

# Request for Exemption from Floodplain Regulations



**Community Services  
Department  
Planning Section**  
Regional District of Central  
Okanagan  
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<u>Office Use Only</u>	
File No.	_____
Appl Fee(s)	_____
Electoral Area	_____
Date Received	_____
Receipt No.	_____

**All Sections** of this application form **must be filled in** for all applications. The application must be complete including all required information listed in Section 5. Incomplete applications will be returned.

It is strongly recommended that the applicant meet with staff to review the guidelines and application requirements prior to producing drawings and reports in order to ensure understanding of the guidelines, ensure appropriate information is included, and avoid unnecessary delays.

**A building permit will not be issued until after a required Exemption from Floodplain Regulations has been approved by the Regional Board. It is important to note that submission of an application does not guarantee approval.**

**There may be charges and costs unrelated to this application that are assessed at the time of building permit or subdivision such as development cost charges, sewage utility latecomer fees, legal fees, surveyor fees, etc.**

## Section 1 Owner Information (and Agent if applicable)

<b>Application Primary Contact:</b>		<b>Registered Owner(s) of the Property:</b>	
Full Legal Name:		Full Legal Name:	
Corporate Owner: (if applicable)		Corporate Owner: (if applicable)	
Mailing Address:		Mailing Address:	
City:	Postal Code:	City:	Postal Code:
Phone:	Mobile:	Phone:	Mobile:
Email:		Email:	

## Section 2 Description of Property

Lot \_\_\_\_\_ Plan \_\_\_\_\_ Block \_\_\_\_\_ District Lot \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_

Street Address \_\_\_\_\_

Zone from Zoning Bylaw #871 (or in the case of Joe Rich the RLUB designation) \_\_\_\_\_

Official Community Plan designation \_\_\_\_\_

Current Land Use (brief description) \_\_\_\_\_

Proposed Land Use (brief description) \_\_\_\_\_

Current method of sewage disposal: Community Sewer  Septic Tank  Other

Current method of water supply: Community Water  Well  Other

Land is in the Agricultural Land Reserve: Yes  No

Has the land been used for any commercial purposes or activities described in schedule 2 of the Contaminated Sites Regulation? Yes  No

If yes, a Site Disclosure Statement (SDS) is required. Please visit the BC Provincial website for more information: <https://submit.digital.gov.bc.ca/app/form/submit?f=32a95812-f9db-4fd2-99eb-7e362b0253b1>

## Section 3 Description of proposed exemption to regulations

**List the exemption(s) to the floodplain regulations in bylaws.** Clearly state each specific item, for example: "Zoning Bylaw #871 – A reduction of regulation 3.28, 1.1.3 to reduce the flood construction level above the natural boundary of a watercourse from 1.5 metres to 1.25 metres." Each exemption should also be illustrated on plans and drawings clearly and to scale. *(Attach additional pages if necessary)*


Brief description of proposal and rationale for exemption request (*attach additional pages if necessary*)


### **Section 4 Required Information**

All of the following items listed below must be submitted with the application. Please make certain all items have been checked off and attached to ensure application is complete.

- Completed application form.**
- Application fee(s) as per Procedures Bylaw No. 944.**
- Proof of ownership of the property** – A current title search no more than 90 days old (available from the BC Registrar of Land Titles) is required.
- Copies of existing covenants, right of ways, easements, and any encumbrances registered on the title.**
- Agent authorization** – This is required only where the owner has decided that another person is to act on the owner’s behalf for the purposes of being the primary contact and providing direction for the application. All owners on title must sign authorization (See Section 7).
- Approvals received from the Province of BC.** An application under the Riparian Areas Protection Regulation may be required. <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/aquatic-habitat-management/riparian-areas-regulation>
- Required** drawings, information, plans and professional reports:
  - Flood Protection Report** prepared by a professional engineer or geoscientist experienced in geotechnical engineering that conforms to RDCO Terms of Reference for Professional Reports for Planning Services. The professional must review the proposed changes in floodplain regulations and indicate that the land may be safely used for its intended purpose. The qualified professional may also indicate hazard mitigation measures that are required in order to ensure future safety.
  - A Signed ‘Schedule 6’** undertaking to retain a registered professional engineer.
  - Plan of the entire site with current existing grades and proposed finished grades** at all boundaries of the site, and the area of proposed construction and site disturbance clearly indicated.

Additional professional reports that **may be required**:

- Environmental Impact Assessment** prepared by a qualified environmental professional in a report that conforms to RDCO Terms of Reference for Professional Reports for Planning Services and considers the development permit guidelines from the Official Community Plan (or Rural Land Use Bylaw).
- Signed ‘Schedule 5’ undertaking to retain a qualified environmental professional.** The letter is required in order to ensure completion of the development permit requirements.
- Security Bonding** to assure all works as determined by the qualified professionals and deemed acceptable by the RDCO.

**Section 5 Coordinating Professionals**

List any professionals known to date (e.g. Architect, Landscape Architect, Engineer, Biologist, etc):

Name:		Name:	
Title:		Title:	
Company / Organization:		Company / Organization:	
Mailing Address:		Mailing Address:	
Phone:	Mobile:	Phone:	Mobile:
Email:		Email:	

**Section 6 Applicant Confirmation & Signatures (This must be filled in)**

As an applicant or approved agent, I confirm that I have read all relevant Regional District of Central Okanagan bylaws and policies and that this application is in conformance (unless a bylaw amendment forms part of this application). I have attached to this application the required plans and specifications of the proposed development in accordance with the application checklist and required information.

I accept responsibility for processing delays caused by incorrect or insufficient submission materials. I understand that this application form is a public document and that any and all information contained in it, including personal information as that term is defined in the Freedom of Information and Protection of Privacy Act of B.C., is open for inspection by the public and may be reproduced and distributed to the public as part of a report(s) to the Regional Board.

I understand that I am responsible for obtaining development authorizations and permissions from affected Provincial and Federal agencies, Telus, FortisBC, Terasen, and Shaw Cable and for providing the File Manager with copies of responses from these utilities.

I hereby grant Regional District staff full right of access to the subject property, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except Statutory Holidays, while this application is in effect.

I hereby authorize the agent (or the primary contact acting as agent as indicated in Section 1 of this application) to act on my behalf (and all other owners listed on title of the subject property) as an agent for all purposes of this application. *(All owners listed on title must provide consent.)*

\_\_\_\_\_  
Owner (signature) Date: \_\_\_\_\_

\_\_\_\_\_  
Owner (signature) Date: \_\_\_\_\_

\_\_\_\_\_  
Owner (signature) Date: \_\_\_\_\_

\_\_\_\_\_  
Owner (signature) Date: \_\_\_\_\_

*(If the owner is a registered company, then the signature must be of a person with authority under the company to submit this application and their title under the company must be indicated)*

\_\_\_\_\_  
Agent (if applicable) (signature) Date: \_\_\_\_\_

Important information

- **Approved exemptions must be registered as a covenant against the title of the affected property in a form and content approved by the Regional District.**
- *Information contained on this form is collected in accordance with the Local Government Act of BC and is subject to the Freedom of Information and Privacy Act of BC. All submitted items will not be returned to the applicant.*
- *This application does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial, or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.*

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