



**VILLAGE OF TELKWA FLOODPLAIN MANAGEMENT BYLAW NO. 709,
2020**
(Consolidated Version)

INDEX OF AMENDING BYLAWS

This document has been reproduced for convenience only and is a consolidation of the "Village of Telkwa Floodplain Management Bylaw No. 709, 2020" with the following amending bylaws:

Bylaw Number	Date Adopted
No. 758, 2022	January 10, 2023

Note to User

WHEREAS each bylaw consolidation shall be proof, in the absence of evidence to the contrary, of the original bylaw, of all bylaws amending it and of the fact of adoption of the original and all amending bylaws, pursuant to the "Village of Telkwa Consolidation of Bylaws Authorization Bylaw No. 711, 2020", which was adopted on the 10th day of November, 2020;

This consolidation is hereby certified to be a true and correct copy, this 13th day of July, 2023.



Corporate Officer
Village of Telkwa

*Individual copies of any of the above bylaws are available from the Administration Department of the Village of Telkwa. For legal purposes, copies of the original bylaw should be obtained.

**THE CORPORATION OF THE VILLAGE OF TELKWA
FLOODPLAIN MANAGEMENT BYLAW NO. 709, 2020**

**A Bylaw to establish Floodplain Management procedures and regulations
for structures in flood prone areas**

WHEREAS the *Local Government Act* allows a local government to designate land as a Floodplain; specify the flood level for that Floodplain; and specify setbacks for landfill or structural support required to elevate a floor system or Pad above the flood level.

AND WHEREAS the Village of Telkwa has considered the “Provincial Flood Hazard Area Land Use Management Guidelines, 2004”, as amended in 2018 and as amended from time to time.

NOW THEREFORE THE COUNCIL OF THE VILLAGE OF TELKWA, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited as the “Village of Telkwa Floodplain Management Bylaw No. 709, 2020.”

Application

2. This bylaw shall be applicable within the geographic boundaries of the Village of Telkwa.

Severability

3. If any Section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid, shall not affect the validity of the remaining portions of the Bylaw.

Administration and Enforcement

4. The Chief Administrative Officer, Bylaw Enforcement Officer or Building Inspector for the Village of Telkwa or such other person whose job description involves administration and enforcement of this bylaw are authorized to ascertain whether this Bylaw is being observed.
5. Persons appointed under Section 4 of this bylaw may enter any land, or structures that are not dwellings at any reasonable time for the purpose of ascertaining whether this Bylaw is being observed. If entry into a private dwelling is required that shall be arranged in accordance with section 16 of the *Community Charter* (as amended from time to time) or by other lawful means.
6. No structure may be developed, constructed, erected, replaced, located, or enlarged within the designated Floodplain, except in strict conformity with this Bylaw.
7. No person shall cause, suffer, or permit a structure to be developed, constructed, erected, replaced, located, or enlarged in contravention of this bylaw or otherwise to contravene or fail to comply with this bylaw.
8. No person shall interfere with or obstruct the entry of the persons appointed under Section 4 of this bylaw or any authorized representative onto any land or into any structures that are not dwellings to which entry is made or attempted.
9. Every person who:
 - a. violates any provision of this Bylaw;
 - b. permits, suffers, or allows any act to be done in violation of any provision of this Bylaw; or
 - c. neglects to do anything required to be done by any provision of this Bylaw;commits an offence punishable upon summary conviction and is subject to a fine not less than \$2,000.00 and not more than \$10,000.00 as outlined in the Fees and Charges Bylaw.
10. Each day during which any violation, contravention or breach of this Bylaw continues shall be deemed a separate offence.

Interpretation

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

ACCESSORY BUILDING means a structure which is used for a use that is customarily incidental, subordinate, and exclusively devoted to a permitted principal use in accordance with an applicable zoning bylaw.

FARM BUILDING means a structure or part thereof which does not contain a residential occupancy and which is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or livestock, or the production, storage, or processing of agricultural and horticultural produce or feed.

FLOOD CONSTRUCTION LEVEL means the flood elevation level, measured in metres Geodetic Survey of Canada datum (GSC), defined in Section 13 and generally as shown on Schedule "A."

FLOODPLAIN 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 to allow for potential erosion.

FLOODPLAIN means the area defined in Section 12 and generally as shown on Schedule "A."

FREEBOARD means a vertical distance added to the simulated water level to accommodate uncertainties and provide a margin of safety to the established Flood Construction Level.

FLOOR AREA means the area covered by all parts of a structure measured from the outside wall of the structure at ground level.

HABITABLE AREA means any room or space within a structure that is or can be used for human occupancy, business, commercial sales, or the storage of goods, possessions, or equipment (including furnaces) that would be subject to damage if flooded.

MANUFACTURED HOME means a structure manufactured as a unit, intended to be occupied in a place other than at its manufacture, and designed as a dwelling unit, and includes mobile homes, and specifically excludes recreation vehicles.

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 surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a Manufactured Home or unit.

Floodplain Designation

12. All lands covered by the 200-year flood elevation plus Freeboard as identified on the Flood Construction Level Maps for the Telkwa and Bulkley Rivers (drawings 1-1 and 1-2), attached to and forming part of this bylaw as Schedule A, and labelled "Flood Hazard Area", are designated as Floodplain.

Flood Construction Levels

13. The 200-year flood elevation, plus Freeboard, as identified on Schedule 'A,' interpolating between elevation isolines where necessary, are specified as Flood Construction Levels.
 - a. In the area protected by the Cottonwood Flood Protection Dike, the Flood Construction Level shall be taken as the highest of:
 - i. The elevation identified on Schedule 'A',
 - ii. 0.6m above the surrounding natural ground elevation, and
 - iii. 0.3m above the crown of a road immediately downstream of the subject property.
14. Without limiting section 524.5 of the *Local Government Act*:
 - a. No Habitable Area shall be created, constructed, reconstructed, located, placed, moved, or extended lower than the Flood Construction Level specified in this bylaw.

- b. The underside of any floor system, or the top of any Pad supporting a Habitable Area, including a Manufactured Home, shall be above the Flood Construction Level.
- c. A furnace, hot water tank, main electrical switchgear or panel, or other fixed equipment susceptible to damage by floodwater shall not be located below the Flood Construction Level.

Floodplain Setback Requirements

- 15. Without limiting section 524(3) (b) of the *Local Government Act*:
 - a. No portion of any landfill including the landfill slope, or portion of any structural support required to elevate a floor system or Pad above the Flood Construction Level shall be created, constructed, reconstructed, located, placed, moved, or extended within the following Floodplain Setbacks:
 - i. 30.0 metres from the Natural Boundary of the Bulkley River and the Telkwa River where the Village does not maintain a dike between the river and the building site; and,
 - ii. 7.5 metres from the inboard toe of a dike maintained by the Village of Telkwa.
- 16. The face of the landfill slope shall be adequately protected against erosion from flood flows, wave action, ice or other debris, in accordance with all applicable enactments.

General Exemptions

- 17. Section 13 – 16 of this bylaw shall not apply to the following:
 - a. The renovation of an existing structure or creation of a new dwelling unit that does not involve an addition to the structure.
 - b. An addition to a structure that would increase the Floor Area of the structure by less than twenty-five percent (25%) of the Floor Area of a structure that was lawfully constructed and existing on the date of adoption of this bylaw provided that the addition:
 - i. is constructed at an elevation not lower than the existing structure,
 - ii. does not include the creation of a new dwelling unit,

- iii. does not include a furnace, hot water tank, main electrical switchgear or panel, or other fixed equipment susceptible to damage by floodwater located below the Flood Construction Level, and
- iv. does not include the expansion or addition of a basement.
- c. Carports, garages, and entryways.
- d. Farm Buildings.
- e. Open sided recreation shelters and stands which do not have fixtures that are susceptible to damage by flood waters.
- f. Accessory Buildings that have a Floor Area that is 10 m² (108 sq. ft) or less in area provided that the structure does not include a furnace, hot water tank, main electrical switchgear or panel, or other fixed equipment damageable by flood waters.

No Representation

18. By the enactment, administration, or enforcement of this bylaw, the Village of Telkwa does not represent to any person that any structure located, constructed and used in accordance with this bylaw, or in accordance with conditions, terms, information, advice, direction, or guidance provided by the Village of Telkwa in the course of administering this bylaw, will not be damaged by flooding or flood water.

Citation

READ A FIRST TIME this 15th day of September, 2020

READ A SECOND TIME this 15th day of September, 2020

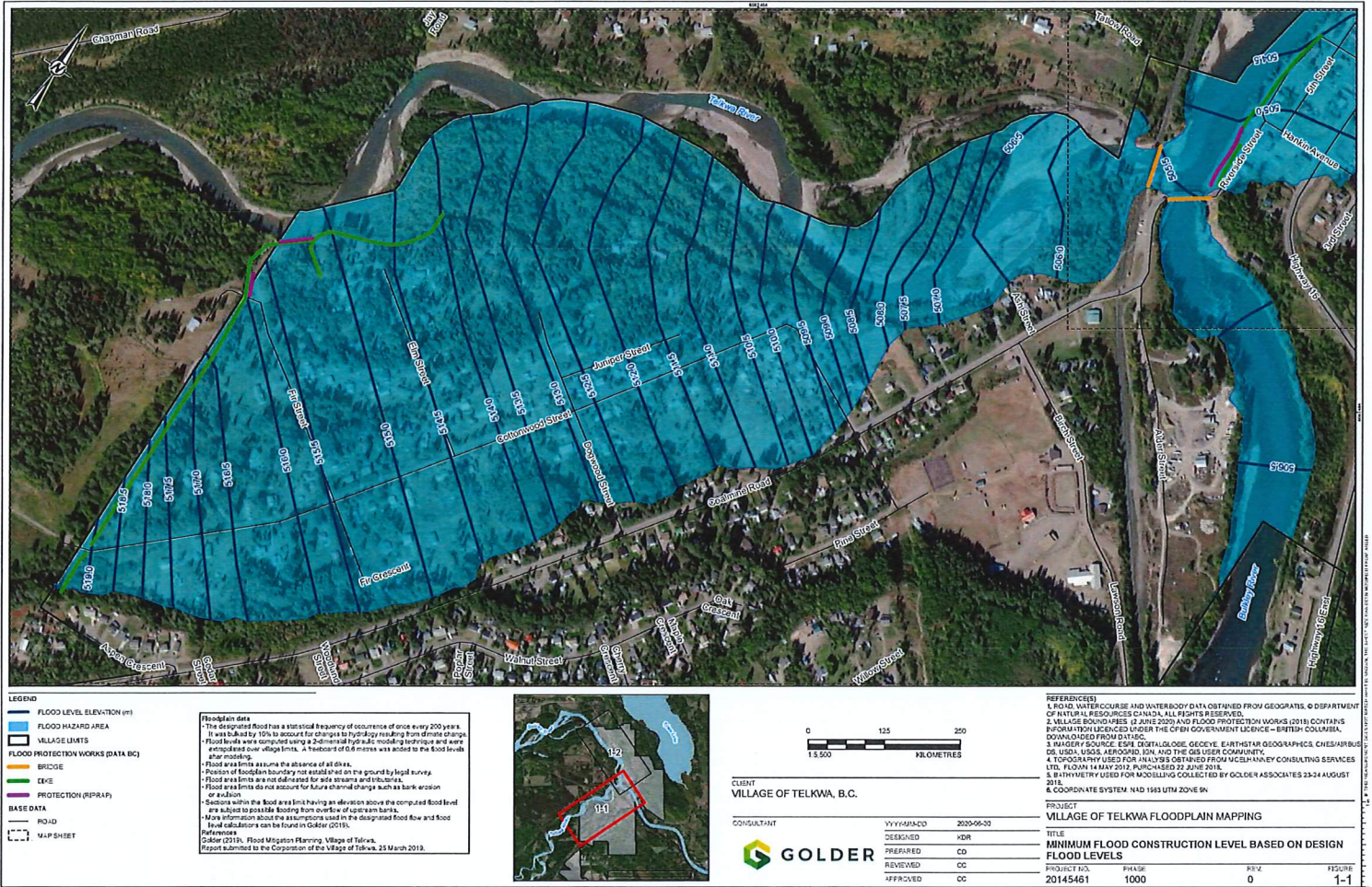
READ A THIRD TIME this 13th day of October, 2020

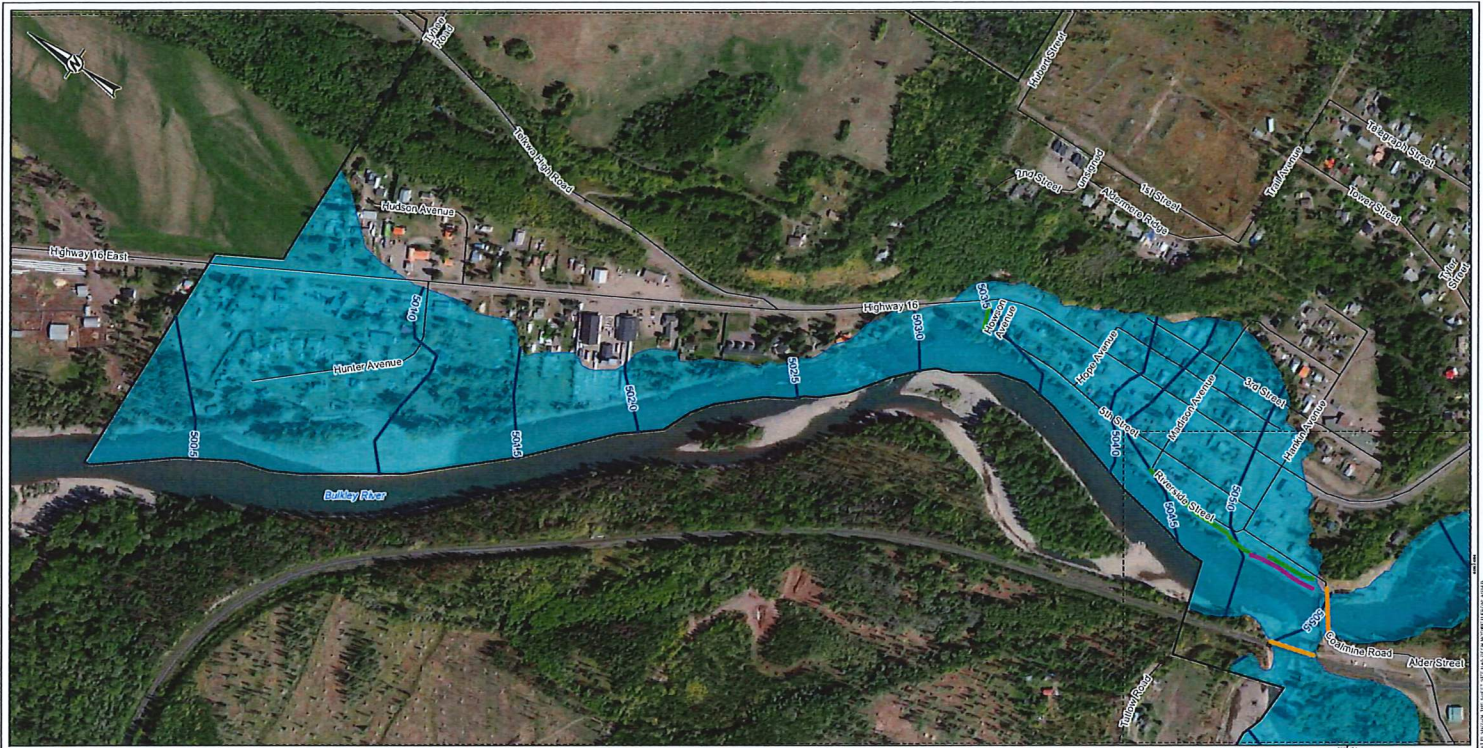
ADOPTED this 27th day of October, 2020

Brad Layton
Mayor

Debbie Joujan
Chief Administrative Officer/
Corporate Officer, CMC

Schedule "A"





LEGEND

- FLOOD LEVEL ELEVATION (m)
- FLOOD HAZARD AREA
- VILLAGE LIMITS
- FLOOD PROTECTION WORKS (DATA BC)
- BRIDGE
- BCV
- PROTECTION (RUPRAP)
- BASE DATA
- ROAD
- MAP SHEET

Floodplain data

- The designated flood has a statistical frequency of occurrence of once every 200 years. It was reduced by 10% to account for changes to hydrology resulting from climate change.
- Flood levels were computed using a 2-dimensional hydraulic modelling technique and were extrapolated over village limits. A threshold of 0.6 metres was added to the flood levels after modelling.
- Flood area limits assume the absence of all dikes.
- Position of floodplain boundary not established on the ground by legal survey.
- Flood area limits are not delineated for sea streams and tributaries.
- Flood area limits do not account for future channel change such as bank erosion or accretion.
- Sections within the flood area limit having an elevation above the computed flood level are subject to possible flooding from overflow of upstream tanks.
- More information about the assumptions used in the designated flood flow and flood level calculations can be found in Golder (2019).

References

- Golder (2019). Flood Mapping Planning. Village of Telkwa. Report submitted to the Corporation of the Village of Telkwa, 25 March 2019.



CLIENT
VILLAGE OF TELKWA, B.C.

CONSULTANT

GOLDER

DESIGNED	HDR
PREPARED	CD
REVIEWED	CC
APPROVED	CC

REFERENCES

1. ROAD WATERCOURSE AND WATERBODY DATA OBTAINED FROM GEOSPATIAL © DEPARTMENT OF NATURAL RESOURCES CANADA. ALL RIGHTS RESERVED.
2. RELEASE BOUNDARIES (3 AND 2020) AND FLOOD PROTECTION WORKS (2019) CONTAINS INFORMATION LICENSED UNDER THE OPEN GOVERNMENT LICENCE - BRITISH COLUMBIA, DERIVED FROM DFO/BC.
3. IMAGERY SOURCE: ESRI, DIGITALGLOBE, GEBCO, EARTHSTAR GEOGRAPHICS, CHES/ARBUS, DE, VISA, USGS, VEPODUS, IN, AND THE GIS USER COMMUNITY.
4. TOPOGRAPHY USED FOR ANALYSIS OBTAINED FROM MCB/HINNEY CONSULTING SERVICES LTD. FLOOD 14 MAY 2019, PURCHASED 22 JUNE 2019.
5. BATHYMETRY USED FOR MODELLING COLLECTED BY GOLDER ASSOCIATES 23-24 AUGUST 2018.
6. COORDINATE SYSTEM: NAD 1983 UTM ZONE 18N

PROJECT
VILLAGE OF TELKWA FLOODPLAIN MAPPING

TITLE
MINIMUM FLOOD CONSTRUCTION LEVEL BASED ON DESIGN FLOOD LEVELS

PROJECT NO.	20145461	PHASE	1000	REV.	0	SHEET	1-2
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