

**SALMON VALLEY FLOODPLAIN  
MANAGEMENT BYLAW NO. 2600**

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COLUMBIA SHUSWAP REGIONAL DISTRICT

SALMON VALLEY FLOODPLAIN MANAGEMENT BYLAW NO. 2600

WHEREAS under Section 969 of the Municipal Act the Board of the Columbia Shuswap Regional District may adopt a bylaw specifying flood levels and setbacks in such a floodplain;

NOW THEREFORE the Board of the Columbia Shuswap Regional District in open meeting assembled, HEREBY ENACTS as follows;

DEFINITIONS

1. In this bylaw

"alluvial fan" means an alluvial deposit of a watercourse

- a) where it issues from a mountain valley or gorge upon a plain,
- b) at the junction of the watercourse with a tributary of that watercourse;

"enactment" has the meaning given in the Interpretation Act on the date of adoption of this bylaw;

"flood construction level" means the level designated in Section 3;

"flood level" means the level designated as such on the map for the purposes of determining flood construction levels and floodplain setbacks under Section 3 and 4;

"floodplain" means the part of the Salmon Valley designated in Section 2;

"floodplain setback" means the setback designated in Section 4 from the natural boundary of a waterbody or watercourse behind which any habitable area must be constructed or located;

"floor system" means the lowest floor system of a building or structure;

"habitable area" means any space or room, including a manufactured home, that is or can be used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater;

"map" means the map that forms Schedule A to this Bylaw, described as Floodplain of Salmon River - Salmon Arm to Falkland;

"Minister" means the Minister of Environment, Lands and Parks or a delegate of that Minister;

"natural boundary" means the visible high water mark of any waterbody or watercourse including any dormant side channels of any watercourse, where the presence and action of the water are so common and usual, and so long continued in all ordinary years as to mark on the soil of the bed of the waterbody or watercourse a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself;

"natural ground elevation" means the lowest level of the surface of a parcel determined before any human disturbance of the surface;

"pad" means a surface made of concrete, to the uppermost surface of which blocks, posts, runners or strip footings have been affixed for the purpose of supporting a habitable area;

"parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

"standard dyke" means a dyke built and maintained pursuant to any enactment, to a design approved by the Minister, with a minimum flood crest elevation at least equal to the flood construction level applicable to the dyke;

"water body" means a lake or other body of water other than a watercourse; and

"watercourse" means any depression in the land that:

- (a) is of natural or human origin;
- (b) has well defined banks;
- (c) has a bed 0.6 metres or more below the surrounding land; and
- (d) either:
  - (i) gives direction to moving water for an aggregate of at least 6 months during any calendar year; or
  - (ii) has a drainage area of 2 square kilometres or more upstream from the point of consideration.

#### FLOODPLAIN DESIGNATION

2. This Bylaw applies to the part of the Columbia Shuswap Regional District shown on the map. All land that is:

- (a) shown within heavy outline on the map;

- (b) lower than the flood construction level for a parcel; and
- (c) located within the floodplain setback for a parcel;

is designated as floodplain for the purposes of this Bylaw and all other enactments and is subject to this Bylaw.

#### FLOOD CONSTRUCTION LEVEL DESIGNATION

#### 3. The flood construction level:

- (a) for a parcel outside the active part of the Bolean Creek alluvial fan, as shown on the map, is the greater of:
  - (i) the level for the parcel determined by interpolation of the flood levels applicable to the parcel as set out on the map; and
  - (ii) where no flood levels applicable to the parcel are set out on the map, the level that is 1.5 metres above the highest natural boundary of any watercourse or water-body adjacent to the parcel; and
- (b) for a parcel within the active part of the Bolean Creek alluvial fan, as shown on the map, is the greater of:
  - i) 0.6 metres above the natural ground elevation for the parcel; and
  - ii) the flood construction level for the parcel determined by applying Section 3(a).

#### FLOODPLAIN SETBACK DESIGNATIONS

#### 4. The following floodplain setbacks are designated as applicable:

- a) for a parcel adjacent to the Salmon River, 30 metres from the natural boundary of the Salmon River;
- b) for a parcel upstream of the apex of the Bolean Creek alluvial fan, as shown on the map, 30 metres from the natural boundary of Bolean Creek;
- c) for a parcel downstream of the apex of the Bolean Creek alluvial fan, as shown on the map, 15 metres from the natural boundary of Bolean Creek;

- d) for a parcel not described in Section 4(a) to (c), 15 metres from the natural boundary of any watercourse;
- e) for a parcel adjacent to a waterbody, 7.5 metres from the natural boundary of any waterbody; and
- f) despite the rest of this section, 7.5 metres from a standard dyke for a parcel protected by a standard dyke.

#### DETERMINATIONS UNDER BYLAW

- 5. All determinations of flood construction levels and floodplain setbacks are to be made by the Minister.

#### NO CONSTRUCTION OR USE WITHIN SETBACKS OR BELOW FLOOD CONSTRUCTION LEVELS

- 6. Subject to Section 7, on any parcel:
  - a) the underside of any floor system, or the top of any pad, supporting any habitable area must be above the flood construction level for the parcel and must comply with the floodplain setback for the parcel; and
  - b) any landfill required to support a floor system, or pad, supporting a habitable area must not extend within the floodplain setback for that parcel.

#### EXEMPTIONS FROM BYLAW REQUIREMENTS

- 7. Section 6 does not apply to a parcel if, under the Municipal Act, the Minister has, subject to conditions the Minister imposes, exempted a development or type of development from the requirements of Section 6.

#### OFFENCE

- 8. A person who contravenes a provision of this Bylaw is guilty of an offence and is liable on conviction to a fine of not more than \$2000 or to imprisonment for not more than 6 months, or both. Each day that an offence under this Bylaw continues constitutes a separate and continuing offence under this Bylaw.

9. This bylaw may be cited as the "Salmon Valley Floodplain Management Bylaw No. 2600".

READ a first time this 18th day of March, 1993.

READ a second time this 19th day of August, 1993.

READ a third time this 21st day of October, 1993.

RECEIVED THE APPROVAL of the Minister of Environment, Lands and Parks pursuant to Section 969 of the Municipal Act, R.S.B.C, 1979, c.290 this 10 day of November, 1993.

RECONSIDERED AND ADOPTED this 17th day of February, 1994.

[Signature]  
SECRETARY

[Signature]  
CHAIRMAN

CERTIFIED true copy of Bylaw No. 2600 as read a third time.

CERTIFIED true copy of Bylaw No. 2600 as adopted.

[Signature]  
Secretary

Secretary

J.O. Leonard  
MINISTER OF ENVIRONMENT, LANDS AND PARKS

THE FOLLOWING 4 PAGES ARE ATTACHED TO BYLAW NO. 2600 FOR INFORMATION ONLY AND DO NOT FORM PART OF THE BYLAW.

THESE PAGES HAVE BEEN ADDED TO INFORM THE PUBLIC THAT ALL EXCEPTIONS TO THE FLOOD CONTROL REGULATIONS OF BYLAW NO. 2600 ARE THE SOLE JURISDICTION OF THE MINISTRY OF ENVIRONMENT, LANDS AND PARKS AND AS WELL TO INFORM THE PUBLIC OF THE GENERAL EXCEPTIONS APPROVED BY THAT MINISTRY AT THE TIME OF ADOPTION OF BYLAW NO. 2600



INFORMATION ON  
GENERAL EXEMPTIONS

1. The following types of development are exempt from the requirement of Section 969(5)(a) of the Municipal Act, as it pertains to the flood construction levels specified in Section 3(a) of the Salmon Valley Floodplain Management Bylaw No. 2600:
  - (i) a renovation of an existing building or structure that does not involve an addition thereto;
  - (ii) an addition to a building or structure, at the original non-conforming floor elevation, that would increase the size of the building or structure by less than 25 percent of the ground floor area (excluding carports or garages) existing at the date of adoption of the Salmon Valley Floodplain Management Bylaw No. 2600, provided that the degree of nonconformity regarding setback is not increased;
  - (iii) that portion of a building or structure to be used as a carport, garage or entrance foyer;
  - (iv) farm buildings other than dwelling units and closed-sided livestock housing;
  - (v) hot water tanks and furnaces behind standard dykes;
  - (vi) closed-sided livestock housing behind standard dykes;
  - (vii) heavy industry behind standard dykes; and
  - (viii) on-loading and off-loading facilities associated with water-oriented industry and portable sawmills.
  
2. The following types of development are exempt from the requirement of Section 969(5)(a) of the Municipal Act, as it pertains to the flood construction levels specified in Section 3(a) of the Salmon Valley Floodplain Management Bylaw No. 2600, subject to the following conditions:

- (i) farm dwelling units: farm dwelling units on parcel sizes 8.1 hectares, or greater, located within the Agricultural Land Reserve, shall be located with the underside of a wooden floor system or the top of the pad of any habitable area (or in the case of a manufactured home the top of pad or the ground surface on which it is located) no lower than 1.0 metre above the natural ground elevation taken at any point on the perimeter of the building, or no lower than the flood construction levels specified in Section 3(a) of the Salmon Valley Floodplain Management Bylaw No. 2600, whichever is the lesser;
  
- (ii) closed-sided livestock housing: closed-sided livestock housing not behind standard dykes shall be located with the underside of the wooden floor system or the top of the pad (or in the case of a manufactured home the top of pad or the ground surface on which it is located) no lower than 1.0 metre above the natural ground elevation taken at any point on the perimeter of the building, or no lower than the flood construction levels specified in Section 3(a) of the Salmon Valley Floodplain Management Bylaw No. 2600, whichever is the lesser; and
  
- (iii) industrial uses: industrial uses, other than main electrical switchgear, shall be located with the underside of a wooden floor system or the top of the pad (or in the case of a manufactured home the top of pad or the ground surface on which it is located) no lower than the flood construction levels specified in Section 3(a) of the Salmon Valley Floodplain Management Bylaw No. 2600, minus freeboard. Main electrical switchgear shall be no lower than the flood construction level.



Province of  
British Columbia

MINISTRY OF  
ENVIRONMENT,  
LANDS AND PARKS

BC  
Environment

WATER  
MANAGEMENT  
DIVISION

**REQUEST FOR  
SITE-SPECIFIC EXEMPTION  
Floodplain Management Provisions**

*This form is to be fully completed and submitted by the property owner to the Regional Water Manager as a request to exempt a development from the requirements of Section 969 of the Municipal Act, in respect to provisions in a Section 969 floodplain management bylaw.*

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*Applicant's Name, Address and Telephone Number*

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*(Lot, Block, Legal Subdivision, Section, Plan, Township, Range, Land District)*

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*(Name of Regional District, Village, Town, City, or District)*

**Exemption of the following development from the requirements of section 969 of the Municipal Act is requested:**

PROPOSED DEVELOPMENT:

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NAME OF ADJACENT WATERCOURSE OR BODY OF WATER:

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FLOOD CONSTRUCTION LEVEL IN BYLAW (NO. ): \_\_\_\_\_

FLOOD CONSTRUCTION LEVEL REQUESTED: \_\_\_\_\_

FLOODPLAIN SETBACK IN BYLAW (NO. ): \_\_\_\_\_

FLOODPLAIN SETBACK REQUESTED: \_\_\_\_\_

**Request for Site-Specific Exemption  
Floodplain Management Provisions  
Page 2**

**ENCLOSED ARE:**

*(check where provided; provision of all of this information will facilitate processing of application)*

- \_\_\_\_\_ legal map of property
- \_\_\_\_\_ map indicating property location and relationship of proposed building to adjacent watercourse
- \_\_\_\_\_ photos of property (proposed building location, adjacent existing development, riverbank areas, etc.)
- \_\_\_\_\_ other information pertinent to this application

**REASONS FOR APPLICATION:**

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**DATE OF APPLICATION:** \_\_\_\_\_

**SIGNATURE OF APPLICANT:** \_\_\_\_\_

**SIGNATURE OF BUILDING INSPECTOR:** \_\_\_\_\_

**When completed mail to:**  
Ministry of Environment, Lands and Parks  
Regional Water Manager  
1259 Dalhousie Drive  
Kamloops, B.C. V2C 5Z5  
(604) 371-6200