

Approving Officer (AO) Bulletin

An Approving Officer (AO) is a unique role appointed under the Land Title Act of British Columbia. A Municipal Approving Officer is appointed by Council to review/address Subdivision Proposals within the Municipal Boundaries.

As permitted by Section 86(1)(d) of the Land Title Act, conditions of Subdivision Approval often include the registration of Restrictive Covenants on title, to ensure compliance with policies and regulations of the City, and to ensure the safety and protection of adjacent properties and citizens. This includes, but is not limited to:

- Secondary Suite Prohibition Covenants – registered to reflect Official Community Plan (OCP) Policy limiting Secondary Suites due to parking and servicing availability;
- Environmental / Streamside Protection Setback Covenants – registered to reflect Streamside Protection Bylaw Setbacks, and/or no-disturbance areas;
- Geotechnical Covenants – registered to reflect no build areas due to geotechnical engineering constraints; and
- Slope Stability Covenants – registered to reflect policies in the OCP that strongly discourage development in areas with slopes greater than 30%.

When registered as a condition of a subdivision approval, the discharge or amendment of any existing covenants or easements must be authorized by the AO.

The Stance of the Approving Officer – Development on Steep Slopes

In accordance with Section 86(1)(c), subsections (i) and (v) of the Land Title Act, the City of Abbotsford AO is not willing to consider an amendment to an existing covenant registered in conjunction with a previously approved subdivision application in areas with slopes greater than 30% on a parcel by parcel basis.

It is the opinion of the AO that amending existing geotechnical and/or slope stability covenants is not supportable on a parcel by parcel basis, given the potential for adverse impacts on adjacent and/or surrounding properties.

Furthermore, amending geotechnical and/or slope stability covenants in areas that have slopes greater than 30% is inconsistent with existing policy within the OCP. The policy contained within the OCP stipulates that land development should be avoided in areas with slopes greater than 30%, due to the potential of landslides or slope failures.



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