

Comparison of Flood Proofing Provisions

Zoning Bylaw No. 1085, 1998 – Section 5	Draft Zoning Bylaw No. 1395 – Section 9.0
<p>Floodplain Designation</p> <p>Land lower than the following Flood Construction Level is designated as Floodplain:</p> <ul style="list-style-type: none"> .1 1.5 metres above the natural boundary of any watercourse, lake, swamp, or pond, with the exception of Osoyoos Lake; .2 Any area with an elevation lower than – 280.70 metres G.S.C. datum. 	<p>Floodplain Designation and Flood Construction Level</p> <ul style="list-style-type: none"> .1 The following land is designated as a <i>floodplain</i>: <ul style="list-style-type: none"> a) the area shown as the 200 year <i>floodplain</i> 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 <i>natural boundary</i> of any other <i>watercourse</i>. .2 The flood construction level for land designated as a <i>floodplain</i> in section 9.1.1 is: <ul style="list-style-type: none"> a) the 200 year flood levels shown on the provincial floodplain maps for the <i>floodplain</i> designated in section 9.1.1(a); b) 3.0 metres above the <i>natural boundary</i> for the <i>floodplain</i> designated in section 9.1.1(b); c) 1.5 metres above the <i>natural boundary</i> for the <i>floodplain</i> designated in section 9.1.1(c); and d) Osoyoos Lake: 280.70 metres GSC datum.
<p>Floodplain Setback Area Designation</p> <ul style="list-style-type: none"> .1 Land within 7.5 metres of the natural boundary of Osoyoos Lake, a swamp or pond is designated as a Floodplain Setback Area. 	<p>Siting Buildings and Structures in Floodplains</p> <p>Despite any other provisions of this Bylaw, no <i>building</i> or <i>structure</i> shall be located within:</p> <ul style="list-style-type: none"> .1 7.5 metres of the <i>natural boundary</i> of any lake, pond or marsh, or the top of bank where the bank is within 7.5 metres of the <i>natural boundary</i> of any lake, pond or marsh.
<p>Floodplain Management Regulations</p> <ul style="list-style-type: none"> .1 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 is lower than the Flood Construction Levels specified in Section 5.1 except as provided in Section 5.4. .2 The Floodplain Management Regulations specified in Section 5.3.1 may be achieved by structural elevation of the Habitable Area or by adequately compacted landfill on which any building is to be 	<p>Floodplain Management Regulations</p> <ul style="list-style-type: none"> .1 No person shall place any structural support for a <i>habitable area</i> or fill required to support a <i>habitable area</i> on land within a <i>floodplain setback</i> area under Section 9.2; .2 No person shall construct, reconstruct, move or extend a floor system or pad which supports a <i>habitable area</i>, 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

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<p>constructed or located, or by a combination of both structural elevation and landfill, in accordance with the Town's Soil Deposit and Removal Bylaw.</p> <p>.3 Where fill is used to achieve the Flood Construction Level specified in Section 5.3.2, the face of the fill slope shall be adequately protected against erosion from flood flows, wave action, ice or other debris.</p>	<p>construction levels specified in Section 9.1 except as provided in Sections 9.3.3 and 9.3.4;</p> <p>.3 Despite Section 9.3.2, the following <i>floodplain</i> management regulations apply:</p> <p>a) For <i>Dwelling Units</i> in the Agricultural Land Reserve: A <i>dwelling unit</i> 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 <i>habitable area</i>, or in the case of a <i>manufactured home</i> the top of the pad or the ground surface on which it is located, no lower than:</p> <p>i) 1.0 metre above the natural ground elevation taken at any point on the perimeter of the <i>building</i>; or</p> <p>ii) the flood construction levels specified in Section 9.1, whichever is the lesser.</p> <p>b) For Closed-Sided <i>Livestock Buildings</i>: Closed-sided <i>livestock buildings</i> that are not behind <i>standard dykes</i> shall be located with the underside of any wooden floor system, or the top of the pad of any <i>habitable area</i>, or the ground surface on which it is located, no lower than:</p> <p>i) 1.0 metre above the natural ground elevation, taken at any point on the perimeter of the <i>building</i>; or</p> <p>ii) the flood construction levels specified in Section 9.1, whichever is lesser.</p> <p>c) For Industrial <i>Buildings</i>: Industrial <i>buildings</i>, 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 <i>habitable area</i> or the ground surface on which it is located not lower than the flood construction levels specified in Section 9.1 minus <i>freeboard</i>.</p>

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	<p>Main electrical switchgear shall not be lower than the flood construction level.</p> <p>.4 The <i>floodplain</i> management regulations specified in Section 9.3.3 may be achieved by structural elevation of the <i>habitable area</i>, or by placing adequately compacted fill on which any <i>habitable area</i> is to be constructed or located, or by a combination of both structural elevation and fill.</p> <p>.5 Where fill is used to meet the <i>floodplain</i> 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.</p>
<p>Exemptions</p> <p>The following construction is exempt from the Floodplain Management Regulations specified in Section 5.3:</p> <p>.1 a renovation of an existing building or structure that does not involve an addition thereto;</p> <p>.2 an addition to a building or structure that increases the floor area of the building or structure to a size less than 25 percent greater than the ground floor area existing at the date of adoption of this Bylaw;</p> <p>.3 that portion of a building or structure to be used as a carport or garage; and</p> <p>.4 farm buildings other than dwelling units and closed-sided livestock housing.</p>	<p>.6 The following <i>developments</i> and uses are excluded from the requirements of the <i>floodplain</i> management regulations specified in Sections 9.3.2 and 9.3.3:</p> <p>a) renovations, except structural, to existing <i>buildings</i> or <i>structures</i> that do not involve additions thereto;</p> <p>b) that portion of a <i>building</i> or <i>structure</i> to be used as a <i>carport</i> or garage;</p> <p>c) <i>farm buildings</i> other than <i>dwelling units</i> and closed-sided <i>livestock</i> housing;</p> <p>d) closed-sided <i>livestock</i> housing behind <i>standard dykes</i>;</p> <p>e) on-loading and off-loading facilities associated with water-oriented industries and portable sawmills.</p>

Notes:

The information provided in this table is a summary of current and proposed zoning regulations. Please refer to the current Zoning Bylaw No. 1085 as well as the most recent version of Draft Zoning Bylaw No. 1395 for actual and proposed regulations on the Zoning Bylaw Update webpage: <https://www.osoyoos.ca/council/zoning-bylaw-update>

The Town is currently undertaking a separate review of its Floodplain Management Regulations and it is anticipated that this will recommend changes to Section 9.0 of Zoning Bylaw No. 1395 in the near future.