



August 17, 1992

Your File: 61-21-78-8896S

Our File: 4-11-200-5

Ministry of Transportation
and Highways
103-4475 Viewmont Avenue
Victoria, B. C.
V8Z 5K8

ATTENTION: B. L. Hacking
District Development Technician

Dear Sir:

**Re: Proposed Subdivision of Section 77, Renfrew District,
Section 78, Renfrew District**

Further to our letter dated May 21, 1992, on the above
proposed subdivision.

We have reviewed a preliminary geotechnical assessment of
the above property as prepared by C. N. Ryzuk & Associates
Ltd dated August 17, 1992, (file no: 8-915-1).

Please be advised by this letter that this geotechnical
assessment meets the requirements of our letter dated
May 21, 1992, therefore, as the duly authorized designate of
the Minister of Environment, Lands and Parks, consent is
hereby given on his behalf, pursuant to Section 82 of the
Land Title Act, for the approval of the above mentioned plan
of subdivision, subject to:

- (A) the subdivider entering into a covenant registrable
under section 215, which shall run with the land, and
shall effect the following conditions for each lot
created including any remainder of the property:

- "1. Hereafter, no building shall be constructed, nor
mobile home located within fifteen (15.0) metres of the
natural boundary of the Sea nor within fifteen (15.0)
metres of the natural boundary of any nearby
watercourse.

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The coastal floodplain setback may be reduced to seven point five (7.5) metres where the ocean frontage is adequately protected from erosion by a natural bedrock formation; or works designed by a Professional Engineer with provision for maintenance; such maintenance to be assumed to be the responsibility of the owner.

2. Hereafter, no area used for habitation, business, or storage of goods damageable by floodwaters shall be located within any building at an elevation such that the underside of the floor system thereof is less than one point five (1.5) metres above the natural boundary of the Sea, and any nearby watercourse.

In the case of a mobile home, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above described elevation.

3. The required elevation may be achieved by structural elevation of the said habitable, business, or storage area or by adequately compacted landfill on which any building is to be constructed or mobile home located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwaters. Where landfill is used to raise the natural ground elevation, the toe of the landfill slope shall be no closer to the natural boundary than the setback requirement given in Condition (1) above. The face of the landfill slope shall be adequately protected against erosion from flood flows.
4. The owner acknowledges that the Province of British Columbia does not represent to the owner or any other person that any building constructed or mobile home located in accordance with conditions (1) and (2) herein will not be damaged by flooding or erosion, and the owner covenants and agrees not to claim damages from the Province or Capital Regional District or hold the Province or Regional District responsible for damages caused by flooding or erosion to the land or any building, improvement, or other structure built, constructed or placed upon the said lands and to any contents thereof.

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The following declaration is to be endorsed on the subdivision plan:

The registered owners designated hereon hereby acknowledge that the land affected by this plan of subdivision may be subject to flooding and declare that they have entered into a covenant in favour of Her Majesty the Queen in the right of the Province of British Columbia, as represented by the Minister of Environment, Lands and Parks and the Capital Regional District, under Section 215 of the Land Title Act.

Covenantor

Dated at _____, _____, 19____.

The covenant must be tendered with the application to deposit the subdivision plan. The covenant must have the following statement typed or stamped on it and signed by the Approving Officer:

This is the instrument creating the condition or covenant entered into under Section 215 of the Land Title Act by the registered owner(s) referred herein and shown on the print of plan annexed hereto and initialled by me.

Approving Officer

These covenant conditions are to be registered with priority over any financial charges registered against the property.

- (B) that a further report be submitted by the subdivider delineating and certifying the safe building sites
- (C) that all areas not certified as safe building sites be included in a covenant that would prevent building.
- (D) the recommendations regarding surface water from the C. N. Ryzuk assessment be included in a covenant.
- (E) Ravines should be retained in a naturally vegetated undisturbed state whereby cutting of trees be restrictive, and the ravine areas to remain as park in perpetuity.

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If you require any further information, please contact the
Regional Water Management office in Nanaimo at 758 3951.

Yours truly,

A handwritten signature in cursive script, reading "David F. Moore".

D. F. Moore
Water Management Technician
Vancouver Island Region