

PUBLIC NOTICE

Zoning Bylaw Amendment



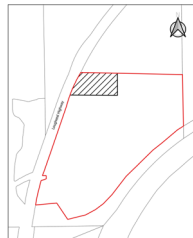
NOTICE OF PUBLIC HEARING: AMENDMENT BYLAW 1711

Date & Time: March 13, 2023 at 7:00 pm

Location: 7170 Cheam Avenue, Agassiz, BC
or kentbc.ca (registration for live stream required)

Bylaw 1711, if adopted, will rezone a 1.0 ha portion of 3890 Lougheed Highway from Agricultural (A) to Small-Lot Agricultural (A1) to facilitate a boundary adjustment subdivision.

Bylaw 1711: Subject Land



For More Information

Contact Lisa Beaulieu, Director of Development Services

Phone: (604) 796-2235 | Email: mlbeaulieu@kentbc.ca

View Draft Bylaw

Copies of the draft bylaw and all background materials will be available for viewing on-line at kentbc.ca and in the front foyer at Municipal Hall, 7170 Cheam Avenue, from February 24, 2023 to March 13, 2023 during regular office hours of 8:30 am to 4:30 pm excluding holidays.

Send Your Comments

Email: mlbeaulieu@kentbc.ca

Mail: Director of Development Services

District of Kent
PO Box 70
Agassiz, BC V0M 1A0

All comments will be distributed to Council. Comments must be received by 12:30 pm, March 13, 2023.

Attend and Speak

Anyone is welcome to attend the public hearing. At the meeting, you will be given the opportunity to present your views on the proposed bylaw directly to Council.

In addition to attending in-person, the Public Hearing will be streamed via Microsoft Teams. Registration for the live-stream is available on Kentbc.ca

NOTE: A detailed version of the map can be viewed either in person or via the online materials posted to our website.



REPORT TO COUNCIL

DATE: February 9, 2023 **FILE:** S23-01/R23-01
FROM: M.Lisa Beaulieu, Director of Development Services
SUBJECT: Boundary Adjustment Subdivision – 3890 Lougheed Highway and PIDs:
001-129-902 and 001-129-911

RECOMMENDATION:

THAT Council considers granting *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1711, 2023* first and second reading.

AND THAT Council considers setting a public hearing for *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1711, 2023* on March 13, 2023.

PROPERTY DESCRIPTION:

Owners/Applicants: Duane Post, Woodside Farms Ltd.

Proposal: The applicant is proposing a boundary adjustment subdivision of the three subject properties that would result in two large Agricultural (a) zoned lots consisting of the pasture lands of the three lots and one 1.0 ha Small-lot Agricultural (A1) zoned lot featuring the existing residential buildings.

Current Lots

3890 Lougheed Highway

PID: 006-824-081

Site Size: 11.9 ha

Legal: Lot 41 Except: Firstly; Parcel F (Srw Plan 14190), Secondly; Part Srw Plan 25182, Section 28 And 34 Township 3 Range 29 West Of The Sixth Meridian And District Lot 31 Group 1 Yale Division Yale District Plan 3233

_____ CAO Regular Agenda Date _____
 In Camera Agenda Place _____
 Public Hearing Other _____

Site Description: The subject property is an irregularly shaped agricultural lot featuring a single-family dwelling. The property is bordered by the Lougheed Highway to the west, the CP rail line to the south and east and the Hogg Slough to the north.

PID: 006-652-794

Site Size: 7.0 ha

Legal: Lot 38 Except: Firstly; Part On Srw Plan 14190, Secondly; Part On Srw Plan 25182, Section 28 Township 3 Range 29 West Of The Sixth Meridian Yale Division Yale District Plan 3233

Site Description: The subject property is a long rectangular agricultural lot bisected by the Hogg Slough near the south property line and fronting the Lougheed Highway. No residential uses or buildings are present on the property.

PID: 006-652-875

Site Size: 6.4 ha

Legal: Lot 40 Except: Part on Srw Plan 25182, Section 28 Township 3 Range 29 West Of The Sixth Meridian Yale Division Yale District Plan 3233

Site Description: The subject land is a triangular agricultural lot bordered by the Lougheed Highway and Hogg Slough. No residential uses or buildings are present on the property.

Proposed

Lot Areas: Lot 1 – 5.3 ha (zoned A)

Lot 2 – 1.0 ha (to be rezoned A1)

Lot 3 – 8.1 ha (zoned A)

OCP: Agriculture

Zoning: Agricultural (A)

DISCUSSION:

Boundary Adjustments in the Agricultural Land Reserve

In accordance with Part 5, Section 10 of the Agricultural Land Commission (ALC) *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*, an Approving Officer may authorize or approve a plan of subdivision within the Agricultural Land Reserve (ALR) without the approval of the commission if:

- The proposed plan involves not more than 4 parcels, each of which is a minimum of 1 ha, and results in all of the following:
 - a. no increase in the number of parcels;
 - b. boundary adjustments that, in the opinion of the approving officer, will allow for the enhancement of the owner's overall farm or for the better utilization of farm buildings for farm purposes; and
 - c. no parcel in the reserve of less than 1 ha.

Executive Summary

The applicant is proposing a boundary adjustment subdivision of the three subject properties that would result in two large Agricultural (A) zoned lots consisting of the pasture lands of the three lots and one 1.0 ha Small-lot Agricultural (A1) zoned lot featuring the existing residential buildings.

The proposed lot sizes are as follows:

- Lot 1 – 5.3 ha (zoned A)
- Lot 2 – 1.0 ha (to be rezoned A1)
- Lot 3 – 8.1 ha (zoned A)

Because Lot 2 is proposed to be 1.0 ha rezoning to A1 is required.

District staff recommend the Kent AAC considers supporting the proposed boundary adjustment as currently, PID: 006-652-794 is intersected by the Hogg Slough near the south property line. The proposed subdivision layout will realign the property lines to run along the Hogg Slough allowing for better agricultural use of the lands.

ENVIRONMENTAL CONSIDERATIONS:

Minimal environmental impacts are anticipated as a result of this boundary adjustment. Adjusting the lot lines to align with the Hogg Slough will impose 30.5 m intensive agricultural lot line setbacks protecting the slough from development.

BUDGETARY CONSIDERATIONS:

The applicant has paid the required subdivision fees.

POLICY CONSIDERATIONS:

This boundary adjustment will be conducted in accordance with the *District of Kent Subdivision and Development Bylaw, Local Government Act, ALC Act, Agricultural Land Reserve General Regulations* and the *District of Kent Development Procedures Bylaw No. 1194, 2001*.

ALTERNATIVES/OPTIONS:

- 1) Staff's recommendation.
- 2) Do not support recommendation.

ATTACHMENTS:

- 1) Appendix A: Location Map
- 2) Appendix B: Aerial Photo
- 3) Appendix C: Subdivision Plan
- 4) Appendix D: District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1711, 2023

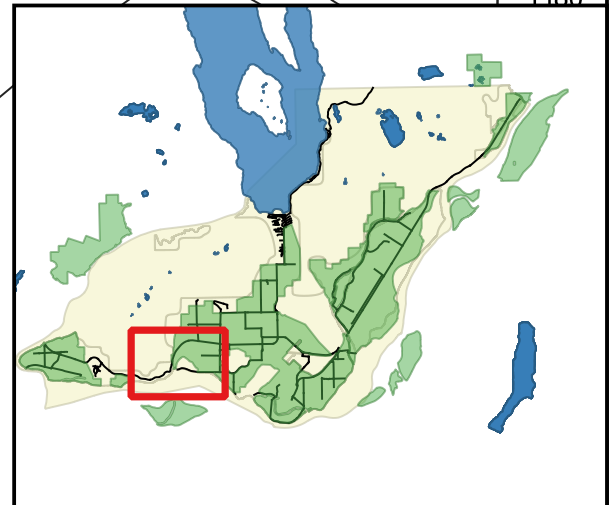
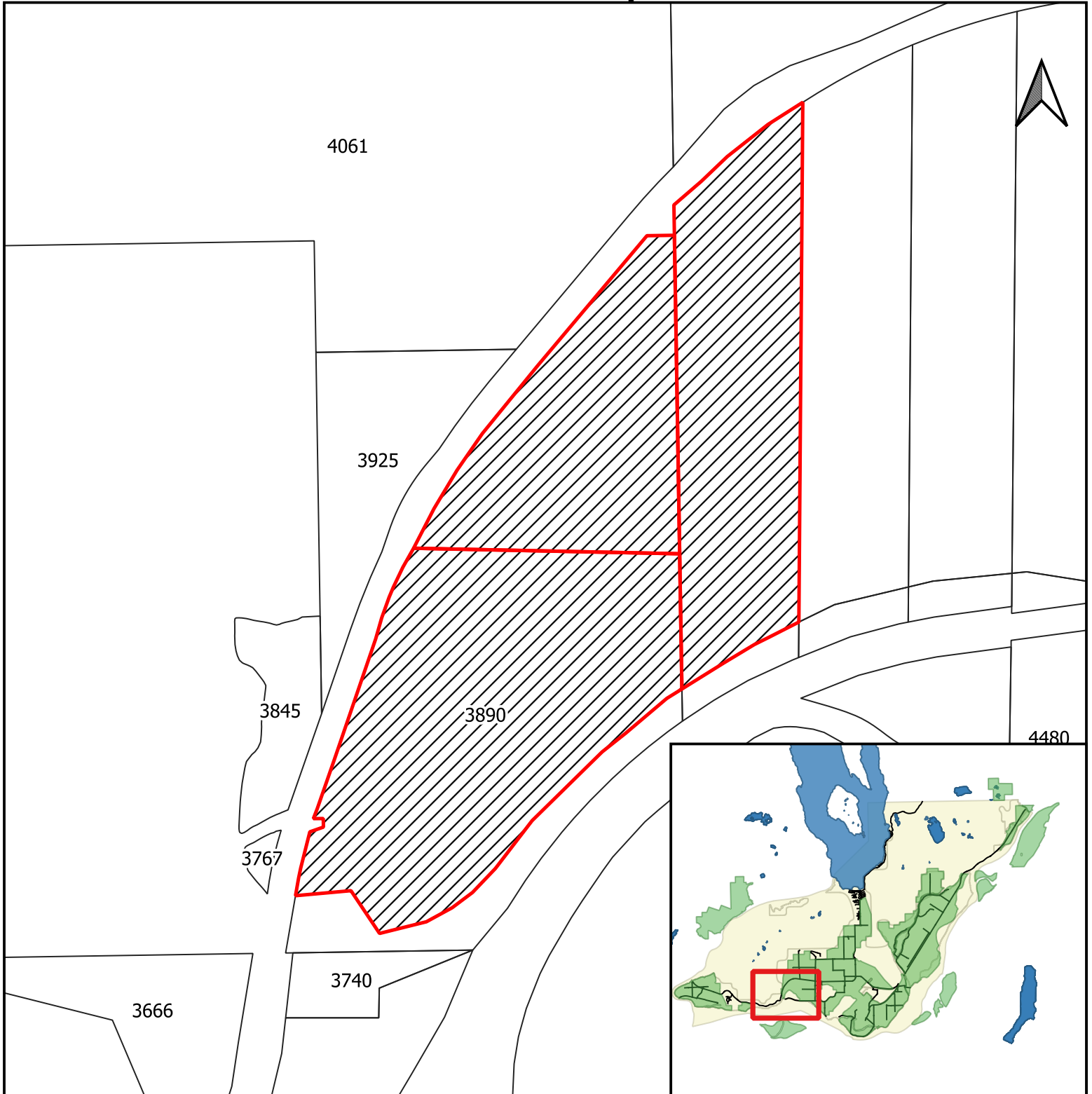
Respectfully submitted for your
consideration


Approved for submission by

M. Lisa Beaulieu
Director of Development
Services


Wallace Mah,
Chief Administrative Officer

Location Map

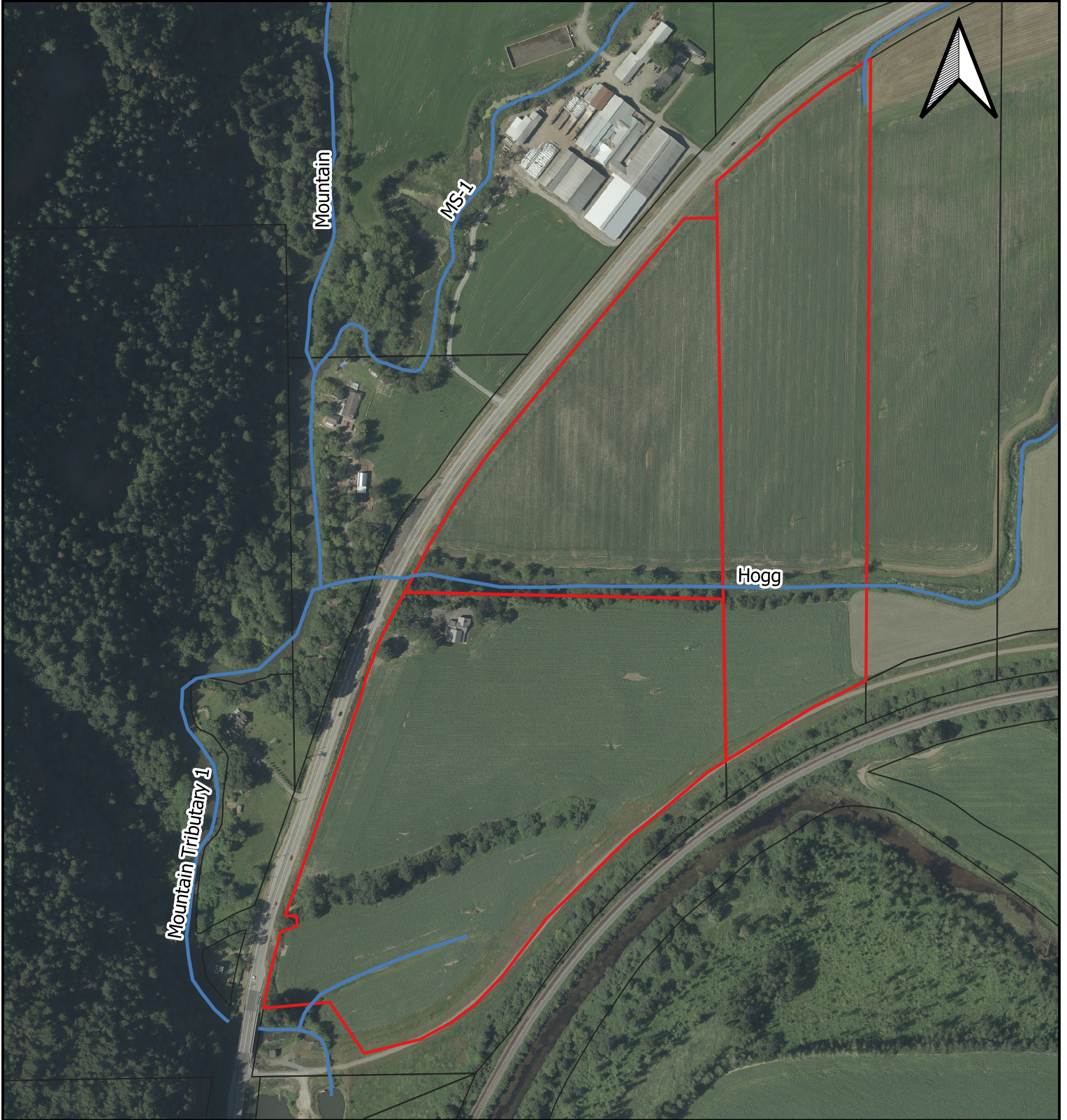


 Subject Property

0 100 200 m



Aerial Photo

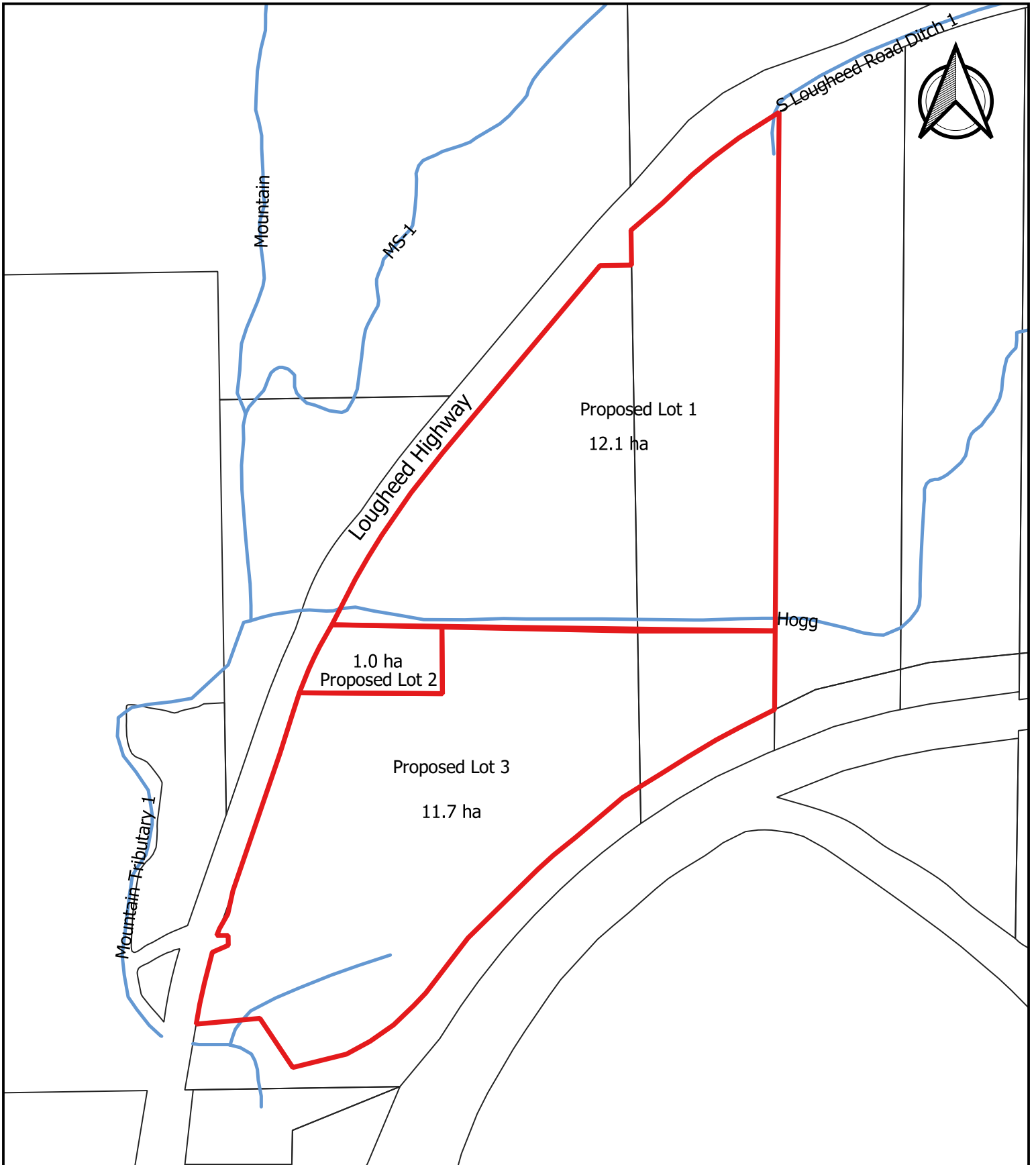


Subject Property

0 100 200 m



Subdivision Plan



 Proposed Subdivision

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1711

“A bylaw to amend the District of Kent Zoning Bylaw 1219, 2001.”

WHEREAS the Council of the Corporation of the District of Kent has deemed it advisable to further amend Zoning Bylaw No. 1219, 2001;

NOW THEREFORE the Council of the Corporation of the District of Kent, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as “District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1711, 2022”.

2. MAP AMENDMENT

That Zoning Reference Map 10 of Schedule A, Zoning Reference Map Key of the District of Kent Zoning Bylaw No. 1219, 2001 be amended for a portion of the lands:

Currently legally described as:

Lot 41 Except: Firstly; Parcel F (Srw Plan 14190), Secondly; Part Srw Plan 25182, Section 28 And 34 Township 3 Range 29 West of The Sixth Meridian And District Lot 31 Group 1 Yale Division Yale District Plan 3233

Commonly known as:

3890 Lougheed Highway

As outlined in black hatching on Zoning Bylaw Amendment Map Schedule 1711-1 attached hereto by rezoning the above-described lands from Agricultural (A) to Small-lot Agricultural (A1).

4. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this bylaw.

READ A FIRST TIME this day of

READ A SECOND TIME this day of.

MINISTRY OF TRANSPORTATION APPROVAL this day of

A PUBLIC HEARING WAS HELD this ___ day of ___

READ A THIRD TIME this ___ day of ___

FINALLY PASSED AND ADOPTED this ___ day of ___

CERTIFIED CORRECT:

Sylvia Pranger, Mayor

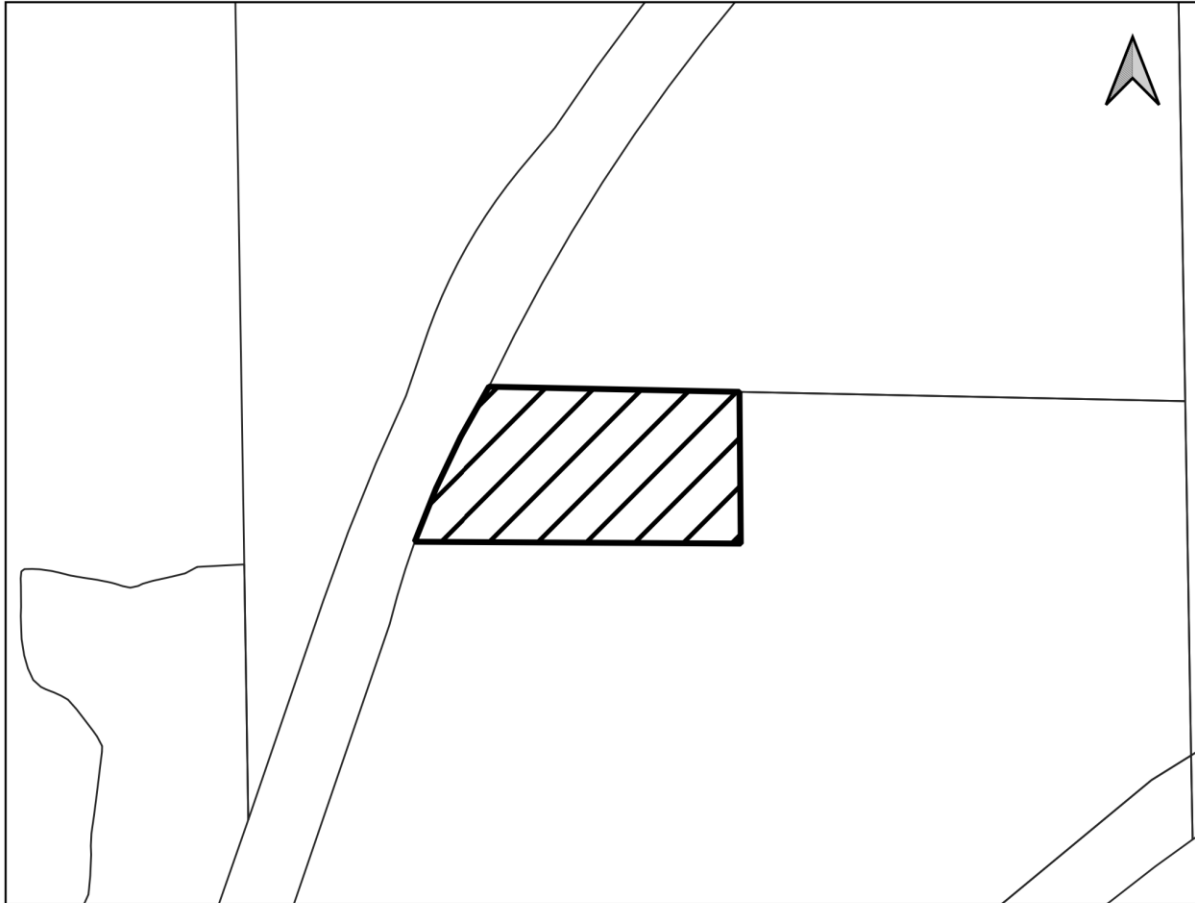
Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE & CORRECT COPY
of "District of Kent Zoning Bylaw 1219,
Amendment Bylaw No.1711, 2022"
adopted on this ___ day of ___


Clair Lee, Director of Corporate Services

THE CORPORATION OF THE DISTRICT OF KENT BYLAW NO.1711

ZONING BYLAW AMENDMENT MAP
SCHEDULE 1711-1



Land District: NWD
Land Title Office: New Westminster District

 FROM: AGRICULTURAL (A)
TO: SMALL-LOT AGRICULTURAL (A1)

This is Map Amendment Schedule 1711-1 to and forming part of "Zoning Bylaw 1219, Amendment Bylaw No. 1711, 2022"

Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer