

PUBLIC NOTICE



Zoning Bylaw Amendment 1737, 2024
Small Scale Multi Unit Housing Compliance

Date & Time: May 27, 2024 at 7:00 pm

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

NOTICE IS HERBY GIVEN under Section 467 of the *Local Government Act*, the District of Kent Council will consider first, second, and third readings for District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1737, 2024 (Small Scale Multi Unit Housing Compliance). Provincial legislation does not permit local governments to hold Public Hearings for compliance with Bill 44 legislation. As such, the District of Kent will not be holding a Public Hearing for the proposed amendment.

Purpose: The proposed bylaw amendment will bring Zoning Bylaw 1219, 2001 into compliance with Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, 2023. This amendment will permit three or four units of small-scale multi-unit housing in the Restricted Zones.

For More Information

Contact Lisa Beaulieu, Director of Development Services
Phone: (604) 796-2235 | Email: planning@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, on or before May 17 to 27, 2024 during regular office hours of 8:30 am to 4:30 pm excluding holidays.

Send Your Comments

Email: ssmuh@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, May 27, 2024.



REPORT TO COUNCIL

Date: May 27, 2024 **File:** Bylaw 1737
From: M. Lisa Beaulieu, A. Director of Development Services
Subject: Proposed Zoning Bylaw Amendments - Small-Scale Multi-Unit Housing

RECOMMENDATION:

THAT Council considers granting the District of Kent Zoning Bylaw 1219 Amendment Bylaw No. 1737, 2024, attached as Appendix 'A', first, second and third reading.

BACKGROUND:

1. Bill 44


In the fall of 2023, the British Columbia (BC) Legislature passed Bill 44, Housing Statutes (Residential Development) Amendment Act, 2023 as part of the Province's Homes for People Action Plan. This action plan is based on four foundational pillars:

- Unlocking more homes, faster;
- Delivering better, more affordable homes;
- Supporting those with the greatest housing needs; and
- Creating a housing market for people, not speculators.

Bill 44 applies to all BC municipalities and regional districts and introduces requirements concerning small-scale multi-unit housing (SSMUH), interim housing needs reports, zoning bylaw and official community plan (OCP) updates, and public hearings. Bill 44 requires municipalities to adopt new SSMUH zoning regulations by June 30, 2024, prepare an interim housing needs report by January 1, 2025, and update their OCP and zoning bylaws by December 31, 2025.

2. Wider Provincial Legislative Changes

Alongside Bill 44, the Provincial government also passed three related pieces of legislation concerning short-term rentals (Bill 35), development financing (Bill 46), and transit-oriented areas (Bill 47). Each of these pieces of legislation is aimed at supporting the four pillars of the Homes for People Action Plan and will impact how development is processed, financed, and approved. These Provincial changes are not the subject of this bylaw but will impact the wider implementation of SSMUH in the Province, and where relevant, in the District of Kent. An

 CAO
 Regular Agenda Date *May 27/24*
 In Camera Agenda Place *C*
 Public Hearing Other *Rec'd for P. Notice*

example of this being Council's recent direction to staff to opt-in to the Provincial principal residence requirements established through Bill 35 (Banning investment properties from being rented out as short-term rental for less than 90 days).

3. Bill 44 Legislative Requirements

Bill 44 requires the District of Kent to permit up to the following number of dwelling units on land that would otherwise be restricted to a single-family dwelling (single-dwelling residential) or duplex (two-dwelling residential) as the principal use (referred to by the legislation as "Restricted Zones"):

- three units on residential lots that are equal to or less than 280m²; and
- four units on residential lots that are greater than 280m².

As the District of Kent does not have a frequent transit network, the Provincial requirement to provide six units on residential lots that are greater than 280m² and within 400m of a bus stop with frequent service does not apply.

Bill 44 outlines conditions local governments can apply to lots within Restricted Zones to exempt them from the requirement to permit up to three to four dwelling units. These include the following and have been considered by staff when implementing SSMUH requirements within the District of Kent:

- (1) Land where increasing density would significantly increase the threat or risk from a hazardous condition, and where that threat or risk cannot be practically mitigated;
- (2) Land that is subject to heritage protection;
- (3) Land not connected to a water or sewer system operated by a local government;
- (4) Land that is within a zone where the minimum lot size that may be created by subdivision is 4,050m² (1 acre);
- (5) A parcel that is larger than 4,050m² and
- (6) Land that is within a designated Transit-Oriented Area.

Lots within a Restricted Zone where exemptions do apply, must permit a minimum of two dwelling units on a lot, including a secondary suite and or a detached accessory dwelling unit. The legislation notes that where a lot is not serviced by a community sewer system, only a secondary suite should be permitted.

4. Provincial Recommendations for SSMUH Implementation

To support local governments in the implementation of Bill 44, the Province has released a *Provincial Policy Manual & Site Standards* ("policy manual"). The policy manual includes recommended standards for zoning provisions within SSMUH zones, including benchmarks for different lot sizes and characteristics. The objectives of these standards include, but are not limited to:

- (1) Improving the economic and spatial viability of new units on typical single family and duplex sized lots, by reducing minimum setbacks and increasing building coverage.

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- (2) Maintaining adequate pervious surfaces to reduce impacts on stormwater services and water resources and increasing the opportunities for tree retention and planning.
 - (3) Providing flexibility on lots for various building forms and configurations that will contribute to the delivery of a greater diversity of housing types and improved project viability.
 - (4) Reducing on-site parking requirements to support lot layout flexibility. This needs to be considered in view of a community's access to public transportation and on-street parking.
 - (5) Adopting a universal maximum height limit that permits at least three stories regardless of the method of measurement, site gradient, or roof style, to improve the viability and diversity of SSMUH housing forms.
 - (6) Encouraging a range of tenure types on a lot to promote the viability of SSMUH projects and their ability to respond to evolving community needs and market conditions.

Bill 44 provides local governments with some flexibility around how SSMUH legislation is implemented in their local context. However, the Provincial policy manual is clear that local governments should not introduce zoning regulations, or new development permit area (DPA) guidelines that would negatively impact the viable implementation of three to four dwelling units on a lot.

DISCUSSION:

1. Proposed Approach to Bill 44 Implementation in the District of Kent

After careful consideration, the following approach is proposed to meet the overarching intent of Bill 44, align with existing municipal policies, and create a more flexible and streamlined approach to SSMUH zoning in the District of Kent. The proposed approach has been informed by the Provincial Policy Manual recommendations, a technical review with staff from different departments, a review of SSMUH zones prepared by comparably sized local governments, and feedback from members of the public and Council.

1a. Consolidation of RS1, RS2, RSS, and RT Zones

To provide greater clarity and to streamline the implementation of SSMUH in the District of Kent, the existing RS1, RS2, RSS, and RT zones will be consolidated under one new "Small-Scale Multi-Unit Housing Zone (RS1)". This reduces the potential for any misalignment created by multiple SSMUH zones and enables a more consistent implementation of SSMUH across the District of Kent. This approach requires:

- (1) Amending the existing RS1 zone's purpose, permitted uses, conditions of use, regulations, general regulations, and special conditions of use;
- (2) Rezoning all RS2, RSS, and RT zoned lots to the proposed SSMUH Zone (RS1);
- (3) Repealing the existing RS2, RSS, and RT zones; and
- (4) Amending certain sections of the wider zoning bylaw to account for any consequential impacts of changes to the RS1, RS2, RSS, and RT zones.

1b. Other Restricted Zones

Based on Provincial definitions, staff have determined that RR1, RR2, RR3, RL, and CD1 zones are Restricted Zones and therefore required to permit a minimum of two to four dwelling units subject to applicable exemptions. The following outlines the proposed approach for these zones:

Rural Residential 1 Zone (RR1)		
Proposed Approach	Applicable Exemption	Rationale for Approach
<ul style="list-style-type: none"> No changes 	<ul style="list-style-type: none"> Minimum Lot Size - 2.0 hectares Not Fully Serviced 	<ul style="list-style-type: none"> Minimum lot size of 2.0 hectares exempts from providing four dwelling units. The District can decide to permit one or two accessory dwelling units. The zone already permits up to two dwelling units (single-dwelling residential use and a secondary suite).

Rural Residential 2 Zone (RR2)		
Proposed Approach	Applicable Exemption	Rationale for Approach
<ul style="list-style-type: none"> No changes 	<ul style="list-style-type: none"> Minimum Lot Size – 0.8 hectares Not Fully Serviced 	<ul style="list-style-type: none"> Minimum lot size of 0.8 hectares exempts from providing four dwelling units. The District can decide to permit one or two accessory dwelling units. The zone already permits up to three dwelling units (single-dwelling residential use, a secondary suite and a detached accessory dwelling unit).

Rural Residential 3 Zone (RR3)		
Proposed Approach	Applicable Exemption	Rationale for Approach
<ul style="list-style-type: none"> No changes 	<ul style="list-style-type: none"> Not fully serviced 	<ul style="list-style-type: none"> Exempt from providing four dwelling units. The District can decide to permit one or two accessory dwelling units. The zone already permits up to three dwelling units (single-dwelling residential use, a secondary suite and a detached accessory dwelling unit).

Lake Area Residential Zone (RL)		
Proposed Approach	Applicable Exemption	Rationale for Approach
<ul style="list-style-type: none"> No changes 	<ul style="list-style-type: none"> Not fully serviced 	<ul style="list-style-type: none"> Exempt from providing four dwelling units. The District can decide to permit one or two accessory dwelling units. The zone already permits up to two dwelling units (single-dwelling residential use and a secondary suite).

Comprehensive Development Zone (CD1)		
Proposed Approach	Applicable Exemption	Rationale for Approach
<ul style="list-style-type: none"> Text Amendment to permit three to four dwelling units. Remove existing density regulation. Permit a two-dwelling residential use. Permit a secondary suite. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Permits up to four dwelling units without changing existing site-specific regulations. Minimum lot size in the zone is 231m². Text amendment allows for four dwelling units if lot is larger than 280m². Changes existing density regulation in favour of a more permissive approach.

1c. Other Zones (Not Restricted)

Bill 44 does not require local governments to amend zones not considered to be Restricted Zones. As local governments are required to update their wider zoning bylaws and OCPs by December 31, 2025, it is anticipated that any changes to these zones will occur as part of that process to ensure wider alignment with community objectives and goals.

1d. Housing Tenure and Typology Flexibility

Increasing housing diversity is a key objective of Bill 44, with the proposed approach enabling greater housing, tenure, and lot layout flexibility. The new SSMUH zone proposes to expand the range of permitted principal uses from those currently in the RS1, RS2, RSS, and RT zones, to include single and two-dwelling residential uses, townhouses, and apartments, and permit both secondary suites and detached accessory dwelling units as auxiliary uses to single and two-dwelling residential uses.

While the new SSMUH zone expands the range of housing typologies permitted on existing single and two-dwelling residential zoned lots, conditions of use and regulations are proposed with the aim of protecting the low-density residential character of applicable areas and managing impacts on neighbouring lots. The proposed approach includes restricting the number of buildings containing the principal use to one and requiring detached accessory dwelling units to be located to the rear of the principal building. This retains the existing hierarchy of buildings on lots within Restricted Zones, promotes housing diversity and supports the implementation of all housing tenures.

1e. Density

The RS1, RS2, RSS, and RT zones are all subject to density regulations which restrict the number of dwelling units per hectare and in some cases, limit Gross Floor Area (GFA). These regulations can often add uncertainty for applicants and increase the development review time for municipal staff. The new SSMUH zone removes all GFA requirements, except for a detached accessory dwelling unit, and includes a regulation allowing for up to three or four units per lot based on lot size. This enables a more flexible and permissive approach to lot development in alignment with Provincial recommendations. Except for detached accessory dwelling units, the SSMUH zone will regulate GFA through building height, setbacks, and lot coverage. Parking will also inform the layout of buildings on SSMUH zoned lots.

1f. Site Servicing

As part of developing the proposed approach to Bill 44 compliance, staff undertook a review of municipal servicing across the District of Kent. The review revealed that there are large portions of the District that are not yet fully serviced by both an approved community water system, and an approved community sewer system. Instead of creating separate SSMUH zones based on a lot's existing servicing, the new SSMUH Zone includes lots which are fully serviced, partially serviced, and unserviced, but limits a partially serviced or unserviced lot to a maximum of two dwelling units, unless a special condition of use applies. The following conditions of use apply:

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- Lots serviced by an approved community sewer system, but not an approved community water system, are restricted to a maximum of two dwelling units, including one single-dwelling residential use, and one secondary suite, or one detached accessory dwelling unit use.
 - Lots serviced by an approved community water system, but not an approved community sewer system, are restricted to a maximum of two dwelling units, including one single-dwelling residential use, and one secondary suite.

This approach enables lots that are not currently serviced, to benefit from three and four dwelling units once they are fully serviced without the need for rezoning. This incentivizes connection to municipal servicing, reduces municipal review times associated with rezonings, and meets the intent of Bill 44 to direct more intensive use of land to lots which are fully serviced.

1g. Accessory Dwelling Uses

Accessory dwelling units play an important role in increasing housing supply, diversity, and affordability. They also often provide a viable solution to increasing housing on a lot without demolishing the existing principal building and can include secondary suites, secondary dwellings, coach houses, and garden suites.

Currently, not all RS1, RS2, RSS, and RT zones permit accessory dwelling units. The new SSMUH zone will permit an accessory dwelling unit on all lots where it is an auxiliary use to a single or two-dwelling residential use. Accessory dwelling units will still be subject to regulations governing the BC Building Code, GFA, building height, setbacks, lot coverage, and parking requirements.

The new SSMUH zone does not permit any accessory dwelling unit use to be subdivided from the lot, including subdivision under the *Strata Property Act*.

1h. Parking

The Provincial Policy Manual recommends reduced parking requirements to improve affordability and equity in communities, increase the amount of permeable space, support modal shifts and climate change mitigation efforts, and to speed up construction. The policy manual notes that Provincial recommendations for no parking minimums in more urban communities served by frequent transit, may not be appropriate for smaller, more rural communities.

The proposed approach has considered the viable implementation of three to four dwelling units on fully serviced lots, while also recognizing that the District of Kent does not have a frequent transit network, with many residents relying on a vehicle for access to daily services and employment. Council feedback has also informed the proposed approach. The parking minimums do not limit a landowner from providing more parking if they wish. Below outlines the proposed approach and rationale to parking requirements associated with the new SSMUH zone:

Building Type	Current Parking Requirement	Proposed RS1 Parking Requirement	Rationale for change
Single-dwelling residential	<ul style="list-style-type: none"> • 2 spaces per dwelling unit • All spaces must be unenclosed, not located within a garage 	<ul style="list-style-type: none"> • 2 spaces per dwelling unit • Section 219 covenant preventing a garage from being converted to habitable space. 	<ul style="list-style-type: none"> • Removal of the requirement that all parking must be unenclosed provides greater lot layout flexibility and encourages more trees and greenspace development.
Two-dwelling residential	<ul style="list-style-type: none"> • 2 spaces per dwelling unit • All spaces must be unenclosed, not located within a garage 	<ul style="list-style-type: none"> • 2 spaces per dwelling unit • Section 219 preventing a garage from being converted to habitable space. 	<ul style="list-style-type: none"> • Removal of the requirement that all parking must be unenclosed provides greater lot layout flexibility and encourages more trees and greenspace development..
Townhouse	<ul style="list-style-type: none"> • 2 spaces per dwelling unit, plus 1 parking space for visitor parking for every 5 calculated parking spaces. A minimum of 2 visitor spaces must be provided. • For dwelling units, 1 parking space may be enclosed. 	<ul style="list-style-type: none"> • 1.5 spaces per dwelling unit 	<ul style="list-style-type: none"> • Provides greater flexibility to accommodate four dwelling units. • Removal of visitor parking requirement provide greater lot layout flexibility. A landowner can provide additional parking if desired. • Brings the townhouse parking requirement closer in alignment with the apartment parking requirement, with the only key difference between a townhouse and an apartment being one is ground-oriented and one is served via a common entrance.
Apartment	<ul style="list-style-type: none"> • 1 space per dwelling unit, plus 1 parking space for visitor parking for every 	<ul style="list-style-type: none"> • 1 space per dwelling unit 	<ul style="list-style-type: none"> • No change. Provincial direction is to reduce parking requirements where possible, not to increase.

Building Type	Current Parking Requirement	Proposed RS1 Parking Requirement	Rationale for change
	10 calculated parking spaces		<ul style="list-style-type: none"> Removal of visitor parking requirement supports greater lot layout flexibility. A landowner can provide additional parking if desired.
Accessory Dwelling	<ul style="list-style-type: none"> 1 space per dwelling unit in addition to the parking spaces required by the principal residential use 	<ul style="list-style-type: none"> 1 space per dwelling unit 	<ul style="list-style-type: none"> No change. Provincial direction is to reduce parking requirements where possible, not to increase.

All amendments to parking requirements only apply to lots in the new SSMUH zone.

1i. Design Guidelines

The Provincial Policy Manual notes that overly restrictive form and character DPA guidelines have the “greatest potential to negatively impact the creation of new housing units” and should be reviewed to not unreasonably restrict or prohibit SSMUH. Staff have not undertaken a review of existing form and character DPA guidelines as part of Bill 44 zoning compliance. It is envisioned that a review of DPA guidelines will be undertaken as part of the wider OCP update required to be completed before December 31, 2025. The Provincial Policy Manual acknowledges that there may be some misalignment between OCP land uses and guidelines, and SSMUH zoning in the interim period.

2. Proposed Amendments to Zoning Bylaw to Comply with Bill 44

Sections 2a. to 2d. of this report provide an overview of the proposed amendments to the District of Kent’s Zoning Bylaw as it pertains to the implementation of Bill 44, including the new SSMUH zone, existing CD1 zone, and wider zoning bylaw. The proposed amendments are detailed in **Appendix 1**.

2a. Proposed Small-Scale Multi-Unit Housing Zone (RS1)

The following zoning provisions are proposed as part of the new Small-Scale Multi-Unit Housing Zone (RS1) in the District of Kent’s Zoning Bylaw:

- (1) Amend the purpose of the RS1 zone to focus on the accommodation of low density residential uses up to a maximum of four dwelling units on fully serviced lots.

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- (2) Permit the following principal uses:
 - A single-dwelling residential use
 - A two-dwelling residential use
 - A townhouse use
 - An apartment use
 - (3) Permit the following auxiliary uses for a single-dwelling residential use and a two-dwelling residential use:
 - An accessory building use
 - A home occupation use
 - An off-street parking use
 - An accessory dwelling unit use
 - (4) Permit the following auxiliary uses for a townhouse use and an apartment use:
 - An accessory building use
 - A home occupation use
 - An off-street parking use
 - (5) Restrict the number of buildings on a lot containing the principal use to one.
 - (6) Retain the condition that all principal uses and accessory dwelling unit uses be in a site built house or a manufactured home.
 - (7) Restrict the number of dwelling units on a lot to two if not fully serviced. A lot served by an approved community sewer system only, is restricted to one single-dwelling residential use and one secondary suite or detached dwelling unit use. A lot served by an approved community water system only, is restricted to one single-dwelling residential use and one secondary suite.
 - (8) Restrict the number of secondary suites to one per single-dwelling residential use and one per each of the two-dwelling residential use units. The RS1 zone does not permit secondary suites in a townhouse use (3 or 4 units), or an apartment use (up to 4 units).
 - (9) Retain the condition that a household business is limited to a home occupation use.
 - (10) Retain the condition that an accessory dwelling unit cannot be subdivided from the lot it is an auxiliary use to.
 - (11) Retain the condition that all accessory dwelling unit uses shall be in the rear yard but reduce the minimum setback to 3.0m from the principal use on the lot.
 - (12) Permit the following accessory dwelling unit uses:
 - A secondary suite use
 - A secondary dwelling use
 - A coach house use
 - A garden suite use
 - (13) Permit the number of dwelling units on a lot to:
 - Three for lots equal to or less than 280m² in size.

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- Four for lots greater than 280m² in size.
- (14) Increase the maximum site coverage for all buildings and structures to 50%.
- (15) Introduce a new condition limiting impervious surfaces on a lot to a maximum of 70%.
- (16) Establish the minimum lot size created by subdivision as 360m² for serviced lots. Unserviced lots will be required to meet the minimum subdivision requirement outlined in Section 7.5 of the zoning bylaw.
- (17) Reduce the minimum lot width to 12 m.
- (18) Establish the following Gross Floor Area (GFA) regulations:
- For principal uses: Not regulated.
 - For detached accessory dwelling unit uses: 112 m² maximum.
 - For a secondary suite: Lesser than or equal to the floor area of the principal dwelling unit in which it is located.
- (19) Establish the following building height regulations:
- For principal uses: 11 m maximum.
 - For detached accessory dwelling unit uses: 7 m maximum.
 - For accessory building uses: 5 m maximum.
- (20) Establish the following setback regulations:
- For all principal uses
 - Front lot line: 4.5 m minimum (building face) and 6.0 m minimum (garage).
 - Rear lot line: 4.0 m minimum.
 - Exterior side lot line: 2.5 m minimum.
 - Interior side lot line: 1.2 m minimum.
 - For detached accessory dwelling unit uses
 - Front lot line: 3 m minimum from rear of principal use (see Section .2.8 of RS1 zone).
 - Rear lot line: 1.5 m minimum.
 - Exterior side lot line: 2.5 m minimum.
 - Interior side lot line: 1.2 m minimum.
 - For accessory building uses
 - Front lot line: 4.5 m minimum.
 - Rear lot line: 1.0 m minimum.
 - Exterior side lot line: 2.5 m minimum.
 - Interior side lot line: 1.0 m minimum.
- (21) Introduce a condition which requires all dwelling units to have access to a minimum 1.2 m wide path that provides direct pedestrian access from a dwelling unit to an abutting lane or rear lane and is clear of all projections and obstructions to a minimum height of 2.5 m.

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- (22) Introduce a condition which requires the 1.2 m wide access path to be illuminated by low-level lighting from the dwelling unit entrance to the abutting lane or rear lane.
 - (23) Introduce a condition requiring all dwelling units (except a secondary suite), to have access to an outdoor amenity area for their exclusive use and which has a minimum width of 2.5 m and area of 10 m².
 - (24) Retain the special condition of use which allows a single dwelling residential use to be located in a mobile home on Strata Lots 1 to 16 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Strata Plan NWS1949 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot Shown on Form 1.
 - (25) Introduce a special condition of use which permits a maximum of three dwelling units, including a single-dwelling residential use, a secondary suite, and an accessory dwelling unit on the following unserviced lots:
 - Lot 1 Section 32 Township 4 Range 28 West of the 6th Meridian New Westminster District Plan EPP102202
 - Lot 1 District Lot 19 Group 1 Yale Division of Yale District Plan 5644
 - Lot 4 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458
 - Lot 1 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan LMP5893
 - Parcel A (Explanatory Plan 15204) Lot 3 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458

2b. RS2, RSS, and RT Zones

- Rezone all RS2, RSS and RT zoned lots to the new SSMUH RS1 zone.
- Repeal the RS2, RSS and RT zones.

2c. Comprehensive Development Zone (CD1)

- (1) Retain the existing purpose of the zone.
- (2) Permit up to two-dwelling residential use as a permitted principal use.
- (3) Permit accessory dwelling units use as a permitted auxiliary unit use. An accessory dwelling unit use is limited to a secondary suite.
- (4) Repeal condition limiting development on a lot to a single-dwelling residential use and one accessory building.
- (5) Repeal condition requiring a single-dwelling residential use and an accessory building to be subject to defined and accepted architectural design and building scheme.

(6) Permit the number of dwelling units on a lot to:

- Three for lots equal to or less than 280 m² in size.
- Four for lots greater than 280 m² in size.
- Repeal regulation limiting density to 38 units/hectare.
- Amend 'single-dwelling residential' use with 'principal' in GFA, height, and setback regulations.

2d. Wider Zoning Bylaw Changes

Changes to Table of Contents

- Amend 'Single Dwelling Residential 1 Zone' (RS1) with 'Small-Scale Multi-Unit Housing Zone' (RS1).
- Repeal reference to RS2, RSS and RT Zones.
- Amend all section numbering to account for removal of RS2, RSS and RT Zones.

Changes to Part 3 Definitions

- Amend the definition of a coach house to include 'or two-family residence'.
- Introduce new definition for Outdoor Amenity Area
- Introduce new definition for Impervious Surfaces

Changes to Part 6 Establishment of Zones

- Amend 'Single Dwelling Residential 1 Zone' with 'Small-Scale Multi-Unit Housing Zone'.
- Repeal reference to RS2, RSS and RT Zones.

Changes to Part 7 General Regulations

- (1) Amend Section 7.7.2.1 by including 'except in the Small-Scale Multi-Unit Housing Zone (RS1)'.
- (2) Amend wording in Section 7.10.1.1 (b) to reduce rear fence height to 1.8 m when a detached accessory dwelling unit is accessed from a lane.
- (3) Repeal 'RS2, RSS and RT' in table 7.12.6(b).
- (4) Reduce width of the landscaped area between the parking area and the lot line in the RS1 zone from 2 m to 1 m in Section 7.17.5.
- (5) Amend requirement for single family and two family residential uses in the RS1 zone to have all parking spaces unenclosed and not located within a garage, and replace with a requirement to register a Section 219 Covenant against a lot's title restricting garages from being used as habitable rooms.

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- (6) Introduce a parking requirement for a townhouse in the RS1 Zone to provide 1.5 spaces per dwelling unit.
 - (7) Introduce a parking requirement for an apartment in the RS1 Zone to provide 1 space per dwelling unit.
 - (8) Amend existing townhouse parking requirement to include the wording 'Except RS1 Zone'.
 - (9) Amend existing apartment parking requirement to include the wording 'Except RS1 Zone'.

Changes to Part 9 Zones

- Amend 'Single Dwelling Residential 1 Zone' (RS1) with 'Small-Scale Multi-Unit Housing Zone' (RS1).
- Repeal RS2, RSS and RT Zones.
- Amend all section numbering in Part 9 to account for removal of RS2, RSS and RT Zones.

3. Communication and Community Engagement

Staff have undertaken public engagement, informing and engaging with different stakeholders on Bill 44 legislation and its implications for the District of Kent. The following summarizes these engagement activities:

In-Person:

- Council Workshop held on May 7, 2024.
- Public Information Meeting (PIM) held at the municipal hall between 4pm and 7pm on May 8, 2024.

Virtual:

- Project page created on the District's website with information on Bill 44 and engagement events.
- Notification letters sent to local First Nations to invite them to have discussions with staff on Bill 44 legislation and attend the PIM.
- PIM advertisement was placed in the Agassiz-Harrison Observer.
- Notice that no public hearing will be held for SSMUH implementation was placed in the Agassiz-Harrison Observer.

The PIM was attended by 19 people. Below summarizes the comments received:

- (1) Interest in legislation changes and support for more flexibility for homeowners and developers.
- (2) Questions relating to the capacity of the District's community water and sewer system to accommodate SSMUH.
- (3) Questions about how Bill 44 applies to small and pre-fabrication housing.
- (4) Desire for more non-market housing in the community.
- (5) Support for the flexible approach to building typology within the new RS1 zone.
- (6) Encouraged by requirement to provide a minimum amount of outdoor amenity space.
- (7) Limited concern about reduced parking rates. Desire to see more parking reductions to allow for greater landowner flexibility, increased habitable and amenity space, protection of landscaping, and less impervious surfaces on site.
- (8) Concern that the introduction of greater parking requirements will result in the loss of existing canopies and provision of less landscaping on lots.
- (9) Desire to see new tree protection measures.
- (10) Interest in seeing more housing, including multi-generational housing on the same lot, to allow for people to age in place and support younger people find a place to live in the community.

Section 464(4) of the Local Government Act prohibits a local government from holding a public hearing on zoning bylaw amendments proposed for the sole purpose of complying with Bill 44. Consequently, no public hearing is being held for the zoning bylaw amendments proposed within this report. A notice was published in the Agassiz-Harrison Observer confirming that no public hearing will be held.

Additional public and applicant feedback will be monitored during the initial implementation period of SSMUH and will inform the broader zoning bylaw update process required by the Province to be adopted by Council by no later than December 31, 2025.

ENVIRONMENTAL CONSIDERATIONS:

As the potential increase in density will be within established neighbourhoods, minimal environmental impacts are expected. Smaller building envelopes will be used for more densified housing.

BUDGETARY CONSIDERATIONS:

The Province has allocated funds to the District under their Capacity Funding for Local Government Housing Initiatives program. As this funding is intended to support and supplement local government activities and projects to meet the new legislative requirements arising from Bills 44, 46, and 47, costs arising from this initiative will be provided through this.

POLICY CONSIDERATIONS:

Bill 44 Housing Statutes requires the support of Council resolutions and bylaw adoptions.
Section 464(4) LGA prohibiting a Public Hearing.

ALTERNATIVES/OPTIONS:

1. Staff's recommendation.
2. Support recommendation with amendments.
3. Request further Information.

ATTACHMENTS:

1. Appendix A – Proposed Zoning Bylaw Amendments
2. Appendix B – Small-Scale Multi-Unit Zone (RS1) Map

Respectfully submitted for your
consideration



M. Lisa Beaulieu,
A. Director, Development Services

Approved for submission by



Wallace Mah,
Chief Administrative Officer

APPENDIX 'A'

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1737

"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 the "District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1737, 2024".

2. **TEXT AMENDMENT**

PART 3, DEFINITIONS

- i. To remove and replace the following definition:

coach house use means a dwelling unit located entirely on the second level of a building that is separate from the single-family residence or two-family residence on the lot.

- ii. To add the following definitions:

outdoor amenity area means the required open space provided for the enjoyment of the residents of a particular dwelling unit and which is immediately adjacent to and directly accessible from the dwelling unit it is to serve.

impervious surfaces means those areas which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development, and is expressed as a percentage of the total lot area. Impervious surfaces include, but are not limited to, buildings and structures, patios, paved walkways and driveways, and hardscaping.

PART 6, ESTABLISHED ZONES

- iii. To remove Single-Dwelling Residential 1 (RS1), Single Dwelling Residential 2 (RS2), Single Dwelling and Secondary Dwelling Residential (RSS), and Two Dwelling Residential Zone (RT) zones, and replace with Small-Scale Multi-Unit Housing (RS1) zone.

PART 7, GENERAL REGULATIONS

- iv. To remove and replace the following sections under Part 7:

Section 7.7.2.1, Agricultural and Residential Zones:

- .1 Not more than two-thirds (2/3) of the width of the rear yard of any lot in an Agricultural or Residential Zone, except in the Small-Scale Multi-Unit Housing Zone (RS1), shall be occupied by **accessory buildings**.

Section 7.10.1, Fences:

- .1 Except in the Light (M1), Heavy (M2), Special (M3), and Enclosed Storage (M4) Industrial Zones, required screening, Parts 7.10.1.2, and Part 7.10.1.3; fences or walls shall not exceed a height greater than:

(a) one point eight (1.8) metres on any portion of a lot within a required front lot line setback;

(b) Two point four (2.4) metres on any portion of a lot outside the required front lot line setback, except when a lot in the Small-Scale Multi-Unit Housing Zone (RS1) has a detached accessory dwelling unit accessed from a lane, fences or walls within the rear lot line setback shall not exceed a height greater than one point eight (1.8) metres;

Section 7.12.6, Home Occupations, Table 7.12.6 (b), Location, Building Area, and Unenclosed Storage categories:

Permitted Home Occupations	
Location	<p>For RS1, RL, and CD2 zoned lots and A, A1, MR, RR1, RR2, and RR3 zoned lots less than 0.1 ha (0.25 acres), the home occupation shall be conducted entirely within the residential dwelling</p> <p>For A, A1, MR, RR1, RR2, RR3 zoned lots equal to or greater than 0.1 ha (0.25 acres), a home occupation may be conducted within the residential dwelling and or within a maximum of one accessory building</p>
Building Area	<p>For RS1, RL and CD2 zoned lots - Shall occupy less than twenty percent (20%) of the floor area of the residential dwelling not to exceed 46 m² (495 ft²)</p> <p>For A, A1, RR1, RR2, RR3 and MR zoned lots less than 0.2 ha (0.5 acres) Shall not exceed 75 m² (807 ft²) and shall occupy less than twenty percent (20%) of the floor area of the residential dwelling</p>

	For A, A1 MR, RR1, RR2, and RR3 zoned lots equal to or greater than 0.2 ha (0.5 acres) Shall not to exceed 140 m ² (1,507 ft ²) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling	
	See Part 7.12.2(d) for higher density home occupation opportunities	
Unenclosed Storage	Not permitted	RS1, RL, and CD2 zones
	Not permitted	A, A1, RR1, RR2, RR3, and MR zoned lots less than 0.2 ha (0.5 acres)
	50 m ² (538 ft ²)	A, A1, RR1, RR2, RR3, and MR zoned lots equal to or greater than 0.2 ha (0.5 acres)

Section 7.17.5, Parking:

.5 Location and Siting of Parking Facilities

Parking areas located in a front or exterior side yard shall provide a two (2) metre (6.5 feet) width of landscaped area between the **parking area** and the **lot** line, except for points of access and egress, except in the Small-Scale Multi-Unit Housing Zone (RS1) where the width of the landscaped area shall be a minimum of one (1) metre (3 feet).

Section 7.17.10, Parking, Table, Single family, two family residential, Townhouse, Apartment categories:

Use	Number of Spaces
Residential Use	
Single family, two family residential	2 spaces per dwelling unit All spaces must be unenclosed, not located within a garage, except in the Small-Scale Multi-Unit Housing Zone (RS1), where spaces can be enclosed subject to registration of a Section 219 Covenant against a lot's title restricting a garage from being used as a habitable room.
Townhouse (Except RS1)	2 spaces per dwelling unit , plus 1 parking space for visitor parking for every 5 calculated parking spaces. A minimum of 2 visitor spaces must be provided.

Apartment (Except RS1 Zone)	1.0 space per dwelling unit , plus 1 parking space for visitor parking for every 10 calculated parking spaces
-----------------------------	--

- v. To add the following categories to Section 7.17.10, Parking, Table:

Use	Number of Spaces
Residential Use	
Townhouse (RS1 Zone)	1.5 spaces per dwelling unit
Apartment (RS1 Zone)	1.0 space per dwelling unit

PART 9, ZONES

- vi. To remove sections 9.4, 9.5, 9.5A and 9.6 and replace with section 9.4, Small-Scale Multi-Unit Housing (RS1) Zone as follows:

9.4 Small-Scale Multi-Unit Housing (RS1) Zone

Purpose

The purpose of this zone is to accommodate low density residential use on land serviced by a community water system and sanitary sewer system, up to a maximum of four dwelling units on a lot.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RS1 zone:

- .1 A **single-dwelling residential** use
- .2 A **two-dwelling residential** use
- .3 A **townhouse** use
- .4 An **apartment** use

The following **auxiliary** uses shall be permitted in a RS1 zone for a **single-dwelling residential** use and a **two-dwelling residential** use:

- .5 An **accessory building** use
- .6 A **home occupation** use
- .7 An **off-street parking** use
- .8 An **accessory dwelling unit** use

The following **auxiliary** uses shall be permitted in a RS1 zone for a **townhouse** use and an **apartment** use:

- .9 An **accessory building** use
- .10 A **home occupation** use
- .11 An **off-street parking** use

.2 **Conditions of Use**

- .1 A maximum of one **building** containing the **principal** use is permitted on a **lot**.
- .2 All **principal** uses and **accessory dwelling unit** uses shall be permitted only in a **site built house**, or a **manufactured home**.
- .3 **Lots** serviced by an **approved community sewer system**, but not an **approved community water system**, are restricted to a maximum of two **dwelling units**, including one **single-dwelling residential** use, and one **secondary suite**, or one detached **accessory dwelling unit** use.
- .4 **Lots** serviced by an **approved community water system**, but not an **approved community sewer system**, are restricted to a maximum of two **dwelling units**, including one **single-dwelling residential** use, and one **secondary suite**.
- .5 A maximum of one **secondary suite** is permitted per **single-dwelling residential** use, and one **secondary suite** in each of the **two-dwelling residential** use units.
- .6 A household business is limited to a **home occupation** use.
- .7 An **accessory dwelling unit** use shall not be subdivided from the **lot** which it is an **auxiliary** use to. This includes subdivision under the *Strata Property Act*.
- .8 All detached **accessory dwelling unit** uses, shall be sited in the rear yard and setback a minimum of 3.0 m (10 ft) from the **principal** use on the **lot**.
- .9 The following are permitted as **accessory dwelling unit** uses in this zone:
 - (a) A secondary suite use
 - (b) A secondary dwelling use
 - (c) A coach house use

(d) A garden suite use

.3 Regulations

In the RS1 zone the following regulations contained in Table 9.4 shall apply

Table 9.4	
Element	Regulation
Maximum Permitted Dwelling Units Per Lot	Three dwelling units for lots equal to or less than 280 square meters (~3,000 square feet) in size. Four dwelling units for lots greater than 280 square meters (~3,000 square feet) in size.
Site Coverage of all buildings and structures Impervious Surfaces	50% maximum 70% maximum
Lot Size by subdivision	360 square metres (3,875 square feet) minimum for lots serviced by an approved community water system and an approved community sewer system .
Lot width	12.0 metres (39 feet) minimum
Gross floor area For principal uses For detached accessory dwelling unit uses For a secondary suite	Not regulated 112 square metres (1,206 square feet) maximum Lesser than or equal to the floor area of the principal dwelling unit in which it is located.
Height For principal uses	11.0 metres (36 feet) maximum

<p>For detached accessory dwelling unit uses</p> <p>For accessory building uses</p>	<p>7.0 metres (23 feet) maximum</p> <p>5.0 metres (16.5 feet) maximum</p>
<p>Setbacks</p> <p>For all principal uses *</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p> <p>For detached accessory dwelling unit uses*</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p> <p>For accessory dwelling unit uses*</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p> <p>* See siting exemptions in Section 7.4.1.1, 7.4.1.2, 7.4.1.3, 7.4.1.4, 7.4.1.5, 7.4.1.6, and 7.4.1.7</p>	<p>4.5 metres (15 feet) minimum (building face)</p> <p>6.0 metres (19.5 feet) minimum (garage)</p> <p>4.0 metres (13 feet) minimum</p> <p>2.5 metres (8 feet) minimum</p> <p>See Part 9.4 Section .2.8</p> <p>1.5 metres (5 feet) minimum</p> <p>2.5 metres (8 feet) minimum</p> <p>1.2 metres (4 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>1.0 metres (3 feet) minimum</p> <p>2.5 metres (8 feet) minimum</p> <p>1.2 metre (3 feet) minimum</p>

.4 General Regulations

1. All **dwelling units** shall have access to a minimum 1.2 metres (4 feet) paved or gravel path that:
 - a) provides direct pedestrian access from the **dwelling unit** entrance to either an abutting street, or a rear **lane**.
 - b) is clear of all projections or obstructions to a minimum height of 2.5 metres (8 feet).
2. All **accessory dwelling unit** uses (excluding a **secondary suite**) when accessed from the abutting street, shall have a minimum 1.2 metres (4 feet) paved or gravel path that is illuminated by low-level lighting from the abutting street to its entrance.
3. Each **dwelling unit** (excluding a **secondary suite**) shall be provided with an **outdoor amenity area** for its exclusive use, that has a minimum width of 2.5 metres (8 feet) and area of 10 square metres (108 square feet). These areas must be accessible directly from the **dwelling unit** it is to serve.

.5 Special Conditions of Use

- .1 On Strata Lots 1 to 16 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Strata Plan NWS1949 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot Shown on Form 1 a **single-dwelling residential** use may be located within a **mobile home**.
- .2 The following unserviced lots are permitted a maximum of one **single-dwelling residential** use, one **secondary suite** and one detached **accessory dwelling unit** use:
 - Lot 1 Section 32 Township 4 Range 28 West of the 6th Meridian New Westminster District Plan EPP102202
 - Lot 1 District Lot 19 Group 1 Yale Division of Yale District Plan 5644
 - Lot 4 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458
 - Lot 1 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan LMP5893
 - Parcel A (Explanatory Plan 15204) Lot 3 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458
- vii. To renumber Part 9, Zones accordingly.
- viii. To remove section 9.24 Comprehensive Development Zone (CD1) and replace with section 9.22 as follows:

9.22 Comprehensive Development Zone (CD1)

Purpose

The purpose of this Comprehensive Development Zone 1 is to utilize an opportunity to provide compact Single Dwelling Residential homes which provide some special consideration that meet the property configuration with road frontages on three sides and meets density projections as outlined in the current OCP.

.1 Permitted Uses

The following principal uses shall be permitted in this zone:

- .1 single-dwelling residential use;
- .2 two-dwelling residential use;

The following auxiliary uses and no others shall be permitted:

- .3 an accessory building;
- .4 an accessory dwelling unit use; and
- .5 a home occupation use

.2 Conditions of Use

- .1 accessory building is limited to a detached garage;
- .2 The following are permitted as accessory dwelling unit uses in this zone:
 - (a) A secondary suite

.3 Regulations

In this zone the regulations contained in the table below shall apply:

Table 9.22	
Element	Regulation
Maximum Permitted Dwelling Units Per Lot	Three dwelling units for lots equal to or less than 280 square meters (~3,000 square feet) in size. Four dwelling units for lots greater than 280 square meters (~3,000 square feet) in size.
Site Coverage of all buildings and structures	
all buildings	60% of lot size
accessory building limited to	15% of lot size

Lot size	231 square metres minimum (2,486.5 square feet)
Lot width	9.5 metres (31 feet) minimum, with a minimum lot width of 11.3 metres (37 feet) for a corner lot
Gross floor area for principal use and for accessory building use (includes porches/verandas)	90% of lot size
Height For principal uses For accessory use	9.0 metres (30 feet) 3.7 metres (12 feet)
Setbacks For principal uses from: Front lot line Rear lot line Exterior side lot line Interior side lot line For accessory buildings from: Rear lot line Interior side lot line *note: Siting exemptions 7.4.1.3 and 7.4.1.4 do not apply to this zone	3 metres (10 feet) and 3.3 metres (11 feet) minimum, alternating lots 8.5 metres (28 feet) minimum 3 metres (10 feet) minimum 1.2 metres (4 feet) minimum 0.9 metres (3 feet) minimum 0.0 metres minimum

3. 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.

NOTICE OF PUBLIC HEARING WAIVED this and day of

READ A FIRST TIME this day of

READ A SECOND TIME this day of

READ A THIRD TIME this day of

MINISTRY OF TRANSPORTATION APPROVAL this day of

FINALLY PASSED AND ADOPTED this day of

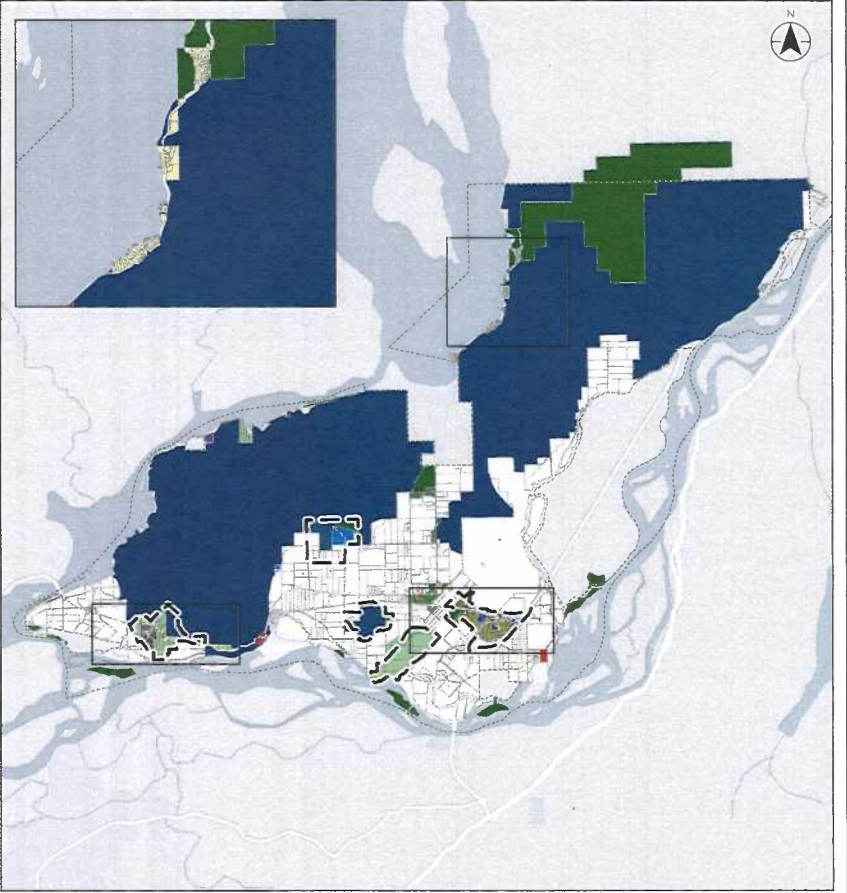
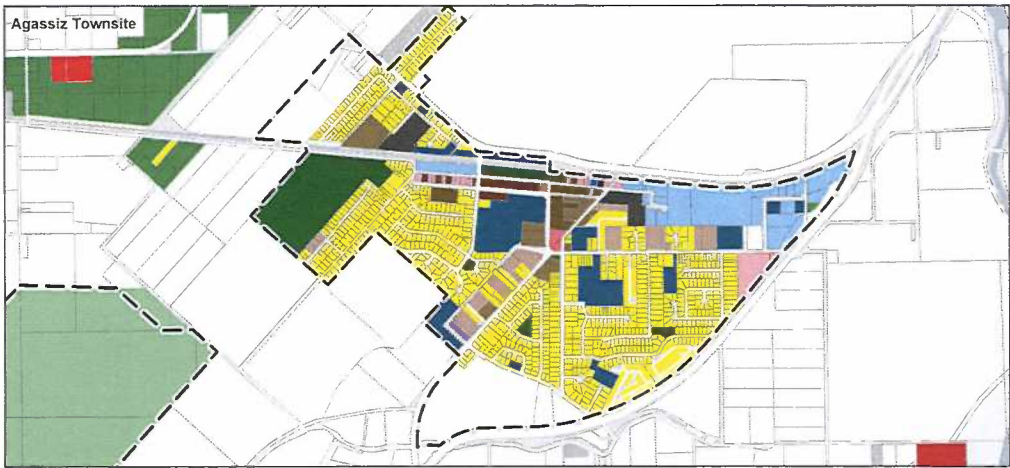
CERTIFIED CORRECT:

Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE & CORRECT COPY
of "District of Kent Zoning Bylaw 1219,
Amendment Bylaw No. 1737, 2024"
adopted on this day of

Clair Lee, Director of Corporate Services



Regional Growth Boundary	Zoning	CD3	CS4	MR	RM2
Parcels	A	CD4	CS5	P1	RR1
	A1	CH	CT1	P2	RR2
	A2	CM	CT2	P3	RR3
	CD1	CS1	M1	RH	Small-Scale Multi-Unit Housing (RS1) Zone
	CD2	CS2	M2	RL	District of Kent
		CS3	M4	RM1	

0 1 2 3 4 Kilometers
1:150,000 (at original document size of 6.5x11)

Stantec
 Project Location: District of Kent, Fraser Valley Regional District, BC
 Project Number: 115825068
 Prepared by: ENERTZ/DAAN on 2024-05-02
 Reviewed by: DHALOON on 2024-05-02

Client/Project/Report: District of Kent
 Figure No.: X
 100
 Zoning Bylaw Map

Notes
 1. Coordinate System: 15AD 1983 UTM Zone 10N
 2. Data Sources: Stantec, Government of British Columbia, Fraser Valley Regional District, District of Hope, Light Gray Base, Esri Canada, Esri, Terracon, Geomatics, GeoCrunch, GeoTechnologies Inc, METRASA, USGS, EPA, NPS, USDA, NRCan, Parks Canada, Light Gray Base, Esri Canada, Esri, Terracon, Geomatics, GeoCrunch, GeoTechnologies Inc, METRASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada, Light Gray Base, Esri Canada, Esri, Terracon, Geomatics
 Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

APPENDIX 'A'

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1737

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2. **TEXT AMENDMENT**

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- i. To remove and replace the following definition:

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- ii. To add the following definitions:

outdoor amenity area means the required open space provided for the enjoyment of the residents of a particular dwelling unit and which is immediately adjacent to and directly accessible from the dwelling unit it is to serve.

impervious surfaces means those areas which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development, and is expressed as a percentage of the total lot area. Impervious surfaces include, but are not limited to, buildings and structures, patios, paved walkways and driveways, and hardscaping.

PART 6, ESTABLISHED ZONES

- iii. To remove Single-Dwelling Residential 1 (RS1), Single Dwelling Residential 2 (RS2), Single Dwelling and Secondary Dwelling Residential (RSS), and Two Dwelling Residential Zone (RT) zones, and replace with Small-Scale Multi-Unit Housing (RS1) zone.

PART 7, GENERAL REGULATIONS

- iv. To remove and replace the following sections under Part 7:

Section 7.7.2.1, Agricultural and Residential Zones:

- .1 Not more than two-thirds (2/3) of the width of the rear yard of any lot in an Agricultural or Residential Zone, except in the Small-Scale Multi-Unit Housing Zone (RS1), shall be occupied by **accessory buildings**.

Section 7.10.1, Fences:

- .1 Except in the Light (M1), Heavy (M2), Special (M3), and Enclosed Storage (M4) Industrial Zones, required screening, Parts 7.10.1.2, and Part 7.10.1.3; fences or walls shall not exceed a height greater than:

(a) one point eight (1.8) metres on any portion of a lot within a required front lot line setback;

(b) Two point four (2.4) metres on any portion of a lot outside the required front lot line setback, except when a lot in the Small-Scale Multi-Unit Housing Zone (RS1) has a detached accessory dwelling unit accessed from a lane, fences or walls within the rear lot line setback shall not exceed a height greater than one point eight (1.8) metres;

Section 7.12.6, Home Occupations, Table 7.12.6 (b), Location, Building Area, and Unenclosed Storage categories:

Permitted Home Occupations	
Location	<p>For RS1, RL, and CD2 zoned lots and A, A1, MR, RR1, RR2, and RR3 zoned lots less than 0.1 ha (0.25 acres), the home occupation shall be conducted entirely within the residential dwelling</p> <p>For A, A1, MR, RR1, RR2, RR3 zoned lots equal to or greater than 0.1 ha (0.25 acres), a home occupation may be conducted within the residential dwelling and or within a maximum of one accessory building</p>
Building Area	<p>For RS1, RL and CD2 zoned lots - Shall occupy less than twenty percent (20%) of the floor area of the residential dwelling not to exceed 46 m² (495 ft²)</p> <p>For A, A1, RR1, RR2, RR3 and MR zoned lots less than 0.2 ha (0.5 acres) Shall not exceed 75 m² (807 ft²) and shall occupy less than twenty percent (20%) of the floor area of the residential dwelling</p>

	<p>For A, A1 MR, RR1, RR2, and RR3 zoned lots equal to or greater than 0.2 ha (0.5 acres) Shall not to exceed 140 m² (1,507 ft²) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling</p> <p>See Part 7.12.2(d) for higher density home occupation opportunities</p>	
Unenclosed Storage	Not permitted	RS1, RL, and CD2 zones
	Not permitted	A, A1, RR1, RR2, RR3, and MR zoned lots less than 0.2 ha (0.5 acres)
	50 m ² (538 ft ²)	A, A1, RR1, RR2, RR3, and MR zoned lots equal to or greater than 0.2 ha (0.5 acres)

Section 7.17.5, Parking:

.5 Location and Siting of Parking Facilities

Parking areas located in a front or exterior side yard shall provide a two (2) metre (6.5 feet) width of landscaped area between the **parking area** and the **lot** line, except for points of access and egress, except in the Small-Scale Multi-Unit Housing Zone (RS1) where the width of the landscaped area shall be a minimum of one (1) metre (3 feet).

Section 7.17.10, Parking, Table, Single family, two family residential, Townhouse, Apartment categories:

Use	Number of Spaces
Residential Use	
Single family, two family residential	<p>2 spaces per dwelling unit</p> <p>All spaces must be unenclosed, not located within a garage, except in the Small-Scale Multi-Unit Housing Zone (RS1), where spaces can be enclosed subject to registration of a Section 219 Covenant against a lot's title restricting a garage from being used as a habitable room.</p>
Townhouse (Except RS1)	<p>2 spaces per dwelling unit, plus 1 parking space for visitor parking for every 5 calculated parking spaces. A minimum of 2 visitor spaces must be provided.</p>

Apartment (Except RS1 Zone)	1.0 space per dwelling unit , plus 1 parking space for visitor parking for every 10 calculated parking spaces
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v. To add the following categories to Section 7.17.10, Parking, Table:

Use	Number of Spaces
Residential Use	
Townhouse (RS1 Zone)	1.5 spaces per dwelling unit
Apartment (RS1 Zone)	1.0 space per dwelling unit

PART 9, ZONES

vi. To remove sections 9.4, 9.5, 9.5A and 9.6 and replace with section 9.4, Small-Scale Multi-Unit Housing (RS1) Zone as follows:

9.4 Small-Scale Multi-Unit Housing (RS1) Zone

Purpose

The purpose of this zone is to accommodate low density residential use on land serviced by a community water system and sanitary sewer system, up to a maximum of four dwelling units on a lot.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RS1 zone:

- .1 A **single-dwelling residential** use
- .2 A **two-dwelling residential** use
- .3 A **townhouse** use
- .4 An **apartment** use

The following **auxiliary** uses shall be permitted in a RS1 zone for a **single-dwelling residential** use and a **two-dwelling residential** use:

- .5 An **accessory building** use
- .6 A **home occupation** use
- .7 An **off-street parking** use
- .8 An **accessory dwelling unit** use

The following **auxiliary** uses shall be permitted in a RS1 zone for a **townhouse** use and an **apartment** use:

- .9 An **accessory building** use
- .10 A **home occupation** use
- .11 An **off-street parking** use

.2 **Conditions of Use**

- .1 A maximum of one **building** containing the **principal** use is permitted on a **lot**.
- .2 All **principal** uses and **accessory dwelling unit** uses shall be permitted only in a **site built house**, or a **manufactured home**.
- .3 **Lots** serviced by an **approved community sewer system**, but not an **approved community water system**, are restricted to a maximum of two **dwelling units**, including one **single-dwelling residential** use, and one **secondary suite**, or one detached **accessory dwelling unit** use.
- .4 **Lots** serviced by an **approved community water system**, but not an **approved community sewer system**, are restricted to a maximum of two **dwelling units**, including one **single-dwelling residential** use, and one **secondary suite**.
- .5 A maximum of one **secondary suite** is permitted per **single-dwelling residential** use, and one **secondary suite** in each of the **two-dwelling residential** use units.
- .6 A household business is limited to a **home occupation** use.
- .7 An **accessory dwelling unit** use shall not be subdivided from the **lot** which it is an **auxiliary** use to. This includes subdivision under the *Strata Property Act*.
- .8 All detached **accessory dwelling unit** uses, shall be sited in the rear yard and setback a minimum of 3.0 m (10 ft) from the **principal** use on the **lot**.
- .9 The following are permitted as **accessory dwelling unit** uses in this zone:
 - (a) A secondary suite use
 - (b) A secondary dwelling use
 - (c) A coach house use

(d) A garden suite use

.3 Regulations

In the RS1 zone the following regulations contained in Table 9.4 shall apply

Table 9.4	
Element	Regulation
Maximum Permitted Dwelling Units Per Lot	Three dwelling units for lots equal to or less than 280 square meters (~3,000 square feet) in size. Four dwelling units for lots greater than 280 square meters (~3,000 square feet) in size.
Site Coverage of all buildings and structures	50% maximum
Impervious Surfaces	70% maximum
Lot Size by subdivision	360 square metres (3,875 square feet) minimum for lots serviced by an approved community water system and an approved community sewer system .
Lot width	12.0 metres (39 feet) minimum
Gross floor area	
For principal uses	Not regulated
For detached accessory dwelling unit uses	112 square metres (1,206 square feet) maximum
For a secondary suite	Lesser than or equal to the floor area of the principal dwelling unit in which it is located.
Height	
For principal uses	11.0 metres (36 feet) maximum

<p>For detached accessory dwelling unit uses</p> <p>For accessory building uses</p>	<p>7.0 metres (23 feet) maximum</p> <p>5.0 metres (16.5 feet) maximum</p>
<p>Setbacks</p> <p>For all principal uses *</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p> <p>For detached accessory dwelling unit uses*</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p> <p>For accessory dwelling unit uses*</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p> <p>* See siting exemptions in Section 7.4.1.1, 7.4.1.2, 7.4.1.3, 7.4.1.4, 7.4.1.5, 7.4.1.6, and 7.4.1.7</p>	<p>4.5 metres (15 feet) minimum (building face)</p> <p>6.0 metres (19.5 feet) minimum (garage)</p> <p>4.0 metres (13 feet) minimum</p> <p>2.5 metres (8 feet) minimum</p> <p>See Part 9.4 Section .2.8</p> <p>1.5 metres (5 feet) minimum</p> <p>2.5 metres (8 feet) minimum</p> <p>1.2 metres (4 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>1.0 metres (3 feet) minimum</p> <p>2.5 metres (8 feet) minimum</p> <p>1.2 metre (3 feet) minimum</p>

.4 General Regulations

1. All **dwelling units** shall have access to a minimum 1.2 metres (4 feet) paved or gravel path that:
 - a) provides direct pedestrian access from the **dwelling unit** entrance to either an abutting street, or a rear **lane**.
 - b) is clear of all projections or obstructions to a minimum height of 2.5 metres (8 feet).
2. All **accessory dwelling unit** uses (excluding a **secondary suite**) when accessed from the abutting street, shall have a minimum 1.2 metres (4 feet) paved or gravel path that is illuminated by low-level lighting from the abutting street to its entrance.
3. Each **dwelling unit** (excluding a **secondary suite**) shall be provided with an **outdoor amenity area** for its exclusive use, that has a minimum width of 2.5 metres (8 feet) and area of 10 square metres (108 square feet). These areas must be accessible directly from the **dwelling unit** it is to serve.

.5 Special Conditions of Use

- .1 On Strata Lots 1 to 16 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Strata Plan NWS1949 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot Shown on Form 1 a **single-dwelling residential** use may be located within a **mobile home**.
- .2 The following unserviced lots are permitted a maximum of one **single-dwelling residential** use, one **secondary suite** and one detached **accessory dwelling unit** use:
 - Lot 1 Section 32 Township 4 Range 28 West of the 6th Meridian New Westminster District Plan EPP102202
 - Lot 1 District Lot 19 Group 1 Yale Division of Yale District Plan 5644
 - Lot 4 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458
 - Lot 1 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan LMP5893
 - Parcel A (Explanatory Plan 15204) Lot 3 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458
- vii. To renumber Part 9, Zones accordingly.
- viii. To remove section 9.24 Comprehensive Development Zone (CD1) and replace with section 9.22 as follows:

9.22 Comprehensive Development Zone (CD1)

Purpose

The purpose of this Comprehensive Development Zone 1 is to utilize an opportunity to provide compact Single Dwelling Residential homes which provide some special consideration that meet the property configuration with road frontages on three sides and meets density projections as outlined in the current OCP.

.1 Permitted Uses

The following **principal** uses shall be permitted in this zone:

.1 **single-dwelling residential use;**

.2 **two-dwelling residential use;**

The following **auxiliary** uses and no others shall be permitted:

.3 an **accessory** building;

.4 an **accessory dwelling unit** use; and

.5 a **home occupation** use

.2 Conditions of Use

.1 **accessory** building is limited to a detached garage;

.2 The following are permitted as **accessory dwelling unit** uses in this zone:

(a) A **secondary suite**

.3 Regulations

In this zone the regulations contained in the table below shall apply:

Table 9.22	
Element	Regulation
Maximum Permitted Dwelling Units Per Lot	<p>Three dwelling units for lots equal to or less than 280 square meters (~3,000 square feet) in size.</p> <p>Four dwelling units for lots greater than 280 square meters (~3,000 square feet) in size.</p>
Site Coverage of all buildings and structures	
all buildings	60% of lot size
accessory building limited to	15% of lot size

Lot size	231 square metres minimum (2,486.5 square feet)
Lot width	9.5 metres (31 feet) minimum, with a minimum lot width of 11.3 metres (37 feet) for a corner lot
Gross floor area for principal use and for accessory building use (includes porches/verandas)	90% of lot size
Height For principal uses For accessory use	9.0 metres (30 feet) 3.7 metres (12 feet)
Setbacks For principal uses from: Front lot line Rear lot line Exterior side lot line Interior side lot line For accessory buildings from: Rear lot line Interior side lot line *note: Siting exemptions 7.4.1.3 and 7.4.1.4 do not apply to this zone	3 metres (10 feet) and 3.3 metres (11 feet) minimum, alternating lots 8.5 metres (28 feet) minimum 3 metres (10 feet) minimum 1.2 metres (4 feet) minimum 0.9 metres (3 feet) minimum 0.0 metres minimum

3. 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.

NOTICE OF PUBLIC HEARING WAIVED this and day of

READ A FIRST TIME this day of

READ A SECOND TIME this day of

READ A THIRD TIME this day of

MINISTRY OF TRANSPORTATION APPROVAL this day of

FINALLY PASSED AND ADOPTED this day of

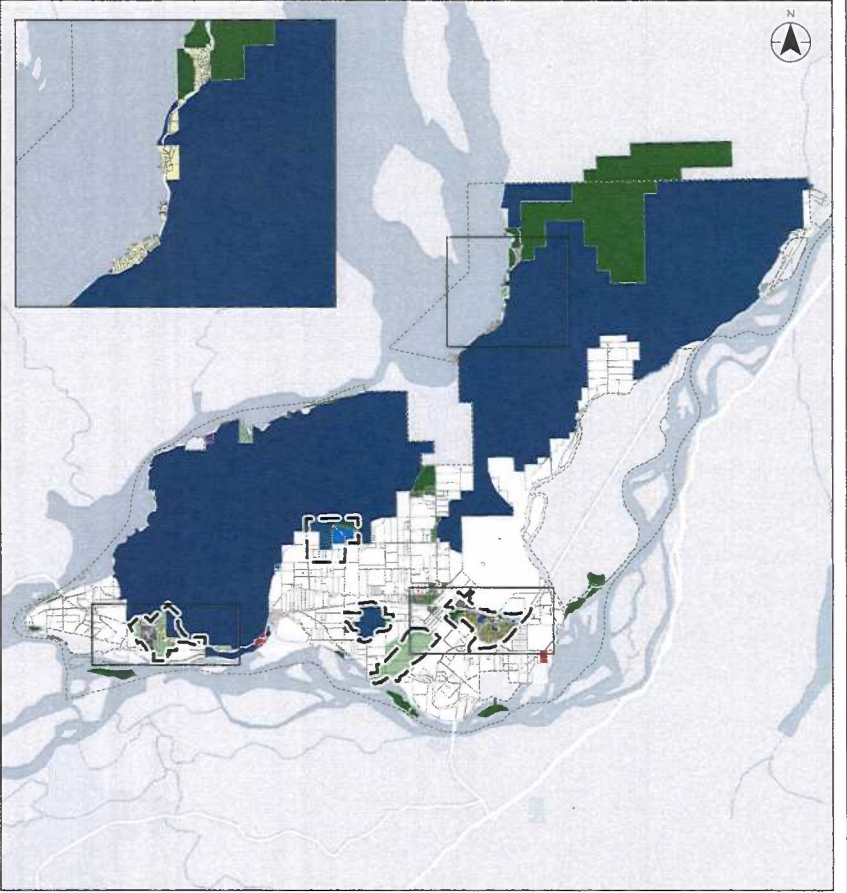
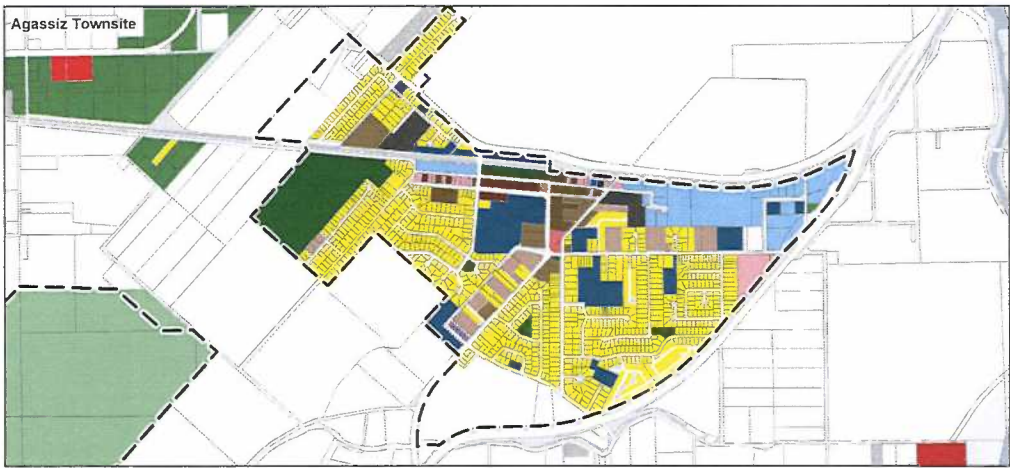
CERTIFIED CORRECT:

Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE & CORRECT COPY
of "District of Kent Zoning Bylaw 1219,
Amendment Bylaw No. 1737, 2024"
adopted on this day of

Clair Lee, Director of Corporate Services



Regional Growth Boundary	Zoning	CD3	CS4	MR
Boundary	A	CD4	CS5	P1
Parcels	A/MR	CH	CT1	P2
	A1	CM	CT2	P3
	A2	CS1	M1	RH
	CD1	CS2	M2	RL
	CD2	CS3	M4	RM1
				RM2
				RR1
				RR2
				RR3
				Small-Scale Multi-Unit Housing (RS1) Zone
				District of Kent

0 1 2 3 4
1:150,000 (at original document size of 8.5x11)
Kilometers

Stantec
 Project Location: District of Kent, Fraser Valley Regional District, BC
 Project Number: 115626048
 Prepared by: DHERTZMAN on 2024-05-02
 Reviewed by: DYR/JSON on 2024-05-02
 Client/Project/Report: District of Kent

Figure No. X
 Title: Zoning Bylaw Map

Notes:
 1. Coordinate System: NAD 1983 UTM Zone 12N
 2. Data Sources: DataBC, Government of British Columbia; Fraser Valley Regional District, District of Hope; Light Gray Base, Esri Canada, Esri, TomTom, Garmin, GeoFusion, GeoTechnology, Inc., METRASCA, USGS, EPA, NPS, USGS, NRCAN, Parks Canada; Light Gray Base, Esri Canada, Esri, TomTom, Garmin, GeoFusion, GeoTechnology, Inc., METRASCA, USGS, EPA, NPS, US Census Bureau, USGS, NRCAN, Parks Canada; Light Gray Base, Esri Canada, Esri, TomTom, Garmin.
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