

TOWN OF OSOYOOS

BYLAW NO. 1235.10, 2025

A Bylaw to amend the Land Use Procedures Bylaw No. 1235, 2007

WHEREAS Council deems it desirable to amend the Land Use Procedures Bylaw.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Osoyoos in open meeting assembled **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as “Land Use Procedures Amendment Bylaw No. 1235.10, 2025”.
2. The “Osoyoos Land Used Procedures (LUP) Bylaw No. 1235, 2007,” is amended by:
 - i) adding a new sub-section 3(f)(ii) (Site Surveys) under Part 2 (General Application Requirements) to read as follows:
 - ii) for a subdivision application seeking to create new parcels, a current sketch plan, certified by a BC Land Surveyor, in metric and at a scale of not less than 1:200, and showing the following shall be provided:
 1. the estimated dimensions and areas of any proposed new or altered parcels;
 2. each highway which is proposed to be created;
 3. the location of all existing buildings, structures, sanitary disposal facilities, watercourses and slopes with a gradient exceeding 30%;
 4. the location of existing easements and underground services; and
 5. contours when the site being subdivided or developed has irregular topography.

READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2025.

ADOPTED this ____ day of _____, 2025.

Mayor

Corporate Officer



Your File #: Bylaw No.
1395.06
eDAS File #: 2025-02973
Date: June 26, 2025

Town of Osoyoos
8711 Main Street
PO Box 3010
Osoyoos, BC V0H 1V0

Attention: Claudia Lenz, Planning & Community Development Services

**Re: Proposed Text Amendment Bylaw 1395.06, 2025 for:
Parking Exemption for an area located in downtown Osoyoos, BC**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Penticton Development Services at (250) 712-3660.

Yours truly,

Rob Bitte
Development Officer

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231

FORTISBC ENERGY (GAS) TRANSMISSION PROPERTY REFERRAL RESPONSE

FEI File No:	2025-751
Applicant's File No.:	Z25-03
Date of Comment:	June 26, 2025
Respond By:	July 23, 2025
Civic/Legal Description:	Bylaw Amendment 1375.08 & 1395.06

FortisBC has reviewed the subject proposal and provides the following comments within the applicable sections below. Transmission Pressure pipeline that runs through one or more of the properties affected by this proposal. Please note any work done within 30m or crossing this pipeline, and/or within the right of way will require FortisBC Energy approval. You can apply for a permit at www.fortisbc.com/rightofway.

SUBDIVISION – NO ROAD DEDICATION

FortisBC strongly encourages that all subdivision proposals that affect a FortisBC Statutory Right of Way (SRW) give consideration to incorporating the FortisBC SRW into the design as a green belt or designated linier park. Additionally, FortisBC recommend that property lines terminate at the FortisBC SRW boundaries. Implementing these design guidelines mitigate the potential for future concerns for the property owner associated with unauthorized activities, encroachments as well access and maintenance activities by FortisBC within its SRW.

Please be advised that a fence will not be permitted to be constructed closer than 2.5 meters from a FortisBC pipeline when situated within a FortisBC SRW. This also applies to a fence running parallel to the pipeline. For this reason FortisBC encourages that property lines terminate at SRW boundaries.

Lot services should be designed not to run parallel within the FortisBC SRW.

Site Specific Comments:

ROAD DEDICATION / RELINQUISHMENT OF SRW

FortisBC **will not consider road dedication** requests to extinguish its statutory right of way for subdivision proposals where FortisBC was not consulted with respect to the design of the space. FortisBC encourages property lines to terminate at the FortisBC Statutory Right of Way boundary, and encourages its SRW to be utilized as linier green spaces. FortisBC will make available resources to support subdivision proposal requests.

If there will be any new road dedications or are any of the current road boundaries being widened, the very first step is to acquire the approval for any new road dedications over FortisBC right-of-way.

Therefore, it is FortisBC's suggestion to not proceed with any other works prior to obtaining an approval from FortisBC regarding any new road dedications.

Please note that prior to FortisBC relinquishing its Statutory Right of Way (SRW) and consenting to road dedication, the applicant will be required to provide FortisBC with a design drawing illustrating the proposed road dedication area over FortisBC's current right of way boundaries. Acceptance of all road dedication requests will be subject to FortisBC review and consideration as to its interests and operational requirements and not be approved in all instances.

Compensation for right of way value will be required from the proponent should FortisBC consent to relinquishing its SRW for road dedication.

Site Specific Comments:

DEVELOPMENT AND REZONING

If there are any proposed roads or driveways over the right of way or pipeline, detailed engineer drawings must be submitted for review. An engineering assessment will be required to establish the potential impact to the FortisBC pipeline to establish any potential upgrades to the pipeline required to address the change in land use. The applicant/proponent may be responsible for costs associated with the application and engineering assessment and any subsequent pipeline improvements required from the proposal.

There is to be no deterioration of soil stability or drainage patterns within or adjacent to the right of way. Any preloading within or adjacent to the right of way requires an engineering review. No buildings foundations or structures within the right of way. This includes overhanging roofs, tree canopies, decks, etc. Storage of any kind is prohibited within the right of way. If any heavy machinery will be crossing over the pipeline or in the right of way, a permit is required.

Any work done within 30m or crossing this pipeline, and/or within the right of way may require FortisBC approval. If you are crossing the Transmission Pressure pipeline with any heavy machinery a temporary equipment crossing permit will be required. FortisBC prohibits the storage of materials in the right of way. This will include any trees, soil and other debris or vegetation that need to be removed for your investigation. You can apply for a permit at www.fortisbc.com/rightofway.

Site Specific Comments:

FortisBC understands The Town is looking to update their by-laws and mapping amendments related to the Official Community Plan. FortisBC does not have concerns with the submitted bylaw amendment proposal.

Please note FortisBC's permitting requirements:
[Transmission Pressure Gas Pipeline \(TP\)](#)

Any work within 10m of a FortisBC Transmission Pressure (TP) gas pipeline and/or within a FortisBC right-of-way requires a permit. However, a LOA (Letter of Authorization) will be required for works outside the permit zone but within 30m. Please kindly obtain a BC 1 Call Ticket number to determine whether a permit or an LOA would be required.

Intermediate Pressure Gas Pipeline (IP)

Any work within 2m of a FortisBC Intermediate Pressure (IP) gas pipeline and/or within a FortisBC right-of-way requires a permit. However, a LOA (Letter of Authorization) will be required for works outside the permit zone but within 30m. Please kindly obtain a BC 1 Call Ticket number to determine whether a permit or an LOA would be required.

Distribution Pressure Gas Pipeline (DP)

Please be aware that FortisBC operates Distribution pressure natural gas pipeline(s) in the vicinity of the high-pressure natural gas pipelines. Refer to our website for further information regarding working around Distribution pressure natural gas pipelines.

To arrange for an onsite distribution representative, the applicant can contact 604-576-7212.

Process to Apply for an Online Permit Application

To complete and submit an application, please go to:

www.fortisbc.com/rightofway

How to apply for a right of way permit
online permit application

Permit Inspection Fees

The applicant will be charged for inspection costs that require a FortisBC representative to be on site to meet the contractor's needs beyond the two (2) days of normal working hours. See details regarding "More about fee structure for site inspection" on this link - [Applying for a right of way permit \(fortisbc.com\) \[fortisbc.com\]](#)

If you have questions, please email us at protectionandpermitting@fortisbc.com. You can also visit our website to learn more about [Pipeline and right of way permits \(fortisbc.com\) \[fortisbc.com\]](#).