly the major area within Burnaby which is subject to flooding is the Big Bend Area which is within the area of the Fraser River Floodplain. Consequently this area falls within the legislative requirements of Section 187(1) of the Municipalities Enabling and Validating Act which requires Provincial approval of rezoning by-laws in the floodplain. Section 82(1) of the Land Title Act and Section 3(3) of the Bare Land Strata Regulations also apply. The regulations require the consent of the Deputy Minister of Environment to any plan of subdivision or bare land strata plan of floodable land.

The Municipality has recognized these requirements and development applications have been processed accordingly. In fact, the Burnaby Zoning By-law was amended on 1979 October 09 to incorporate the following as Section 6.18:

"6.18 Fraser River Flood Plain:

All lands within the area of the Fraser River Flood Plain as described in Schedule AA - Flood Plain Map of the Official Regional Plan of the Lower Mainland Regional Planning Board, now the Official Regional Plan of the Greater Vancouver Regional District shall be subject to the following regulations:

- (1) No building shall be constructed or mobile unit located with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters:
  - (a) lower than the nearest point on an even gradient line along the natural boundary of the Fraser River from 11.13 feet (3.392 metres) Geodetic Survey of Canada datum at Boundary Road to 13.13 feet (4.002 metres) Geodetic Survey of Canada at Fenwick Street,
  - (b) within 200 feet (60 metres) of the natural boundary of the Fraser River."

Provided that, with the approval of the Deputy Minister of Environment, these requirements may be reduced.

We are still required, however, to forward applications to the Ministry of Environment for approval. In our view, this is now a redundant step and consideration should be given to shortening the approval process by exempting the Corporation from forwarding applications within this area. Such an exemption would apply to rezoning, subdivision and bare land strata applications only within the area of the Fraser River Floodplain.

If this authority was given to local jurisdictions with sufficient floodproofing controls in place, provision would need to be made for the registration of the standard covenant for all new development which saves the Corporation and the Province harmless from any damage resulting from flood damage.

In summary, the Planning Department supports the principles of restricting development in areas subject to flooding, as outlined in the Ministry's policy directives and in areas where development is to occur as a result of approved land use plans, that this development be floodproofed. In the case of the Corporation of Burnaby we believe the current approval process could be streamlined by giving local jurisdictions the authority to approve development in areas in which satisfactory controls are in place.

  
A. L. Parr  
DIRECTOR OF PLANNING

PB/hf

