

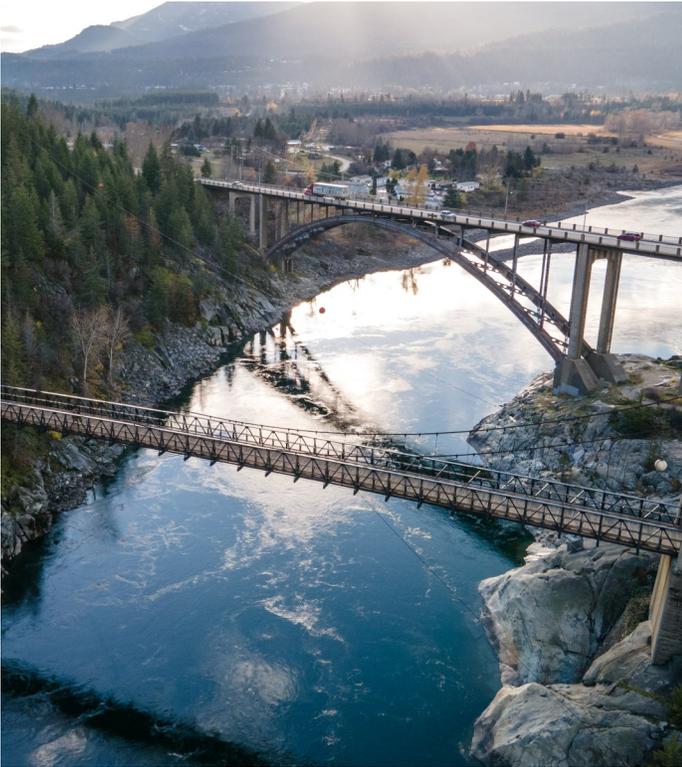


Site Specific Floodplain Exemption

Information Package



Planning Department
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive , Nelson, BC V1L 5R4
Phone: 250.352.1536 | Toll Free: 1.800.268.7325 (BC)
Email: plandept@rdck.bc.ca
rdck.ca/floodplain



What is a Floodplain?

Floodplains are areas that are susceptible to flooding from a watercourse or body of water

What is a Non-Standard Flood and Erosion Area (NSFEA)?

NSFEAs are areas where there are flooding and erosion hazards which require special additional precautions

What is a Site-Specific Floodplain Exemption?

A site-specific floodplain exemption is a process to relieve you of the requirements of the *Floodplain Management Bylaw*

Why do I need a Site-Specific Floodplain Exemption?

For safety, we require setbacks and minimum elevations for construction near watercourses as well as in NSFEAs. You can see these specific requirements in the *Floodplain Management Bylaw*

If you want to be exempt from the floodplain regulations, you must make a site-specific floodplain exemption application

How do I know if I am in a Floodplain?

If there is a watercourse on or near your property, you are likely in a floodplain. Sometimes, watercourses are not visible year round so be sure to check the webmap to see if there is a seasonal watercourse or if you are in an NSFEA here: www.rdck.ca/webmap

What qualifies for an Exemption?

If you want to be exempt from the floodplain regulations, you must show that a building or structure cannot meet the requirements of Bylaw with regards to setbacks, flood construction levels, or both due to topographical or other property constraints

You must demonstrate this hardship. Siting preference and financial constraints are not considered valid considerations

In addition, you must submit a report by a Qualified Professional Engineer indicating that the land may be safely used for its intended purpose

Who can apply for an Exemption?

Property owners or their authorized agent

How long does it take?

We do our best to ensure applications are dealt with promptly. Approvals typically takes two to three months. Completion of this process is required prior to issuance of a Building Permit

How much does it cost?

\$500 for the application plus associated fees for the preparation and registration of the covenant

What Documents do I need to apply?

- Application Form
- Certificate of title
- Non-financial charges registered on title
- Application Fee
- Site Disclosure Statement
- Site Plan
- Proposal Summary
- Qualified Professional Engineers Report
- Agent Authorization (if applicable)

How do I get an Exemption?

1. Pre-Application Check in

We encourage you to check in with us before you apply. We can discuss your proposal's feasibility and review application requirements

2. Submit Application

Complete and submit the exemption application. Include required documents, plans and fees. Drop off your application in person or email it to plandept@rdck.bc.ca

3. Review and Referrals

We review the application and ensure all documents are included. Then then we refer it to other groups for their feedback such as:

- Your area's Advisory Planning and Heritage Commission (APHC)
- Other RDCK departments
- Other agencies and parties like Interior Health, Provincial Ministries, adjacent Municipalities and First Nations

4. Decision

Staff will integrate referral comments into a report for the Rural Affairs Committee (RAC). RAC will review the application and make a recommendation to the board. The Board may grant the requested site specific exemption or amendment, may refer, table or deny the application

6. Registration

If an exemption or amendment is granted, a restrictive covenant under Section 219 of the Land Title Act will be prepared and registered against the title of the property

Helpful Links

www.rdck.ca/floodplainbylaw

www.rdck.ca/landusebylaws

www.rdck.ca/webmap

www.rdck.ca/planningproceduresbylaw

www.rdck.ca/developmentapplication

Contact Information

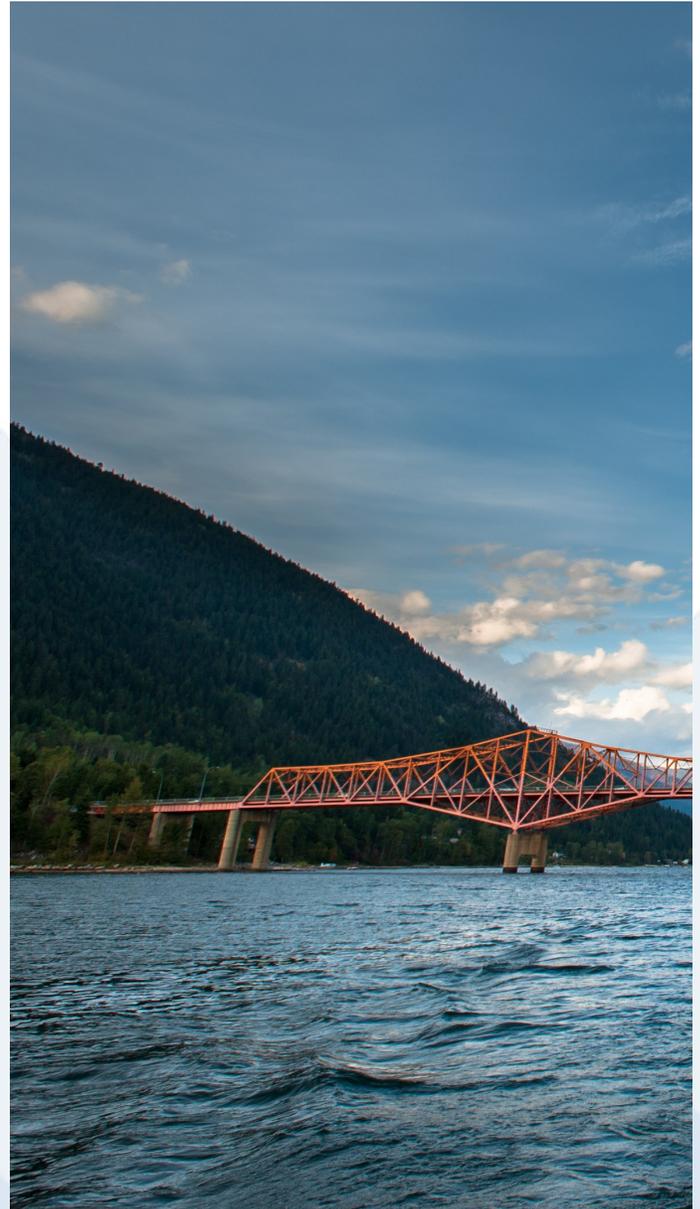
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This information package reflects the background and process when this document was created. It may be subject to changes at any time. For details of all regulations, and to determine whether the process has changed, please consult the relevant Bylaws, the Local Government Act and the Planning Department.



Site Specific Floodplain Exemption Application

It is recommended that the applicant consult Planning Services staff before submitting an application. A pre-application meeting may be scheduled by providing the Planning Department with a detailed proposal summary and a concept plan of the proposed development.

OWNER(S) INFORMATION	
Name:	Name:
Mailing Address:	Mailing Address:
Phone:	Phone:
Email:	Email:

**If there are additional owners registered on title, please attach their information on a separate sheet*

AGENT INFORMATION (IF APPLICABLE)
Name:
Mailing Address:
Phone:
Email:

NOTICE OF COLLECTION OF PERSONAL INFORMATION
The personal information on this form is being collected in accordance with Section 26 of the <i>Freedom of Information and Protection of Privacy Act (FIPPA)</i> and will be collected, used or disclosed only in a manner consistent with the administration of the management of development of the Regional District of Central Kootenay. If you have any questions about the collection, use or disclosure of this information, please contact the Regional District of Central Kootenay Privacy Officer at 250-352-6665 (toll free 1-800-268-7325), foi@rdck.bc.ca , or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4

APPLICATION INFORMATION	
Civic Address:	Electoral Area:
Legal Description:	Parcel Identifier (PID):
Zoning:	Official Community Plan Designation:
Existing Land Use and Structures:	
Are there any restrictive covenants registered on the subject property:	No Yes
• <i>If yes, please ensure copies are submitted with application package</i>	
Are there any registered easements or right-of-ways over the subject property:	No Yes
• <i>If yes, please ensure copies are submitted with application package</i>	
Is the property in the Agricultural Land Reserve:	No Yes
Watercourse name:	
Is the property in a Non-Standard Flood and Erosion Area (NSFEA):	No Yes
• <i>If yes, what is the rating:</i>	

TYPE OF FLOODPLAIN EXEMPTION	
<input type="checkbox"/> Setback <input type="checkbox"/> Flood Construction Level <input type="checkbox"/> Non-Standard Flood and Erosion Area	
Required Setback:	Proposed Setback:
Required Flood Construction Level:	Proposed Flood Construction Level:

AGENT AUTHORIZATION	
As owner(s) of the land described in this application, I/we hereby authorize: _____ to act as agent in regard to this land development application.	
Owner Signature:	Date:
Print Owner Name:	
Owner Signature:	Date:
Print Owner Name:	

**If there are additional owners registered on title, please attach their authorization on a separate sheet*

REQUIRED DOCUMENTATION		
	Certificate of Title	A copy of the property(s) Title, issued not more than 30 days prior to the application date. Copies of titles can be obtained by our Office, the Land Title Office, a notary, lawyer, or search company. If a title is not submitted, the RDCK will obtain a copy for a fee of \$17.
	Copy of Non-Financial Charges on Title (if applicable)	A copy of all non-financial charges (covenants, easements, right-of-ways, etc.) registered on the subject property(s) title. Copies of these documents can be obtained by our Office, the Land Title Office, a notary, lawyer, or search company. If the documents are not submitted, the RDCK will obtain a copy for an additional fee of the cost of the documents.
	Application Fee	An application fee as set out in Schedule 'A' of the <i>RDCK Planning Procedures and Fees Bylaw</i> . The fees are as follows: <ul style="list-style-type: none"> • \$500 for a Floodplain Exemption Application • Applications that arise from Bylaw Enforcement action are subject to an additional \$2,000 fee
	Site Disclosure Statement or Site Disclosure Form	Review <u>Schedule 2</u> of the <i>Environmental Management Act</i> to determine whether a Site Disclosure Statement is required, or if the Site Disclosure Form is sufficient.
	Site Plan	Drawn to scale and shall include the following (if applicable): <ul style="list-style-type: none"> • North arrow and scale • Address, Legal Description and PID • Dimensions and boundaries of property lines, right of way, covenant areas and easements • Location of the present natural boundary and the required setback • Location and dimensions of existing and proposed structures and setbacks to parcel lines, present natural boundary, right of ways, covenants and easements • Location of existing access roads, driveways, parking spaces, pathways, screening and fencing • Natural and finished grades of site, at buildings and retaining walls • Location of any physical or topographic constraints (ie: watercourses, slopes, hazard areas, etc) on or adjacent to the property • Location of all existing and proposed water lines, wells, septic fields, sanitary sewer and storm drainage on or adjacent to the property
	Proposal Summary	The summary must include the sections and provisions of the bylaw which the exemption is being requested for, the exemption requested and the rationale for hardship.
	Qualified Professional Engineers Report	Required contents of the report are outlined in the RDCKs prescribed terms of reference.

	Design Plans	Drawn to scale including the following (if applicable): <ul style="list-style-type: none"> • Elevation drawings • Building sections • Floor plans
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**Additional material or more detailed information may be requested by the Regional District upon review of an application.*

DECLARATION	
<p>I, the undersigned, hereby certify that the information provided with respect to this application is full and complete and is, to the best of my knowledge, a true statement of the facts related to this application.</p>	
<p>_____</p> <p>Signature of Owner or Authorized Agent</p>	<p>_____</p> <p>Date</p>
<p>_____</p> <p>Print Name of Owner or Authorized Agent</p>	