

Park Rill Creek, Horn Creek and Kearns Creek Flood Mapping – Final Report

Electoral Area Services Committee
Thursday April 2, 2026

Statutory Authority

- Section 524 of the *Local Government Act* allows the Board to regulate development within a floodplain.
- This includes establishing the flood level and setbacks from a watercourse.
- Consideration must be given to provincial guidelines.



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Background:

- Major flooding in Osoyoos and Similkameen Valley (1972)
- First “flood control” regulations introduced in 1973 (Areas “A” & “H”).
- Comprehensive floodplain regulations introduced into the zoning bylaws in 1982.

FLOODING HITS AREA AS RIVERS OVERFLOW

1972

been “dictatorial” in the ap- of Okanagan-Similkameen, who

1973

Flood Control Regulations Included In Zoning Bylaw

Flood control regulations in the immediate vicinity.

Thursday, January 14, 1982

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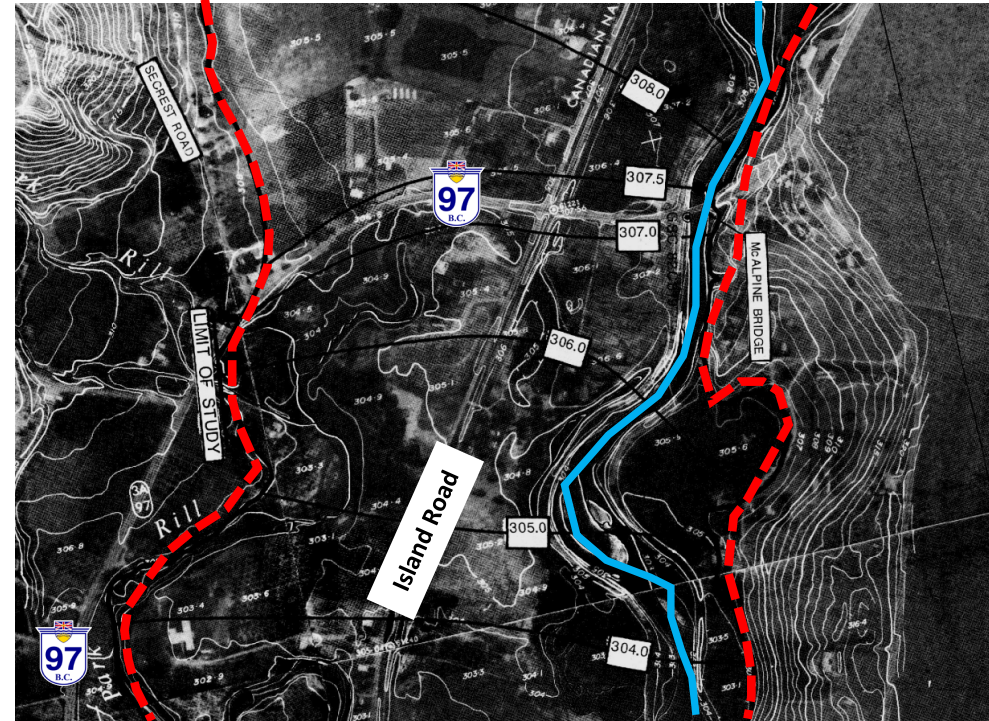
Floodplain zoning bylaw okayed by RDOS directors

A bylaw to update and consolidate zoning regulations to control the construction and location of building in ed that the restrictions were not new. The first bylaw to control building in floodplains in the “This is simply intended that future development within the floodplains will be floodproof. It will be built to such a height that

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Background:

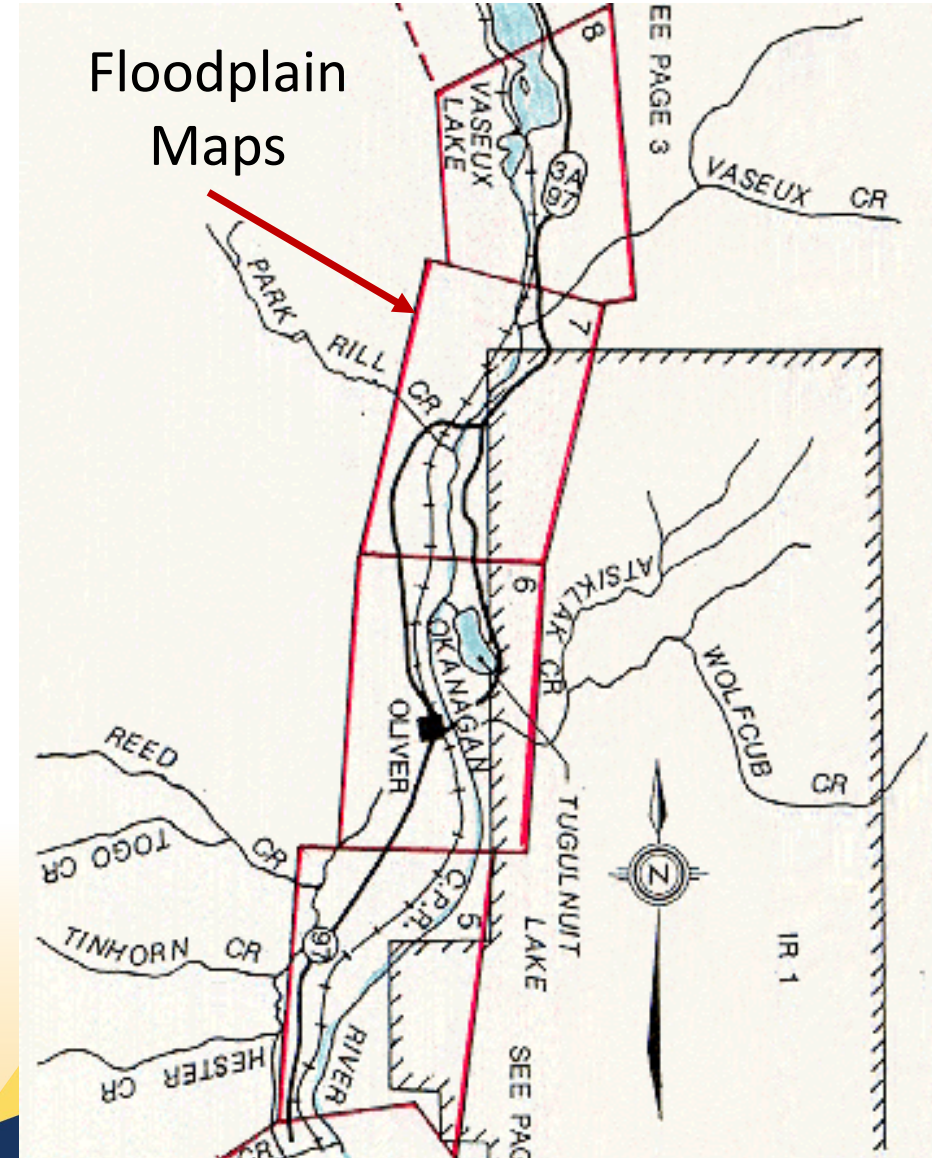
- For Okanagan River Channel, the “flood level” is the 200-year floodplain.
- Level is based on provincial mapping with the “current” mapping prepared in 1979-80 (e.g. “river survey”).
- Mapping has been used by the Regional District since approx. 1982.



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Background:

- Provincial Maps are focused on the River Channel and Basin Lakes.
- Outside of these areas the Regional District relies on bylaw “text” to establish floodplain:
 - *any land that is less than 1.5 metres above the natural boundary of any other watercourse.*



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- Floodplain is any land that is less than 1.5 metres above the natural boundary of Nipit Lake.
- Structures shall not be sited within 7.5 metres of the boundary of Nipit Lake.



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Background

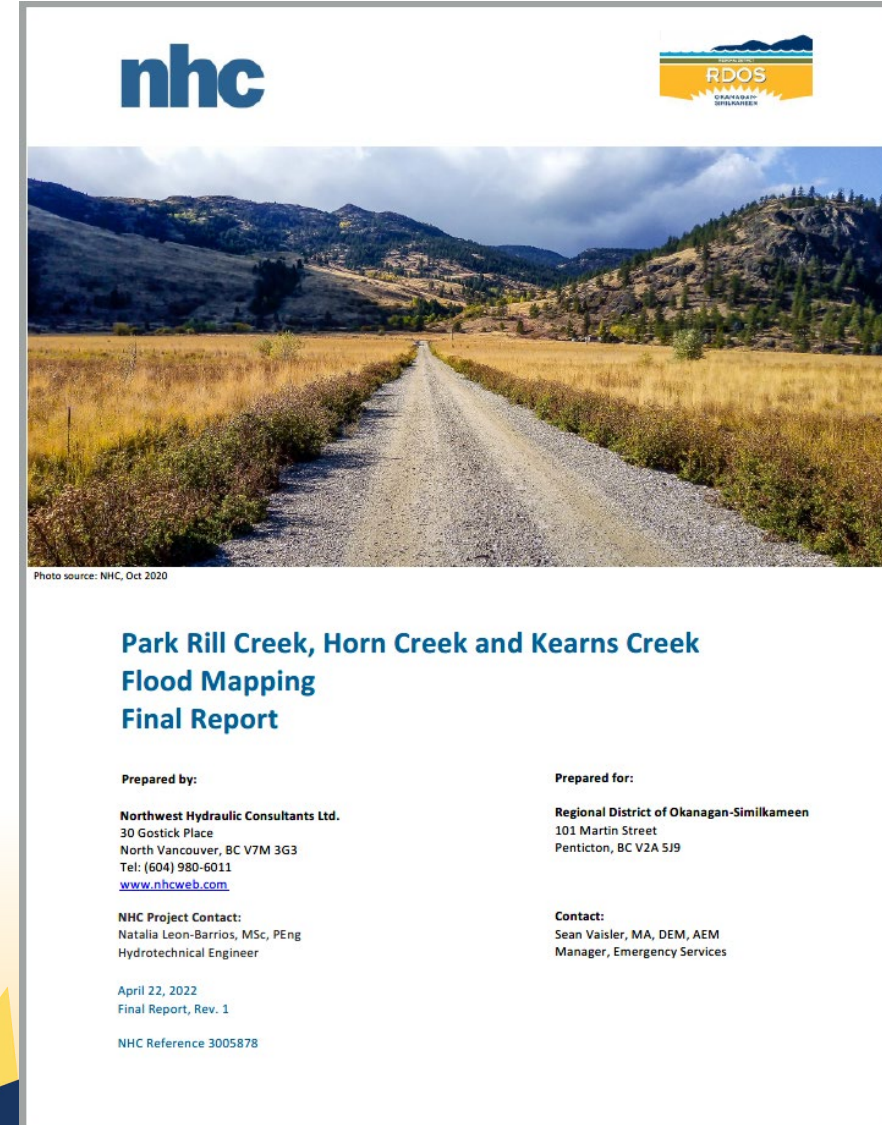
- 2018 flooding impacted properties between Twin Lakes (Area “I”) and the Sportsman Bowl area (Area “C”) – and elsewhere.



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Background

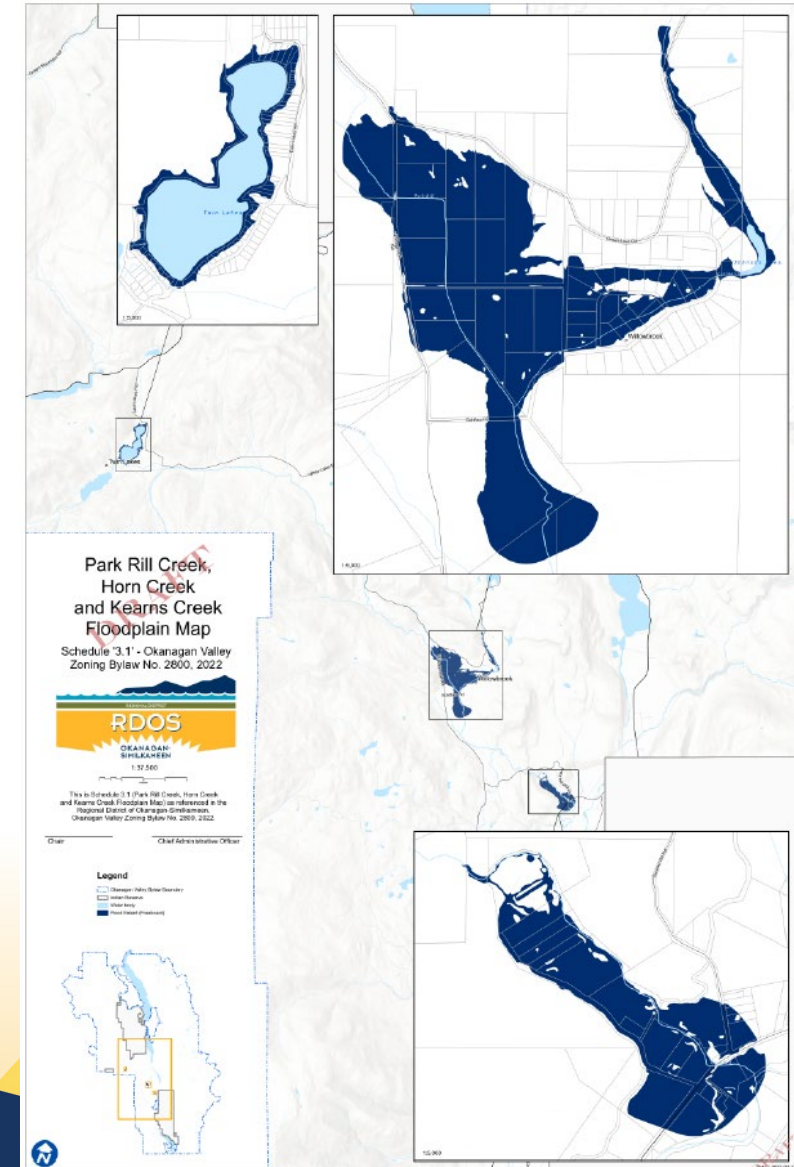
- In response, a *Flood Mapping Report* (2022), was completed by Northwest Hydraulic Consultants (NHC) and recommended (see Section 12.2):
 - *Implementing land use planning ... based on the floodplain maps to limit increased flood risk from unmitigated and/or unrestricted development of the floodplain.*



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Proposal

- That a new “Schedule ‘3.1’ - Park Rill Creek, Horn Creek and Kearns Creek Floodplain Maps” be added to the Zoning Bylaw 2800.
- That this mapping form the 200-year flood levels for Park Rill, Horn & Kearns Creeks.
- The new development be setback 15.0 metres from the natural boundary of Park Rill, Horn and Kearns Creeks.



Considerations

- Relying on text descriptions to identify a floodplain is challenging.
- Maps provide a level of accuracy and consistency that will benefit the public and staff in applying the regulations in future.



Willowbrook – Electoral Area “C” (2018)

Considerations

- New floodplain regulations will not apply to existing structures.
- Such structures will enjoy non-conforming siting rights (“grandfathering”) if they do not comply with the new regs.
- New development *will* be required to comply.



Liability Considerations:

- While a local government can be liable for negligence, this is not the case if the alleged negligent act or omission is the result of a “policy decision”.
- The Board is not obligated to implement any of the recommendations in the *Flood Mapping Report (2022)* and, if it resolves to not do so for “policy” reasons (impacts, benefits, financial implications, etc.) it is unlikely to incur liability for negligence.

Next Steps:

If Amendment Bylaw No. 2800.61 is initiated by the Board, community engagement will comprise the following:

- Project web-page;
- Online Public Information Meeting;
- Voyent Alert notice; and
- Social Media post.

Administrative Recommendation

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.61 be initiated.

Alternative:

1. Status quo; or
2. THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.61 be initiated, subject to the following revisions:
 - i) *TBD*

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Questions?