

PUBLIC NOTICE

OCP Bylaw Amendment & Zoning Bylaw Amendment



NOTICE OF PUBLIC HEARING: AMENDMENT BYLAWS 1508.24 & 1725

Date & Time: November 27, 2023 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 Official Community Plan Amendment Bylaw No. 1508.24, 2023 and District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1725, 2023.

If adopted:

- Bylaw 1508.24 will amend the land use designation for 3599 Lougheed Highway from Resource Management to Commercial – Highway.
- Bylaw 1725 will rezone 3599 Lougheed Highway from Resource Management (MR) to Tourist Accommodation Commercial (CS4).

For More Information

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

Bylaws 1508.24 & 1725: Subject Land



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 November 10, 2023 to November 27, 2023 during regular office hours of 8:30 am to 4:30 pm and we are closed on November 13th in observance of Remembrance Day.

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, November 27, 2023.

Attend and Speak

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

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



10.8
10.9

REPORT TO COUNCIL

DATE: October 3, 2023 **FILE:** R23-04

FROM: M.Lisa Beaulieu, A-Director of Development Services

PREPARED BY: Christian Parr, Planner I

SUBJECT: OCP and Zoning Amendment – 3599 Lougheed Highway

RECOMMENDATION:

THAT Council considers granting *Official Community Plan Amendment Bylaw No. 1508.24, 2023* and *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1725, 2023* 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
2. Letters of notice to property owners within 100 metres of the property; and

THAT Council considers setting a Public Hearing date for *Official Community Plan Amendment Bylaw No. 1508.24, 2023* and *District of Kent Zoning Bylaw 1219, Amendment Bylaw No. 1725, 2023* on November 27, 2023.

PROPERTY DESCRIPTION:

Owner: Dezarae & Dayton Dybdal

Applicant: Same as Owners

Proposal: To amend the OCP land use designation and zoning for the subject property to allow the establishment of 8 resort cabins.

CAO
 Regular Agenda Date Oct. 11/23
 In Camera Agenda Place Bylaw / Permit
 Public Hearing Other

Subject Property3599 Lougheed Highway

PID: 001-385-771

Site Size: 70,701 m² (7.07ha)Legal: Parcel "A" (348669E) District Lot 2085 Group 1 Except: Part on Plan 26833
New Westminster districtOCP Land Use Designation

Current: Resource Management

Proposed: Commercial – Highway

Zoning:

Current: Resource Management (MR)

Proposed: Tourist Accommodation Commercial Zone (CS4)

DPA: DPA1 - Hillside

Site Description: A large, forested hillside lot split in 2 by the Lougheed Hwy

Surrounding Uses: North: Crown Land and District land Zoned MR
South: CPR and Fraser River
East: CPR and Fraser River
West: Lougheed Hwy and properties zoned MR

Neighbourhood

Character: The surrounding area is the Mount Woodside developments and larger forested properties on Mount Woodside.

DISCUSSION:**Executive Summary**

The applicants are requesting Council consider their rezoning application for 3599 Lougheed Highway to change the zoning of the property from Resource Management (MR) to Tourist Accommodation Commercial Zone (CS4) and a text amendment to add Resort Cabin to Principal Uses for CS4. This would allow the development of the property into an 8-unit Resort Cabin.

Application History

In 2022, the property owners applied for a Zoning Text amendment (Bylaw 1705) to allow the use of an accessory building, a caboose that was placed on the property, as a short-term rental building.

Bylaw 1705 was adopted by Council in December 2022 and the caboose has been used as a short-term rental since.

The property owners, in light of the success with the caboose, have applied for land use amendments to accommodate a greater number of tourist accommodations on the property. District staff are recommending Council consider the following OCP and Zoning Bylaw amendments detailed below:

Summary of Changes

OCP Amendment Bylaw 1508.24 would see the OCP designation of the subject properties amended from Resource Management to Commercial – Highway.

Bylaw 1725 would rezone the property from Resource Management (MR) to Tourist Accommodation Commercial Zone (CS4) and amend the CS4 zone to add Resort Cabin as a Principal Use. This would allow the development of the property into an 8-unit resort cabin retreat.

In addition to the re-designation and zoning change, a text amendment to the resort cabin use definition to clarify that kitchens are permitted in resort cabin uses is proposed.

Fire Department

The District Fire Chief provided the following information in relation to the proposed development:

1. No fire hydrant protection is available for this property.
2. Driveway accessibility by full size fire apparatus, as well as the ability to turn right onto the Lougheed Highway while exiting the property, would need to be confirmed.
3. Access routes on the property must be wide enough to accommodate fire apparatus and build to accept the weight of the fire apparatus (approximately 56,000 pounds).
4. As the property is within interface fire hazard, it is recommended that the property be landscaped in accordance with fire smart principles.

While confirmation of the above is not required at this stage, staff will require confirmation of fire apparatus accessibility and the application of fire smart principles for the landscaping at the Development Permit and Building Permit stage.

OCP Policies and Staff Recommendation

The following District OCP policies support the proposed rezoning.

General Commercial Policy 3

The District supports and promotes new and innovative forms of commercial businesses and activities oriented toward growing recreation/tourism. This would include enhancements and improvements to agri-tourism and existing initiatives and attractions including the Kilby Historic Site, the Circle Farm Tour, the Farmer's Market, and the Museum.

The proposed resort cabin use addresses a need within the District for more tourist accommodation in a unique setting.

Commercial – Highway Policy 1

Maintain lands for Commercial – Highway development within Kent to accommodate commercial land uses which depend largely upon highway traffic and tourism, and are more service oriented rather than product oriented.

The proposed development is consistent with the intentions of policy 1 as it is a tourist driven, service oriented commercial operation.

Commercial – Highway Policy 4

All new development within the Commercial – Highway designation shall provide landscaping and screening along streets and abutting residential, institutional areas.

The existing treescape will provide screening from neighbouring properties and create a unique environment for tourist accommodation.

Commercial – Highway Policy 5

All new commercial construction and renovations in the Commercial – Highway designation shall be required to conform to the design principles set out in the Downtown Revitalization DPA guidelines.

As part of the Development Permit, a form and character review will be conducted to ensure the proposed resort cabins are of high quality design and conform with fire smart recommendations.

Resource Management Policy 7

If future studies show that an area with a Resource Management designation can accommodate a broader range of uses with safe access and without environmental damage, the area may be re-designated through an OCP Amendment.

Staff recommend the proposed OCP and Zoning amendments be held at third reading until it is confirmed that the on-site servicing will be sufficient for the proposed land use.

Economic Development Policy 2

Support the establishment of home-based businesses to provide more small business opportunities provided that the businesses are compatible with the character of the neighbourhood and do not negatively impact agriculture when situated on properties within the ALR.

Staff supports the proposed OCP and Zoning amendments subject to confirmation that on-site services will be sufficient for the proposed use and fire department concerns are addressed.

ENVIRONMENTAL CONSIDERATIONS:

Some environmental impacts may occur as a result of this OCP designation and Zoning change and further inquiry may be considered.

BUDGETARY CONSIDERATIONS:

The applicant is responsible for all cost associated with the Zoning Bylaw and Official Community Plan amendment processes.

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 Development Procedures Bylaw No. 1194, 2001*.

Letters of notice 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: Sketch Plan
- 4) Appendix D: Official Community Plan Amendment Bylaw No. 1508.24, 2023
- 5) Appendix E: District of Kent Zoning Bylaw, Amendment Bylaw No. 1725, 2023

Respectfully submitted for your consideration

Approved for submission by

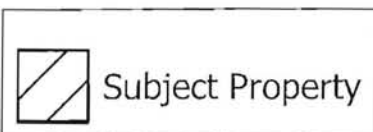


M. Lisa Beaulieu
Director of Development
Services



Wallace Mah,
Chief Administrative Officer

Location Map



Aerial Photo



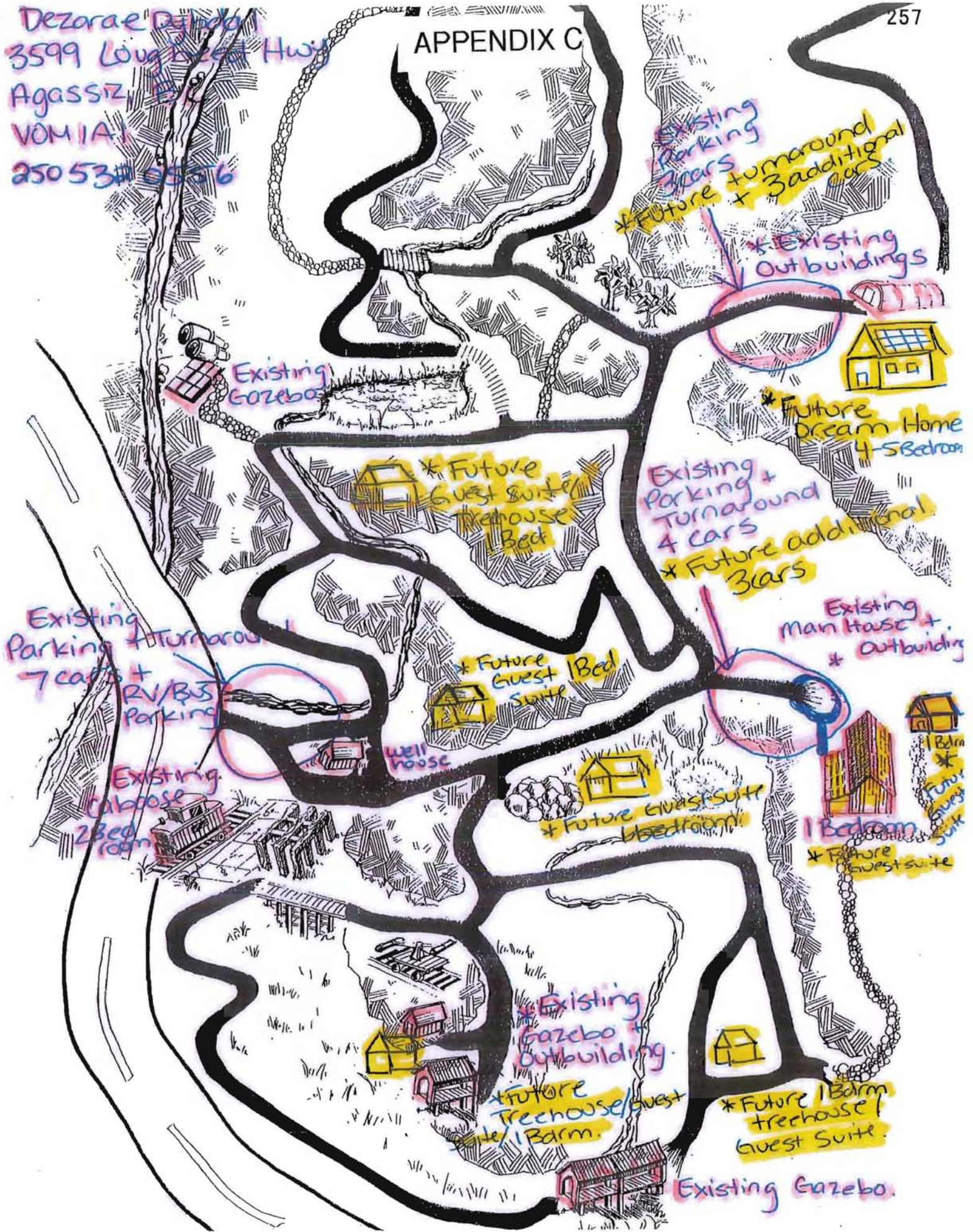
0 50 100 m



Subject Property

Dezorae DeLeon
3599 Long Street Hwy
Agassiz BC
V0M 1A1
250 531 8556

APPENDIX C



THE CORPORATION OF THE DISTRICT OF KENT**BYLAW NO. 1508.24**

“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. 1508.24, 2023”.

2. MAP AMENDMENTS

That OCP Reference Map Schedule B, Land Use Plans of the District of Kent Official Community Plan Bylaw No. 1508, 2014 be amended for the following properties:

Currently legally described as:

Parcel “A” (348669E) District Lot 2085 Group 1 Except: Part on Plan 26833; New Westminster District

Commonly known as:

3599 Lougheed Highway, Agassiz, BC

As outlined in black diagonal lines on Official Community Plan Amendment Map Schedule 1508.24-01 attached hereto by redesignating the above legally described lands from Resource Management to Commercial – Highway and include the property within DPA4 – Downtown Revitalization.

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

PUBLIC HEARING WAS HELD this XXth day of XXXX,

READ A THIRD TIME this XXth day of XXXX, 2023.

FINALLY PASSED AND ADOPTED this XXth day of XXXX, 2023.

CERTIFIED CORRECT:

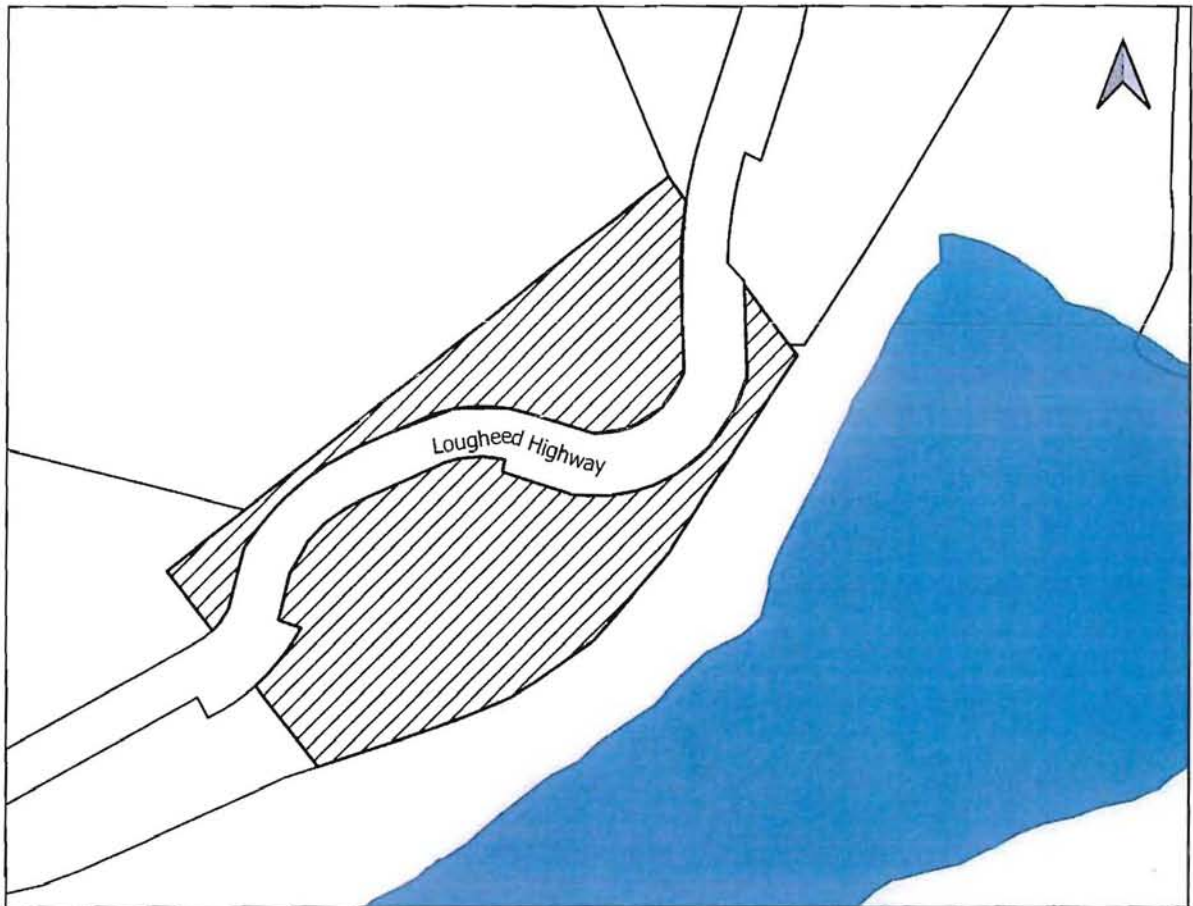
Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE AND CORRECT COPY
of "Official Community Plan Amendment Bylaw
No.1508.24, 2023" adopted on this XXth day
of XXXX, 2023.

Clair Lee, Director of Corporate Services

THE CORPORATION OF THE DISTRICT OF KENT BYLAW NO. 1508.24
OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT MAP
SCHEDULE 1508.24-1



Land District: NWD
Land Title Office: New Westminster District

 FROM: RESOURCE MANAGEMENT
TO: COMMERCIAL - HIGHWAY

This is Map Amendment Schedule 1508.23-1 to and forming part of "Official Community Plan Amendment Bylaw No. 1508.24, 2023"



DISTRICT OF KENT

BYLAW NO. 1508.24
 DATE: Oct 4 / 2021
 FILE NO. 223-04

INITIALS
REQUIRED

INITIALS
REQUIRED
(CLERICAL STAFF)

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

THIS MUST BE COMPLETED BY ORIGINATOR

LEGAL AUTHORITIES

LGA

MISCELLANEOUS

THE CORPORATION OF THE DISTRICT OF KENT**BYLAW NO. 1725**

“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. 1725, 2023”.

2. MAP AMENDMENT

That Zoning Reference Map 8 of Schedule A, Zoning Reference Map Key of the District of Kent Zoning Bylaw No. 1219, 2001 be amended for portions of the lands:

Currently legally described as:

Parcel “A” (348669E) District Lot 2085 Group 1 Except: Part on Plan 26833; New Westminster District

Commonly known as:

3599 Lougheed Highway, Agassiz, BC

By rezoning the portion shown in black vertical hatching from Resource Management (MR) to Rural Residential 2 (RR2) and the portion show in black hatching Resource Management (MR) to Agricultural (A) as outlined on Zoning Bylaw Amendment Map Schedule 1723-1 attached.

3. TEXT AMENDMENT

- i. To amend the following definition under Part 3 – Definitions:

Resort Cabin means an accommodation for overnight accommodation only and may or may not include a kitchen.

- ii. To add the following under Part 9.23 Tourist Accommodation Commercial Zone and renumber accordingly:

.1 Principle Uses

.4 **Resort Cabin** use

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

READ A SECOND TIME this

A PUBLIC HEARING WAS HELD this 21st day of

READ A THIRD TIME this day of

FINALLY PASSED AND ADOPTED this day of

CERTIFIED CORRECT:

Sylvia Pranger, Mayor

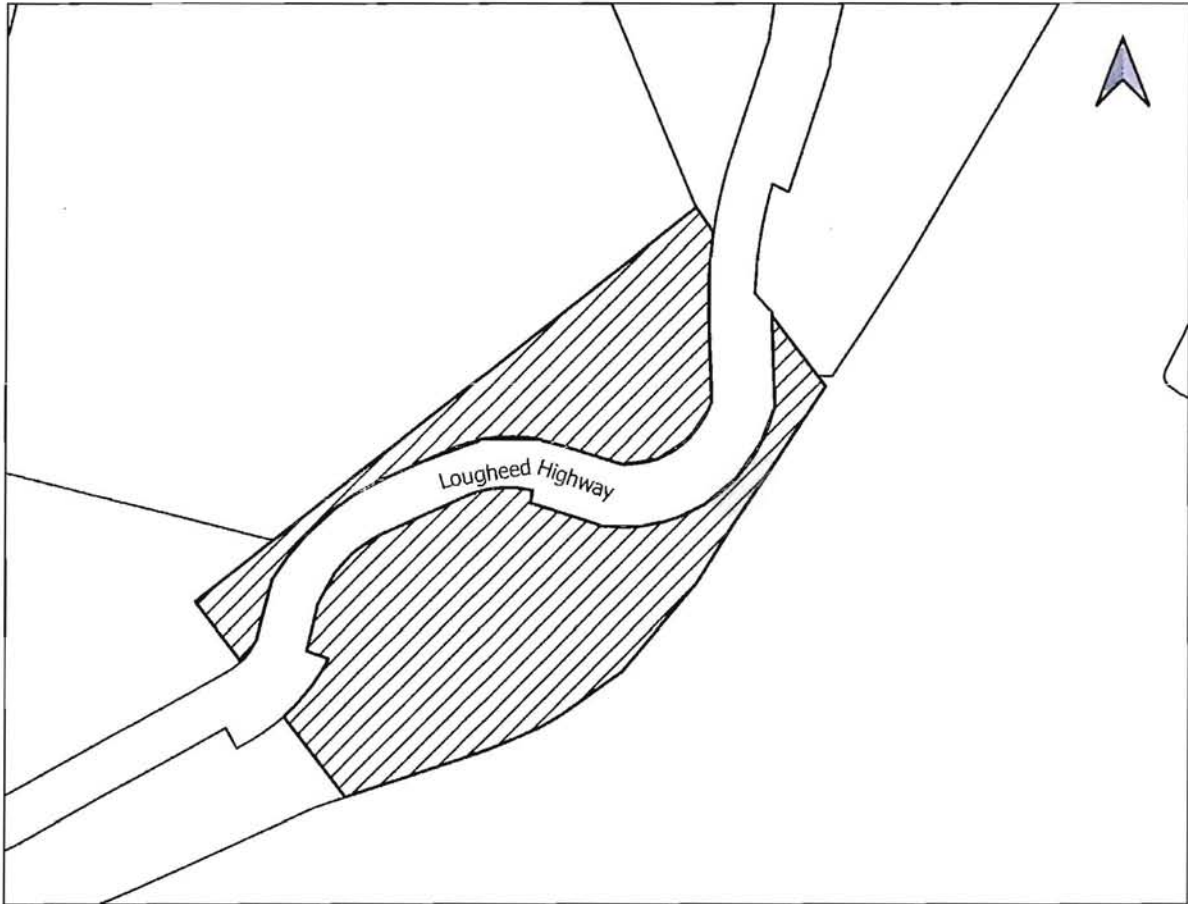
Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE & CORRECT COPY
of "District of Kent Zoning Bylaw 1219,
Amendment Bylaw No.1725, 2023"
adopted on this day of

Clair Lee, Director of Corporate Services

THE CORPORATION OF THE DISTRICT OF KENT BYLAW NO. 1725

ZONING BYLAW AMENDMENT MAP
SCHEDULE 1725-1



Land District: NWD
Land Title Office: New Westminster District

 FROM: RESOURCE MANAGEMENT (MR)
TO: TOURIST ACCOMMODATION COMMERCIAL ZONE (CS4)

This is Map Amendment Schedule 1725-1 to and forming part of "Zoning Bylaw 1219, Amendment Bylaw No. 1725, 2023"

Sylvia Pranger, Mayor

Wallace Mah, Chief Administrative Officer



DISTRICT OF KENT

BYLAW NO. 1725
DATE: Oct 4/2023
FILE NO. 223-01

INITIALS
REQUIRED

INITIALS
REQUIRED
(CLERICAL STAFF)

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

THIS MUST BE COMPLETED BY ORIGINATOR

LEGAL AUTHORITIES

LGA
Highways Act

MISCELLANEOUS

