

Sunshine Coast Regional District
BOARD POLICY MANUAL

Section:	Planning and Community Development	13
Subsection:	Planning and Development	6410
Title:	Geo-Hazard Acceptability in Development Approval	8

1.0 POLICY

1.1 This Policy applies to all development applications involving geo-hazards.

1.2 For all development approvals involving geo-hazards, the SCRDR requires the property owner to register a “save harmless” covenant on title of the property indemnifying the SCRDR and its elected and appointed officials from all geo-hazard liabilities or losses that may result from approval of the development application and accepting all geo-hazard risks, despite all required standards having been met and all reasonable avoidance and protective measures having been undertaken.

1.3 The SCRDR requires the qualified professional’s report to state that the site is safe for the use intended and specify what conditions are required to ensure the site will be safe.

1.4 For seismic and flood hazards, the SCRDR requires a development to meet the following standards corresponding to the type and size of the development:

Development Type & Size	Hazard Design Standard		
	Seismic Event	Creek Flooding	Ocean Flooding
Restoration and Small Addition: Restoration includes repair of a damaged structure or rebuilding of a structure within its existing location and spatial limits. Small addition includes an attached expansion to an existing building or a detached additional building with total gross floor area not exceeding 25% of the existing building or 60 m ² , whichever is lesser.	8% in 50 years	1 in 50 years	Anticipated sea level in 20 years
Small Development: Construction of new buildings with total gross floor area between 60 m ² and 500 m ² , lot line adjustments, but excluding subdivisions.	4% in 50 years	1 in 100 years	Anticipated sea level in 60 years
Large Development or Subdivision: New buildings with a total gross floor area exceeding 500 m ² , or subdivision creating one or more additional lots.	2% in 50 years	1 in 200 years	Anticipated sea level in 100 years

1.5 For landslides, the SCRDR requires that the qualified professional’s report include a completed *Appendix D: Landslide Assessment Assurance Statement* (Schedule 1).

1.6 For all hazards including localized hazards such as debris flow and rock fall, the qualified professional must:

- a. describe the method of hazard or risk analysis used;
- b. refer to appropriate provincial, national or international guidelines or benchmarks for the level of safety;
- c. compare the guidelines with findings of his/her own investigation;
- d. make a finding on the level of safety on the property based on the comparison;
- e. make recommendations on design standards based on the comparison, the scale of the development and SCRD requirements in Policy 1.4;
- f. make recommendations to reduce hazards and risks such as siting requirements to avoid the hazards, requirements for protective work; and
- g. report on the requirements for future inspections of the property and recommend who should conduct those inspections.

2.0 REASON FOR POLICY

To establish a range of geo-hazard design benchmarks corresponding to the scale and size of development as a basis for approval or non-approval of permits for development on hazardous lands.

3.0 AUTHORITY TO ACT

Delegated to staff through development application approval.

4.0 PROCEDURE

4.1 Scope of Policy

This Policy applies to all development applications involving geo-hazards.

4.2 Responsibility

Board of Directors

To be familiar with this policy and to make decisions regarding the issuance of permits based on this policy.

Manager of Planning and Development

To provide advice to the Board of Directors on this policy.

Approval Date:	November 22, 2018	Resolution No.	332/18 Rec. 1
Amendment Date:		Resolution No.	
Amendment Date:		Resolution No.	
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Schedule 1

APPENDIX D: LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

Note: This Statement is to be read and completed in conjunction with the "EGBC Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia", March 2006/Revised September 2008 ("EGBC Guidelines") and the "2006 BC Building Code (BCBC 2006)" and is to be provided for *landslide assessments* (not floods or flood controls) for the purposes of the Land Title Act, Community Charter or the Local Government Act. Italicized words are defined in the EGBC Guidelines.

To: The *Approving Authority*

Date: _____

Jurisdiction and address

With reference to (check one):

- Land Title Act (Section 86) – Subdivision Approval
- Local Government Act (Sections 919.1 and 920) – Development Permit
- Community Charter (Section 56) – Building Permit
- Local Government Act (Section 910) – Flood Plain Bylaw Variance
- Local Government Act (Section 910) – Flood Plain Bylaw Exemption
- British Columbia Building Code 2006 sentences 4.1.8.16 (8) and 9.4 4.4.(2) (Refer to BC Building and Safety Policy Branch Information Bulletin B10-01 issued January 18, 2010)

For the Property:

Legal description and civic address of the Property

The undersigned hereby gives assurance that he/she is a *Qualified Professional* and is a *Professional Engineer* or *Professional Geoscientist*.

I have signed, sealed and dated, and thereby certified, the attached *landslide assessment* report on the Property in accordance with the *EGBC Guidelines*. That report must be read in conjunction with this Statement. In preparing that report I have:

Check to the left of applicable items

- ___ 1. Collected and reviewed appropriate background information
- ___ 2. Reviewed the proposed *residential development* on the Property
- ___ 3. Conducted field work on and, if required, beyond the Property
- ___ 4. Reported on the results of the field work on and, if required, beyond the Property
- ___ 5. Considered any changed conditions on and, if required, beyond the Property
- ___ 6. For a *landslide hazard analysis* or *landslide risk analysis* I have:
 - ___ 6.1 reviewed and characterized, if appropriate, any *landslide* that may affect the Property
 - ___ 6.2 estimated the *landslide hazard*
 - ___ 6.3 identified existing and anticipated future *elements at risk* on and, if required, beyond the Property
 - ___ 6.4 estimated the potential *consequences* to those *elements at risk*
- ___ 7. Where the *Approving Authority* has adopted a *level of landslide safety* I have:
 - ___ 7.1 compared the *level of landslide safety* adopted by the *Approving Authority* with the findings of my investigation
 - ___ 7.2 made a finding on the *level of landslide safety* on the Property based on the comparison
 - ___ 7.3 made recommendations to reduce *landslide hazards* and/or *landslide risks*
- ___ 8. Where the *Approving Authority* has **not** adopted a *level of landslide safety* I have:
 - ___ 8.1 described the method of *landslide hazard analysis* or *landslide risk analysis* used
 - ___ 8.2 referred to an appropriate and identified provincial, national or international guideline for *level of landslide safety*

____ 8.3 compared this guideline with the findings of my investigation
____ 8.4 made a finding on the *level of landslide safety* on the Property based on the comparison
____ 8.5 made recommendations to reduce *landslide hazards* and/or *landslide risks*
____ 9. Reported on the requirements for future inspections of the Property and recommended who should conduct those inspections.

Based on my comparison between

Check one

- the findings from the investigation and the adopted *level of landslide safety* (item 7.2 above)
- the appropriate and identified provincial, national or international guideline for *level of landslide safety* (item 8.4 above)

I hereby give my assurance that, based on the conditions^[1] contained in the attached *landslide assessment* report,

Check one

- for subdivision approval, as required by the Land Title Act (Section 86), "that the land may be used safely for the use intended"

Check one

- with one or more recommended registered covenants.
- without any registered covenant.

- for a development permit, as required by the Local Government Act (Sections 919.1 and 920), my report will "assist the local government in determining what conditions or requirements under [Section 920 subsection (7.1) it will impose in the permit".

- for a building permit, as required by the Community Charter (Section 56), "the land may be used safely for the use intended"

Check one

- with one or more recommended registered covenants.
- without any registered covenant.

- for flood plain bylaw variance, as required by the "Flood Hazard Area Land Use Management Guidelines" associated with the Local Government Act (Section 910), "the development may occur safely".

- for flood plain bylaw exemption, as required by the Local Government Act (Section 910), "the land may be used safely for the use intended".

Name (print)

Date

Signature

[1] When seismic slope stability assessments are involved, *level of landslide safety* is considered to be a "life safety" criteria as described in the National Building Code of Canada (NBCC 2005), Commentary on Design for Seismic Effects in the User's Guide, Structural Commentaries, Part 4 of Division B. This states:

"The primary objective of seismic design is to provide an acceptable level of safety for building occupants and the general public as the building responds to strong ground motion; in other words, to minimize loss of life. This implies that, although there will likely be extensive structural and non-structural damage, during the DGM (design ground motion), there is a reasonable degree of confidence that the building will not collapse nor will its attachments break off and fall on people near the building. This performance level is termed 'extensive damage' because, although the structure may be heavily damaged and may have lost a substantial amount of its initial strength and stiffness, it retains some margin of resistance against collapse".

Address

(Affix Professional seal here)

Telephone

If the *Qualified Professional* is a member of a firm, complete the following.

I am a member of the firm _____
and I sign this letter on behalf of the firm. (Print name of firm)