



Village of Rycroft
Request for Decision
Council Meeting Date: May 19, 2020

TOPIC: Land Use Bylaw 215-19 Amendment to Public Service District

RECOMMENDED ACTION: That Section 3.1 Public Service District of Land Use Bylaw 215-19 be amended to include “single detached dwelling on Lot 8, Block 2, Plan 8323201” as a discretionary use;

AND THAT Council give first reading to the Bylaw 220-20.

BACKGROUND: Council gave third reading to Land Use Bylaw 215-19 in December 2019. Previously under the old bylaw, the Hurd residential property was a permitted use in the Urban Reserve District. Unfortunately, this parcel was overlooked in the overhaul of the bylaw, and now exists in the Public Service District, where single detached dwellings are not listed as a use. As there was never any specific discussion on this particular parcel, it appears to be an oversight of all parties.

Council could maintain the zoning, and this would allow the property to exist as a non permitted use, meaning that the parcel is grandfathered in under the old bylaw. No new development or expansion could take place. If the building was burnt down for example, it could not be rebuilt without a re-zoning. This effectively sterilizes the property and their investment in their home.

Council could re-district that one specific parcel as R1 to accommodate the development. The reason we do not want to do that is to avoid having spot zoning.

The cleanest way is to amend the bylaw to allow the existing development as a discretionary use. Only on that parcel in the Public Service District can a residence exist.

Normally a bylaw amendment would be subject to a \$500 charge at the expense of the requestor. As this appears to be an oversight in our Land Use Bylaw renewal process, administration suggests no extra expense be charged to the requestor.

FINANCIAL IMPLICATIONS: Cost is administration time from the operational budget.

POLICY AND/OR LEGISLATIVE IMPLICATIONS: The Land Use Bylaw 215-19 dictates land uses.

ALTERNATIVE OPTIONS: Council could give direction to Administration to:

1. Leave the bylaw as is and accept the report for information
2. Redistrict the specific property as R1 Residential zoning

ATTACHMENTS: None.

Peter Thomas
Chief Administrative Officer

May 14, 2020
Date