

**VILLAGE OF FRASER LAKE
FLOODPLAIN MANAGEMENT BYLAW NO. 685, 2008**

**A Bylaw to establish floodplain management procedures and regulations for
buildings and structures in flood prone areas**

WHEREAS pursuant to Section 910 of the *Local Government Act*, the Council of the Village of Fraser Lake is authorized to enact a floodplain management bylaw where it considers flooding may occur on land;

AND WHEREAS the Village of Fraser Lake is in possession of Provincial guidelines and other documents that identify areas, which may be subject to flooding;

AND WHEREAS the Village of Fraser Lake has had floodplain management regulations in place for flood prone lands since 1988.

AND WHEREAS there is a need to review and update these regulations to reflect current legislation and Provincial guidelines;

NOW THEREFORE the Council of the Village of Fraser Lake, in open meeting assembled, enacts as follows:

1. TITLE

This Bylaw may be cited as the "Village of Fraser Lake Floodplain Management Bylaw No. 685, 2008."

2. ADMINISTRATION

- 2.1 Authorized employees and Officers of the Corporation of the Village of Fraser Lake, the Building Official or other person appointed by Council shall administer this Bylaw.
- 2.2 This Bylaw shall apply to all lands within the Village of Fraser Lake municipal boundaries.
- 2.3 Setbacks and elevations shall be measured from, and with respect to, the body of water which is adjacent to the subject building or structure.

3. DEFINITIONS

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

ALLUVIAL FAN means the alluvial deposit of a stream where it issues from a steep mountain valley or gorge upon a plain or at the junction of a tributary stream with the main stream.

BUILDING means any structure used or intended for supporting or sheltering any use or occupancy.

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 stream flow data available. Where the flow of a large watercourse is controlled by a major dam, the designated flood shall be set on a site specific basis.

DESIGNATED FLOOD LEVEL means the observed or calculated elevation for the designated flood and is used in the calculation of the flood construction level.

FLOOD CONSTRUCTION LEVEL means the designated flood level plus the allowance for freeboard and is used to establish the elevation of the underside of a wooden floor system or top of a concrete slab for habitable buildings. In the case of a manufactured home, the ground level or top of a concrete or asphalt pad, on which it is located, shall be no lower than the above-described elevation. It also establishes the minimum crest level of a standard dike. Where the designated flood level cannot be determined or where there are overriding factors, an assessed height above the natural boundary of the water body or above the natural ground elevation may be used.

FREEBOARD means a vertical distance added to the designated flood level and is used to establish the flood construction level.

MANUFACTURED HOME OR MANUFACTURED HOUSING 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 where it is manufactured, and is not self-propelled.

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. In

addition, the natural boundary includes the best estimate of the edge of dormant or old side channels and marsh areas.

PAD means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a manufactured home or unit.

SETBACK means the required minimum distance, measured horizontally, that a structural support or landfill, required to elevate a floor system or pad above the designated flood level, must be separated from the natural boundary to maintain a floodway and allow for potential erosion.

STANDARD DIKES means those built to a minimum crest elevation equal to the flood construction level and meeting standards of design and construction approved by the Ministry of Environment and maintained by an ongoing authority such as a local government body.

STRUCTURE means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into the land or water, specifically including retaining structures of any size directly connected to a building or other structure but specifically excluding all other retaining structures such as landscaping, fences and paving .

WATERCOURSE 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 months of the year or having a drainage area of 2 square kilometres or more upstream of the point of consideration.

4. FLOODPLAIN DESIGNATION

The following lands are designated as floodplain:

- 4.1 All lands which are below the flood construction levels specified in section 5.1 or the Bylaw or which are within the floodplain setbacks specified in section 5.2 of this Bylaw.

5. FLOODPLAIN SPECIFICATIONS

5.1 Flood Construction Levels

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

- 5.1.1 671.8 metres elevation in the case of Fraser Lake;
- 5.1.2 1.5 meters above the natural boundary of any other watercourse, lake, swamp or pond.

5.2 Floodplain Setbacks

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

- 5.2.1 15 metres from the natural boundary of Fraser Lake;
- 5.2.2 15 metres from the natural boundary of any watercourse or any structure for flood protection or seepage control or of any dike right-of-way;

6. FLOODPLAIN REGULATIONS

6.1 Pursuant to Section 910 (4) of the Local Government Act:

- 6.1.1 No building, manufactured home or unit, modular home or structure or any part thereof shall be constructed, reconstructed, moved, extended or located with the underside of a wooden floor system or top of a concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a manufactured home or unit the ground level or top of the pad on which it is located; lower than the flood construction level specified in section 5.1 of this Bylaw.
- 6.1.2 No landfill or structural support required to support a floor system or pad, shall be constructed, reconstructed, moved, extended or located within any floodplain setback specified in section 5.2 of this Bylaw.

- 6.1.3 Unless specifically provided for elsewhere in this bylaw no area below the flood construction level shall be used for the installation of furnaces, major electrical switchgear, or other fixed equipment susceptible to damage by floodwater.
- 6.2 The required elevation specified in section 5.1 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 manufactured home or unit 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 floodwater.
- 6.3 Where landfill is used to achieve the required elevation specified in section 5.1 above, no portion of the landfill slope shall be closer than the setback distances specified in section 5.2 from the natural boundary, or the inboard toe of any structure for flood protection or seepage control, or the inboard side of any dike right of way, and the face of the landfill slope shall be adequately protected against erosion from flood flows, wave action, ice or other debris.
- 6.4 Where a manufactured home or unit is located on, and secured to, a poured-in-place concrete perimeter footing, the flood construction level shall apply to the top of the footing wall.
- 6.5 Foundations of construction in alluvial fan areas shall be designed by a professional engineer to ensure that structures are anchored to minimize the impact of flood, sediment and erosion damage; footings are extended below scour depth, or fill materials are armoured where elevation is achieved by fill, to protect against scour, erosion and flood flows.

7. GENERAL EXEMPTIONS

Section 6.1.1 of this Bylaw shall not apply to:

- 7.1 The renovation of an existing building or structure that does not involve an addition thereto;
- 7.2 An addition to a building or structure that would increase the size of the building or structure by less than 25 percent of the finished floor area of the first story existing at the date of adoption of this Bylaw. Such additions must not increase the degree of nonconformity with respect to a floodplain setback;

8. SITE SPECIFIC EXEMPTIONS


- 8.1 An application by the property owner for a site-specific exemption must be completed on a form provided by the Village, which is attached hereto as Schedule "A" and may be considered with the following provisions:
- 8.1.1 the exemption is consistent with the Provincial guidelines as defined in the *Local Government Act*;
 - 8.1.2 is accompanied with a professional engineer's or geoscientist's report that the property can be safely used for the intended use, at the elevation requested; and
 - 8.2.3 a Section 219 Floodplain covenant is registered on title, saving the Village harmless for any damages or injuries that may occur due to flooding.

READ A FIRST TIME this 10TH day of Sept, 2008.

READ A SECOND TIME this 10TH day of Sept, 2008.

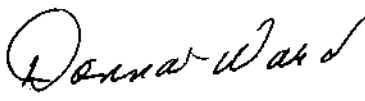
READ A THIRD TIME this 10TH day of Sept, 2008.

ADOPTED this 26TH day of November, 2008.


MAYOR


CORPORATE OFFICER

*Certified a true copy of
Bylaw 685, 2008 as
adopted this 26th day
of November, 2008*


Clerk/Recorder

Nov 27, 2008

SCHEDULE "A"



VILLAGE OF FRASER LAKE

65 Endako Ave
Fraser Lake, BC V0J 1S0
(250)699-6257
Fax: (250)699-6469

**FLOODPLAIN MANAGEMENT BYLAW No. 685, 2008
SITE SPECIFIC EXEMPTION APPLICATION**

Name(s) of Registered

Property Owner(s) _____

Mailing Address _____

Telephone Number: _____ Cell: _____

Civic Address _____

Legal Description _____

Exemption of the following development from the requirements of Section 910 of the Local Government Act and Section 5 of the Village of Fraser Lake Floodplain Management Bylaw No. 685, 2008, is requested:

Proposed Development _____

Name of Adjacent Watercourse or Body of Water _____

Flood Construction Level in Bylaw No. 685 _____

Flood Construction Level Requested _____

Floodplain Setback Requested _____

Enclosed are:

- Legal map of property.
- Map indicating property location and relationship of proposed building to adjacent watercourses.
- Photos of property (proposed building location, adjacent existing development, riverbank areas, etc.)
- Professional engineer's report stating the property can be safely used for the intended use.
- \$200.00 application fee.

REASONS FOR APPLICATION _____

Signature of Applicant

Date

Acknowledgement of Building Inspector