

TOWN OF OSOYOOS
BYLAW NO. 1235.13, 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. 1235.13, 2025”.
2. The “Land Use Procedures (LUP) Bylaw No. 1235, 2007,” is amended by:
 - i) replacing Section 2 (Scope) at Pat 1 (Preamble) in its entirety with the following::
 2. Scope
 - (a) Development Permit
 - (b) Development Variance Permit
 - (c) Floodplain Exemption
 - (d) Official Community Plan (OCP) Bylaw Amendment
 - (e) Subdivision Approval
 - (f) Temporary Use Permit
 - (g) Zoning Bylaw Amendment
 - ii) Adding new sub-section (j) under Section 3 (Application Submission Requirements) at Part 2 (General Application Requirements) to read as follows and renumbering all subsequent sections:
 - j) Hazard Assessment Report
 - i) for an application seeking a Floodplain Exemption, the following shall be provided:
 - .1 a Floodplain Hazard Assessment Report prepared by a Professional Engineer or Geoscientist that includes the following:
 - a) a rationale for the exemption(s) being requested;
 - b) certification that the land may be used safely for the intended purpose;
 - c) confirmation that the report has been prepared in accordance with:
 - i) the *Guidance for Selection of Qualified Professionals and Preparation of Flood Hazard Assessment Reports* (Government of British Columbia);

- ii) the *Professional Practice Guideline: Legislated Flood Assessment in a Changing Climate in BC* (Engineers and Geoscientists BC (EGBC)); and
 - iii) the Town of Osoyoos “Flood Assessment Report Criteria” if parcel seeking an exemption is within the Wave Action Zone identified under the Town of Osoyoos Zoning Bylaw No. 1395, 2024, as amended.
- d) a scaled plan prepared by a BC Land Surveyor showing:
- i) the floodplain, *flood construction levels*, and *floodplain setback areas*;
 - ii) legal parcel boundaries;
 - iii) existing and proposed *buildings* and *structures*, including the proposed *flood construction levels* and/or *floodplain setback area*;
 - iv) location of existing and proposed fill or structural support required to elevate the flood system or *pad* above the *flood construction level*;
 - v) *natural boundary* of adjacent *watercourse*, lake, swamp, or pond;
 - vi) location of drainage control works;
 - vii) location of easements and rights-of-way;
 - viii) existing contours of the parcel, and relevant adjacent lands, at a scale of 1:1000 or larger, with a contour interval of 1.0 metre or less.

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

ADOPTED this ____ day of _____, 2025.

Mayor

Corporate Officer