



CITY OF CASTLEGAR
FLOOD PLAIN MANAGEMENT
BYLAW 890

CITY OF CASTLEGAR

BYLAW NO 890

WHEREAS the Council of the City of Castlegar, where it is considered that flooding may occur on land, may enact a floodplain bylaw pursuant to Section 910 of the Local Government Act;

AND WHEREAS the City of Castlegar and the Province of British Columbia consider a floodplain management bylaw will help to reduce future exposure to risk and to reduce the amount of damage to structures and property due to flooding;

NOW THEREFORE, the Council of the City of Castlegar, ENACTS AS FOLLOWS, except those notes in italics which are provided for information only and do not form part of this bylaw:

The purpose of the floodplain management provisions is to reduce the risk of injury, loss of life, and damage to buildings and structures due to flooding. However, neither the Council of the City of Castlegar nor the Province of British Columbia represent to any person that any building or structure, including a mobile home, used, constructed, or located in accordance with the following provisions will not be damaged by flooding.

1. DEFINITIONS

For the purposes of this bylaw, the following definitions apply:

DESIGNATED FLOOD means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate streamflow data available. Where the flow of a large watercourse is controlled by a major dam, designated flood shall be set on a site specific basis.

DESIGNATED FLOOD LEVEL means the observed or calculated elevation for the Designated Flood, which is used in the calculation of the Flood Construction Level;

FLOOD CONSTRUCTION LEVEL OR FLOOD LEVEL means a Designated Flood Level plus Freeboard, or where a Designated Flood Level cannot be determined, a specified height above a Natural Boundary, Natural Ground Elevation, or any obstruction that could cause ponding;

FLOODPLAIN means an area which is susceptible to flooding from a watercourse, lake, or other body of water and that which is designated in Section 2 of this bylaw;

FLOODPLAIN SETBACK means the required minimum distance from the Natural Boundary of a watercourse, lake or other body of water to any landfill or structural support required to elevate a floor system or pad above the Flood Construction Level, so as to maintain a floodway and allow for potential land erosion;

FREEBOARD means a vertical distance added to a Designated Flood Level, used to establish a Flood construction Level;

G.S.C. means Geodetic Survey of Canada datum;

HABITABLE AREA means any space or room, including a manufactured home, that is or can be used for dwelling purposes, business or the storage of goods which are susceptible to damage by floodwater;

MANUFACTURED HOME means a single family dwelling built in an enclosed factory environment, in one or more sections, intended to be occupied in a place other than of its manufacture. Manufactured homes include Mobile Homes and Modular Homes which are either completely self contained dwelling units, or are incomplete dwelling units which are fastened together and completed on site. All new manufactured homes must be constructed to either the CAN/CSAZ240 (mobile home) standard, the National Building Code of Canada, or the provincial building code where manufactured;

NATURAL BOUNDARY means the visible high watermark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, as defined in Section 1 of the Land Act, and also includes the edge of dormant side channels of any lake, river, stream, or other body of water;

NATURAL GROUND ELEVATION means the undisturbed ground elevation prior to site preparation;

PAD means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a manufactured home, or a concrete pad for supporting a Habitable Area;

TOP OF BANK means the point at which the upward ground level becomes less than one (1.0) vertical to four (4.0) horizontal, and refers to the crest of the bank or bluff where the slope clearly changes into the natural upland bench; or as designated by the Minister of Water, Land and Air Protection or his Designated Official;

WATER COURSE means any natural or man made depression with well defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of 5 square kilometers or more upstream of the point of consideration.

2. FLOODPLAIN DESIGNATION

The following land is designated as Floodplain:

- a) Land lower than the Flood Construction Levels specified in Section 3a;
- b) Land within the floodplain Schedule specified in Section 3b.

3. FLOODPLAIN SPECIFICATIONS

- a) 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 a Flood Construction Level:

- (i) the Flood Construction Level for a specific property, as determined by interpolation from those Flood Construction Levels shown on Schedule A "Columbia River Flood Construction Levels"; attached hereto and forming part of this bylaw;
- (ii) 1.0 metres above the Natural Boundary of Schofield Creek;
- (iii) 1.5 metres above the natural Boundary of any other watercourse.

- b) 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:

- (i) 15 metres from the Natural Boundary of Merry Creek;
- (ii) 10 metres from the Natural Boundary of Schofield Creek;
- (iii) 30 metres from the Natural Boundary of the Columbia River where there is no erosion, adjacent to the property, at the base of the bank (*no slope failure/lack of vegetation*);
- (iv) 10 metres from the top of bank of the Columbia River where there is erosion, adjacent to the property, at the base of the bank (*slope failure/lack of vegetation*).

4. APPLICATION OF FLOODPLAIN SPECIFICATIONS

- a) Pursuant to Section 910(5) of the Local Government Act, after a bylaw has specified Flood Construction Levels and Floodplain Setbacks:
- (i) “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 that specified level, and
 - (ii) 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 Water, Land and Air Protection”.
- b) 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 3a. The structural support and/or landfill shall be protected against scour and erosion from flood flows, wave action, ice and other debris.
- c) The Building Inspector, or such person appointed by the Council of the City of Castlegar 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 Sections 3(a) and (b). The cost of verification shall be assumed by the landowner.

5. GENERAL EXEMPTIONS

Pursuant to Section 910 (6) of the Municipal Act, the Minister of Water, Land and Air Protection, may exempt or relax types of developments from the requirements of Section 910, subject to conditions he may impose. The general exemptions and relaxations which have been approved by the Minister are provided for information purposes on Schedule B of this bylaw.

6. SITE SPECIFIC EXEMPTIONS

An application by a property owner to the Minister of Water, Land and Air Protection for a site specific exemption or relaxation shall be completed upon a form provided by the City of Castlegar which is attached as Schedule C and submitted in accordance with the instructions on the application.

7. NO REPRESENTATION

By the enactment, administration or enforcement of this bylaw the City of Castlegar and the Province of British Columbia do not represent to any person that any building or structure, including a manufactured home, located constructed, sited or used in accordance with the provisions of this bylaw, or in accordance with any advice, information, direction or guidance provided by the City of Castlegar in the course of the administration of this bylaw will not be damaged by flooding.

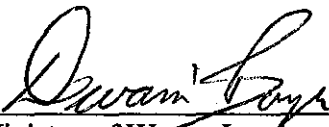
8. ADOPTION

READ A FIRST TIME this 15th day of April, 2002

READ A SECOND TIME this 15th day of April, 2002

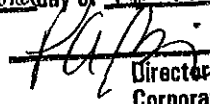
READ A THIRD TIME this 15th day of April, 2002

APPROVED BY THE MINISTER OF WATER, LAND AND AIR PROTECTION under the provisions of Section 910 of the Local Government Act this 25 day of April, 2002.

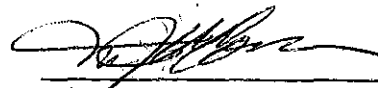



Minister of Water, Land and Air Protection

ADOPTED this 6th day of May, 2002.

I hereby certify that this is a true and correct
copy of City of Castlegar Flood Plain
Management Bylaw No. 890
read a third time
as Adopted by the Castlegar City Council
on the 15th day of April 2002
Signed this 22nd day of April 2002


Director of
Corporate Services



MAYOR


DIRECTOR OF CORPORATE SERVICES

CITY OF CASTLEGAR

BYLAW 890

Schedule "B"

Floodplain Management Provisions

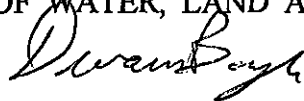
General Exemptions

1. The following types of development are exempt from the requirement of Section 910(5)(a) of the Local Government Act, as it pertains to the Flood Construction Levels specified in Section 3(a) of this bylaw:
 - (i) A renovation of an existing building or structure that does not involve an addition thereto;
 - (ii) An addition to a building or structure, at the original non-conforming floor elevation, that would increase the size of the building or structure by less than 25 percent of the ground floor area (excluding carports or garages) existing at the date of adoption of this bylaw, provided that the degree of nonconformity regarding setback is not increased;
 - (iii) That portion of a building or structure to be used as a carport, garage or entrance foyer;
 - (iv) On-loading and off-loading facilities associated with water-oriented industry and portable sawmills.

2. The following types of development are exempt from the requirement of Section 910(5)(a) of the Local Government Act, as it pertains to the Flood Construction Levels specified in Section 3(a) of this bylaw, subject to the following conditions:
 - (i) Industrial Uses: Industrial uses, other than main electrical switchgear, shall be located with the underside of a wooden floor system or the top of the Pad (or in the case of a manufactured home the top of Pad or the ground surface on which it is located) no lower than the Flood Construction Levels specified in Section 3(a) of this bylaw, minus Freeboard. Main electrical switchgear shall be no lower than the Flood Construction Level.

AS APPROVED BY THE MINISTER OF WATER, LAND AND AIR PROTECTION this

25 day of April, 2002.

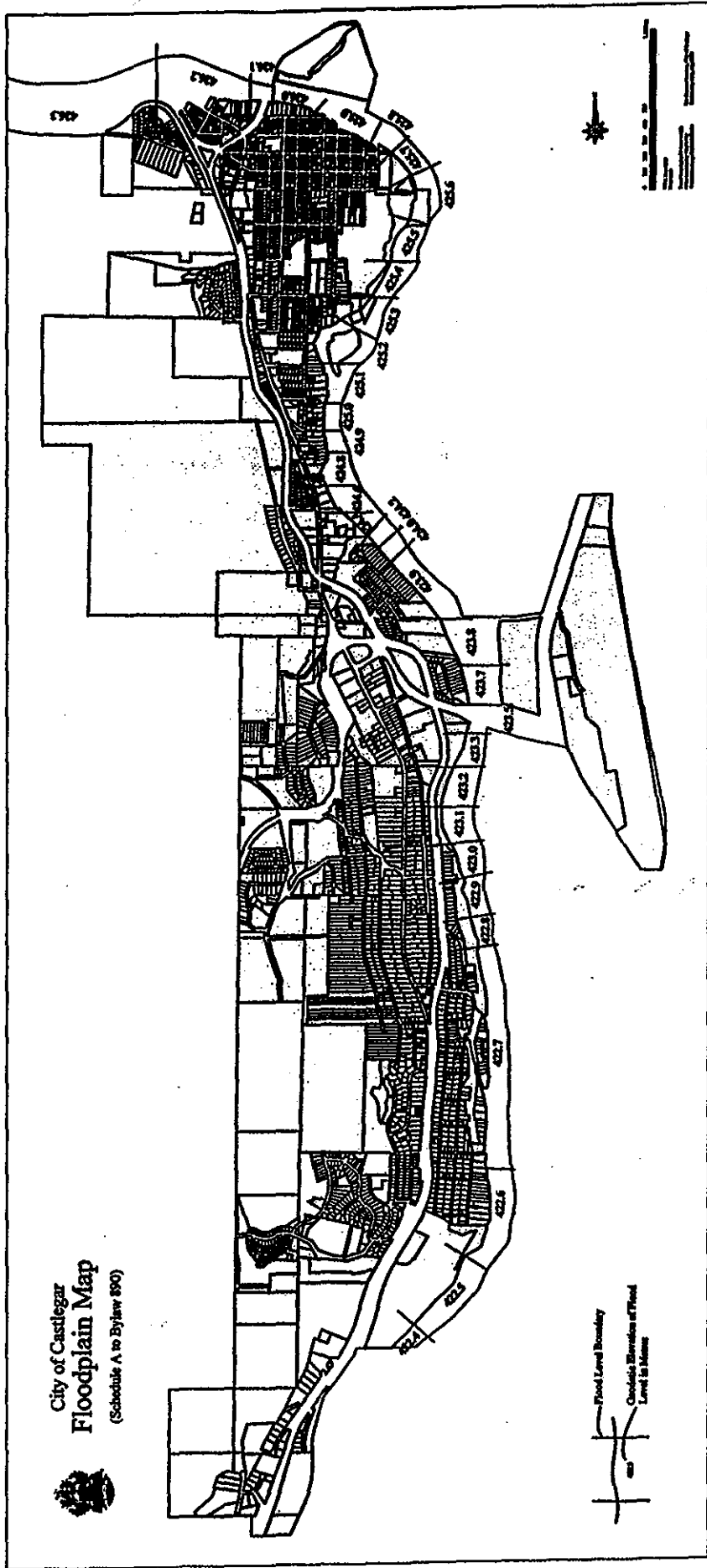


**THE CITY OF CASTLEGAR
BYLAW NO 890
Schedule "C"
Floodplain Management Provisions
"Request for Site-specific Exemption"**

Note: This form is to be completed and submitted by the property owner to the municipality or regional district office as a request to relax a floodplain management provision. Section 1 and 2 must be completed before forwarding to the Regional Water Manager's office for consideration.

1. APPLICANT	
Applicant's Name:	
Address:	
Telephone No.:	
Lot, Block, Legal Subdivision, Section, Plan, Township, Range, Land District:	
Name of Regional District, Village, Town, City or District:	
Proposed Development:	
Name of Adjacent Watercourse or Body of Water:	
Relaxation of required setback from _____ metres to _____ metres.	
Relaxation of required elevation from _____ metres to _____ metres.	
Enclosed are: <i>(check where provided; provision of all of this information is necessary to facilitate processing of application)</i>	
<input type="checkbox"/> legal map of property	<input type="checkbox"/> site plan of property indicating:
<input type="checkbox"/> photos of property (proposed building location, adjacent existing development, riverbank areas, etc)	• building envelope
<input type="checkbox"/> photos of property (proposed building location, adjacent existing development, riverbank areas, etc)	• size & location of all proposed buildings
	• location of adjacent watercourses/bodies of water top & bottom of banks
	• all applicable setbacks (eg. for watercourses, septic, property lines)
Reasons for Application (continue on reverse, if necessary):	<input type="checkbox"/> other information pertinent to this application
_____ Applicant's Signature	_____ Date
2. LOCAL AUTHORITY	
Applicable Bylaw No. & Section: <i>(please attach copy)</i>	Bylaw adopted pursuant to Section 910 Local Government Act
	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Supports application	<input type="checkbox"/> Does not support application
Comments <i>(please note any other local bylaw provisions that affect this application):</i>	
_____ Building Inspector Signature	_____ Date
3. MINISTRY	
Date Received:	
Approval: <input type="checkbox"/> YES <input type="checkbox"/> NO	Recommendations: <input type="checkbox"/> YES <input type="checkbox"/> NO <i>(Other Bylaw)</i>
Conditions: <input type="checkbox"/> (see attached response letter)	
_____ Designated Official	_____ Date

**City of Castlegar
Floodplain Map**
(Schedule A to Bylaw 890)



Flood Level Boundary
Outside Elevation of Flood Level in Meters