

SCHEDULE B

FLOODPLAIN MANAGEMENT PROVISIONS

PART 1 GENERAL REGULATIONS

1.01 FLOODPLAIN DESIGNATION

The following *land* is designed as *floodplain*:

- (1) *Land* lower than the *flood construction levels* specified in section 1.02(1).
- (2) *Land* within the *floodplain setbacks* specified in section 1.02(2).
- (3) *Land* within the boundaries of the Lussier River fan as shown on Schedule B1 attached hereto and forming part of this Bylaw.

1.02 FLOODPLAIN SPECIFICATIONS

(1) Flood Construction Levels

The following elevations are specified as *flood construction levels*, except that where more than one *flood construction level* is applicable, the higher elevation shall be the *flood construction level*:

- (a) 772 m Geodetic Survey of Canada datum for *land* adjacent to Wasa Lake;
- (b) 3 m above the *ordinary high water mark* of the Kootenay River, Lussier River, Skookumchuck Creek, St. Mary River, and Perry Creek;
- (c) 1.5 m above the *ordinary high water mark* of any other *watercourse*, lake, marsh or pond;
- (d) 1 m above the *natural ground elevation* or 0.6 m above any obstruction that could cause ponding; or the *flood construction level* specified in an engineer's report prepared under Section 56 of the *Community Charter*, whichever is the highest, for those areas within the Special Policy Area shown on Schedule B1.

(2) Floodplain Setbacks

The following distances are specified as *floodplain setbacks*, except that where more than one *floodplain setback* is applicable, the greater distance shall be the *floodplain setback*:

- (a) 30 m from the *ordinary high water mark* of the Kootenay River, Lussier River, Skookumchuck Creek, St. Mary River and Perry Creek;
- (b) 15 m from the *ordinary high water mark* of any other *watercourse*; or
- (c) 7.5 m from the *ordinary high water mark* of a lake, marsh, or pond.

PART 2 APPLICATION OF FLOODPLAIN SPECIFICATIONS

2.01 (1) Pursuant to the specified *flood construction levels* and *floodplain setback* of this Bylaw:

- (a) the underside of any floor system, or the top of any *pad* supporting any space or room, including a *manufactured home*, that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater shall be above the specified level, and
- (b) any landfill required to support a floor system or *pad* shall not extend within any setback from a *watercourse* or body of water specified by the Bylaw or the Minister of Environment.

- (2) Structural support or compacted landfill or a combination of both may be used to elevate the underside of the floor system or the top of the *pad* above the *flood construction levels* specified in section 1.02(1). The structural support and/or landfill shall be protected against scour and erosion from flood flows, wave action, ice and other debris.
- (3) The building inspector, or such person appointed by the Board of the *Regional District* may require that a British Columbia Land Surveyor's certificate be required to verify compliance with the *flood construction levels* and *floodplain setbacks* specified in section 1.02(1) and (2). The cost of verification shall be assumed by the *land* owner.

PART 3 SPECIAL POLICY AREA

- (1) Development on *land* in the Special Policy Area delineated on Schedule B1 governed by Section 56 of the *Community Charter* is subject to the minimum flood construction level and floodplain setback requirements identified in section 1.02 of Schedule B of this Bylaw.
- (2) Development on *land* in the Special Policy Area delineated on Schedule B2 governed by Section 56 of the *Community Charter* is subject to the minimum floodplain setback requirements identified in section 1.02 of Schedule B of this Bylaw.
- (3) Special Policy Areas include alluvial and debris torrent fans and areas adjacent to watercourses that are subject to high velocity flows and require the assessment of a suitably qualified professional engineer.
- (4) General exemptions outlined in Part 4 of Schedule B apply to Special Policy Areas.

PART 4 EXEMPTIONS

4.01 GENERAL EXEMPTIONS

The general exemptions from the *flood construction levels* and *floodplain setbacks* are outlined in Schedule B3 of this Bylaw.

4.02 SITE-SPECIFIC EXEMPTIONS

An application by a property owner to the *Regional District* for a site-specific exemption or relaxation shall be completed upon a form provided by the Regional District and submitted in accordance with instructions on the application. Application may be made to vary either the required setback from or elevation above a *watercourse* or body of water.

PART 5 NO REPRESENTATION

- 5.01** By the enactment, administration or enforcement of this Bylaw the *Regional District* does not represent to any person that any *building* or *structure*, including a *manufactured home*, located, constructed or used in accordance with the provisions of this Bylaw or in accordance with any advice, information, direction or guidance provided by the *Regional District* in the course of the administration of this Bylaw will not be damaged by flooding.

This is Schedule B referred to in Bylaw No. 2502 cited as "Regional District of East Kootenay – Electoral Area E Zoning and Floodplain Management Bylaw No. 2502, 2014".

"Rob Gay"
Chair

"Lee-Ann Crane"
Corporate Officer

April 4, 2014
Date