

9.0 FLOODPLAIN REGULATIONS

9.1 Floodplain Designation and Flood Construction Level

- .1 The following land is designated as a *floodplain*:
 - a) the area shown as the 200 year *floodplain* for Osoyoos Lake on the floodplain maps attached as Schedule '3' to this Bylaw;
 - b) any land that is less than 1.5 metres above the *natural boundary* of any other *watercourse*.
- .2 The flood construction level for land designated as a *floodplain* in section 9.1.1 is:
 - a) the 200 year flood levels shown on the provincial floodplain maps for the *floodplain* designated in section 9.1.1(a);
 - b) 3.0 metres above the *natural boundary* for the *floodplain* designated in section 9.1.1(b);
 - c) 1.5 metres above the *natural boundary* for the *floodplain* designated in section 9.1.1(c); and
 - d) Osoyoos Lake: 280.70 metres Geodetic Survey of Canada (GSC) datum.

9.2 Siting Buildings and Structures in Floodplains

Despite any other provisions of this Bylaw, no *building* or *structure* shall be located within:

- .1 7.5 metres of the *natural boundary* of any lake, pond or marsh, or the top of bank where the bank is within 7.5 metres of the *natural boundary* of any lake, pond or marsh.

9.3 Floodplain Management Regulations

- .1 No person shall place any structural support for a *habitable area* or fill required to support a *habitable area* on land within a *floodplain setback* area under Section 9.2;
- .2 No person shall construct, reconstruct, move or extend a floor system or pad which supports a *habitable area*, such that the underside of the wooden floor system or the top of the pad or the ground surface on which it is located, is lower than the flood construction levels specified in Section 9.1 except as provided in Sections 9.3.3 and 9.3.4;
- .3 Despite Section 9.3.2, the following *floodplain* management regulations apply:
 - a) For *Dwelling Units* in the Agricultural Land Reserve:

A *dwelling unit* on a parcel that is 8.0 hectares or greater in area and located within the Agricultural Land Reserve (ALR) shall be located with the underside of any wooden floor system, or the top of the pad of any *habitable area*, or in the case of a *manufactured home* the top of the pad or the ground surface on which it is located, no lower than:

 - i) 1.0 metre above the natural ground elevation taken at any point on the perimeter of the *building*; or
 - ii) the flood construction levels specified in Section 9.1, whichever is the lesser.
 - b) For Closed-Sided *Livestock Buildings*:

Closed-sided *livestock buildings* that are not behind *standard dykes* shall be located with the underside of any wooden floor system, or the top of the pad of any *habitable area*, or the ground surface on which it is located, no lower than:

- i) 1.0 metre above the natural ground elevation, taken at any point on the perimeter of the *building*; or
- ii) the flood construction levels specified in Section 9.1, whichever is lesser.

c) For *Industrial Buildings*:

Industrial buildings, other than the main electrical power system, must be located with the underside of any wooden floor system or the top of any pad of any *habitable area* or the ground surface on which it is located not lower than the flood construction levels specified in Section 9.1 minus *freeboard*. Main electrical switchgear shall not be lower than the flood construction level.

- .4 The *floodplain* management regulations specified in Section 9.3.3 may be achieved by structural elevation of the *habitable area*, or by placing adequately compacted fill on which any *habitable area* is to be constructed or located, or by a combination of both structural elevation and fill.
- .5 Where fill is used to meet the *floodplain* management regulations specified in Sections 9.3.2 and 9.3.3, the face of the fill slope must be adequately protected against erosion from flood flows, wave action, ice and other debris hazards.
- .6 The following *developments* and uses are excluded from the requirements of the *floodplain* management regulations specified in Sections 9.3.2 and 9.3.3:
 - a) renovations, except structural, to existing *buildings* or *structures* that do not involve additions thereto;
 - b) that portion of a *building* or *structure* to be used as a *carport* or garage;
 - c) *farm buildings* other than *dwelling units* and closed-sided *livestock* housing;
 - d) closed-sided *livestock* housing behind *standard dykes*;
 - e) on-loading and off-loading facilities associated with water-oriented industries and portable sawmills.

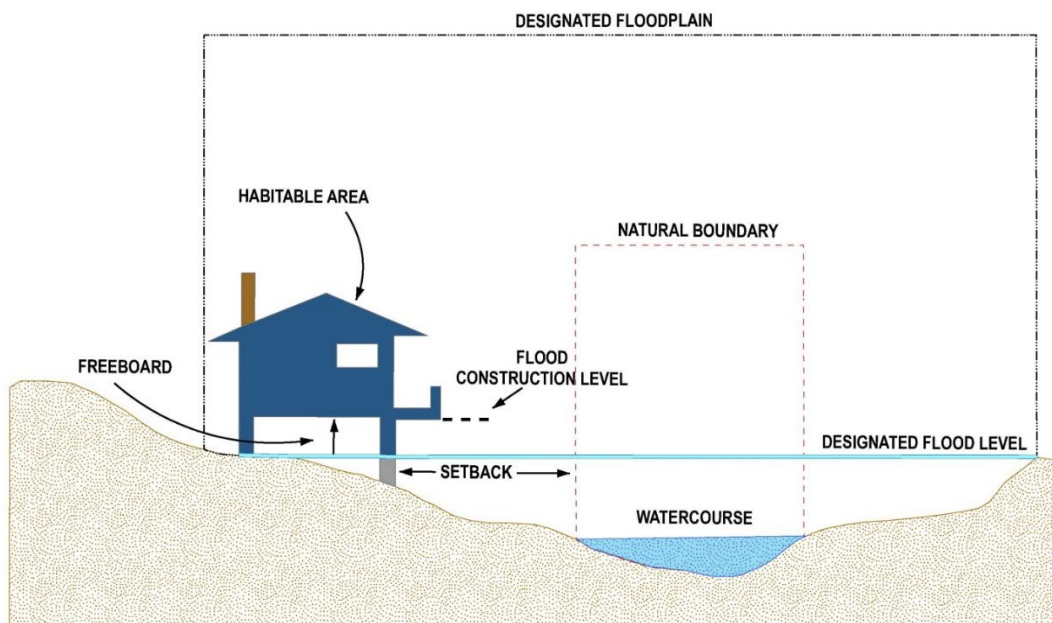


Figure 9 – Floodplain Illustration