

PUBLIC NOTICE

Zoning Bylaw Amendment

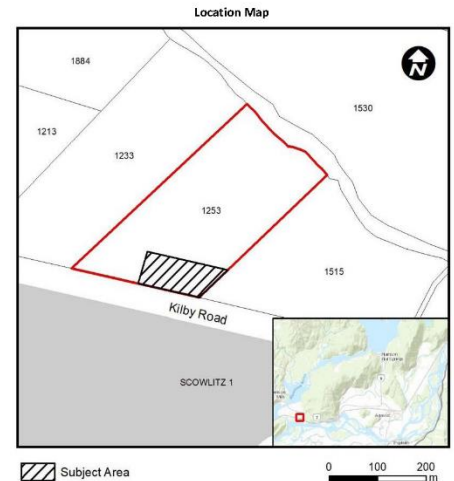


NOTICE OF PUBLIC HEARING ZONING AMENDMENT BYLAW 1693 1253 Kilby Road

Council of the District of Kent will be holding a public hearing for *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1693, 2022*.

If adopted, Bylaw 1693 would rezone a portion of 1253 Kilby Road from its current Agricultural (A) zoning to Small-lot Agricultural (A1) to facilitate a boundary adjustment with 1233 Kilby Road.

Location Map Bylaw 1693 Subject Land



District Council will hold a public hearing for
Bylaw 1693 on:

May 25, 2022 at 7:00 pm

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

For More Information

Please contact Lisa Beaulieu,
Director of Development
Services, at (604) 796-2235 or
mlbeaulieu@kentbc.ca

View Draft Bylaws

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 May 13, 2022 to May 25, 2022 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, May 25, 2022.

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



REPORT TO COUNCIL

DATE: April 20, 2022 **FILE:** R22-02
FROM: M. Lisa Beaulieu, A-Director of Development Services
SUBJECT: Zoning Map Amendment – 1233 and 1253 Kilby Road

RECOMMENDATION:

THAT Council considers granting *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1693, 2022* first and second reading.

AND THAT Council considers setting a public hearing for *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1693, 2022* on May 25, 2022 at 7:00 pm.

PROPERTY DESCRIPTION:

Owners: Wim and Grace Neels, Gro-rite Supply Ltd.
Applicant: Same
Summary: To rezone a 1.0 ha of 1253 Kilby Road to Small-lot Agricultural (A1) to facilitate a boundary adjustment with 1233 Kilby Road.
Civic: 1233 Kilby Road
Legal: Lot "O" Scowlitz Indian Reserve Number 1 New Westminster District Plan 4294
OCP: Agriculture
Zoning: Agricultural (A)
Lot Size
Current: 10.3 ha (25.4 acres)
Proposed: 19.0 ha (46.9 acres)

Civic:	<u>1253 Kilby Road</u>
Legal:	Lot "P" Scowlitz Indian Reserve Number 1 New Westminster District Plan 4294
OCP:	Agriculture
Current Zoning:	Agricultural (A)
Proposed Zoning:	Small-lot Agricultural (A1)
<u>Lot Size</u>	
Current:	9.8 ha (24.3 acres)
Proposed:	1.0 ha (2.5 acres)
ALR:	Yes
Site Description:	The subject properties are two trapezoidal agricultural lots bounded by Kilby Road to the south and the Bateson Slough to the north. Both properties feature single-family dwellings and several accessory buildings.
Surrounding Uses:	North: Bateson Slough South: Agricultural property (zoned A) East: Agricultural property (zoned A) West: Scowlitz Reserve 1

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.

DISCUSSION:

Executive Summary

The applicants are requesting to rezone a 1.0 ha portion of 1253 Kilby Road from its current Agricultural (A) to Small-lot Agricultural (A1) to facilitate a boundary adjustment with 1233 Kilby Road.

Rezoning to A1 is required as the proposed 1.0 ha lot size for 1253 Kilby Road does not meet the minimum lot size of 2.0 ha for its current A zoning.

As shown on the Appendix C Proposed Subdivision Plan, the proposed lot sizes are as follows:

1233 Kilby Road

19.0 ha

1253 Kilby Road

1.0 ha

Applicant Reasoning

The applicant has provided the following reasons in support of the applications:

- The current lot sizes of both properties are too small to support a tree nursery operation.
- If 1233 Kilby Road is increased in size, all underground irrigation infrastructure can be connected reducing the need to construct additional utilities including wells, electrical supply buildings and storage.

District Policies

The following District *Official Community Plan* policies regarding the proposed boundary adjustment and rezoning.

Agricultural Policy 2

All uses and subdivision of land within the ALR, shall be in accordance with the provisions of the *Agricultural Land Commission Act*, regulations thereto, and Orders of the Commission.

Agricultural Policy 4

Support the retention of large land holdings and the consolidation of small parcels of land to help maintain and establish economically viable farms. Subdivisions which involve boundary adjustments that allow for the more efficient use of agricultural land will also be supported.

Kent Agricultural Advisory Committee

At their April 14, 2022 meeting, the Kent Agricultural Advisory Committee recommended that Council considers supporting Bylaw 1693.

BUDGETARY CONSIDERATIONS:

The applicant has paid the required rezoning and subdivision fees.

POLICY CONSIDERATIONS:

Zoning Bylaw amendments will be conducted in accordance with Section 464 of the *Local Government Act* and *District of Kent Procedure Bylaw No. 1194*.

ALTERNATIVES / OPTIONS:

- 1) Staff's recommendation
- 2) Do not support the recommendation
- 3) Request further information

ATTACHMENTS:

- 1) Appendix A: Location Map
- 2) Appendix B: 2016 Aerial Photo
- 3) Appendix C: Subdivision Plan
- 4) Appendix D: District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1693, 2022

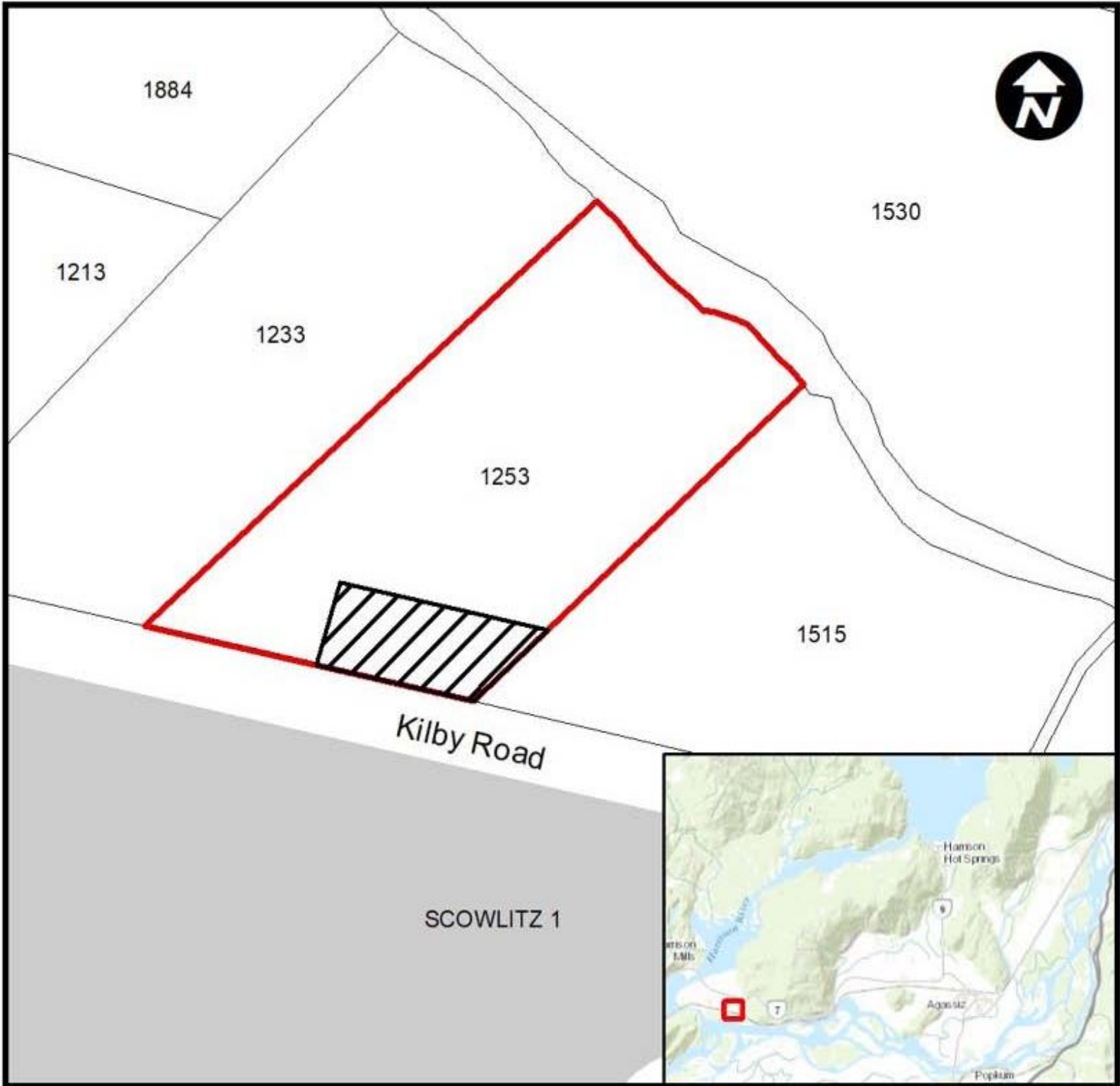
Reviewed and Approved for
consideration by


Approved for Submission by

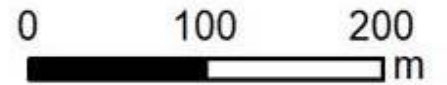
M. Lisa Beaulieu,
A-Director of Development Services

Wallace Mah,
Chief Administrative Officer

Location Map



 Subject Area



Aerial Photo



Subject Lands

0 50 100 m

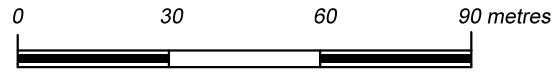


**PLAN OF PROPOSED BOUNDARY ADJUSTMENT
OF LOTS "P" AND "O", SCOWLITZ INDIAN RESERVE NUMBER 1,
NEW WESTMINSTER DISTRICT, PLAN 4294**

CIVIC ADDRESS 1233 & 1253 KILBY ROAD
DISTRICT OF KENT, B.C.

PARCEL IDENTIFIER (PID): 011-067-357 & 011-067-365
LOT DIMENSIONS ARE DERIVED FROM PLAN 4294.

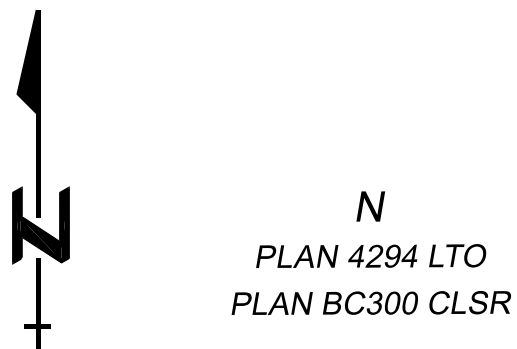
SCALE = 1:1500



ALL DISTANCES ARE HORIZONTAL GROUND AND ARE SHOWN IN METRES.
THE INTENDED PLOT SIZE OF THIS PLAN IS 560 mm IN WIDTH
BY 432 mm IN HEIGHT (C SIZE SHEET) WHEN PLOTTED AT A SCALE OF 1:1500

NOTES:

- 1) ALL DIMENSIONS AND AREAS SHOWN ARE PRELIMINARY AND ARE SUBJECT TO A FINAL SURVEY.
- 2) WELL AND SEPTIC FIELD LOCATIONS SHOWN ARE AS PER THE PROPERTY OWNER.



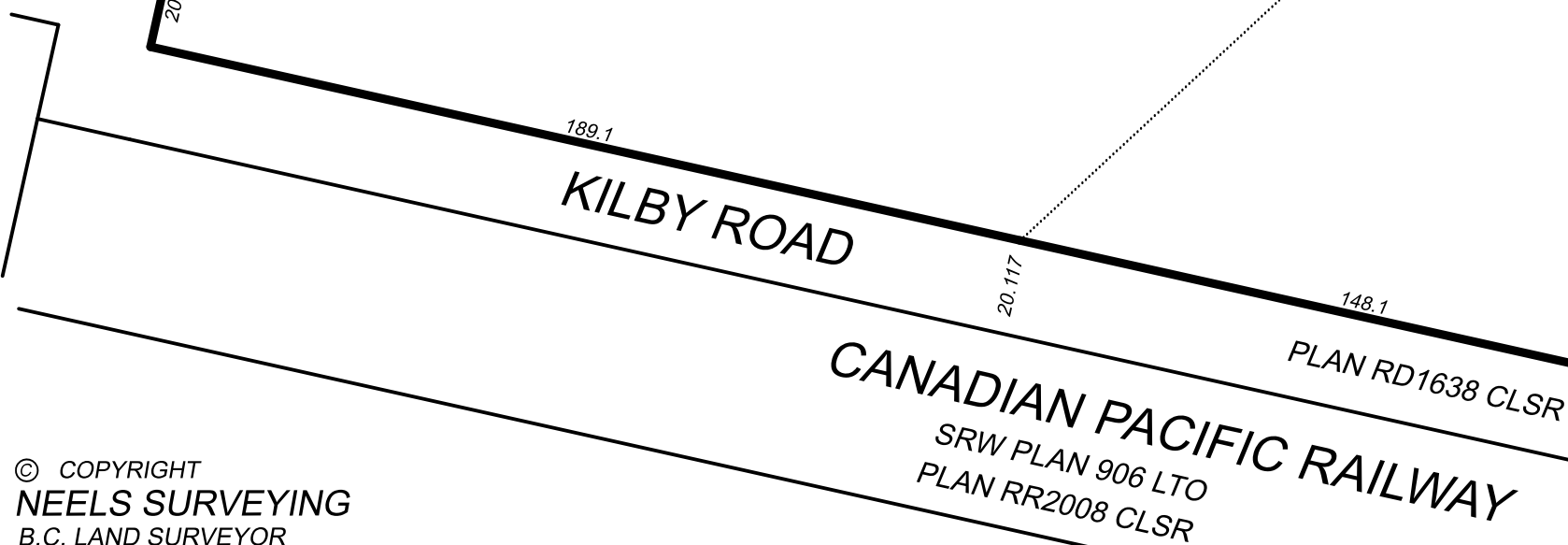
L
PLAN 4294 LTO
PLAN BC300 CLSR

O
PLAN 4294 LTO
PLAN BC300 CLSR
(1233 KILBY ROAD)

PROPOSED
LOT 1
19.0 ha +/-

P
PLAN 4294 LTO
PLAN BC300 CLSR
(1253 KILBY ROAD)

Rem. PARCEL "A"
PLAN WITH FEE DEPOSITED 85123E
PLAN BC292 CLSR



CERTIFIED CORRECT THIS 3RD DAY OF FEBRUARY 2022.

PRELIMINARY

ROBERT J. NEELS, BCLS, CLS

© COPYRIGHT
NEELS SURVEYING
B.C. LAND SURVEYOR
CANADA LANDS SURVEYOR
12 - 8465 Harvard Place
PO Box 29
Chilliwack, B.C. V2P 6J1
TEL. (604) 795-7397
FILE No. 21-14PRO

THIS PLAN WAS PREPARED FOR SUBDIVISION APPLICATION PURPOSES AND IS FOR THE
EXCLUSIVE USE OF OUR CLIENT, GRO-RITE SUPPLY LTD.
THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE STRUCTURES
WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED ABOVE.
THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.
ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER
THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.
THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES
THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE,
OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1693

“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. 1693, 2022”.

2. MAP AMENDMENT

That Zoning Reference Map 7 of Schedule A, Zoning Reference Map Key of the District of Kent Zoning Bylaw No. 1219, 2001 be amended for the lands:

Currently legally described as:

Lot “P” Scowlitz Indian Reserve Number 1 New Westminster District Plan 4294

Commonly known as:

1253 Kilby Road, Agassiz, BC

As outlined in black hatching on Zoning Bylaw Amendment Map Schedule 1693-1 attached hereto by rezoning a 1.0 ha portion of the above-described land from Agricultural (A) to Small-lot Agricultural (A1).

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.

READ A FIRST TIME this day of

READ A SECOND TIME this day of

A PUBLIC HEARING WAS HELD this day of

READ A THIRD TIME day of

FINALLY PASSED AND ADOPTED day of

CERTIFIED CORRECT:

Sylvia Pranger, Mayor

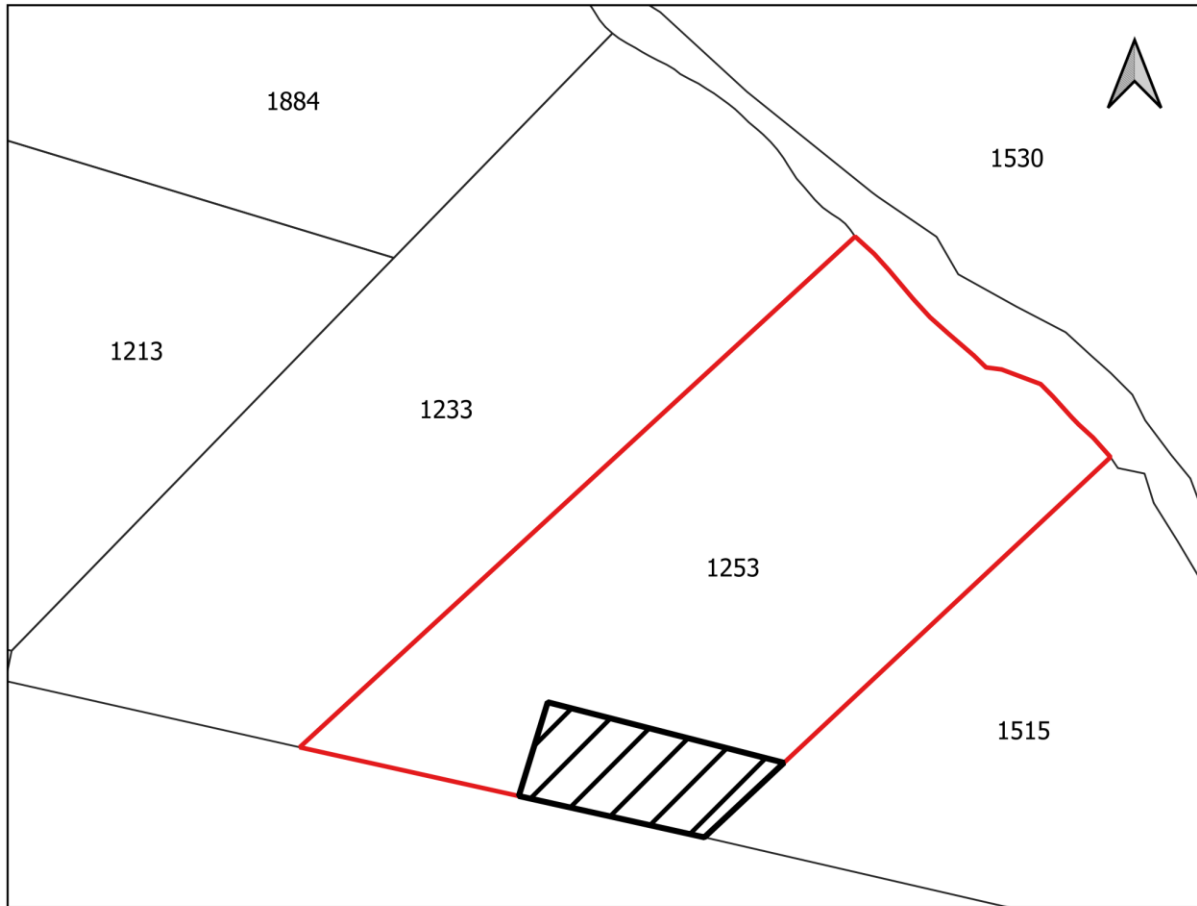
Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE & CORRECT COPY
of "District of Kent Zoning Bylaw 1219,
Amendment Bylaw No. 1693, 2022"
adopted on this day of

Clair Lee, Director of Corporate Services

THE CORPORATION OF THE DISTRICT OF KENT BYLAW NO. 1693

ZONING BYLAW AMENDMENT MAP
SCHEDULE 1693-1



Land District: NWD
Land Title Office: New Westminster

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

This is Map Amendment Schedule 1693-1 to and forming part of "Zoning Bylaw 1219, Amendment Bylaw No. 1693, 2022"

Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer