

DISTRICT OF KITIMAT
BYLAW NO. 1974

A BYLAW TO AMEND KITIMAT OFFICIAL COMMUNITY PLAN AND KITIMAT MUNICIPAL CODE WITH RESPECT TO RECREATION USE IN AGRICULTURE COMMERCIAL ZONE

WHEREAS THE *BC Local Government Act* specifies an *Official Community Plan* (OCP) is a statement of objectives and policies to guide decisions on planning and land use management;

AND WHEREAS THE *BC Local Government Act* allows a local government to divide portions of a municipality into zones and regulate land, buildings and other structures, including with respect to use, density, siting, size and dimensions and subdivision;

AND WHEREAS Kitimat Council deems it is in the public interest to amend *Kitimat Official Community Plan* and *Kitimat Municipal Code* to permit a recreation facility at 207 Loganberry Avenue;

NOW THEREFORE, the Council of the District of Kitimat, in open meeting assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited as "Loganberry Commercial Recreation OCP and Zoning Amendment No. 1974 2020".
2. *Kitimat Official Community Plan (OCP)* is hereby amended by:
 - a. Designating PIDs 030-865-786, 030-865-794 and 030-865-808 as Neighbourhood on **Schedule A**.
3. *Kitimat Municipal Code* is hereby amended by adding and amending text to read as shown below, including updating related section numbers and cross-references accordingly:
 - a. Part 9 – PLANNING, Division 1 – General. Subdivision 1 – Interpretation is amended as follows:
 - i. Amend: "Public Recreation" to "Recreation, Public" means a facility or area provided by a municipal or other government agency which is available for community activities and recreational enjoyment of the general public;
 - ii. Add: "Recreation, Commercial" means a commercial business providing a facility or area where recreation activity(ies) is(are) available to paying customers. A Landscape Screen must be provided between subject property and all abutting residential properties; and
 - iii. Re-sort definitions in alphabetical order.
 - b. Part 9 - PLANNING, Division 5 - Commercial Zoning, Subdivision 11 – C10 – Agriculture Commercial Zone is amended to include "Recreation, Commercial" as a permitted use and amend Lot Coverage (Maximum) and Floor Area Ratio (Maximum), as follows:

9.5.11. Permitted and Accessory Uses

1. The following principal uses are permitted in the C10 Agriculture Commercial Zone:
 - a. Agriculture, including greenhouse(s), nursery, boarding kennel or stable
 - b. Detached residence for business operator
 - c. Local Retail Trade, including retail of petroleum fuels
 - d. Recreation, Commercial
 - e. Retail of agricultural products and supplies
 - f. Veterinary office
 - g. Veterinary hospital
 - h. Temporary Uses in accordance with Part 9, Division 8

- 6. Lot Coverage (Maximum): 15%, excluding agricultural buildings
 - a. LOT 3 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302, PID 030 865 808 (207 Loganberry Avenue): 50%, excluding agricultural buildings.

- 7. Floor Area Ratio (Maximum): 0.25
 - a. LOT 3 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302 PID 030 865 808 (207 Loganberry Avenue): 0.75

Off-Street Parking

- 12. The following Off-Street Parking is required in the C10 Agriculture Commercial Zone:
 - a. Dwellings: Two spaces for each dwelling unit; plus
 - b. Retail: 1.5 m² of parking for every m² of Gross Leasable Area; and,
 - c. Recreation, Commercial:
 - i. 1.5 m² of parking space for every m² of retail space;
 - ii. As per S. 9.7.1.7; except for LOT 3 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302 PID 030 865 808 (207 Loganberry Avenue) where 1 parking space is required for each operational go-kart in addition to spaces required for retail area and dwelling.

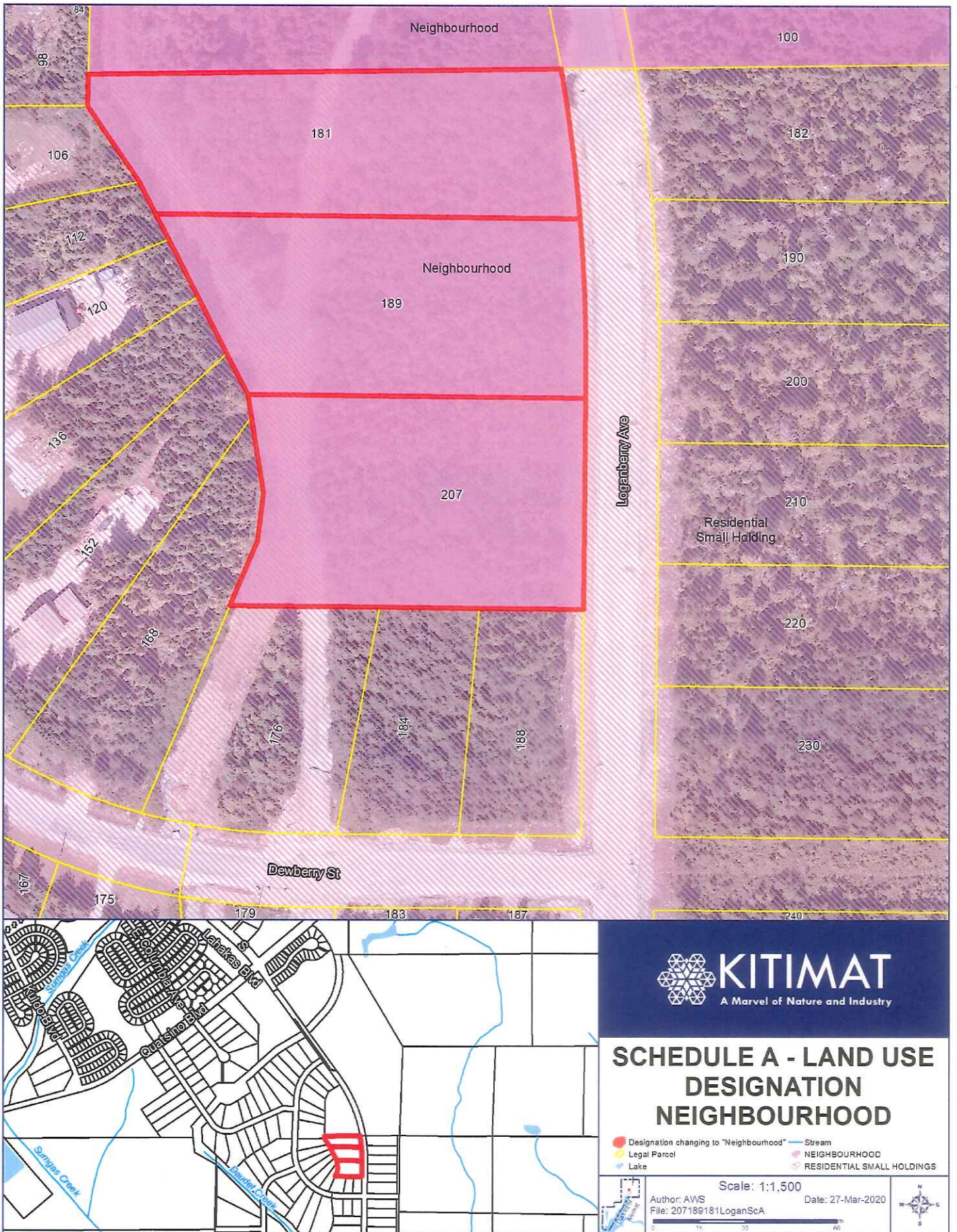
- 4. Re-numbering of Division 11 – Commercial Zone as required to update affected references.
- 5. Kitimat Municipal Code Zoning Map is amended that entirety of PID 030-865-786, 030-865-794, and 030-865-808, is in C10 Agriculture Commercial Zone, as shown on Schedule B, attached and forming part of this bylaw.
- 6. This bylaw shall come into force and be binding on all persons from the date of adoption.

READ a first time this	6 th	day of	April	,	2020.
READ a second time this	6 th	day of	April	,	2020.
A PUBLIC HEARING was held this	4 th	day of	May	,	2020.
READ a third time this	4 th	day of	May	,	2020.
FINALLY ADOPTED this	4 th	day of	May	,	2020.

MAYOR 
Philip Germuth

CORPORATE OFFICER 
Ethan Anderson

SCHEDULE A



SCHEDULE B

