



DEVELOPMENT IN THE FLOOD HAZARD PROTECTION OVERLAY DISTRICT

Land Use Bylaw Regulations & Applications

www.foothillscountyab.ca

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The intent of the Flood Hazard Protection Overlay (FHPO) is to discourage new development on lands subject to flooding and achieve the long term goal of maintaining and decreasing the overall density of development on lands that may be subject to flooding.

The provisions of the FHPO shall apply to areas within the floodway, flood fringe, and areas impacted by the mitigated June 2013 flood event.

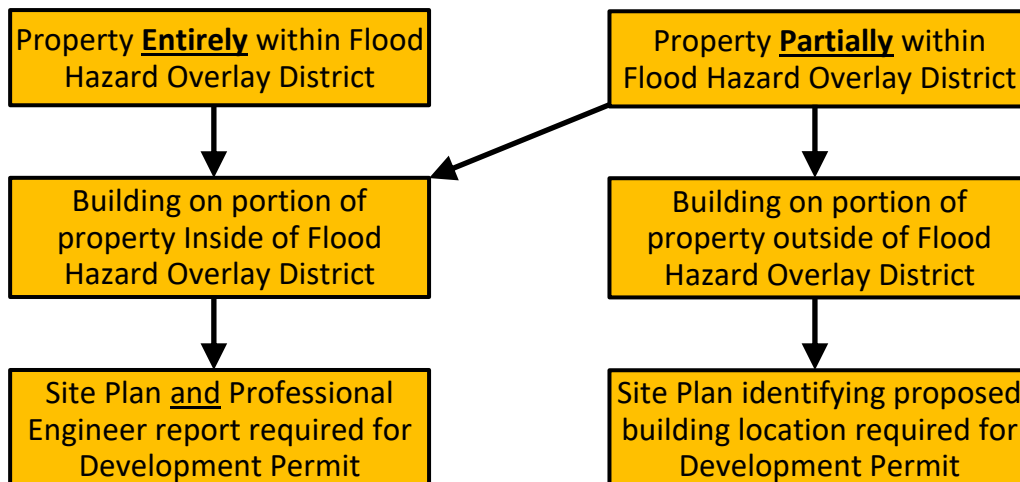
Properties located partially **OR** entirely within the FHPO District require a Development Permit prior to development for both Permitted and Discretionary uses unless a waiver is issued by the Approving Authority.

The Approving Authority may issue a signed waiver to allow for development on a site without the requirements of a Development Permit in accordance with Section 4.2.1 of the Land Use Bylaw, where the landowner/applicant can provide proof that the development is located entirely outside of the designated Flood Hazard Protection Overlay area on the property (See FHPO Waiver Documentation).

If constructing on a portion of land outside of the FHPO District, a site plan, real property report or survey will be required with the application which identifies the proposed building location.

If your property is entirely within the FHPO District shadow, or you wish to construct on a portion of your property within the FHPO District shadow, you will require Professional Hydrological Engineer Recommendations to be submitted with your Development Permit Application to ensure the proposed location and structure will endure potential flooding.

If an appropriate building envelope is located on your property and outside of the FHPO District shadow, you will **not** be permitted to develop within the FHPO District shadow.



Flood Hazard Warning and Disclaimer of Liability

The degree of flood protection intended to be provided by this section is considered reasonable for regulatory purposes and is based on historical records and engineering and scientific methods of study for river and lakeshore settings. Larger floods may occur, or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This section does not imply that areas outside the floodway and flood fringe boundaries will always be totally free from flooding or flood damages, nor

shall this section create a liability on the part of, or be a cause of action against Foothills County or any officer or employee thereof for any flood damages that result from the reliance on this section.

APPLICATION REQUIREMENTS

All applications for Development Permit **must be** accompanied with the following information:

1. A site plan (can be hand drawn) showing:
 - the entire parcel;
 - north at the top of the page;
 - identify and show all existing structures and proposed buildings with measurements from the same, in feet or metres, to all parcel lines and water courses;
 - show all existing wells, septic tanks, disposal fields, dugouts/ponds on the parcel.
2. Unless otherwise stated, the applicant **must obtain** a Professional Hydrological Engineer's stamped design with respect to Flood Mitigation and Flood Proofing, appropriate freeboard, showing elevations and/or structure design considerations. The submitted design shall include the effects the development will have on adjacent properties with respect to drainage, and shall identify measures for controlling erosion and sediment, vegetation, weeds, etc. This analysis WILL be required in order to evaluate any changes to existing drainage pattern and ensuring the safety of the proposed structure(s);
3. Construction on slopes greater than 15% or the creation of slopes greater than 15% must be accommodated by a slope stability report by certified Geotechnical Engineer.
4. The type of flood water mitigation activity proposed including:
 - Proposed grade elevations and disturbed areas;
 - Proposed surface drainage patterns;
 - Amount of topsoil to be removed and replaced;
 - Amount of clay cut and/or fill to be relocated;
 - Type of building(s) proposed;
5. Any impact that the proposed development will have on existing drainage, in terms of volume and flow rate;
6. Proposed haul routes and haul activities;
7. A proposed access strategy showing how the access roads/driveways could be impacted by a flood, including options for leaving the property in the case of required evacuation.
8. Proposals for preventing nuisance from dust;
9. The costs required to reclaim the property;
10. If this parcel is not owned by the applicant, they must receive written consent from the registered landowner in order to file an application.
11. If using Model 55A a review from a qualified professional to assess the site locally and determine how the modelling results should be interpreted, improved or expanded upon for site-specific purposes.

Additional Information:

All lot grading for the purpose of flood mitigation shall, to the extent practical, retain the natural contour of the land, minimize the necessity to use retaining walls or any other controlling structure and ensure positive drainage to appropriate receiving water courses. If a person alters the lot drainage on a property so that water drains onto adjacent parcels, that person shall be responsible for corrective drainage structures, including retaining walls, to divert water from neighbouring properties.

In the process of an approved development, the topsoil shall be removed from areas requiring lot grading before work commences and replaced following the completion of the work. Topsoil may only be relocated from one property to another in accordance with a Development Permit, subdivision approval, or development agreement.

Information on Model 55A can be found on the County website at:

<https://www.foothillscountyab.ca/emergency-services/emergency-management/flooding-response/flood-scoping-study-highwood-and-little>.

The Development Authority will use their discretion when accepting applications and imposing conditions on approvals. The Approving Authority may refer to Alberta Environment for comment on any development permit application for development within the *flood hazard area*. The Approving Authority shall not issue a development permit until it is satisfied through the submission of engineering reports that adequate *flood proofing* exists.