

NOTICE OF PUBLIC HEARING

Date & Time: November 13, 2024 at 7:00 pm
Location: 7170 Cheam Avenue, Agassiz, BC
or kentbc.ca (registration for live-stream required)

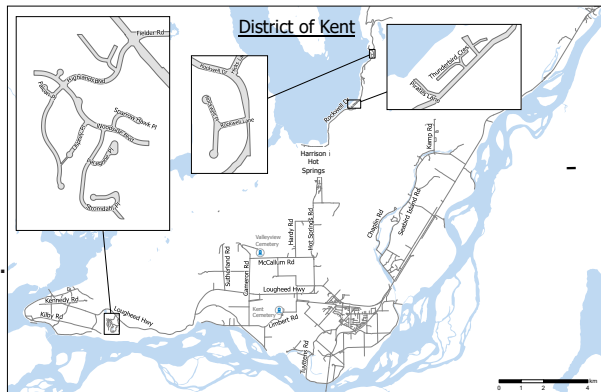


AMENDMENT BYLAWS 1508.26 & 1741

Council of the District of Kent will be holding a Public Hearing for District of Kent OCP Amendment Bylaw No. 1508.26 and Zoning Amendment Bylaw No. 1741.

If adopted, **Bylaw 1508.26** would amend the **OCF Residential – Multi-Family Policy #5** to allow a maximum density of **150-175 units per hectare** subject to utility services and **#8** to generally limit building heights to **six storeys**.

If adopted, **Bylaw 1741** would amend the zoning bylaw to add a **Multiple Dwelling Residential 3 (RM3) Zone** and to add amenity spaces in multiple dwelling developments.



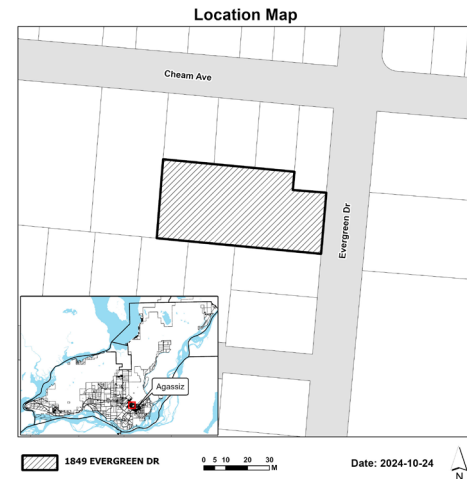
AMENDMENT BYLAWS 1508.27 & 1742

Council of the District of Kent will be holding a Public Hearing for District of Kent OCP Amendment Bylaw No. 1508.27 and Zoning Map Amendment Bylaw No. 1742.

If adopted, **Bylaw 1508.27** would amend the subject property's OCP designation from **Commercial – Town Centre** to **Residential – Multi-Family**.

If adopted, **Bylaw 1742** would add a new **Affordable Rental Housing Zone 4 (RM4)** and rezone the subject property from **Small-Scale Multi-Unit Housing (RS1)** to **Affordable Rental Housing Zone (RM4)**.

Bylaw 1508.27 & 1742 Subject Land: 1849 Evergreen Drive



For More Information

Lisa Beaulieu, Acting Director of Development Services
Phone: (604) 796-2235 | Email: planning@kentbc.ca

View Draft Bylaw

Copies of the draft bylaws 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 November 1 to 13, 2024 during regular office hours of 8:30 am to 4:30 pm excluding holidays.

Send Your Comments

Email: planning@kentbc.ca
Mail: Acting 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, November 13, 2024.

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 bylaws 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: October 1, 2024 **FILE** Bylaw 1741 & Bylaw 1508.26
FROM: M. Lisa Beaulieu, Director of Development Services
SUBJECT: New Multi-Family Dwelling 3 Zone and
Amendment to Official Community Plan

RECOMMENDATION:

THAT Council considers granting *Official Community Plan Amendment Bylaw No. 1508.26, 2024* and *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1741, 2024* first and second reading; and

THAT Council approves the following consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:

1. Two (2) consecutive issues of the local newspaper requesting written comments; and

THAT Council considers setting a Public Hearing date for *Official Community Plan Amendment Bylaw No. 1508.28, 2024* and *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1741, 2024* on November 13, 2024.

BACKGROUND


Staff have reviewed the current multiple dwelling residential zones (RM1 and RM2) and have found that there is a need for a new multiple dwelling zone that could accommodate higher densities within areas that are serviced with sewer and water and close to amenities including services and public transit. In addition, minor amendments to the Official Community Plan (OCP), are proposed to allow for higher densities within the Residential – Multi-Family designation.

DISCUSSION:

Official Community Plan Amendment Bylaw 1508.26

Staff are recommending the following amendments:

1. Residential – Multi-Family Policy Number 5 be amended to state Maximum densities within the Residential – Multi-Family designation shall be 150 – 175 units per hectare (60 – 70 units per hectare) subject to the provision of sanitary sewer, storm sewer, and connection to the municipal water system.

 CAO
 Regular Agenda Date Oct. 16/24
 In Camera Agenda Place Bylaw/Permits
 Public Hearing Other _____

At present, the OCP only allows a maximum of 50 – 75 units per hectare. It should be noted that all existing apartments within the District exceed this maximum.

2. Residential – Multi-Family Policy Number 8 be amended to state: Buildings within a Residential - Multi-Family designation shall generally not be higher than six storeys. Mid-rise buildings, with heights exceeding six storeys may be considered within the Commercial - Town Centre designation subject to further planning and consultation including demonstration of market demand and community benefit.

The existing above policy references a maximum of four storeys in building height. Rationale for amending is to reflect changes to the BC Building Code which allows for mid-rise buildings to be 6 storeys of wood frame construction.

New Multiple Dwelling Residential 3 Zone (RM3)

Currently the RM1 and RM2 zones restrict density to 50 and 75 units per hectare, respectively. They both also restrict site coverage to 40% (all buildings) and height to 12 metres. Both have a minimum lot size of 880m².

The new RM3 zone would increase the allowable density to 150 units per hectare and include a maximum coverage of 60% for a parkade (off-street parking). The proposed maximum height would be increased to 22 metres for apartments. This would allow for 6-storey wood-frame construction apartments. The new zone would also increase the minimum required lot size to 1300m².

Amenity Spaces:

In the review of other municipalities, it was found that several require amenity spaces in multiple dwelling developments. The amenity spaces are in the form of common outdoor, common indoor and private outdoor. They are meant to increase interaction and activity among residents and promote healthy living. New definitions are proposed within the bylaw amendment to require amenity spaces for common indoor and private outdoor.

Highlights of RM3 Zone:

1. Principal uses for apartments, townhouses and personal care.
2. Auxiliary uses for accessory buildings, off-street parking, home occupations.
3. Common indoor amenity spaces for developments that have more than 25 dwelling units.
4. Private outdoor amenity spaces for each dwelling unit.
5. Density of up to 150 units per hectare (60 units per acre).
6. Site coverage of 40% for principal buildings and 60% for parkades.
7. Minimum lot size of 1300 square metres.

8. Minimum lot width of 22 metres.
9. Maximum building height of 22 metres.

OCP Policies:

General Residential Policy (GRP):

GRP 7: In recognition of the benefits of multi-family housing, such as greater choice, more affordable housing and better utilization of existing infrastructure.

Affordable Housing Policy (AHP):

* AHP 3: The development of higher density forms of housing, including duplexes, townhouses, and apartment buildings, to expand the affordable housing and rental supply are encouraged; *

AHP 5: The development of mid-rise condominiums on select sites in the Agassiz core may be considered on a case-by-case basis, subject to more detailed planning and demonstration of market demand.

Residential-Multi-Family Policy (RMFP):

RMFP 6: Higher densities may be considered subject to the demonstration of market demand and community benefit.

* RMFP 9: Multi-family residential development is encouraged within the Commercial - Town Centre designation. This may take the form of mixed-use buildings with residential above ground floor commercial or retail use, or stand-alone residential buildings.

RMFP 10: Infill and redevelopment of existing areas designated as Residential - Multi-Family shall be encouraged before re-designating new areas.

RMFP 11: Consideration shall be made to re-designate new areas to Residential - Multi-Family based on the following criteria:

- a. Within a 10-minute walk (approximately 800 metres) of parks, recreational areas and facilities, commercial and employment areas or public/institutional facilities and public transit;
- b. Where the proposed development will be compatible in character and scale with adjoining uses;
- c. On sites that afford direct and convenient vehicle access so as to avoid generating excessive traffic on local streets;
- d. And on sites where adequate community sewer and water services are available;

RMFP 12: Development within the Residential - Multi-Family area shall be subject to the Intensive Residential Development Permit Area Guidelines to ensure a high standard of building and site design.

General Commercial Policies (GCP):

GCP 3: Multi-family residential development is encouraged within the Commercial - Town Centre designation provided that appropriate off-street

parking is provided for tenants to ensure there is no impact to available street parking for shoppers. This may take the form of mixed-use buildings with residential above the ground floor commercial or retail use, standalone residential buildings or other configurations.

Referrals:

Internal Referrals were provided to the Agassiz Fire Department (AFD), Engineering Services Department, and Community Services Department.

Internal referral response highlights:

1. Fire Department:
 - a. The AFD does not have a truck-mounted ladder that is tall enough to reach a 22-metre-high roofline and uses ground ladders exclusively.
 - b. All new multi-family buildings should be sprinklered throughout.
2. Engineering Services Department:
 - a. All required off-site servicing must be in accordance with the District of Kent Subdivision and Development Bylaw No.1248, 2003 (S&D Bylaw) and designed, inspected and approved by a Consulting Engineer. This includes ensuring all required testing is conducted and results approved and submitted by the Consulting Engineer.
3. Recreation/Culture:
 - a. Suggestion that common amenity spaces (on-site) be considered.

ENVIRONMENTAL CONSIDERATIONS:

Encouraging higher density developments in areas where there are more opportunities to use transit and other means of human-powered transportation will help to reduce greenhouse gas emissions as will creating more energy efficient buildings.

Denser communities often lead to more sustainable transportation options including public transit, walking or biking. This reduces wear and tear on roads, lowers pollution, and reduces the costs associated with car-centric infrastructure.

BUDGETARY CONSIDERATIONS:

The zoning bylaw amendment has been initiated by the District therefore the District will incur staff and advertising costs for the bylaw amendment process.

Allowing higher density in the Agassiz townsite will allow for more taxable properties. More units on a parcel can significantly increase the total tax revenue compared to low-density development.

Denser development often makes more efficient use of infrastructure such as roads, water and sewer systems. This reduces the per capita cost to maintain and expand

public services. Higher density can also reduce the need for costly infrastructure extensions in sprawling areas.

These financial benefits make a new multi-family, higher density zone attractive for seeking sustainable growth.

POLICY CONSIDERATIONS:

Official Community Plan and Zoning Bylaw amendments will be conducted in accordance with Section 464 of the Local Government Act and District of Kent Procedure Bylaw No. 1194, 2001.

ALTERNATIVES/OPTIONS:

1. Support the recommendation.
2. Do not support the recommendation.
3. Request further information.

ATTACHMENTS:

Appendix A – Draft Bylaw No. 1508.26

Appendix B – Draft Bylaw No. 1741

Respectfully submitted for your
consideration



M. Lisa Beaulieu,
Director Development Services

Approved for submission by



Wallace Mah,
Chief Administrative Officer

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1508.26

“A bylaw to amend the District of Kent Official Community Plan Bylaw 1508, 2014”

WHEREAS the Council of the Corporation of the District of Kent has deemed it advisable to amend the Official Community Plan;

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 “Official Community Plan Amendment Bylaw No. 1508.26, 2024”.

2. **TEXT AMENDMENTS**

- i. From **Residential – Multi-Family Policies**, number 5: remove 50 – 75 units per hectare (20 – 30 units per hectare) and replace with **150 – 175 units per hectare (60 – 70 acre)**.
- ii. From **Residential – Multi-Family Policies**, number 8: remove reference of four storeys and replace with **six storeys**.

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 _____, 2024.

READ A SECOND TIME this ____ day of _____ 2024.

PUBLIC HEARING WAS HELD this ____ day of _____, 2024.

READ A THIRD TIME this ____ day of _____, 2024.

FINALLY PASSED AND ADOPTED this ____ day of _____, 2024.

CERTIFIED CORRECT:

Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE AND CORRECT COPY
of "Official Community Plan Amendment Bylaw
No.1508.26, 2024" adopted on this ____ day
of _____, 2024.

Clair Lee, Director of Corporate Services



DISTRICT OF KENT

BYLAW NO. OCP 1508.26

DATE: October 10, 2024

FILE NO. Text Amendment

INITIALS
REQUIRED

INITIALS
REQUIRED
(CLERICAL STAFF)

ORIGINATOR	CORP ADMIN	ACTION TO BE TAKEN	DONE	DATE
um	GA	FIRST READING		
um	GA	SECOND READING		
		Rescind Second Reading		
		Amend Bylaw and Re-read Second		
		Approval of Reg. Dist. (borrowing bylaws)		
		Approval of Inspector of Municipalities		
		Approval of Ministry of Municipal Affairs		
um	GA	Advertise bylaw (or Waiving of bylaw)		
um	GA	Public Hearing		
um	GA	THIRD READING		
		Rescind Third Reading		
		Amend Bylaw and Re-Read Third		
		Approval of MOTI		
		Alternate Approval Process		
		Advertise Bylaw		
		Public Hearing		
		Quashing Period		
um	GA	ADOPTION		
		Quashing Period		
		File with Inspector of Municipalities		

THIS MUST BE COMPLETED BY ORIGINATOR

LEGAL AUTHORITIES

Part 14 Div 4 (OCP) LGA
Procedures Bylaw

MISCELLANEOUS

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1741

“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. 1741, 2024”.

2. **TEXT AMENDMENT**

.i To add the following definitions under Part 3 Definitions:

- a) **Amenity space (common indoor)** means an accessory building or room within a multi-unit residential building that is available to all residents of the residential use it serves, for the purpose of providing social and recreation facilities, and is non-commercial except as specifically permitted in the zone and may include: common rooms, craft rooms, games rooms, kitchen facilities, meeting rooms and saunas.
- b) **Amenity space (private outdoor)** means an outdoor area, in a multi-unit residential building intended for the convenience use by residents of the dwelling unit it serves, and may include yard space, balcony, deck, patio, and roof-top patio.
- c) **Below market rental** means rental housing with rents lower than average rates in private-market rental housing.
- d) **Housing Agreement** means a legally binding contract between a government agency, a landlord and a tenant that outlines the terms and conditions of rental housing.

.ii To add **Multiple Dwelling Residential 3 Zone (RM3) as Part 9.5.3.**

Purpose

The purpose of a Multiple Dwelling Residential 3 (RM3) zone is to provide for multiple dwelling housing development with a density no higher than 150 units per hectare (60 units per acre) on lots with an approved community water and sewer system.

.1 Permitted Uses

- i. The following **principal** uses shall be permitted in a RM3 zone:
 - a) Apartment
 - b) Townhouse
 - c) Personal care
- ii. The following **auxiliary** uses shall be permitted in a RM3 zone:
 - d) Accessory building
 - e) Off-street parking
 - f) Home occupation
 - g) Secondary suite

.2 Conditions of Use

- iii. **Off-street parking** shall:
 - a) Occupy not more than 30% of the surface of the lot area or shall be **concealed parking**.
 - b) Be bounded by a **landscape screen** of not less than 1 metre (3 feet) in **height** when not concealed.
 - c) Be sited such that the surface of such use or a driveway for such use at or above ground level is not within a horizontal arc of 3 metres (10 feet) in radius measured from nearest surface of a window to a **habitable room**.

.3 Developments

- a) Shall provide an **amenity space (common indoor)** in developments that contain 25 dwelling units or more at a rate of at least 2.75 sq metres (30 sq ft) per **dwelling unit**.
- b) Shall provide an **amenity space (private outdoor)** at least 2.75 sq metres (30 sq ft) per **dwelling unit** which shall be directly accessible, and adjacent to the **dwelling unit**

.4 Regulations

In a RM3 zone the following regulations contained in Table 9.5.3 shall apply:

Table 9.5.3	
Element	Regulation
Density	150 units per hectare (60 units per acre)
Site Coverage	
Principle Buildings	40% maximum
Parkade (Off-Street Parking)	60% maximum
Lot Size	
townhouse	880 square metres (9,500 square feet) minimum
apartment	1,300 square metres (14,000 square feet) minimum
Lot Width	22 metres (72 feet) minimum
Gross Floor Area	
each dwelling unit for townhouse or apartment	32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom
Height	
Apartment	22 metres (72 feet) maximum
Other residential buildings	12 metres (40 feet) maximum
accessory buildings	3.7 metres (12 feet) maximum
Setbacks	
townhouse and personal care from:	
front lot line	6.0 metres (20 feet) minimum
rear lot line	4.5 metres (15 feet) minimum
exterior side lot line	6.0 metres (20 feet) minimum

Table 9.5.3	
Element	Regulation
interior side lot line	3.5 metres (12 feet) minimum
apartment from all lot lines	6.0 metres (20 feet) minimum
balconies from all lot lines	4.5 metres (15 feet) minimum
Parkade and covered entry	
Front lot line	6.0 metres (20 feet) minimum
All other lot lines	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.

READ A FIRST TIME this ___ day of < >, 2024.

READ A SECOND TIME this ___ day of < >, 2024.

A PUBLIC HEARING WAS HELD this ___ day of < >, 2024.

READ A THIRD TIME this ___ day of < >, 2024.

MINISTRY OF TRANSPORTATION APPROVAL this ___ day of < >, 2024.

FINALLY PASSED AND ADOPTED this ___ day of < >, 2024.

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. 1741, 2024"
adopted on this 12th day of < >, 2024.

Clair Lee, Director of Corporate Services



DISTRICT OF KENT

BYLAW NO. 1741
 DATE: Sept 27, 2024
 FILE NO. R24-03

INITIALS
 REQUIRED

INITIALS
 REQUIRED
 (CLERICAL STAFF)

ORIGINATOR	CORP ADMIN	ACTION TO BE TAKEN	DONE	DATE
<i>MM</i>	<i>SS</i>	FIRST READING		
<i>MM</i>	<i>SS</i>	SECOND READING		
		Rescind Second Reading		
		Amend Bylaw and Re-read Second		
		Approval of Reg. Dist. (borrowing bylaws)		
		Approval of Inspector of Municipalities		
		Approval of Ministry of Municipal Affairs		
<i>MM</i>	<i>SS</i>	Advertise bylaw (or Waiving of bylaw)		
<i>MM</i>	<i>SS</i>	Public Hearing		
<i>MM</i>	<i>SS</i>	THIRD READING		
		Rescind Third Reading		
		Amend Bylaw and Re-Read Third		
	<i>S</i>	Approval of MOTI		
		Alternate Approval Process		
<i>MM</i>	<i>S</i>	Advertise Bylaw		
		Public Hearing		
		Quashing Period		
		ADOPTION		
		Quashing Period		
		File with Inspector of Municipalities		

THIS MUST BE COMPLETED BY ORIGINATOR

LEGAL AUTHORITIES

Local Government Act

MISCELLANEOUS
