

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: May 7, 2026

RE: Floodplain Exemption Application — Electoral Area “E” (E2026.002-FPE)

Administrative Recommendation:

THAT the Board of Directors approve a floodplain exemption for 4545 Mill Road, Naramata (legally described as Lot 22, Plan KAP3889, District Lot 211, SDYD), in order to permit the development of a single detached dwelling within the floodplain setback of Okanagan Lake, subject to the following condition:

- i) a statutory covenant is registered on title in order to:**
 - a) “save harmless” the Regional District against any damages as a result of a flood occurrence; and**
 - b) secure the recommendations contained within the Flood Hazard Assessment for Floodplain Exemption report, dated March 12, 2026, prepared by Caleb Pomeroy, P.Eng., of Watershed Engineering Limited.**
-

Alternative:

- 1. THAT the Board of Directors deny a floodplain exemption for 4545 Mill Road, Naramata (legally described as Lot 22, Plan KAP3889, District Lot 211, SDYD), in order to permit the development of a single detached dwelling within the floodplain setback of Okanagan Lake.**
-

Purpose:

This application seeks an exemption from the floodplain regulations contained within the Okanagan Valley Zoning Bylaw No. 2800, 2022, in order to allow for the construction of a single detached dwelling within the floodplain setback and below the flood construction level of Okanagan Lake.

Specifically, the applicant is seeking to reduce the floodplain setback in the Zoning Bylaw from 7.5 metres to 4.83 metres.

In support of this proposal, the applicant has provided a flood hazard assessment report, prepared by Caleb Pomeroy of Watershed Engineering Limited, which has concluded, amongst other things, that the property can be safely developed for its intended use provided a number of specified recommendations are implemented.

Strategic Priorities: Operational

Statutory Requirements:

Under Section 524(7) of the *Local Government Act*, the Regional District Board may consider exempting a specific parcel from its floodplain regulations if the Board considers it advisable and either:

- (a) *considers that the exemption is consistent with the Provincial guidelines, or*
- (b) *has received a report that the land may be used safely for the use intended, which report is certified by a person who is*
 - (i) *a professional engineer or geoscientist and experienced in geotechnical engineering, or*
 - (ii) *a person in a class prescribed by the environment minister under subsection (9).*

Background & Analysis:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 22, 1947, while BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that building permits have not previously been issued for this property.

Official Community Plan

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 3010, 2023, the subject property is currently designated Low Density Residential (LR), which supports the development of single detached dwellings, duplexes, secondary suites, accessory dwellings.

The property is also the subject of a Watercourse Development Permit (WDP) designation, an objective of which is to ensure development within riparian areas is consistent with the Riparian Area Protection Regulation (RAPR).

An application for a Watercourse Development Permit (WDP) was submitted to the Regional District in conjunction with this floodplain exemption application.

Zoning Bylaw

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential One (RS1) which lists “single detached dwelling” as a permitted principal use.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Okanagan Lake, which requires that no building or structure is located within 7.5 metres of the natural boundary of the lake.

Board Consideration:

The subject property has been the subject of multiple previous Development Variance Permit applications (E2022.059-DVP, E2023.032-DVP, E2024.010-DVP, E2025.028-DVP and E2026.003-DVP) in relation to the construction of a single detached dwelling and use of holding tanks as a method of on-site sewage disposal.

Analysis:

In considering this floodplain exemption request against the requirements of Section 524(7) of the *Local Government Act*, Administration notes that the property owners have submitted a flood hazard

assessment report prepared by a professional engineer experienced in geotechnical engineering (i.e. Caleb Pomeroy of Watershed Engineering Limited) dated March 12, 2026, which concludes the following:

The technical analysis completed in this study has determined the flood construction level and shoreline impacts due to wave action and demonstrates that although a flood hazard is present, the property can be safely developed for its intended use provided the following recommendations are implemented. A flood assurance statement is provided at Appendix B.

- 1. The flood construction level which includes the mid-century adjusted 2017 flood of record, wind setup, wave runoff, and 0.6m freeboard is 344.69 m for the subject property.*
- 2. The foundation is to be designed by a structural and geotechnical engineer based on the flood construction level of 344.60 m and estimated scour depth of 0.89 m due to wave action outlined in this report.*
- 3. The geotechnical design for bearing capacity of the foundation is to consider saturated conditions.*
- 4. The structural design of the foundation is to consider wave forces, pressures and runoff.*
- 5. The site survey data was collected using the CGVD28 vertical datum and horizontal control is NAD83(CSRS) UTM Zone 11N. For establishing of benchmarks and elevation control for the FCL, the reference vertical datum must be used.*
- 6. The existing rock wall condition is maintained or improved if future degradation or erosion occurs.*

The proposed single-family dwelling floodplain setback can be reduced from 7.5 m to 4.17 m provided that the above recommendations are implement into the final building design.

Alternative:

Conversely, it is noted that the OCP speaks to preventing or minimizing “property damage as a result from natural hazards” and to discouraging “development of land susceptible to flooding”. In this instance, other options appear to be available to the applicant such as elevating the building above the flood construction level.

Summary:

In summary, and based upon the recommendations contained within the flood protection report, Administration is recommending that the floodplain exemption request be approved, and that the applicant enter into a statutory covenant in order to “save harmless” the Regional District in the event of future flood events.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

No communication strategy is proposed as this is not required under the *Local Government Act* in relation to a floodplain exemption request.

Site Context:

The subject property is approximately 300 m² in area and is situated on the south side of Mill Road, approximately 1.1 km north from the Naramata Village Centre. The property is understood to contain one (1) accessory building.

The surrounding pattern of development is generally characterised by residential parcels and agriculture.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted

Colin Martin

Colin Martin
Planner I

Endorsed by:

C. Garrish
Senior Manager of Planning

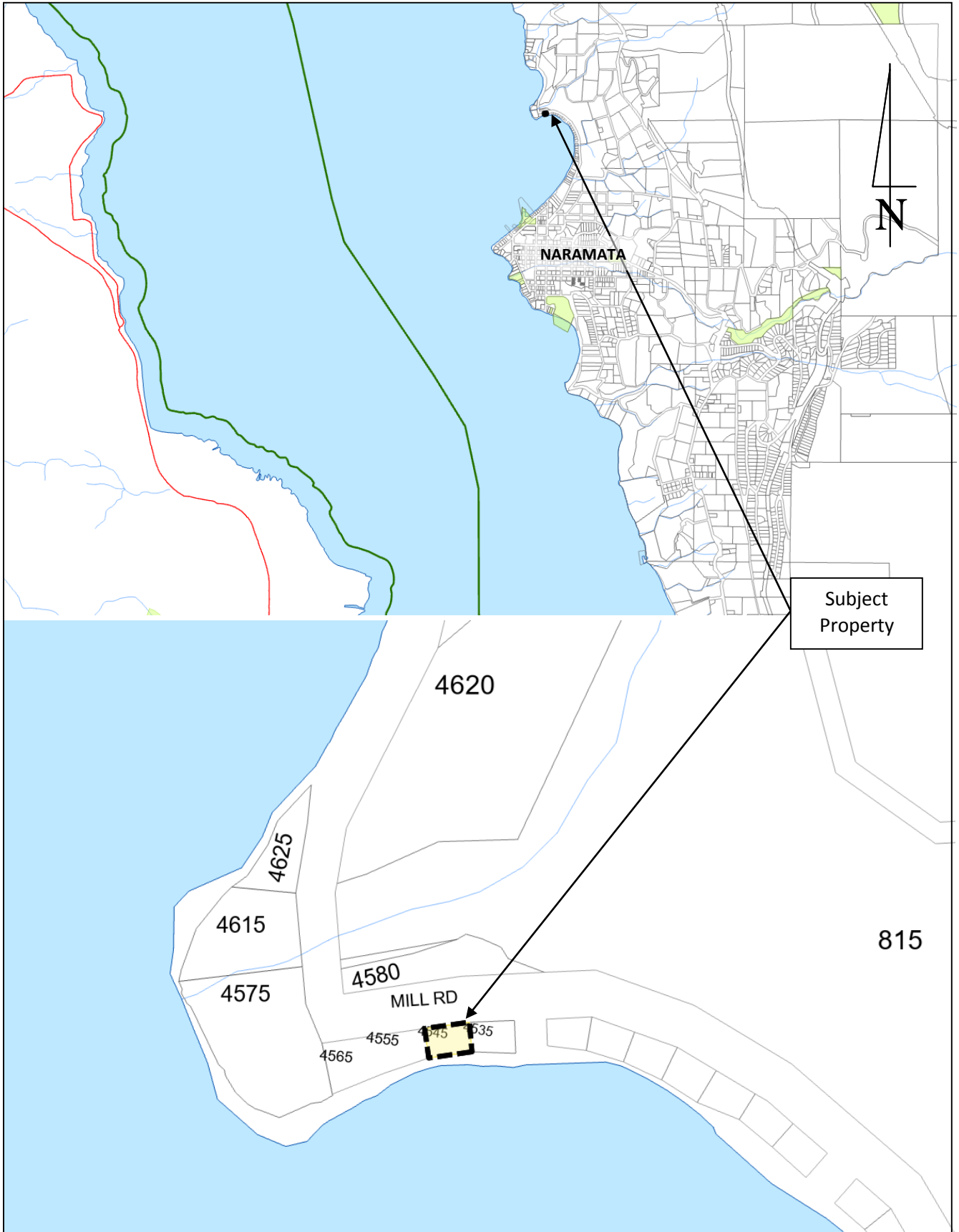
Endorsed by:

Allen Fillion

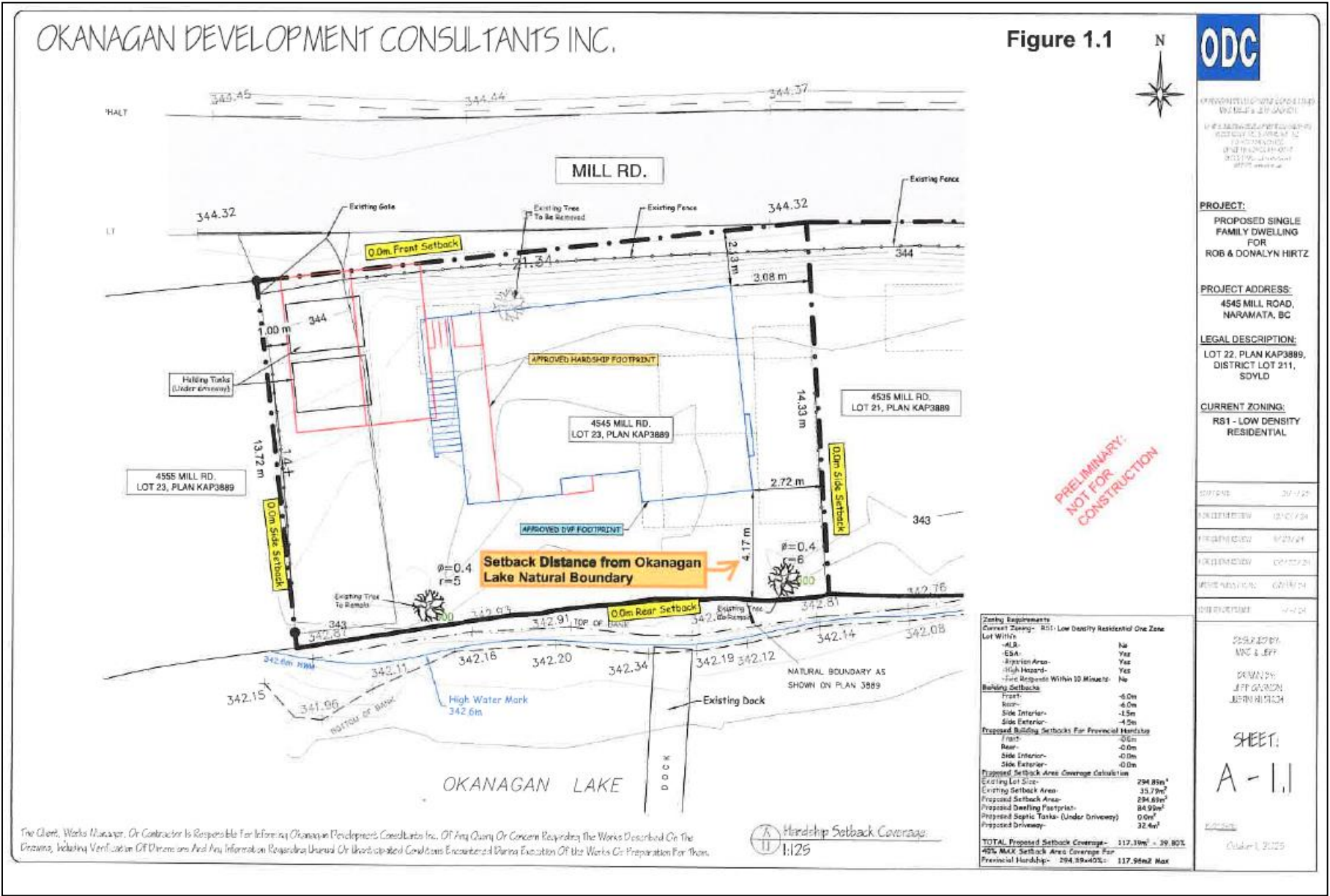
A. Fillion
Managing Director, Dev. & Infrastructure

- Attachments: No. 1 – Context Maps
 No. 2 – Applicant’s Site Plan
 No. 3 – Applicant’s Elevations
 No. 4 – Aerial Photo (2025)

Attachment No. 1 – Context Maps

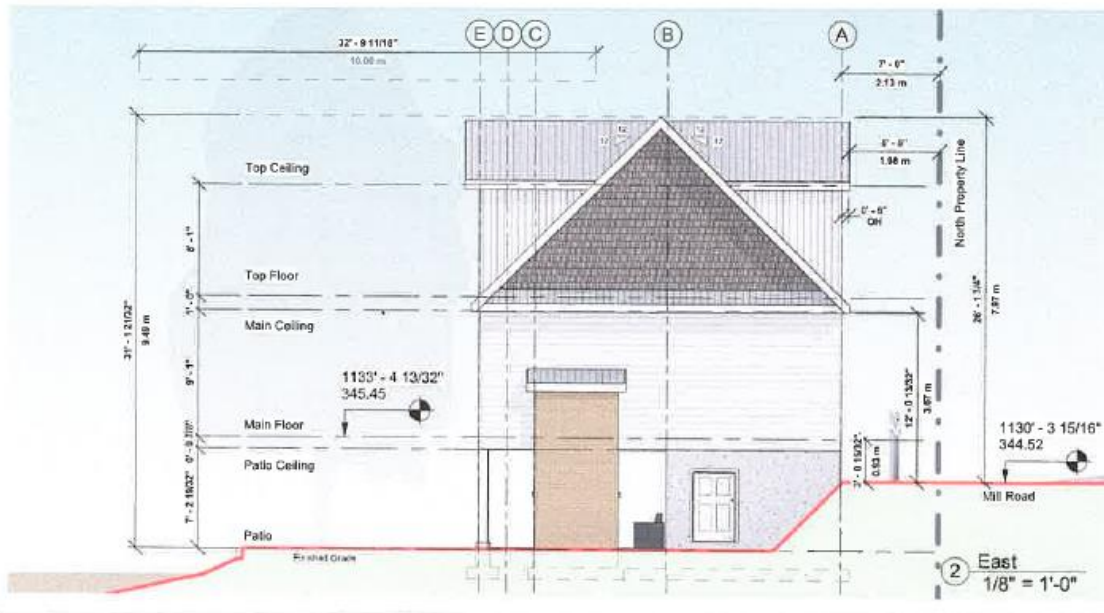
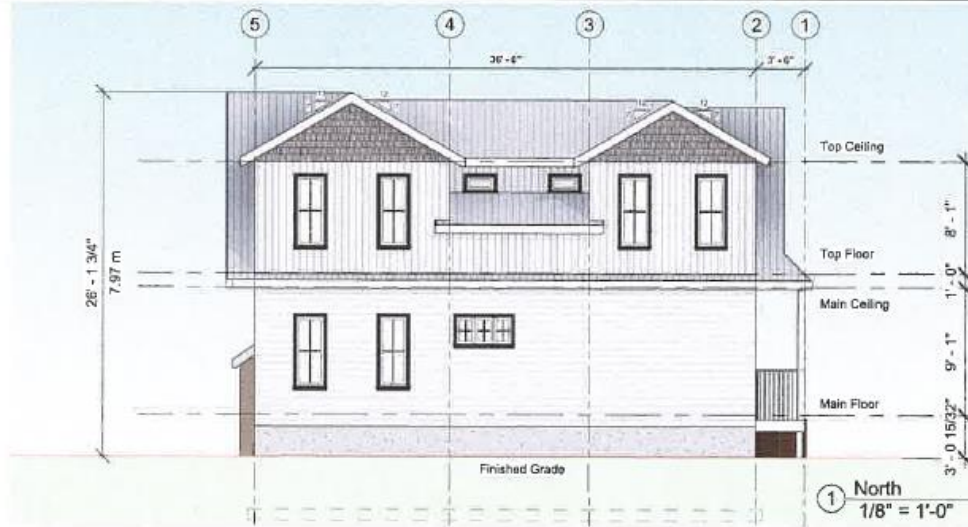


Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Applicant’s Elevations

Figure 1.2



Average Grade Calculation

North Wall Height	7.97m
East Wall Height	9.5m
South Wall Height	9.5m
West Wall Height	9.5m
Average Finished Grade	9.53 + 7.97 = 36.48/4 = 9.12m (10m MAX)

PRELIMINARY
ISSUED FOR DVP NOT
FOR CONSTRUCTION

Floor Area Calculations

Main Floor-	872sq.ft.
Top Floor-	574sq.ft.
Total Area-	1446sq.ft.
Covered Patio Area-	420sq.ft.
Main Floor Deck-	50sq.ft.
Top Floor Deck-	80sq.ft.

ODC

OCCUPANCY DEVELOPMENT CONSULTANTS
1833 WEST 4TH AVENUE
VANCOUVER, BC V6J 1K6
TEL: 604-275-1111
WWW.ODCCON.COM

PROJECT:
PROPOSED SINGLE FAMILY DWELLING FOR ROB & DONALYN HIRTZ

PROJECT ADDRESS:
4545 MILL ROAD NARAMATA BC

DATE:	06/1/23
ISSUE FOR DVP:	06/18/24
	07/09/24
ISSUED FOR P/P:	02/22/24
REVISIONS:	-1/24

DESIGNED BY:
WESLEY & JET ARCHITECTS

DRAWN BY:
JIT SARDY
JOHN HERTZ

SHEET:
A3.0

DATE:
FEBRUARY 22, 2024

Attachment No. 4 – Aerial Photo (2025)

