

**From:** [AGRIServiceBC AF:EX](#)  
**To:** [Claudia Lenz](#)  
**Subject:** Automatic reply: Floodplain Regulations - Bylaw Referral Z25-07  
**Date:** October 20, 2025 11:09:42 AM

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Due to the ongoing BCGEU rotating job action, there may be a greater than usual delay in getting a response to your inquiry.

**[EXTERNAL]** This email originated from outside of the organization.

**From:** [FrontCounter BC WLRS:EX](#)  
**To:** [Claudia Lenz](#)  
**Subject:** RE: referral email  
**Date:** October 30, 2025 2:42:53 PM  
**Attachments:** [image003.png](#)  
[image004.png](#)

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Hi Claudia,

Thank you for letting us know. I have reached out to our Water Authorizations team to determine the correct contact and will get back to you once I have a new email contact.

Please be advised that staff have just returned from several weeks of job action which included closed offices. For those offices that have been closed, they will be addressing a significant backlog of applications and requests, and it may take some time for a response. Your patience is appreciated as we work through all pending applications and requests as quickly as possible.

Regards,  
Amanda

**Amanda McRitchie**  
**Natural Resource Specialist**  
FrontCounterBC  
Permitting Transformation Division  
**Ministry of Water, Land, and Resource Stewardship**  
Email: [FrontCounterBC@gov.bc.ca](mailto:FrontCounterBC@gov.bc.ca)

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**From:** Claudia Lenz <[CLenz@osoyoos.ca](mailto:CLenz@osoyoos.ca)>  
**Sent:** Monday, October 20, 2025 2:30 PM  
**To:** FrontCounter BC WLRS:EX <[FrontCounterBC@gov.bc.ca](mailto:FrontCounterBC@gov.bc.ca)>  
**Subject:** referral email

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**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi there,  
I was looking to get an email address out planning department can use to send a referral regarding updates to our floodplain levels.  
The email I have on file is [FLNRDOSReferrals@gov.bc.ca](mailto:FLNRDOSReferrals@gov.bc.ca), but it bounced back saying it failed delivery.

Thank you,

**Claudia Lenz** | Planning and Development Administrative Support

**Tel** 250.495.6191 | **Fax** 250.495.2400 | **Toll Free** 1.888.495.6515

**Email** [clenz@osoyoos.ca](mailto:clenz@osoyoos.ca) | **Website** [www.osoyoos.ca](http://www.osoyoos.ca)

**Town of Osoyoos** | 8707 Main Street, Box 3010, Osoyoos BC, V0H 1V0

**[EXTERNAL]** This email originated from outside of the organization.



Your File #: Z25-07  
eDAS File #: 2025-04923  
Date: October 31, 2025

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

Attention: Claudia Lenz, Planning & Community Development Services Admin

**Re: Proposed Text Amendment Bylaw 1395.10 for:  
Flood Mitigation Plan within Town of Osoyoos**

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

November 17, 2025

**Re: Local Government OCP/Zoning Bylaw Referral**

The Agricultural Land Commission (the “ALC”) has received a copy of your Official Community Plan and/or zoning bylaw referral. Due to the ALC's current workload, ALC staff are not able to provide a response. This letter provides general guidance.

A reminder that local governments are required under [s.46 of the Agricultural Land Commission Act](#) (“ALCA”) to ensure their bylaws are consistent with ALCA, Agricultural Land Reserve (“ALR”) regulations, and any orders of the Commission. Inconsistent bylaws include those which allow a use which is not permitted in the ALR or contemplate a use of land that would impair or impede the intent of the ALCA, such as prohibiting agriculture.

As outlined in the [ALC Bylaw Review Guide](#), it is recommended, among other things, that local governments designate and zone ALR land with one “Agricultural” designation/zone, permit agriculture and uses identified in Parts 2 and 3 of the [ALR Use Regulation](#) that may not be prohibited by a local government, and set a minimum lot size large enough to discourage subdivision of ALR land.

ALR land should not be designated for future development or for non-farm uses unless the use has been approved by a resolution of the Commission or meets criteria set out in [section 23 of the ALCA](#) for an exception.

For specific guidance related to housing, it is recommended that local governments refer to [Housing Legislation in the ALR Factsheet](#) that outlines the number and types of housing permitted in the ALR.

Additionally, it is recommended that local governments establish buffering and setbacks between agricultural and urban zones, as set out in the Ministry of Agriculture and Food’s [Guide to Edge Planning](#) and [Subdivision Near Agriculture Guide for Planners and Approving Officers](#), and consider exceptions for farm buildings and farm uses within DPAs.

We look forward to working with you on your next referral. If you have any specific questions in the meantime, please let me know ([ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)).

Yours truly,



Liz Sarioglu, Director of Policy and Planning

**From:** [HBE \[IH\]](#)  
**To:** [Claudia Lenz](#)  
**Cc:** [Klettke, Bobbi \[IH\]](#); [Ely, Anita \[IH\]](#)  
**Subject:** RE: Floodplain Regulations - Bylaw Referral Z25-07  
**Date:** November 17, 2025 12:42:20 PM

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Hi Claudia

Thank you for sharing this referral with us.

I have reviewed the updates and watched Chris Garrish's presentation on these updates to the Committee of the Whole.

We are in support of these updates.

Kind regards,

Shawna

Shawna Scafe  
Healthy Built Environment Specialist  
Healthy Community Development  
Interior Health

I gratefully acknowledge that my workplace is within the ancestral, traditional, and unceded territory of the syilx Nation. Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dākelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, syilx, and Tšilhqot'in Nations, where we live, learn, collaborate and work together.

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**From:** Claudia Lenz <CLenz@osoyoos.ca>  
**Sent:** Monday, October 20, 2025 11:08 AM  
**To:** Rod Risling <RRisling@osoyoos.ca>; Nicolette Keith <nkeith@osoyoos.ca>; Tyler Madsen <tmadsen@osoyoos.ca>; Building Inspector <building@osoyoos.ca>; Rob Huttema <RHuttema@osoyoos.ca>; ALC Referrals ALC:EX <alc.referrals@gov.bc.ca>; HBE [IH] <HBE@interiorhealth.ca>; AGRIServiceBC AF:EX <agriservicebc@gov.bc.ca>; OIB-Referrals <referrals@oib.ca>; general@sd53.bc.ca; Planning <planning@rdos.bc.ca>; TELUS <kelowna.eng@telus.com>; western-planning@corp.eastlink.ca; Fortis BC (referrals@fortisbc.com) <referrals@fortisbc.com>; FortisBC - electricity <fbclands@fortisbc.com>; FLNRDOSReferrals@gov.bc.ca  
**Cc:** plan <plan@osoyoos.ca>; Marg Coulson <mcoulson@osoyoos.ca>  
**Subject:** Floodplain Regulations - Bylaw Referral Z25-07

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forward it to [spam@interiorhealth.ca](mailto:spam@interiorhealth.ca).

Hi everyone,  
Please find attached a referral form for your review and comments.

Thank you,

**Claudia Lenz** | Planning and Development Administrative Support

**Tel** 250.495.6191 | **Fax** 250.495.2400 | **Toll Free** 1.888.495.6515

**Email** [clenz@osoyoos.ca](mailto:clenz@osoyoos.ca) | **Website** [www.osoyoos.ca](http://www.osoyoos.ca)

**Town of Osoyoos** | 8707 Main Street, Box 3010, Osoyoos BC, V0H 1V0

**[EXTERNAL]** This email originated from outside of the organization.

**From:** [Teresa Anderson](#)  
**To:** [plan](#)  
**Cc:** [OIB-Referrals](#)  
**Subject:** RE: Floodplain Regulations - Bylaw Referral Z25-07  
**Date:** November 18, 2025 9:05:01 AM  
**Attachments:** [Outlook-14bqm1gr.png](#)

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Some people who received this message don't often get email from [tanderson@oib.ca](mailto:tanderson@oib.ca). [Learn why this is important](#)

## **RE: 30 (Thirty) day extension**

Thank you for the above application. This email is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 30 days from the existing timeline.

Most recently, the Supreme Court of Canada in the *Tsilquot'in* case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

Please note that *not* receiving a response regarding a referral from the Osoyoos Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

We appreciate your co-operation.

Thank you,

**Teresa Anderson**  
*Referrals Coordinator*



Osoyoos Indian Band  
P: 250.498.3444 Ext. 3046  
F: 250.498.6577  
[referrals@oib.ca](mailto:referrals@oib.ca)  
[www.oib.ca/](http://www.oib.ca/)

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**From:** [Ben Kent](#)  
**To:** [plan](#)  
**Cc:** [Chris Garrish RDOS](#)  
**Subject:** Re: Municipal Referral - Floodplain Regs Update (Osoyoos)  
**Date:** November 18, 2025 1:39:35 PM  
**Attachments:** [image001.png](#)  
[20251022 DOC - Osoyoos Bylaw Referral.pdf](#)

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The Regional District of Okanagan-Similkameen has considered Official Community Plan Amendment Bylaw No. 1375.10 and Zoning Amendment Bylaw No. 1395.10 and determined that its interests are unaffected.

Regards,

**Ben Kent** MPL, RPP, MCIP • Planner II  
Regional District of Okanagan-Similkameen  
101 Martin Street, Penticton, BC V2A 5J9  
p. 250-490-4109 • tf. 1-877-610-3737  
[www.rdos.bc.ca](http://www.rdos.bc.ca) • [bkent@rdos.bc.ca](mailto:bkent@rdos.bc.ca)

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Town of Osoyoos

Floodplain Management Policies

Bylaw No. 1375.10, 2025, and Bylaw No. 1235.13, 2025

Open meeting with Council of the Town of Osoyoos, November 19, 2025 at 2pm.

Our concern is with the effect of wave action on the shorelines of Osoyoos Lake south of the bridge that carries traffic on Highway 3. We live on Harbour Key Drive and, along with all other houses along this peninsula, our home was flooded in the basement area during the late-spring flooding of 2018. We are now very anxious about further flooding during the spring and early summer.

This current year, during the summer of 2025, the lake level was set at the highest level we have seen it since we moved into the house in early 2009. The reason given for this unusually high level was to account of an expected drought over the summer. The result was a high level of wave action caused by boats that produce high waves for surfboarding. These waves, especially the ones created by boats close to the land, caused large rocks to topple into the water, undermining our rockfall which was put there by a qualified Riparian Engineer.

Some of these rocks are much too large and heavy to relocate without the use of machines, and the exposure to waves beneath or behind the displaced rocks has caused inner erosion. This fall, after the lake level had been lowered considerably and the water level was safely below the rockwall, I was able to safely pour cement to fill the gaps in the rockwall. Sandbags will work only for one season, possibly less than that, because the bags quickly deteriorate once they become wet.

We believe that the easiest solution to this wave action destruction of rockfalls, is to restrict boats which create surfboarding waves, to operate only north of the highway bridge where the lake is much wider, giving waves more space to dissipate before reaching land.

Mary Anne and Trevor Gambell

Dated November 17, 2025

**From:** [Zone 5 Property Referrals](#)  
**To:** [Claudia Lenz](#)  
**Subject:** FW: Floodplain Regulations - Bylaw Referral Z25-07 - File 2025-1209  
**Date:** December 4, 2025 11:25:56 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[2025 10 20 Referral Sheet - Floodplain Regs Update \(2025-10-20\).pdf](#)

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Good day,

With respect to the above noted file, FortisBC Energy Inc. (Gas) has reviewed the subject proposal and has no objections or concerns.

Thank you,

**Mark Hotchkiss, B.S. GIS**  
**Planning & Design Technologist II**  
1975 Springfield Rd | Kelowna, BC | V1Y 7V7  
C: 250-212-3145



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**From:** Referrals <Referrals@fortisbc.com>  
**Sent:** Friday, October 24, 2025 9:35 AM  
**To:** Zone 5 Property Referrals <Zone5PropertyReferrals@fortisbc.com>; Ahmed, Sami <Sami.Ahmed@fortisbc.com>  
**Subject:** Floodplain Regulations - Bylaw Referral Z25-07 - File 2025-1209

Fortis Property Referral 2025-1209

**Gas services:**

Please review in regards to Distribution and reply to [CLenz@osoyoos.ca](mailto:CLenz@osoyoos.ca)

**Sami:**

Please review this referral and reply to [CLenz@osoyoos.ca](mailto:CLenz@osoyoos.ca) with the Referral Response Form attached hereto.

**Comments due:** N/A

**PLEASE NOTE ALL COMMENTS SHOULD BE SENT TO [CLENZ@OSOYOOS.CA](mailto:CLENZ@OSOYOOS.CA)**

**Katrina Jones**

**Lands Department, Land Administrator**

16705 Fraser Highway | Surrey BC V4N 0E8 |

Tel 778-547-0114 | Fax 604.592.7420 |



 Please consider the environment before printing this email.

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**From:** Claudia Lenz <[CLenz@osoyoos.ca](mailto:CLenz@osoyoos.ca)>

**Sent:** Monday, October 20, 2025 11:08 AM

**To:** Rod Risling <[RRisling@osoyoos.ca](mailto:RRisling@osoyoos.ca)>; Nicolette Keith <[nkeith@osoyoos.ca](mailto:nkeith@osoyoos.ca)>; Tyler Madsen <[tmadsen@osoyoos.ca](mailto:tmadsen@osoyoos.ca)>; Building Inspector <[building@osoyoos.ca](mailto:building@osoyoos.ca)>; Rob Huttema <[RHuttema@osoyoos.ca](mailto:RHuttema@osoyoos.ca)>; ALC Referrals ALC:EX <[alc.referrals@gov.bc.ca](mailto:alc.referrals@gov.bc.ca)>; HBE [IH] <[HBE@interiorhealth.ca](mailto:HBE@interiorhealth.ca)>; AGRIServiceBC AF:EX <[agriservicebc@gov.bc.ca](mailto:agriservicebc@gov.bc.ca)>; OIB-Referrals <[referrals@oib.ca](mailto:referrals@oib.ca)>; [general@sd53.bc.ca](mailto:general@sd53.bc.ca); Planning <[planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)>; TELUS <[kelowna.eng@telus.com](mailto:kelowna.eng@telus.com)>; [western-planning@corp.eastlink.ca](mailto:western-planning@corp.eastlink.ca); Referrals <[Referrals@fortisbc.com](mailto:Referrals@fortisbc.com)>; FBC Lands <[FBClands@fortisbc.com](mailto:FBClands@fortisbc.com)>; [FLNRDOSReferrals@gov.bc.ca](mailto:FLNRDOSReferrals@gov.bc.ca)

**Cc:** plan <[plan@osoyoos.ca](mailto:plan@osoyoos.ca)>; Marg Coulson <[mcoulson@osoyoos.ca](mailto:mcoulson@osoyoos.ca)>

**Subject:** [External Email] - Floodplain Regulations - Bylaw Referral Z25-07

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Hi everyone,  
Please find attached a referral form for your review and comments.

Thank you,

**Claudia Lenz** | Planning and Development Administrative Support

**Tel** 250.495.6191 | **Fax** 250.495.2400 | **Toll Free** 1.888.495.6515

**Email** [clenz@osoyoos.ca](mailto:clenz@osoyoos.ca) | **Website** [www.osoyoos.ca](http://www.osoyoos.ca)

**Town of Osoyoos** | 8707 Main Street, Box 3010, Osoyoos BC, V0H 1V0

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**[EXTERNAL]** This email originated from outside of the organization.

*Brock A.W. Pendergraft, B.C.L.S.*

December 6, 2025

Town of Osoyoos  
Attn: Planning Staff  
PO Box 3010 - 8707 Main Street  
Osoyoos, BC, V0H 1V0

Planning Staff and/or Councillors,

### **Re: Comments on Floodplain Bylaw Changes**

I am writing to you in opposition of the amendment to change the floodplain from 280.70m to 280.80m.

Honestly, such a minor change seems silly. A way for bureaucracy to upend years of a floodplain elevation that is known by owners, builders, and surveyors alike. Many people we deal with continue to refer to it as the “921” floodplain, which was the original value in feet, before being converted to metric. That should help illustrate how long the value has been around.

For the sake of using “new” mapping, a 10cm difference compared to the original maps would likely be within statistical tolerance to saying it’s the same place.

There hasn’t been a significant change to Osoyoos Lake which would imply a change in how the water levels are managed, or the maximum possible elevation. It is still moderated & controlled by the Zosel Dam, which hasn’t changed.

There is the notion in the floodplain mapping that somehow the current values are not high enough in the perspective of the recent floods.

In 2018, the recorded water level at the Zosel Dam was 916.38’ (279.31m), on May 12, 2018.

The highest recorded water level at the Zosel Dam is 917.06’ (279.52m), on June 3, 1972.

The highest ever water level for Osoyoos Lake (derived from historical observations), was in 1894, when water levels reached 918.8’ (280.05m).

The current 280.70m floodplain elevation is already more than 2’ (0.6m) higher than the all-time highest water level in observed history.

It is nearly 4’ (1.2m) higher than both of the most memorable flood years (1972 & 2018) in the past century.

If you drive around in some of the older neighborhoods along the lake, you can clearly tell which houses have been built to the existing floodplain. They are usually about 1.5-2m higher than neighbors which were built before the floodplain.

If a person built a home in the last 20 years, to the 280.7 floodplain minimum, and now wanted to do an addition, they could be put in a situation where there might be a 10cm step in between the parts of their building, in order to have the addition compliant to the new rules.

There are always unintended consequences to actions. Something minor such as this may not seem to implicate much, but will change a series of homes that were compliant with the floodplain, to become existing non-conforming.

Raising the floodplain 10cm will not help prevent a new home from being damaged by a flood. It will just be another 10cm of fill, and the home will likely have a crawl space below it to make up the difference. Owners will still fill the crawl space with stuff, which may get wet.

It will not mitigate damage that will happen to houses that were constructed long before there was a floodplain.

If we ever reach the point that we need to worry about whether 280.8m is safe but 280.7m isn't, we will all be so far underwater that we will have larger concerns.

Sincerely,

Brock Pendergraft, BCLS 986  
Osoyoos Floodplain Bylaw Comments.docx

Also, as an aside;

I had previously raised my concerns over the Town's continued labelling of the "GSC Datum".

I will state them again, in the hopes there are changes.

This GSC is a useless term to anyone who actual deals in datum definitions, as it is not actually a defined datum with a mathematical model.

The commonly understood terms for datums presently in use are:

- Canadian Geodetic Vertical Datum (CGVD) 1928, using the HTv2.0 geoid model
- Canadian Geodetic Vertical Datum (CGVD) 2013, using the CGG2013a geoid model.

The Surveyor General of BC sets the accepted datum for British Columbia (for the purposes of legal surveys). The current datum of BC for all legal surveys in BC is CGVD1928. See Circular Letter 465B, published by the Land Title and Survey Authority of BC.

Canada issued an Order in Council February 5, 2015 stating that CGVD1928 was repealed and replaced by CGVD2013. However, this only affects "Canada Lands", not private lands in BC, which are governed by rules set by the Surveyor General of BC.

The 280.70m floodplain elevation was originally written and based upon the CGVD1928 datum. Although referred to as GSC, this is the actual name for the datum with where that particular floodplain elevation is realised on the ground.

**Regardless of your decision on the value in the floodplain bylaw, I would encourage you to properly refer to CGVD28 when referring to the floodplain.**

BC, and Canada, will likely be seeing datum changes in the next 10 years. As modernization efforts shared with the USA & Mexico, seek to create a unified datum across the entire North American Continent. This will likely be realized in a datum called NATRF2022.

There will be noticeable elevation changes between this new datum, and the current datums.

Referring to a "Geodetic Survey of Canada" datum, will lead to confusion as these changes occur. I have already fielded questions from some other nearby survey firms asking what datum Osoyoos' floodplain bylaw was meant to refer to in practice (CGVD28 or CGVD2013).

I encourage you to use the proper terminology when referring to these datum names, as the use of "GSC" is not specific to a single mathematical datum.