

To: Her Worship Mayor McKortoff and Members of Council
From: Leah Curtis, Planning Technician
Date: May 9, 2023
Subject: Report 3 – 10 Wren Dr – Zoning Amendment Bylaw 1085.137, 2023 (Z21-06)
Consideration of rescinding Third Reading
Tracker No: BLW-332

Recommendation:

That Council rescind third reading given to Zoning Amendment Bylaw 1085.137, 2023 on February 28, 2023.

CAO Comments:

Approved for Council consideration.

Executive Summary:

On February 28, 2023, Council held a Public Hearing and gave third reading for Zoning Amendment Bylaw 1085.137, 2023. Following the Council meeting, Administration discovered that an administrative error had occurred, and correspondence intended for the Public Hearing was inadvertently excluded.

Background:

At the Regular Open Council Meeting of February 28, 2023, Council passed the following resolution:

Moved by Councillor Cheong

Seconded by Councillor Bennett

That Zoning Amendment Bylaw No.1085.137, 2023 be read a third time.

CARRIED

As a result of the administration error, correspondence intended for the Public Hearing was inadvertently excluded from Council's review package. It was determined by Administration that third reading of the bylaw amendment must be rescinded in order to give all members of the public the opportunity to provide feedback on the proposed rezoning.

Should Council agree to rescind third reading, Administration is proposing that a new Public Hearing for the rezoning at 10 Wren Place be held on June 13, 2023.

Options / discussion

1. That Council rescind third reading given to Zoning Amendment Bylaw 1085.137, 2023 on February 28, 2023.
2. That Council does not rescind third reading given to Zoning Amendment No. 1085.137, 2023.

3. That Council requests further information prior to making a decision.

Implications:

a) **Community**

- All property owners that believe their interests to be affected by the proposed bylaw must be afforded a reasonable opportunity to be heard by Council. This involves an opportunity to make a speech or provide written submission to Council during a Public Hearing.

b) **Organizational**

- In the event that Council determines that third reading should be rescinded, and a new Public Hearing be held; notification of the Public Hearing will be mailed or otherwise delivered to properties within a 60-metre radius as per the Town's Land Use Procedure Bylaw.

c) **Budget**

- There are costs associated with holding a second Public Hearing.

d) **Significant Dates**

- Should third reading be rescinded and a second Public Hearing be held; Administration is proposing that the Public Hearing be held on June 13, 2023.

e) **Sustainability**

- NA

Others Consulted:

Director of Corporate Services

Attachments:

1. Zoning Amendment Bylaw No.1085.137, 2023
2. Property Location Map
3. Motion of the Public Hearing held on February 28, 2023

Respectfully submitted,



Leah Curtis, Planning Technician

TOWN OF OSOYOOS
BYLAW NO. 1085.137, 2023

A bylaw to amend the Zoning Bylaw 1085, 1998.

WHEREAS Council deems it desirable to amend the Zoning Bylaw.

APPLICANT: Robert Conci
ADDRESS: 10 Wren Pl

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 “Zoning Amendment Bylaw No. 1085.137, 2023”.
2. That the Town of Osoyoos Bylaw 1085, 1998 Schedule “A” Zoning Map be amended by changing the zoning from “*R1 - Single Family Residential*” to “*R2 – Single Family Residential Small Lot*” of the property legally described as “Lot 5, District Lot 2450S, SDYD, Plan KAP28375”.

Read a First and Second time on the 24th day of January, 2023.

Notice was given in accordance with the *Local Government Act* and Section 94 of the *Community Charter* by advertising twice in the *Times Chronicle* newspaper on the 16th day of February, 2023 and the 23rd day of February, 2023 and posting on the **Public Notice Posting Places** on the 15th day of February, 2023.

Public Hearing was held on the 28th day of February, 2023.

Read a Third time on the 28th day of February, 2023.

Approved pursuant to section 52(3)(a) of the Transportation Act this day of , 2023

for Minister of Transportation & Infrastructure

Adopted on the day of 2023.

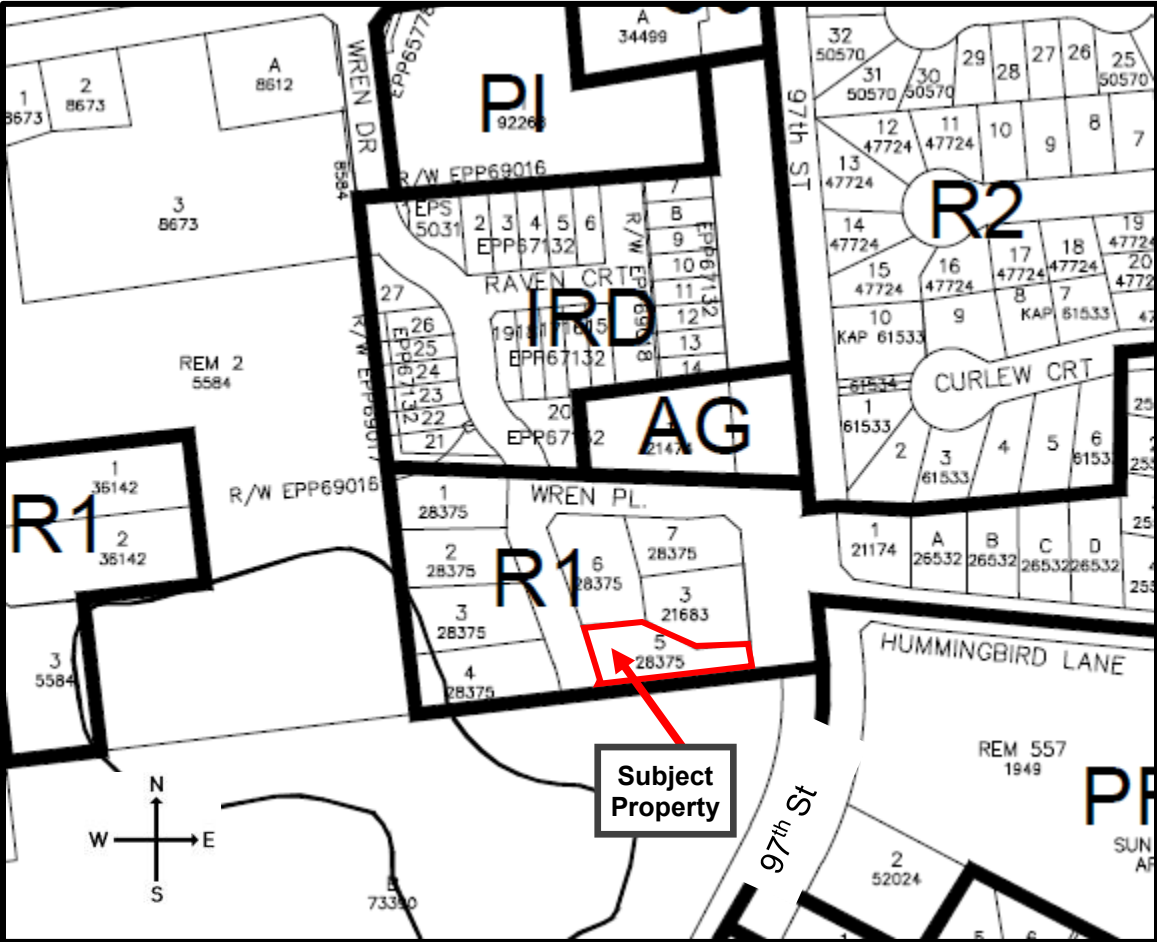
Mayor

Corporate Officer



PROPERTY LOCATION MAP
Zoning Amendment Application Z21-06

APPLICANT: Robert Conci
PROPERTY OWNER: Robert Conci
LEGAL DESCRIPTION: Lot 5, District Lot 2450S, SDYD, Plan 28375
CIVIC ADDRESS: 10 Wren Place
APPLICATION DATE: 2021 06 11



**Extracted from the
February 28, 2023
Regular Open Meeting of Council**

Report 2. Zoning Amendment Bylaw No. 1085.137, 2023

10 Wren Place

- Report from Planning Technician
- BLW-332

Moved by Councillor Cheong

Seconded by Councillor Bennett

That Zoning Amendment Bylaw No. 1085.137, 2023 be read a third time.

CARRIED