

Summary

Proposed Amendment to RVCA Floodway Policies (November 2009) as referenced in letter

Highlights of the changes include:

- **Section 1.2** (sub-sections 1 through 6) modifies the existing Section 1.2 and conforms quite closely to the provincially suggested model for “Development within One Zone Regulatory Floodplain” in terms of layout and wording.
- **Section 1.2.7** relating to “**Minor removal or placement of fill / minor site grading**” puts parameters around what may be considered acceptable in terms of minor site alterations (balanced “cut and fill”) that will not affect flood flows and is an RVCA developed approach. Will replace Policy 2(ii) (“Policies Regarding the Placing of Fill”) in the existing policies.
- Sections **1.2.9** through **1.2.12** is intended to provide for clear policies for “Agricultural Buildings”, “Marinas”, “Golf Courses” and “Swimming Pools” and is intended to address issues that arise often and for which direction to staff is required.
- In **Section 1.3** relates to **Reconstruction/ Relocation/ Repairs/ Additions** and is intended to broaden and clarify the policies in the existing RVCA document. Most of the content is existing RVCA policy but modified to better reflect the Provincial intention that only “*minor additions*” are permitted in the floodway. As such RVCA is proposing we stick, more or less, with our existing policy that we have successfully administered and been able to defend since 1999. As such additions up to 20% in size (capped at 215 ft.²) may be permitted where no safe vehicular or pedestrian access exists and flood proofed additions up to 50% (but capped at 538 ft.²) where safe access is available. Larger additions would no longer be allowable and as such the CA policy would, we believe, compliment municipal approaches.
- Also in section 1.3 new, more specific policies are added related to commercial / industrial / institutional uses. These replace existing policies (S. 1.2.4 of the existing document). Again it is, we believe, in the “provincial interest” that development in flood risk areas be limited.
- **Section 1.4 Floodproofing** in the new document replaces Section 1.5 of the old. The intent and approach is more of less the same as before but it is now more prescriptive so as to address deficiencies seen routinely related to erroneous interpretation or misinterpretation of the present policies. New Site Servicing provisions (S. 1.4.3) related to the flood proofing of wells and septic systems are also added so as to ensure that buildings can continue to be occupied, at least during the early stages of a flood, and expensive repair or rehabilitation avoided. The “safe” pedestrian access standard (S. 1.4.4) is now the same as that for vehicular access taking into account provincial guidelines and local experience.
- **Section 1.5** of the new document replaces Section 1.2.2 of the old for uses in “areas of reduced flood risk” (behind dykes) and is expanded to make it more clear how the hazard is to be addressed (dykes are man-made structures with a risk of failure and so new development must be flood proofed).
- **Section 1.6** is new. There are two lines on the regulation schedules related to development in a floodway – the 1:100 year flood line and a “regulation limit” as referenced in the legislation. Section 1.6 describes measures to be undertaken in site and building design to ensure that development will remain safe from flooding. This reflects the broader powers conveyed through the amended regulation.