



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way  
Whistler, BC Canada V0N 1B4  
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# SECTION 524 (FLOODPLAIN) EXEMPTION APPLICATION

<b>Application Number</b>
<b>SEC</b>
Work Order _____
Received by _____
(OFFICE USE ONLY)

Resort Experience, Planning Department  
Tel 604-935-8170 (direct) Fax 604-935-8188  
Email: [planning@whistler.ca](mailto:planning@whistler.ca)

**Subject Property Street Address:** \_\_\_\_\_

Legal Description P.I.D. \_\_\_\_\_ Lot \_\_\_\_\_ D.L. \_\_\_\_\_

Plan \_\_\_\_\_ Block \_\_\_\_\_ Zoning \_\_\_\_\_

Present OCP Designation: \_\_\_\_\_

**Name of Registered Owner:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_ Fax: \_\_\_\_\_

**Name of Applicant/Agent:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_ Fax: \_\_\_\_\_

**Present use of property:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Description of proposed use / development:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Rev April 2018

<b>Application Fee: \$450.00</b>	<b>Title Search: \$21.00 (per P.I.D.)</b> <input type="checkbox"/> Y <input type="checkbox"/> N
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**AUTHORIZATIONS**

I \_\_\_\_\_ authorize \_\_\_\_\_  
(PRINT NAME of registered owner) (PRINT NAME of agent/person authorized to sign the application)

to act as agent and sign the application form to the Resort Municipality of Whistler on my/our behalf for the property known as

\_\_\_\_\_  
(Civic address of property)

\_\_\_\_\_  
 Signature(s) of registered owner(s) Date

\_\_\_\_\_  
 Signature(s) of Signing Officer(s) of Corporation Corporate Seal(s), if applicable Date

**PROPERTY OWNER’S AGREEMENT**

As of the date of this application, I am the registered owner of the lands described in the application. I have examined the contents of the application, certify that the information submitted with it is correct insofar as I have knowledge of these facts, and concur with the submission of the application. I acknowledge that the lands described in the application may be subject to applicable laws, regulations, and guidelines including, but not limited to, the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 and the *Local Government Act*. I agree to comply with all provisions of the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 and any other applicable legislation, if this application is approved. I understand that approval does not constitute a building permit and that drawings submitted for a building permit must match the approved Development Permit drawings.

\_\_\_\_\_  
 Signature of property owner Date

**PAYMENT OF FEES**

Enclosed is the fee for this application. I agree to pay any further costs (e.g., processing fees for professional and clerical staff time, legal and/or consultant fees, advertising expenses and miscellaneous disbursements at cost), which may be determined as this application is reviewed. Prior to the issuance of a development permit for the above noted property, the Resort Municipality of Whistler requires a commitment that all further expenses incurred by the Resort Municipality of Whistler will be paid within 30 days of billing.

**BILLING DETAILS** Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

**Your signature below will stand as your commitment to pay all applicable invoices.**

\_\_\_\_\_  
 Signature of owner or applicant Date

**DECLARATION**

I \_\_\_\_\_, **solemnly declare that the statements made**  
(PRINT NAME)

**by me upon this application are to the best of my belief and knowledge a true and complete representation of the purpose and intent of this application.**

\_\_\_\_\_  
 Signature of applicant or agent Date

Personal information is being collected under the authority of the *Local Government Act* for the purpose of processing this application. This information is protected under the privacy provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of this information, contact the Director of Planning at 604-935-8170, Resort Municipality of Whistler, 4325 Blackcomb Way, Whistler, BC V0N 1B4.

## SUBMITTAL REQUIREMENTS

### Please attach the following to the Section 524 (Floodplain) Exemption Application:

- Application fee of \$450.00.
- Title Search (issued not more than 30 days from the date application is received) OR \$21.00 Title Search Fee in lieu (per PID).
- Copies of any title restrictions e.g. restrictive covenants, easements, rights-of-way.
- Written description of proposed development and why a floodplain exemption should be considered.
- A signed and sealed report from a professional engineer or geoscientist and experienced in geotechnical engineering specifically addressing the floodproofing requirements in Zoning and Parking Bylaw No. 303, 2015 stating that the proposed development is safe for the use intended with the proposed exemptions, and any conditions that may be required.
- Photographs of the site.
- 1 scalable hard copy plus 1 PDF of the following drawings as may be relevant to illustrate the proposal (additional hard copies may be required)
- [Appendix J: Flood Hazard And Risk Assurance Statement](#) .

#### Context Plan

- Scale of 1:500 (minimum) or imperial equivalent.
- North arrow.
- Location of property in relation to major water bodies and adjacent streets.

#### Site Plans (existing and proposed)

- Scale of 1:200 (minimum) or imperial equivalent.
- North arrow.
- Location of existing and proposed flood setbacks.
- Size and location of all existing and proposed buildings/uses including accessory buildings and structures, flood walls, garages and fences.
- In addition, existing and proposed contour lines must be shown as well as a line indicating elevation of the flood construction level.

#### Architectural Plans (existing and proposed)

- Scale of 1:100 (minimum) or imperial equivalent.
- Dimensioned floor plans of all structures.
- Elevations/sections showing proposed building height.

### **NOTE: Incomplete applications will not be accepted.**

**More detailed information may be requested during review of the application.**

**Detailed drawings and site survey will be required and reviewed for compliance at time of Building Permit application.**

# APPENDIX J: FLOOD HAZARD AND RISK ASSURANCE STATEMENT

Note: This Statement is to be read and completed in conjunction with the "APEGBC Professional Practice Guidelines - Legislated Flood Assessments in a Changing Climate, March 2012 ("APEGBC Guidelines") and is to be provided for flood assessments for the purposes of the Land Title Act, Community Charter or the Local Government Act. Italicized words are defined in the APEGBC Guidelines.

To: The Approving Authority

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Jurisdiction and address

With reference to (check one):

- Land Title Act (Section 86) – Subdivision Approval
- Local Government Act (Sections 919.1 and 920) – Development Permit
- Community Charter (Section 56) – Building Permit
- Local Government Act (Section 910) – Flood Plain Bylaw Variance
- Local Government Act (Section 910) – Flood Plain Bylaw Exemption

For the Property:

\_\_\_\_\_  
Legal description and civic address of the Property

The undersigned hereby gives assurance that he/she is a *Qualified Professional* and is a *Professional Engineer* or *Professional Geoscientist*.

I have signed, sealed and dated, and thereby certified, the attached flood assessment report on the Property in accordance with the APEGBC Guidelines. That report must be read in conjunction with this Statement. In preparing that report I have:

Check to the left of applicable items

- \_\_\_ 1. Collected and reviewed appropriate background information
- \_\_\_ 2. Reviewed the proposed *residential development* on the Property
- \_\_\_ 3. Conducted field work on and, if required, beyond the Property
- \_\_\_ 4. Reported on the results of the field work on and, if required, beyond the Property
- \_\_\_ 5. Considered any changed conditions on and, if required, beyond the Property
- 6. For a *flood hazard* analysis or *flood risk* analysis I have:
  - \_\_\_ 6.1 reviewed and characterized, if appropriate, floods that may affect the Property
  - \_\_\_ 6.2 estimated the *flood hazard* or *flood risk* on the property
  - \_\_\_ 6.3 included (if appropriate) the effects of climate change and land use change
  - \_\_\_ 6.4 identified existing and anticipated future *elements at risk* on and, if required, beyond the Property
  - \_\_\_ 6.5 estimated the potential *consequences* to those *elements at risk*
- 7. Where the *Approving Authority* has adopted a specific level of *flood hazard* or *flood risk* tolerance or return period that is different from the standard 200-year return period design criteria<sup>(1)</sup>, I have
  - \_\_\_ 7.1 compared the level of *flood hazard* or *flood risk* tolerance adopted by the *Approving Authority* with the findings of my investigation
  - \_\_\_ 7.2 made a finding on the level of *flood hazard* or *flood risk* tolerance on the Property based on the comparison
  - \_\_\_ 7.3 made recommendations to reduce the *flood hazard* or *flood risk* on the Property

<sup>(1)</sup> *Flood Hazard Area Land Use Management Guidelines* published by the BC Ministry of Forests, Lands, and Natural Resource Operations and the 2009 publication *Subdivision Preliminary Layout Review – Natural Hazard Risk* published by the Ministry of Transportation and Public Infrastructure. It should be noted that the 200-year return period is a standard used typically for rivers and purely fluvial processes. For small creeks subject to debris floods and debris flows return periods are commonly applied that exceed 200 years. For life-threatening events including debris flows, the Ministry of Transportation and Public Infrastructure stipulates in their 2009 publication *Subdivision Preliminary Layout Review – Natural Hazard Risk* that a 10,000-year return period needs to be considered.

8. Where the *Approving Authority* has **not** adopted a level of *flood risk* or *flood hazard* tolerance I have:
- \_\_\_ 8.1 described the method of *flood hazard* analysis or *flood risk analysis* used
  - \_\_\_ 8.2 referred to an appropriate and identified provincial or national guideline for level of *flood hazard* or *flood risk*
  - \_\_\_ 8.3 compared this guideline with the findings of my investigation
  - \_\_\_ 8.4 made a finding on the level of *flood hazard* or *flood risk* tolerance on the Property based on the comparison
  - \_\_\_ 8.5 made recommendations to reduce *flood risks*
- \_\_\_ 9. Reported on the requirements for future inspections of the Property and recommended who should conduct those inspections.

Based on my comparison between

Check one

- the findings from the investigation and the adopted level of *flood hazard* or *flood risk* tolerance (item 7.2 above)
- the appropriate and identified provincial or national guideline for level of *flood hazard* or *flood risk* tolerance (item 8.4 above)

I hereby give my assurance that, based on the conditions contained in the attached flood assessment report,

Check one

- for subdivision approval, as required by the *Land Title Act* (Section 86), "that the land may be used safely for the use intended".

**Check one**

- with one or more recommended registered *covenants*.
- without any registered *covenant*.

- for a development permit, as required by the *Local Government Act* (Sections 919.1 and 920), my report will "assist the local government in determining what conditions or requirements under [Section 920] subsection (7.1) it will impose in the permit".
- for a building permit, as required by the Community Charter (Section 56), "the land may be used safely for the use intended".

**Check one**

- with one or more recommended registered *covenants*.
- without any registered *covenant*.

- for flood plain bylaw variance, as required by the *Flood Hazard Area Land Use Management Guidelines* associated with the *Local Government Act* (Section 910), "the development may occur safely".
- for flood plain bylaw exemption, as required by the *Local Government Act* (Section 910), "the land may be used safely for the use intended".

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

(Affix Professional seal here)

If the *Qualified Professional* is a member of a firm, complete the following.

I am a member of the firm \_\_\_\_\_  
and I sign this letter on behalf of the firm. (Print name of firm)