

Memo



Date: February 2, 2011
File: 1320-30
To: City Manager
From: F. Schaad - Utilities Technologist, Infrastructure Planning
Subject: City of Kelowna Mill Creek Flood Plain Regulation Bylaw - Housekeeping Amendments

Recommendation:

THAT Council receives, for information, the report from the Utilities Technologist, Infrastructure Planning dated February 2, 2011, with respect to the City of Kelowna Mill Creek Flood Plain Regulation Bylaw recommending that Council adopt the proposed bylaw amendments to the Mill Creek Flood Plain Bylaw No. 10248;

AND THAT Bylaw No. 10473, being Amendment No. 1 to the City of Kelowna Mill Creek Flood Plain Bylaw No. 10248 be forwarded for reading consideration.

Purpose:

To update miscellaneous housekeeping amendments including replacing the Mill Creek Flood Plain Maps Figures A1, A2, A3, A4, A5 and A6 of Schedule A.

Background:

Staff have become aware of minor discrepancies throughout the City of Kelowna Mill Creek Flood Plain Regulation Bylaw and the proposed text and Map amendments are attached to this report as "Attachment A" and "Attachment B".

The errors that require updating reflect the flood plain boundary and corresponding flood construction levels set by the original Mill Creek Flood Plain Map in Figure A1 to A6 of Schedule A.

Internal Circulation:

Director, Development Services
Systems Development Manager, Information Services
Office of the City Clerk

Considerations not applicable to this report:

Legal/Statutory Authority
Legal/Statutory Procedural Requirements
Existing Policy
Financial/Budgetary Considerations
Personnel Implications



External Agency/Public Comments
Community & Media Relations Comments
Alternate Recommendation

Submitted by:



F. Schaad, Utility Technologist, Infrastructure Planning

Approved for inclusion:



T. Barton, Acting Director, Infrastructure Planning

cc: General manager, Community Sustainability
Director, Infrastructure Planning
Director, Development Services
Systems Development Manager, Information Services
Subdivision Approving Officer

Attachments: 2

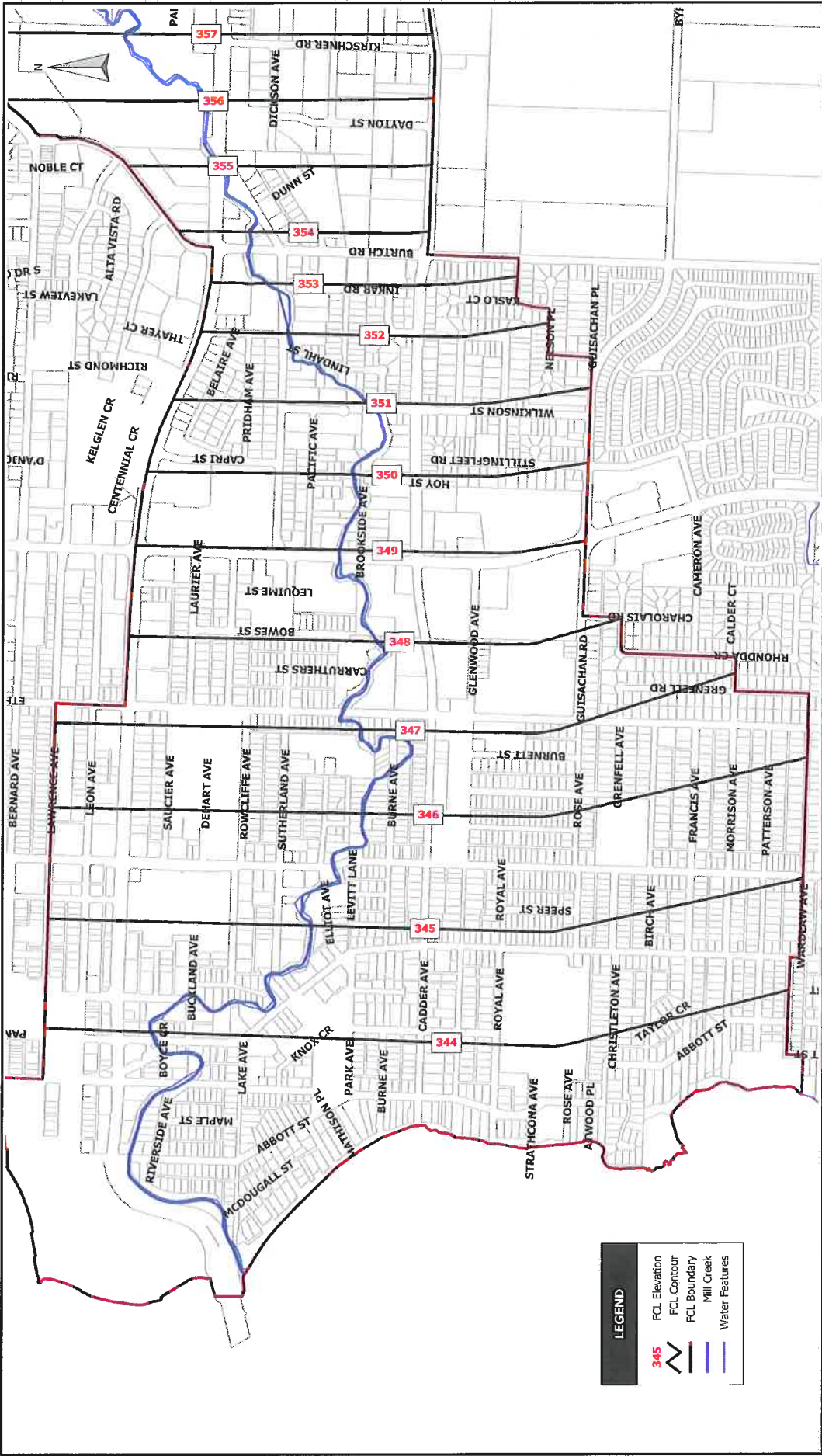
Attachment A - Mill Creek Floodplain Regulation Bylaw - Proposed Text Revisions

Attachment B - Mill Creek Floodplain Mapping - Revised Floodplain Boundary and FCL Contours



Mill Creek Flood Plain Bylaw No. 10248

No.	Section	Existing Text	Proposed Text	Rationale
	SECTION - 5 EXEMPTION			
1	5.1 GENERAL EXEMPTION TO THE FLOOD LEVEL IN A FLOOD PLAIN	<p>b) that portion of a building or other structure used or intended to be used only as a carport;</p> <p>d) accessory buildings or other structures less than 55 m² in gross floor area;</p> <p>h) subject to sub-section 5.1 g) and h), farm buildings, other than a building used or intended to be used for human habitation;</p>	<p>b) that portion of a building or structure that is to be used as a carport, garage or entryway;</p> <p>d) minor buildings such as storage buildings, porches and domestic greenhouses;</p> <p>h) subject to sub-section 5.1 f) and g), farm buildings, other than a building used or intended to be used for human habitation;</p>	<p>Replace to keep exemptions consistent with Provincial Guidelines</p> <p>Replace to keep exemptions consistent with Provincial Guidelines</p> <p>References should be to f & g not g & h</p>
	SECTION 6 - DELEGATION			
2	6.1	<p>Council delegates to the Approving Officer the power of Council to exempt a person from the application of Section 910 (4) of the Local Government Act and this Bylaw, in relation to a specific parcel of land or a use, building or other structure on the parcel of land, in accordance with Section 910 (5) of the Local Government Act, and subject to any terms or conditions the ; and Approving Officer considers necessary or advisable in accordance with Section 910 (6) of the Local Government Act, except where an application is made for a variance to Section 4.2 of this Bylaw.</p>	<p>Council delegates to the Approving Officer the power of Council to exempt a person from the application of Section 910 (4) of the Local Government Act and this Bylaw, in relation to a specific parcel of land or a use, building or other structure on the parcel of land, in accordance with Section 910 (5) of the Local Government Act, and subject to any terms or conditions the ; and Approving Officer considers necessary or advisable in accordance with Section 910 (6) of the Local Government Act, except where an application is made for a variance to Section 4 of this Bylaw.</p>	<p>"Section 4.2" does not exist reference should be to Section 4</p>



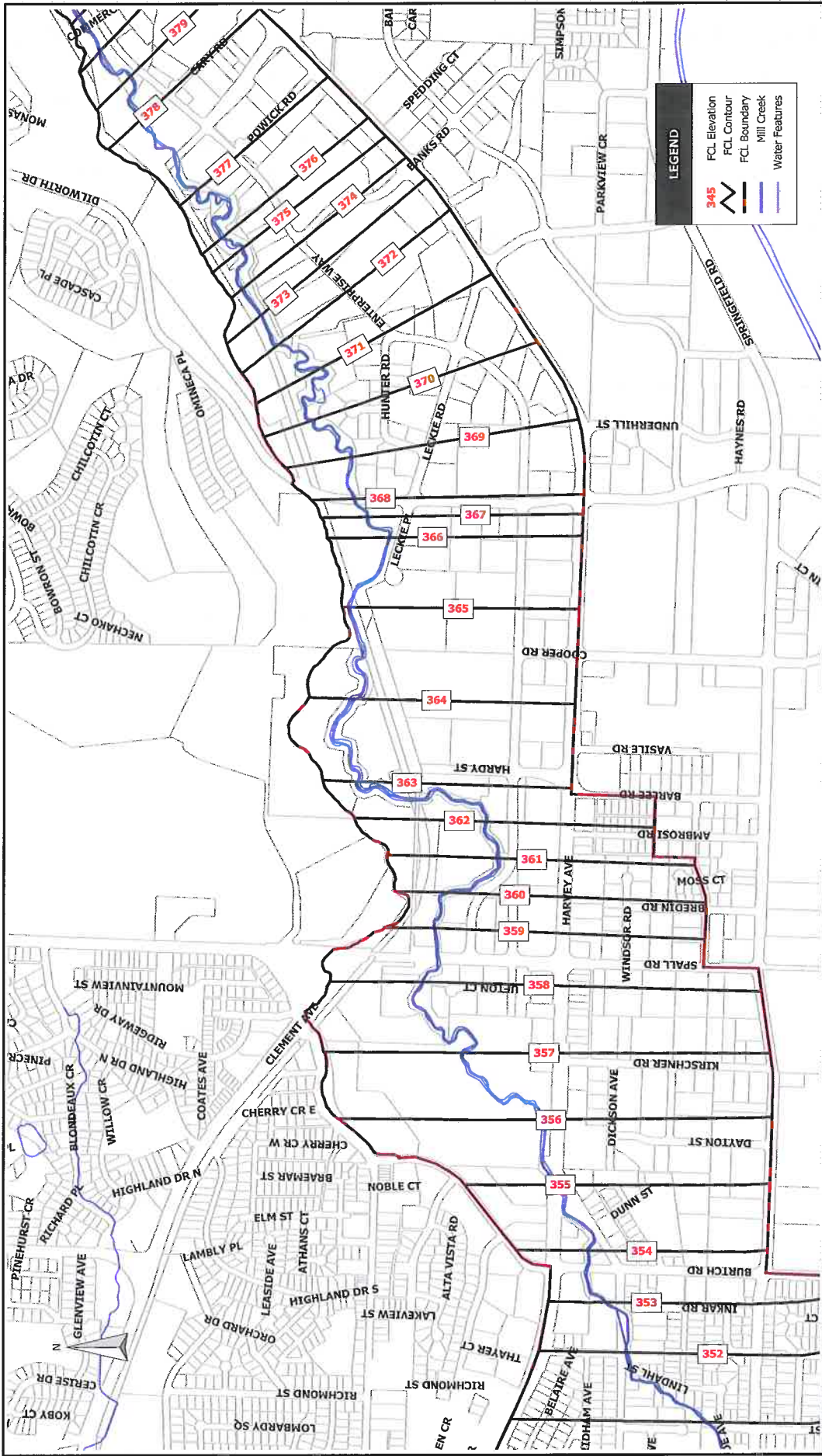
SCALE 1:10,000



MILL CREEK FLOODPLAIN BYLAW ANALYSIS

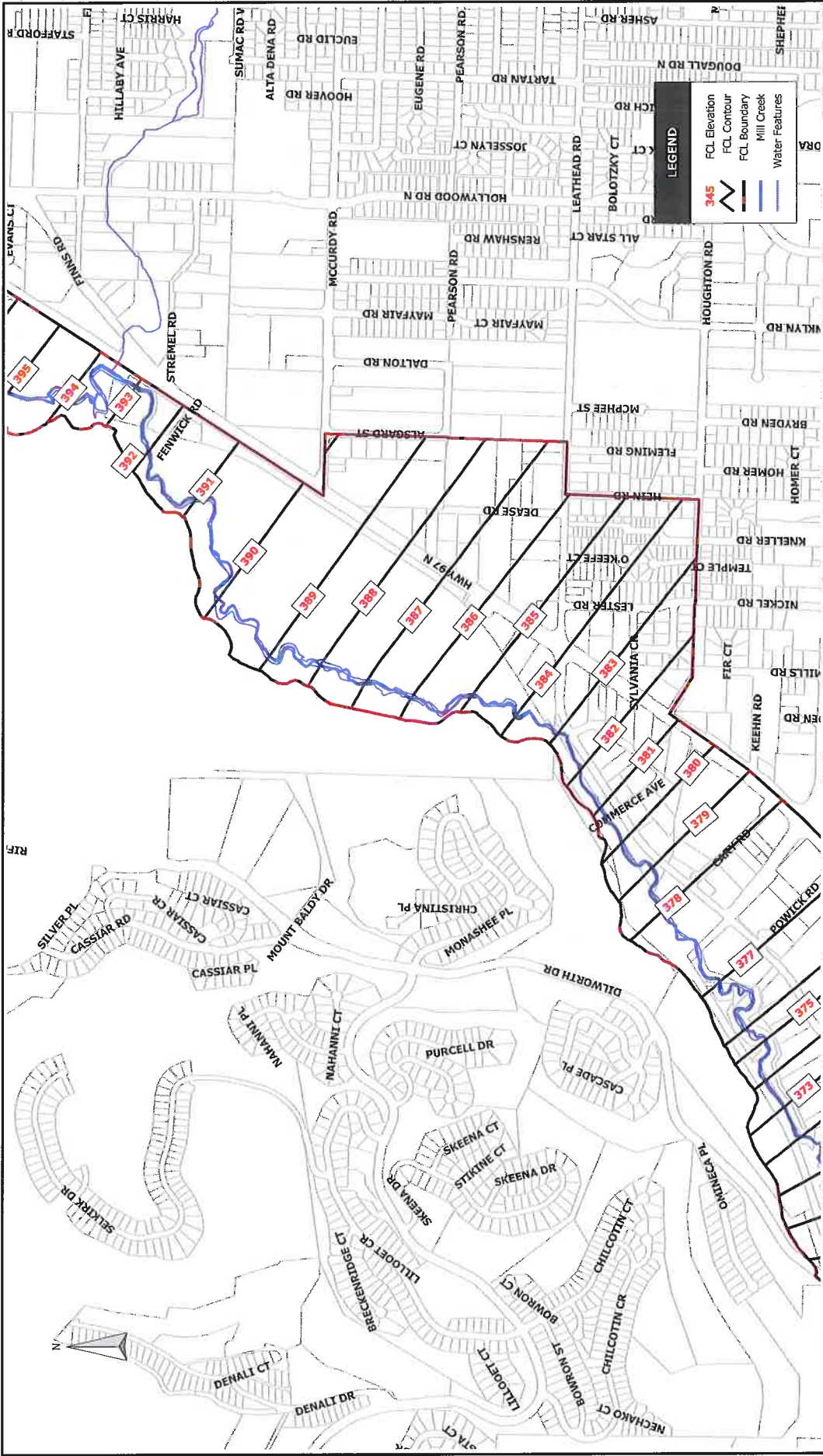
CITY OF KELOWNA

DRAWING NUMBER	FIGURE A1	REV. NO.	JAN 2011	SHEET	1
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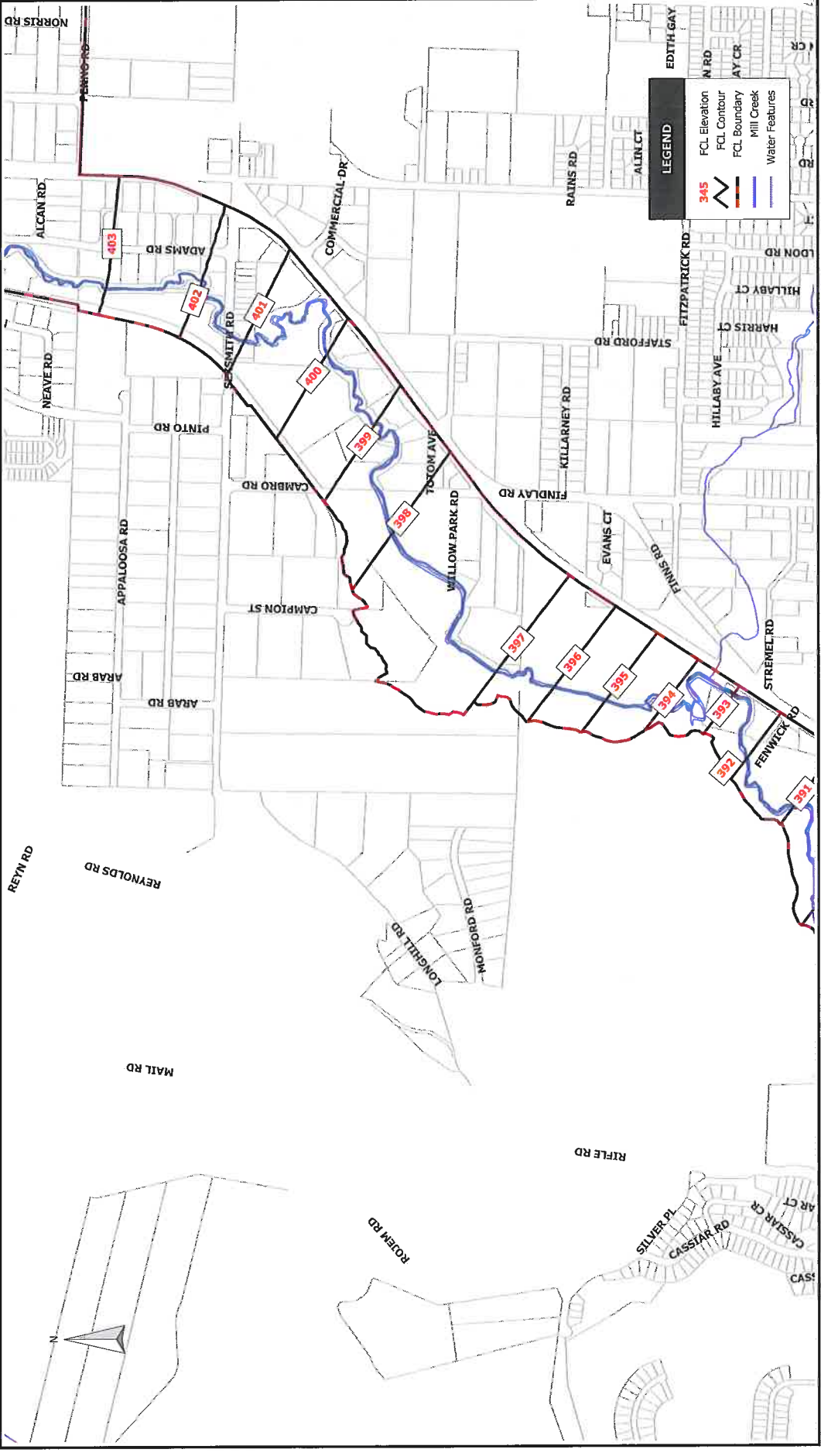


CITY OF KELOWNA	MILL CREEK FLOODPLAIN BYLAW ANALYSIS	
	DRAWING NUMBER	FIGURE A2
REV. NO.	JAN 2011	SHEET
		2

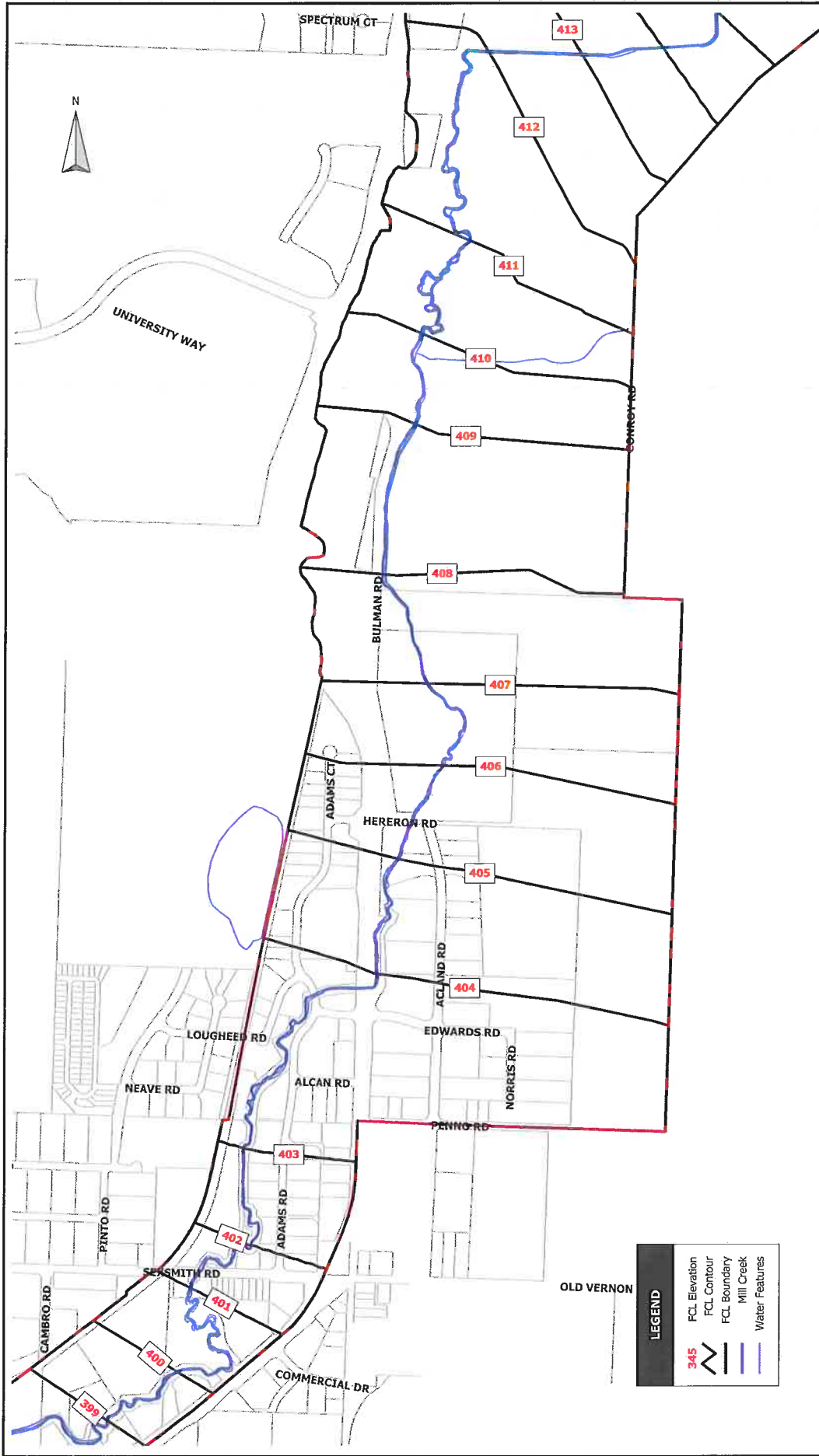




	MILL CREEK FLOODPLAIN BYLAW ANALYSIS		CITY OF KELOWNA	
	DRAWING NUMBER	REV. NO.	SHEET	
	FIGURE A3	JAN 2011	3	



CITY OF KELOWNA	
MILL CREEK FLOODPLAIN BYLAW ANALYSIS	SCALE 1:10,000
 Associated Engineering	 0 500 m
DRAWING NUMBER FIGURE A4	REV. NO. JAN 2011
SHEET 4	



LEGEND

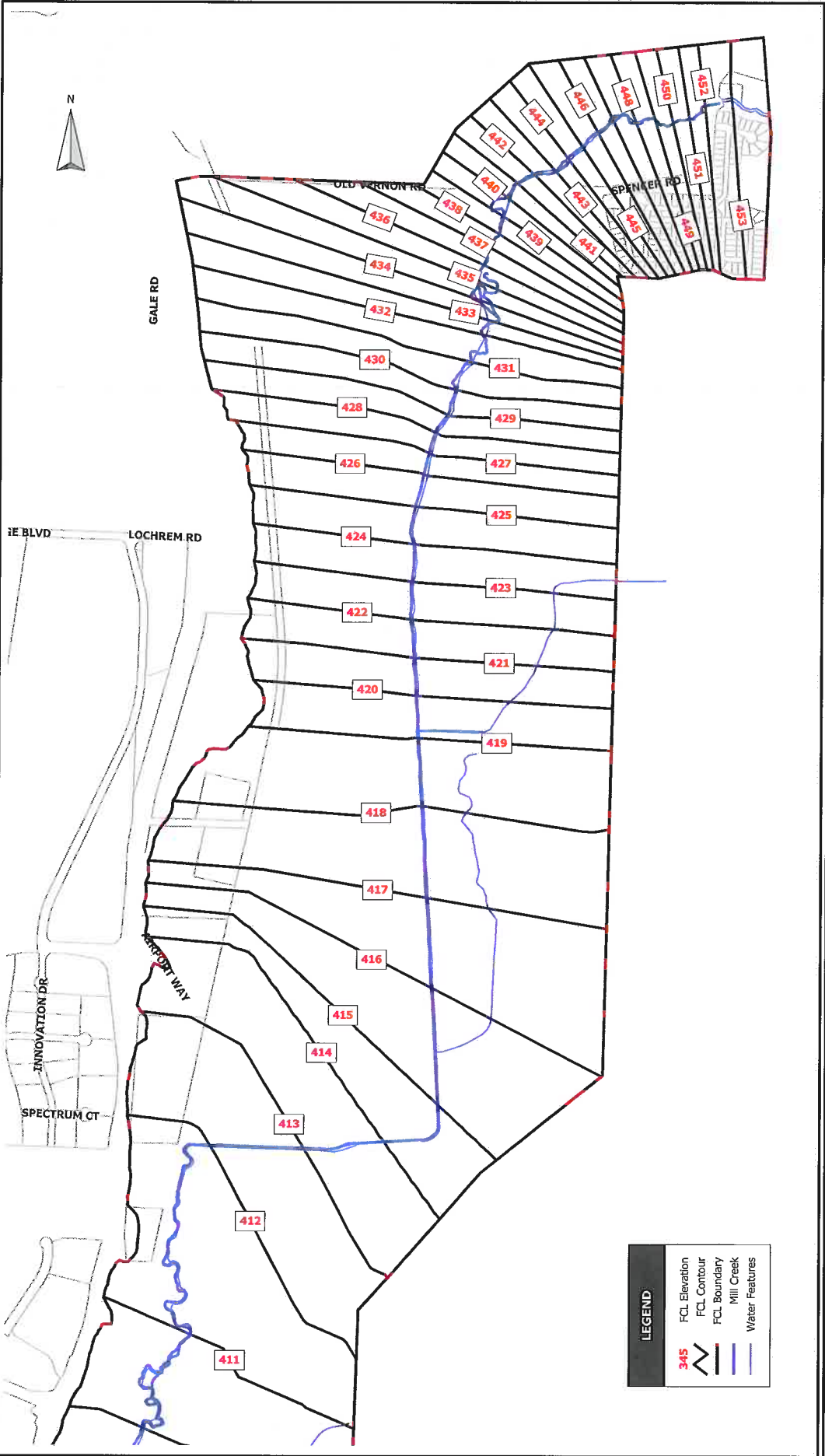
- 345 FCL Elevation
- ~ FCL Contour
- FCL Boundary
- Mill Creek
- Water Features


CITY OF KELOWNA	MILL CREEK FLOODPLAIN BYLAW ANALYSIS	DRAWING NUMBER	FIGURE A5
		REV. NO.	JAN 2011
		SHEET	5



SCALE 1:10,000

0 500 m



CITY OF KELOWNA	MILL CREEK FLOODPLAIN BYLAW ANALYSIS		SCALE 1:10,000
DRAWING NUMBER FIGURE A6	REV. NO. JAN 2011		SHEET 6