



**BYLAW NO. 2013-940
OF THE
TOWN OF TWO HILLS**

**A BYLAW OF THE TOWN OF TWO HILLS, IN THE PROVINCE OF ALBERTA,
RESPECTING THE AMENDING OF THE
LAND USE BYLAW OF THE TOWN OF TWO HILLS**

WHEREAS the *Municipal Government Act*, R.S.A. 2000, as amended, authorizes the Council of a municipality to enact a land use bylaw to regulate and control the use and development of land and buildings within the municipality and to amend that land use bylaw; and

WHEREAS the Council of the Town of Two Hills deems it desirable, expedient and in the best interest of the Town of Two Hills to amend its land use bylaw.

NOW THEREFORE, the Council of the Town of Two Hills duly assembled enacts as follows:

1. Bylaw No. 97-757, the Land Use Bylaw of the Town of Two Hills, is hereby amended as follows:

- a. Add under the Table of Contents, Schedule B, Part2 – Special Provisions:
10. Flood Plain Overlay Provisions
- b. Add under Schedule B, Part2 – Special Provisions, 10. Flood Plain Overlay Provisions:
 10. Flood Plain Overlay Provisions
 - (1) Figure 1 shown for illustrative purposes, shall apply to any site included in the flood fringe and floodway areas identified therein.
 - (2) The general purpose of these provisions is to provide for the safe and efficient use of lands within the defined floodway and flood fringe of the Vermilion River by way of prohibiting the construction of new buildings or structures in the flood way and allowing development and redevelopment of buildings or structures in the flood fringe, only if these facilities are satisfactorily flood proofed.
 - (3) The only uses permitted in the floodway are private open space, environmental reserve, natural areas, parks, and related roadways.
 - (4) In the flood fringe area, the permitted and discretionary uses listed in the district in which the site is located shall continue to apply. Where the provisions of the flood risk overlay appear to be in conflict with the regulations of such district, the provisions of the overlay shall take precedence and be applied in addition to the regulations of the district.
 - (5) Industrial, commercial, institutional, or residential development will not be permitted in the flood fringe unless the area is flood proofed by filling to a level equivalent to the 1:100 year flood level plus 0.3m.

(6) Notwithstanding the foregoing, low risk activities such as temporary storage or park use, may be permitted in the flood fringe at the discretion of the Development Authority.

(7) No new buildings will be allowed in the floodway.

(8) Before a development permit is issued for the construction of any development in the flood fringe, the Development Authority may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been incorporated in the building and lot:

- Canadian Mortgage and Housing Corporation guidelines for building in flood susceptible areas,
- the flood proofing of habitable rooms, electrical panels and heating units, and openable windows,
- basement drainage and site drainage, and
- information on grade elevation in relation to the 1:100 year flood elevation.

(9) Except as provided in (10) and (11), the Development Authority shall not issue a development permit until it is satisfied that adequate flood proofing exists.

(10) The Development Authority shall permit minor renovations and repairs to an existing building, whether structural or not, in the flood fringe without requiring the flood proofing of a building.

(11) The Development Authority may allow additions to an existing building in the flood fringe without requiring the flood proofing of the existing building(s).

c. Figure 1 is the Flood Hazard Map created for Alberta Environment by AECOM Canada Ltd. on November 16, 2009 in the project titled Two Hills Flood Hazard Mapping Study attached as Schedule A of this Bylaw.

2. This Bylaw comes into effect upon the date of the final reading thereof.

READ a first time this 17th day of December, 2013.

READ a second time this 17th day of December, 2013.

READ a third time and final time this 17th day of December, 2013.

TOWN OF TWO HILLS


HENRY NEUFELD, MAYOR


ELYSE HOWANYK
CHIEF ADMINISTRATIVE OFFICER





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Schedule A

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