

PUBLIC NOTICE



Zoning Bylaw Amendment

NOTICE OF PUBLIC HEARING: AMENDMENT BYLAW 1730

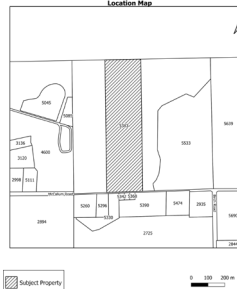
Date & Time: April 22, 2024 at 7:00 pm

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

Council of the District of Kent will be holding a Public Hearing for District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1730, 2024. If adopted, Bylaw 1730 would:

- 1) Remove the Short-Term Commercial Accommodation (STCA) (non-principal residence) use from the Zoning Bylaw.
- 2) Rezone 5383 McCallum Road from the current Resource Management (MR) zone to a new Resource Management Industrial Processing (MR1) zone.
- 3) Add a Resource Processing use to the Zoning Bylaw. Resource Processing means the manufacture of products and processing of materials from resource material primarily extracted from the same lot and combined with secondary materials brought from off-site. **Includes:** ready-mix operation. **Excludes:** manufacturing of products or processing of materials from trees.

Bylaw 1730: Subject Land



For More Information

Contact Bronwen Verigan, Planner II

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, from April 5 to 22, 2024 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, April 22, 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.

Proposal: To rezone the subject property to allow a ready mix to continue to operate.

Subject Property: 5383 McCallum Road

PID: 013-206-770

Site Size: 16.19 Hectares (40 Acres)

Legal: East Half of the West Half of the North West Quarter Section 35 Township 3 Range 29 West of the Sixth Meridian New Westminster District

OCP Land Use Designation

Current: Resource Management, portion within DPA1

Proposed: Industrial, portion within DPA1

Zoning:

Current: Resource Management (MR)

Proposed: New Resource Industrial Processing (MR1) Zone

ALR: Not within the ALR but adjacent to ALR properties

Site Description: Rectangular in shape, the south portion of the property has historically been used as gravel pit. The north portion of the property is forested and contains the toe of Mt. Agassiz.

Surrounding Uses: North: Crown Land (Mt. Agassiz), zoned MR
South: McCallum Road and farmland, zoned Agricultural
East: Crown Land, zoned MR
West: Properties zoned MR

Neighbourhood

Character: The surrounding area includes heavy industrial lands, institutional lands (correction facilities), and park, recreation and open space lands (gun club, cemetery, & speedway), and agricultural properties.

DISCUSSION:**Agassiz Ready Mix – 5383 McCallum Road**

1. Agassiz Ready Mix has been operating since 1977. Following several enquiries regarding the ready-mix operations at 5383 McCallum Road, it has emerged that the use is non-compliant with the existing zoning.
2. According to OCP, Resource Management, Policy 7: *The District will continue to explore the establishment of aggregate reserve areas as reflected in the Fraser Valley Regional District Aggregate Pilot Project to ensure that sources of aggregate remain available in the District over the long term. Potential aggregate reserve areas are generally located within the Resource Management designation. The District will consider the implications and benefits of accommodating manufacturing of aggregates within proposed aggregate reserve areas. This may require amendments to the District's Zoning Bylaws and a review of transportation infrastructure.*
3. The OCP and Zoning Bylaw is anticipated to undergo a review and update process within 2 years, it is recommended the analysis suggested in OCP Policy 7 is considered within the OCP review and update process.
4. In the meantime, staff recommends creating a new Resource Industrial Processing (MR1) companion zone and rezoning the subject property from Resource Management to MR1. The MR1 zone will include all the uses currently permitted in the MR zone but will also allow for the resource processing use to bring the ready mix use into compliance.
5. Staff have reviewed several municipalities definitions for the resource processing use and are proposing the following use definition used by the City of Mission Zoning Bylaw:

resource processing: means the manufacture of products and processing of materials from resource material primarily extracted from the same lot and combined with secondary materials brought from off-site. Includes: ready-mix operation. Excludes: manufacturing of products or processing of materials from trees.
6. The new MR1 zone will also provide an option for other property owners interested in establishing a ready mix operation without overhauling their zoning to a light or heavy industrial zone, reducing the chance of unintended land use impacts.

Removal of Short-term Rental zones and Short-term Commercial (Non-Principal Residence) Use.

1. Kent's short-term rental regulations were introduced in 2019. Part of these regulations included the creation of STR zones allowing (by a Zoning Map amendment) the opportunity for short-term commercial (non-principal residence) use. The intention of these zones was to address some of the historic, non-compliant, short-term rentals; however, to date, other alternative options have been used to address these short-term rentals and no properties have been rezoned to allow this use.
2. At its meeting of March 11, 2024, Council directed staff to opt-in to the Provincial principal residence requirement established through Bill 35. Therefore, staff is recommending all zones permitting STCA (non-principal use) be removed from the Zoning Bylaw at this time, including the following:
 - a. Agricultural Short-term Rental (Astr)
 - b. Rural Residential 1 Short-term Rental (RR1str)
 - c. Rural Residential 2 Short-term Rental (RR2str)
 - d. Rural Residential 3 Short-term Rental (RR3str)
 - e. Lake Area Residential Short-term Rental (RLstr)
 - f. Resource Management Short-term (MRstr)
3. In addition, Bylaw 1730 proposes to remove a site specific use contained in the MR zone as the property has been rezoned and this site specific use is no longer required for the property.

ENVIRONMENTAL CONSIDERATIONS:**Agassiz Ready Mix – 5383 McCallum Road**

The current proposal is to bring the existing ready mix operation into compliance. As the subject property is within DPA1, any future development will be required to meet DPA1 guidelines which may include an environmental impact assessment.

Removal of Short-term Rental zones and Short-term Commercial (Non-Principal Residence) Use.

No environmental impacts are anticipated as a result of this amendment.

BUDGETARY CONSIDERATIONS:

The Zoning Bylaw amendment has been initiated by the District of Kent for housekeeping purposes, therefore the District will incur staff and advertising costs for the bylaw amendment process.

POLICY CONSIDERATIONS:

Zoning Bylaw amendments will be conducted in accordance with Section 464 of the *Local Government Act* and *District of Kent Development Procedures Bylaw No. 1194, 2001*.

Notices will be mailed to property owners within 100 m of the property no later than 10 days prior to the date of public hearing.

ALTERNATIVES/OPTIONS:

1. Staff's recommendation.
2. Do not support recommendation.
3. Request further information.

ATTACHMENTS:

1. Appendix A: Location Map
2. Appendix B: Aerial Photo
3. Appendix C: District of Kent Zoning Bylaw, Amendment Bylaw No. 1730, 2024

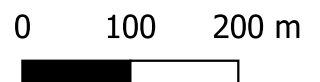
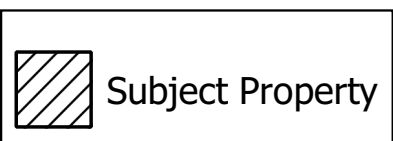
Respectfully submitted for your
consideration

Approved for submission by

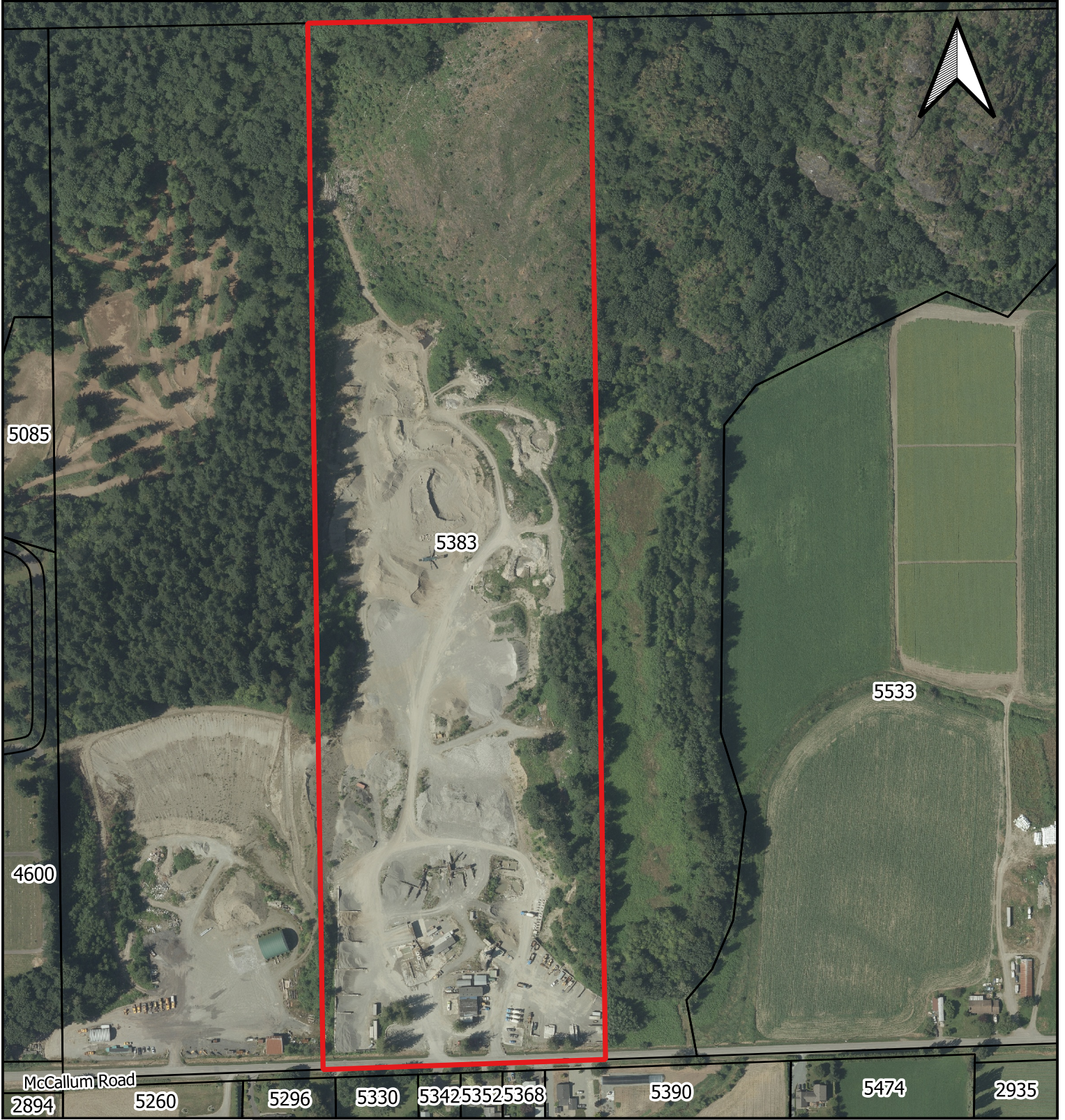
M. Lisa Beaulieu
A. Director, Development Services

Wallace Mah,
Chief Administrative Officer

Location Map



Aerial Photo



Subject Property

0 75 150 m



THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1730

“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. 1730, 2024”.

2. TEXT AMENDMENT

1. To add the following definition under Part 3, Definitions:

a. **resource processing** means the manufacture of products and processing of materials from resource material primarily extracted from the same lot and combined with secondary materials brought from off-site. Includes: Ready-mix operation. Excludes: the manufacturing of products or processing of materials from trees.

2. To remove all Short-term Rental Zones allowing for a short-term commercial accommodation (non-principal use) and any reference to a STCA (non-principal use).

3. To remove and replace Part 9.20:

**9.20 *Resource Management Zone (MR)*
*Resource Management Industrial Zone (MR1)***

Purpose

The purpose of the MR zone is to provide for resource, and related rural development and for single dwelling detached residential development on lots of not less than 8 hectares (20 acres). The MRI zone specifically provides for a resource processing use.

.1 Permitted Uses

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

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

.2 A **resource** use

The following **auxiliary** uses shall be permitted in a MR zone:

.3 An **accessory building**

.4 A **home occupation** use

.5 A **short-term commercial accommodation (guest unit)** use

.6 A **kennel** use

.7 An **off-street parking** use

.8 A **short-term commercial accommodation (principal residence)** use

.9 A **secondary suite** use

.10 A **resource processing** use in the MRI Zone only.

.2 Conditions of Use

.1 No more than one **single-dwelling residential** use is permitted on any one **lot**.

.2 A **single-dwelling residential** use shall be permitted only in a **site built house**, a **manufactured home** or a **mobile home**.

.3 A household business, in addition to a **resource** use, is limited to two of the following uses:

(a) a **short-term commercial accommodation (guest unit)** use

(b) a **home occupation** use; or

(c) a **kennel** use

.4 A **short-term rental** use shall comply with the requirements of Part 7.13 of this bylaw.

.3 Regulations

In a MR or MR1 zone the following regulations contained in Table 9.20 shall apply:

Table 9.20	
Element	Regulation
Density	Not regulated
Site Coverage	Not regulated
<p>Lot Size The following lots are exempted from the minimum lot size requirement: For the properties legally known as Lot 1 and Lot 2 EPP21049, Subdivision Plan of the North Half Legal Subdivision 16 Section 9 Township 4 Range 29 West of the Sixth Meridian New Westminster District That Portion of the East Half of the South East Quarter Section `6 Township 4 Range 29 West of the Sixth Meridian Which Lies to the South of the Harrison River New Westminster District.</p>	8 hectares (20 acres) minimum
Lot width	61 metres (200 feet) minimum
Gross floor area	Not regulated
<p>Height For single-dwelling residential use</p>	9 metres (30 feet)
<p>Setbacks for buildings and structures from:</p> <p style="padding-left: 20px;">Front lot line Rear lot line Exterior side lot line Interior side lot line</p>	<p>7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum</p>



3. MAP AMENDMENT

That Zoning Reference Map 14 of Schedule A, Agassiz and Surrounding Area Zoning Map of the District of Kent Zoning Bylaw No. 1219, 2001 be amended for the land:

Legally described as: East Half of the West Half of the North West Quarter Section 35 Township 3 Range 29 West of the Sixth Meridian New Westminster District

Commonly known as: 5383 McCallum Road, Agassiz, BC

as outlined in black hatched on Zoning Bylaw Amendment Map Schedule 1730-1 attached hereto by designating the above legally described land from Resource Management (MR) to Resource Industrial Processing Zone (MR1).

4. SEVERABILITY

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

READ A FIRST TIME this day of

READ A SECOND TIME this day of

A PUBLIC HEARING WAS HELD this day of

READ A THIRD TIME this day of

FINALLY PASSED AND ADOPTED this day of

CERTIFIED CORRECT:

Sylvia Pranger, Mayor

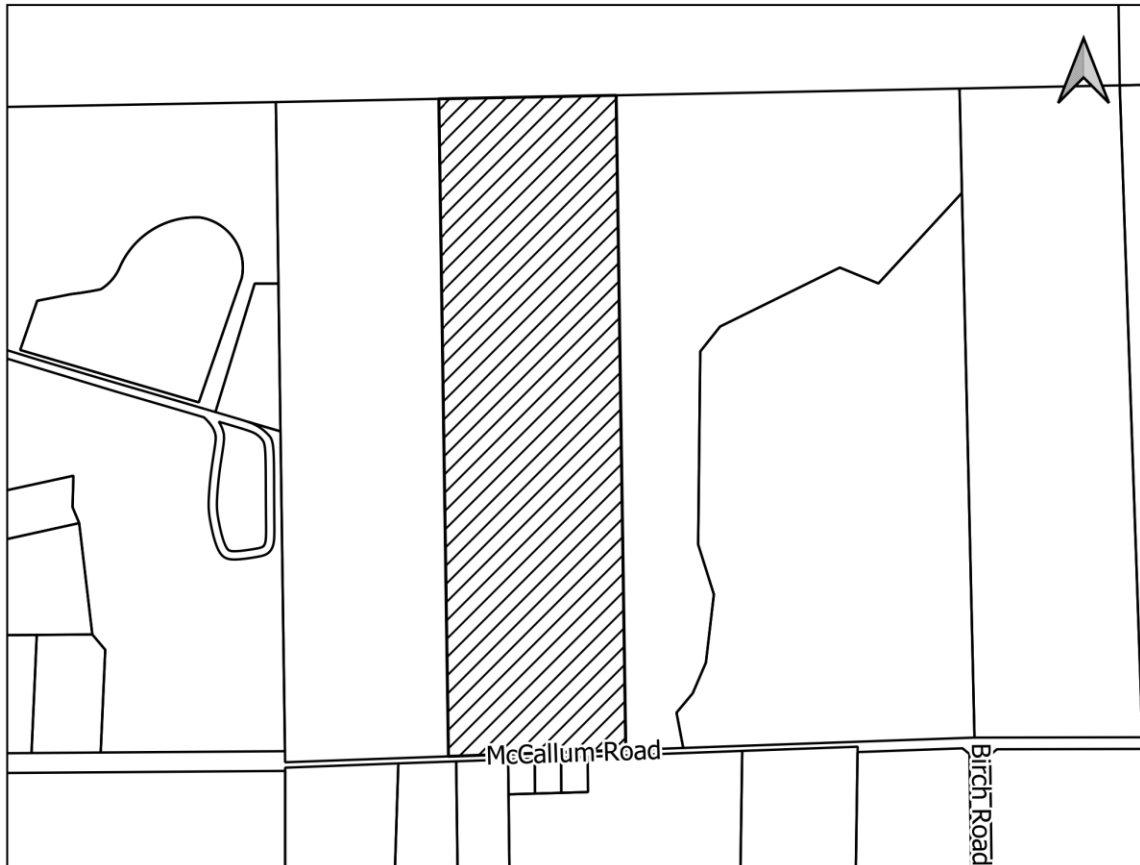
Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE & CORRECT COPY
of "District of Kent Zoning Bylaw 1219,
Amendment Bylaw No.1730, 2024"
adopted on this day of

Clair Lee, Director of Corporate Services

THE CORPORATION OF THE DISTRICT OF KENT BYLAW NO. 1730

ZONING BYLAW AMENDMENT MAP
SCHEDULE 1730-1



Land District: NWD
Land Title Office: New Westminster District

 FROM: RESOURCE MANAGEMENT (MR)
TO: RESOURCE INDUSTRIAL PROCESSING (MR1)

This is Map Amendment Schedule 1730-1 to and forming part of "Zoning Bylaw 1219, Amendment Bylaw No. 1730, 2024"

Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer