

3.1.4 Exemption

Pursuant to the Local Government Act, and subject to the Provincial regulations or a local government plan or program developed under those regulations; the Regional District may exempt types of development from the requirements of flood construction levels and floodplain setbacks in relation to a specific parcel of land or a permitted use, building or other structure on the parcel of land, if the Regional District considers it advisable; and,

3.1.4.1 Considers that the exemption is consistent with the Provincial guidelines; or,

3.1.4.2 Has received a report that the land may be used safely for the use intended, which report is certified by a person who is:

- A professional engineer or geoscientist and experienced in geotechnical engineering, or,
- A person in a class prescribed by the minister charged with the administration of the Environmental Management Act.

3.1.5 Conditions Apply to Exemptions

The granting of the exemption, and the exemption, may be made subject to the terms and conditions that the Regional District considers necessary or advisable, including, without limitation:

3.1.5.1 Imposing any terms or condition contemplated by the Provincial guidelines in relation to an exemption,

3.1.5.2 Requiring that a person submit a report described in Section 3.1.4 above, and,

3.1.5.3 Requiring that a person enter into a covenant under Section 219 of the Land Title Act.

3.1.6 Damage by Flooding

By the enactment, administration or enforcement of this bylaw the Regional District of Central Okanagan does not represent to any person that any building or structure, including a manufactured home, located, constructed, sited or used in accordance with the provisions of this bylaw, or in accordance with any advice, information, direction or guidance provided by the Regional District of Central Okanagan in the course of the administration of this bylaw will not be damaged by flooding.

3.2 Panhandle Lots

Where a lot is a panhandle lot, the panhandle shall conform to the following requirements:

3.2.1 a minimum width of 20 metres (65.6 feet), or the width to the top of the cut and/or the toe of the fill required to contain a 6 metre driveway, whichever is greater, and

3.2.2 a maximum grade for the driveway of 8%, and

3.2.3 an area adequate for two vehicles to turn at the end with a maximum slope of 8%, either in the form of:

- a circular area with a radius of 15 metres, or
- a hammerhead, with the hammer 6 metres (19.7 feet) wide, 9 metres (29.5 feet) in depth, and the access road 6 metres (19.7 feet) wide for the width of the hammer and for a distance of 6 metres (19.7 feet) in either direction.