

Public Hearing Agenda

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-PUBLIC HEARING MEETING AGENDA-

Agenda for a Public Hearing of the Village of Pemberton to be held **Tuesday**, **November 5**, **2019 at 7:00 p.m**. at Council Chambers, 7400 Prospect Street.

"This meeting is being recorded on audio tape for minute-taking purposes as authorized by the Village of Pemberton Audio Recording of Meeting Policy, dated September 14, 2010."

Village of Pemberton Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019

ORDER OF BUSINESS

- 1. Opening Statements by Mayor Mike Richman.
- Presentation of Village of Pemberton Zoning (Sunstone Lot 1)
 Amendment Bylaw No. 869, 2019
 - a. Public Hearing Notice
 - b. Staff Reports For Information
- 3. Correspondence and petitions received by the Village as of 4:30pm, Thursday, October 31, 2019.

No correspondence or petitions were received.

4. Any other correspondence and petitions received

Presentation of correspondence received after the deadline of 4:30pm, Thursday October 31, 2019.

- 5. Meeting open for public comment.
- 6. Closing Statements by Mayor Richman.
- 7. Adjournment.

PLEASE NOTE:

 After the Public Hearing is adjourned, the opportunity for public discussion is ended and Council members cannot accept any further information or submissions; this is to allow a fair process as established by provincial case law. The Bylaw is now a matter for Council's consideration based upon information received as of November 5, 2019.

THE VILLAGE OF PEMBERTON

BYLAW NO. 869, 2019

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018

WHEREAS the Council may amend its Zoning Bylaw from time to time;

AND WHEREAS the Council of the Village of Pemberton deems it desirable to amend the Zoning Bylaw to accommodate residential development;

NOW THEREFORE the Council of the Village of Pemberton in open meeting assembled **ENACTS AS FOLLOWS**:

1. CITATION

This Bylaw may be cited for all purposes as "Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019."

2. Village of Pemberton Zoning Bylaw No. 832, 2018 is amended by:

I) Adding the following Section as a new section 13.3 in Part 13 of the Zoning Bylaw:

13.3 Residential Amenity 3, Sunstone (RSA-3)

The Residential Amenity 3, Sunstone (RSA-3) Zone is to accommodate Detached Dwellings, on large lots within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

13.3.1 Permitted Principal Uses

(a) Dwelling, Detached

13.3.2 Permitted Accessory Uses

- (a) Accessory Suite
- (b) Bed and Breakfast
- (c) Carriage House
- (d) Home Occupation
- (e) Secondary Suite
- (f) Short-Term Vacation Rental

13.3.3 Conditions of Use

(a) A secondary suite use, an accessory suite or a carriage house use, is permitted as an accessory residential use on a lot, but not two (2) accessory dwelling units on the same lot.

- (b) No more than two (2) dwellings (which includes an *accessory dwelling unit*) may be located on a *lot*.
- (c) No more than two (2) accessory buildings or structures are permitted on a lot.
- (d) The maximum size of an accessory dwelling unit (secondary suite, accessory suite, or carriage house) is 90m².
- (e) The minimum lot sizes as a base density are as follows:

i. Detached Dwelling
 ii. Bed and Breakfast
 20,000 m²
 20,000 m²

(f) The minimum lot size where the requirements identified in Section 13.1.3 (g) have been fulfilled are as follows:

i. Detached Dwelling 2,000 m²
 ii. Bed and Breakfast 2,000 m²

- (g) The densities may be increased from the requirements identified in Section 13.3.3 (e) to the requirements identified in Section 13.3.3 (f) providing contributions toward community amenities have been provided through a payment of \$9,165 per detached dwelling or bed and breakfast lot, payable either:
 - in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses; and/or
 - ii. in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses.

13.3.4 Lot Regulations

a) Minimum Lot Size:	2,000 m ²
b) Minimum Lot Width:	18 m

13.3.5 Building Regulations

a)	Minimum Principal Building Width:	7.6 m
b)	Minimum Front Setback:	5 m
c)	Minimum Rear Setback:	5 m
d)	Minimum Interior Side Setback:	1.5 m
e)	Minimum Exterior Side Setback:	3 m
f)	Maximum Lot Coverage:	40%
g)	Maximum Number of <i>Principal Buildings</i> :	1
h)	Maximum Number of Accessory Buildings:	2
i)	Maximum Building Height, Principal:	10.5 m
j)	Maximum Building Height, Carriage House:	Two (2) storeys
k)	Maximum Building Height, Accessory:	4.6 m

13.3.6 Off-Street Parking

(a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

13.3.7 Screening and Landscaping

(a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

13.3.8 Signage

(a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

13.3.9 Watercourse Setbacks

Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

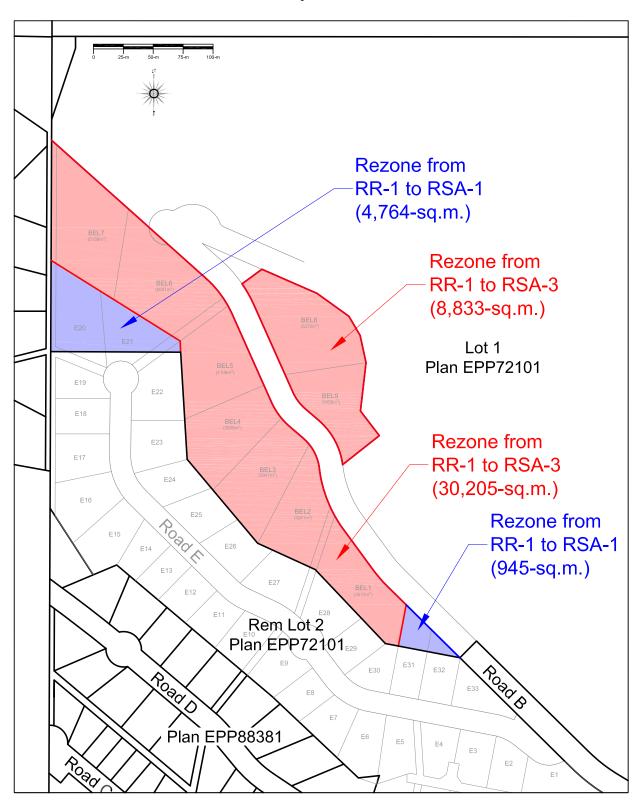
- **II)** Renumbering the pages commencing at Section 13.3 in sequence through the remainder of the Zoning Bylaw;
- III) Amending Schedule A Zoning Map to rezone the lands shown on Schedule A, attached to and forming a part of this Bylaw, from RR-1 Rural Residential 1 to RSA-1 Residential Amenity 1, Sunstone and RSA-3 Residential Amenity 3, Sunstone.

READ A FIRST TIME this 8th day of October, 2019.

READ A SECOND TIME this 8th day of October, 2019.

NOTICE OF PUBLIC HEARING FOR NO. 869, 2019 WAS PUBLISHED IN, 2019.			
PUBLIC HEARING HELD this	day of	, 2019.	
READ A THIRD TIME this	_ day of	_, 2019.	
ADOPTED this day of	, 2019.		
Mike Richman Mayor	Sheena F Corporate		_

SCHEDULE A "Subject Lands"





Public Notice

Official Community Plan (OCP) Amendment Bylaw No. 868, 2019 &

Zoning Amendment Bylaw No. 869, 2019

What is the OCP (Sunstone Lot 1) Amendment Bylaw No. 868, 2019?

Bylaw No. 868, 2019 amends the Official Community Plan Map B - Land Use to redesignate the subject property from 'Special Planning Area, Hillside' to 'Residential' to permit further residential development. Bylaw No. 868 also amends Map K – Environmentally Sensitive Areas and Map L – Land Constraints to designate the subject property as a development permit area for the purposes of protection of the natural environment and protection from natural hazards, respectively.

What is Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019 about?

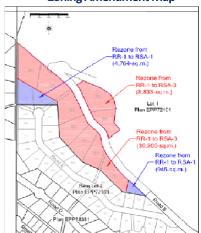
Bylaw No. 869, 2019 amends the Zoning Bylaw to create a new Residential Amenity 3, Sunstone (RSA-3) Zone to permit large residential (estate sized) development. The RSA-3 Zone would mirror the existing Residential Amenity 1, Sunstone (RSA-1) Zone, with the exception of a higher minimum parcel size of 2,000 m². Bylaw No. 869 also amends Schedule A – Zoning Map to rezone a portion of the subject property from Rural Residential 1 (RR-1) to RSA-1 to accommodate a reconfiguration of Lots E20, E21, E31 and E32; and to rezone the remainder of the subject property from RR-1 to RSA-3.



OCP Amendment Map



Zoning Amendment Map



What is the significance of the proposed OCP and Zoning Amendment (Sunstone Lot 1) Bylaws No. 868 and No. 869, 2019?

Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019 and Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019 will facilitate additional large residential lots that will enable these lots to be built more effectively in response to the topography. The effect of the amendments would be to facilitate a future subdivision application to create nine (9) new estate sized lots and enlarge four (4) existing lots in Phase 2. The lots would necessitate the extension of the municipal roadway but will utilize water and sanitary infrastructure constructed in earlier phases of the Sunstone Ridge development.

How do I get more information?

Copies of the proposed bylaws and relevant background documents may be inspected at the Village of Pemberton Office, 7400 Prospect Street during the office hours of 8:30am to 4:30pm, from Thursday October 24, 2019 to Tuesday November 5, 2019 and also online at www.pemberton.ca.

Sheena Fraser, Corporate Officer

Questions? We're Listening.









REPORT TO COUNCIL

Date: Tuesday, October 8, 2019

To: Nikki Gilmore, Chief Administrative Officer

From: Cameron Chalmers, Consulting Planner

Subject: Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019

Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019

First and Second Readings

PURPOSE

The purpose of this report is for Council to concurrently consider first and second readings to Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019 (**Appendix A**) and Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019 (**Appendix B**).

The bylaws have been prepared in response to an application by Sunstone Ridge Developments Ltd. to amend the Official Community Plan Bylaw No. 654, 2011 by redesignating a 4.47 hectare portion of Lot 1 from 'Hillside Special Study Area' to 'Residential' and rezone the subject lands from Rural Residential (RR-1) to a suitable residential amenity zone. The Applicant advises the intent of the applications is to facilitate the reconfiguration of four (4) lots identified in the subdivision approvals for Phase 2 and a future subdivision application to create nine (9) new estate lots in excess of 2000 m².

BACKGROUND

Official Community Plan Amendment:

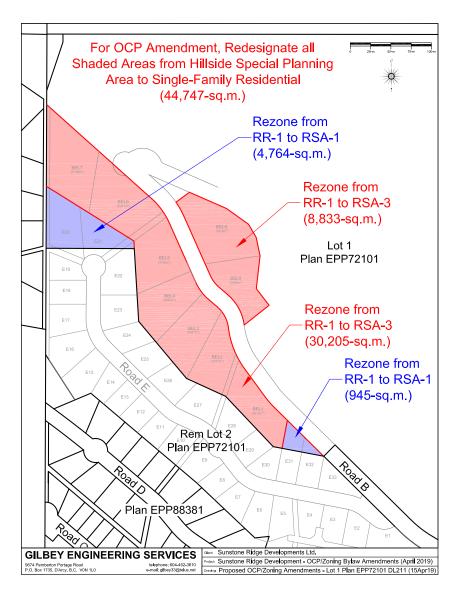
Sunstone Ridge Developments Ltd. made application to the Village of Pemberton on July 17, 2019 for a minor amendment to the Official Community Plan to incorporate an additional 4.47 hectares of land into the Sunstone Development. The OCP amendment would be a prerequisite to the companion rezoning application to rezone the subject lands from the current Rural Residential Zone (RR-1) to the Residential Amenity 1 (RA-1) Sunstone Zone that applies to the early phases of the Sunstone Ridge developments, and a newly created Residential Amenity 3 (RA-3) Sunstone Zone that will enable the development of residential lots in excess of 2,000 sq.m.

The lands are currently designated Hillside Special Study Area in anticipation of future OCP level planning work and additional rezoning applications which will require new or expanded servicing and infrastructure to accommodate future development beyond the lands already zoned for development. The intent of that designation is to compel additional land use study and community engagement before the approval of future phases of Sunstone Ridge beyond the lands already zoned for development. Staff anticipate that, at some time in the future, a special study process will be triggered by the owners and a comprehensive land use analysis and planning process will commence.

However, following infrastructure installation to service the first two phases, the Proponent identified an opportunity to service the subject lands from current infrastructure and has made

application for an OCP amendment and rezoning to include these lands as an extension to the first two phases of the Sunstone development. For all intents and purposes, the lands subject to the attached bylaws relate more to the initial phases of the Sunstone Ridge project than the future phases in the Special Study Area. Accordingly, the Applicant and Staff have agreed to advance the application in advance of the additional special study considerations.

The proposed amendments are therefore considered an extension of the previously approved phases, including an active Tentative Approval Letter issued by the Approving Officer on August 15, 2018 for the subdivision of Phase 2 and excepting additional road construction will utilize infrastructure constructed in Phases 1 and 2.



Regular Council Meeting No 1499 Sunstone OCP & Zoning Bylaw Amendment October 8, 2019 Page 3 of 7

In terms of the OCP amendment process, Council received a report pursuant to section 475 of the *Local Government Act* at the Regular Council Meeting No. 1498, held on September 10, 2019. At that meeting, Council endorsed the external agency referral process and directed the proponent to host a Public Information Meeting. The meeting was held on September 25, 2019 at Pemberton Meadows Golf Course. The meeting was attended by one (1) member of the public who completed a feedback form which is attached as **Appendix C**. The applicants have notified Staff that the meeting was advertised on Facebook with a reach of 529 people viewing the open house ad. It was also emailed to 39 Sunstone Ridge owners, 33 of whom opened the email. Additional emails were sent to residents of The Ridge, Pemberton Plateau and Plateau Townhomes Strata Corporations. Staff submit that the Applicant exceeded the advertising expectations and held an open house consistent with Council direction.

Referrals:

Agency referrals have been received from the Lil'wat Nation, the Ministry of Transportation and Infrastructure, neither of whom expressed any concern with the proposed OCP amendment and rezoning. The remaining agencies did not respond to the external referral sent on July 8, 2019.

Internal referrals have also been undertaken to a range of municipal departments. Engineering has identified a potential concern with the capacity of the reservoir to support the future subdivision. The proponent has supplied the Village with funds to assess the proposed land-use change against the Village water model. Though confirmation of water supply is routinely considered at subdivision; Staff have included a prior to adoption obligation that the Owner confirm adequate water supply before adoption of the zoning amendment. Again, this sort of prior-to adoption consideration as typical approach to rezoning.

Advisory Land Use Committee:

The proposed application was considered at the September 23, 2019 Advisory Land Use Committee meeting. Following a thorough discussion, the Committee passed the following resolution:

THAT the Advisory Land Use Planning Commission recommend to Council that the application for Official Community Plan amendment and rezoning for Lot 1 Sunstone be supported.

CARRIED

Zoning Amendment:

The rezoning application includes a minor rezoning from RR-1 to RSA-1 to accommodate the reconfiguration of lots E20, E21, E31 and E32 that are under active subdivision application. The rezoning is intended to enlarge the subject lots to respond more appropriately to the topography of the area. The total area proposed for this component of the rezoning is 5,709 sq.m.

The rezoning is primarily comprised of a proposed rezoning from RR-1 to a newly created RSA-3 zone. The proposed RSA-3 zone mirrors the provisions of the existing RSA-1 zone with the exception of minimum parcel size. The RSA-3 zone has been prepared to ensure a minimum parcel size of 2,000 sq.m.

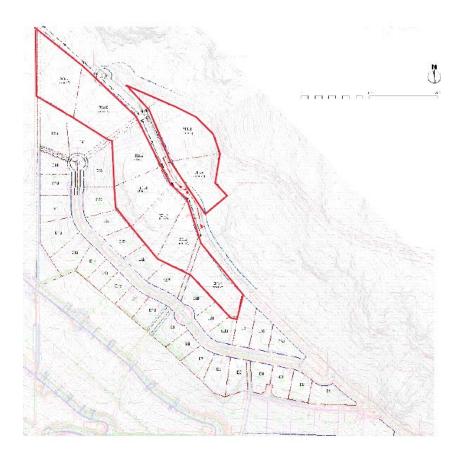
DISCUSSION & COMMENTS

The subject lands, which are legally described as Lot 1, DL 211, LLD, Plan EPP72101, PID: 030-329-612, are presently sloping and forested. The lands will gain access from an extension of a new road required in Phase 2 of the Sunstone development that will be ultimately resolved through a future subdivision process. The lands are intended to be serviced from the water and sanitary infrastructure constructed or secured in earlier phases of the Sunstone development.

As shown in the tentative plan below, the purpose of the proposal is to permit the modification of E20, E21, E31 and E32 to enlarge these lots slightly. This will enable these lots to be built more effectively in response to the topography. The primary purpose however is to create nine (9) new estate sized lots as indicated in the red outlined portion below. These lots would necessitate the extension of the municipal roadway are intended to utilize water and sanitary infrastructure that will be in place at the conclusion of Phase 2. Though the Applicant has provided a tentative plan of subdivision, the Village has not yet formally received a subdivision application.

The effect of the amendments would be to facilitate the future subdivision application. Detailed servicing, road alignments, lot configurations, and other details would be resolved at the subdivision stage.

The rezoning application would, if approved, result in amenity contributions as outlined in the new RSA-3 zone. This would result in a per lot contribution of \$9,165 for each new lot created and would be payable at subdivision. As with other Sunstone amenity contributions, the amenity contributions would be directed towards the ongoing development of the Recreation Site.



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Staff appreciate the proposed Official Community Plan amendment would redesignate lands identified as part of a future special study area. However, Staff contend the subject lands relate more clearly to the first phases of Sunstone than the remainder of the lands given the topography and servicing configurations. Accordingly, Staff are prepared to support the minor amendment to the OCP.

The purpose of the rezoning amendment bylaw is twofold:

- 1. to rezone the new portions of the four (4) existing lots to the RSA-1 zone, the same zone that has facilitated the development of the first phases of the Sunstone development; and
- 2. To rezone the nine (9) new lots to a newly created RSA-3 zone. This new zone would permit a range of housing types and lot sizes that would accommodate the Applicants intention to diversify the housing offering with larger estate lots.

It is unlikely the topography of the site would sustain a significant intensification of the housing form permitted under the RSA-3 zone. Accordingly, Staff are prepared to support the rezoning application.

The next step in the bylaw consideration process would be for Council to set a date and time for public hearing as outlined in the recommendations to this report.

COMMUNICATIONS

This report and request for Council consideration of first and second reading does not require communication beyond appearing on a regular agenda of Council.

Should Council send the proposed bylaws to public hearing, the hearing will be advertised in accordance with Section 465 of the *Local Government Act*. Notice to the Public will be issued by way of an advertisement in two (2) consecutive issues of the Pique Newsmagazine, not less than three (3) days prior and not more than ten (10) days before the public hearing.

LEGAL CONSIDERATIONS

There are no legal considerations at this time

IMPACT ON BUDGET & STAFFING

There are no budget, policy or staffing considerations at this time as the costs are recoverable with the application.

INTERDEPARTMENTAL IMPACT & APPROVAL

There are no interdepartmental impact or approvals required.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

This item will not have an impact on the Region as a whole.

Regular Council Meeting No 1499 Sunstone OCP & Zoning Bylaw Amendment October 8, 2019 Page 6 of 7

ALTERNATIVE OPTIONS

Option One: THAT Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868,

2019 be given first and second reading;

THAT Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019 be given first

and second reading;

AND THAT Council convene a Public Hearing on Tuesday, November 5 at 7:00

p.m. at the Village of Pemberton Council Chambers.

Option Two: THAT Council refer Official Community Plan (Sunstone Lot 1) Amendment Bylaw

No. 868, 2019 and Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019 to

Staff for additional consideration of the following matters:

• (To be added by Council)

Option Three: THAT Council refuse Official Community Plan (Sunstone Lot 1) Amendment Bylaw

No. 868, 2019 and Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019.

POTENTIAL GOVERNANCE CONSIDERATIONS

This application supports all four Strategy Priorities:

Strategic Priority One: Economic Vitality Strategic Priority Two: Good Governance Strategic Priority Three: Excellence in Service Strategic Priority Four: Social Responsibility

RECOMMENDATIONS

Recommendation One:

THAT Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019 be given first and second reading;

THAT Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019 be given first and second reading;

AND THAT Council convene a Public Hearing on Tuesday, November 5 at 7:00 p.m. at the Village of Pemberton Council Chambers.

ATTACHMENTS:

Appendix A: Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019

Appendix B: Zoning (Sunstone Lot 1) Amendment Bylaw No. 869, 2019

Appendix C: Public Open House Feedback Form

Regular Council Meeting No 1499 Sunstone OCP & Zoning Bylaw Amendment October 8, 2019 Page 7 of 7

Prepared by:	Cameron Chalmers, Consulting Planner
Manager Approval:	Lisa Pedrini, Manager of Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

THE VILLAGE OF PEMBERTON

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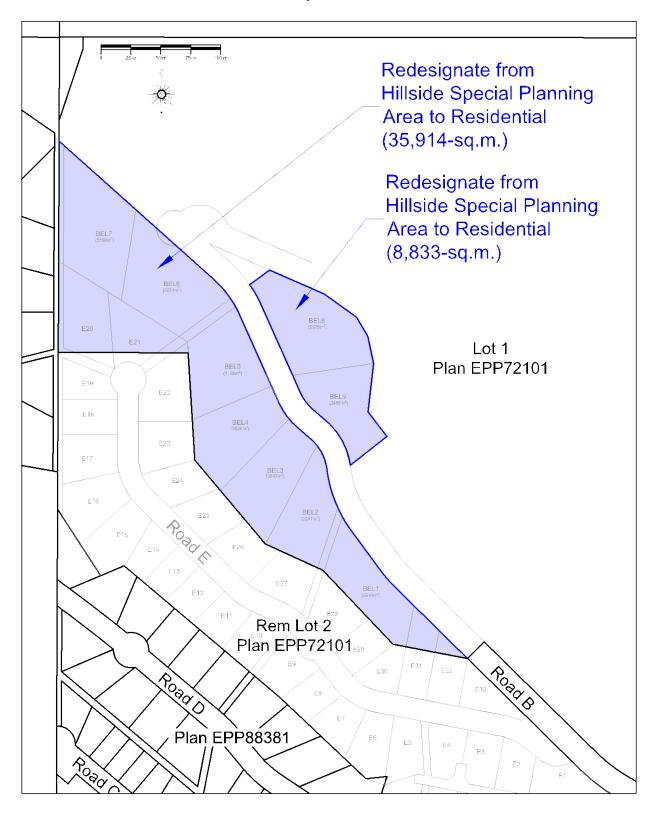
- a) Amending Map B Land Use Designations to designate the "subject lands" identified in Schedule A of this bylaw from "Hillside Special Planning Area" to "Residential".
- b) Amend *Map K Environmentally Sensitive Areas* to designate the "subject lands" identified in Schedule A of this bylaw as Development Permit Area No. 1 Environmental Protection.
- c) Amend $Map\ L$ $Land\ Constraints$ to designate the "subject lands" identified in Schedule A of this bylaw as Development Permit Area No. 2 Land Constraints.

READ A FIRST TIME this 8th day of October, 2019.

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AMENDMENT BYLAW NO. 868, 2019, 2019 AND	WAS PUBLISHED IN THE	•
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SCHEDULE A "Subject Lands"



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13.3 Residential Amenity 3, Sunstone (RSA-3)

The Residential Amenity 3, Sunstone (RSA-3) Zone is to accommodate Detached Dwellings, on large lots within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

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i. Detached Dwelling 20,000 m²
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- (g) The densities may be increased from the requirements identified in Section 13.3.3 (e) to the requirements identified in Section 13.3.3 (f) providing contributions toward community amenities have been provided through a payment of \$9,165 per detached dwelling or bed and breakfast lot, payable either:
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13.3.4 Lot Regulations

a) Minimum Lot Size:	2,000 m ²
b) Minimum Lot Width:	18 m

13.3.5 Building Regulations

a)	Minimum Principal Building Width:	7.6 m
b)	Minimum Front Setback:	5 m
c)	Minimum Rear Setback:	5 m
d)	Minimum Interior Side Setback:	1.5 m
e)	Minimum Exterior Side Setback:	3 m
f)	Maximum Lot Coverage:	40%
g)	Maximum Number of <i>Principal Buildings</i> :	1
h)	Maximum Number of Accessory Buildings:	2
i)	Maximum Building Height, Principal:	10.5 m
j)	Maximum Building Height, Carriage House:	Two (2) storeys
k)	Maximum Building Height, Accessory:	4.6 m

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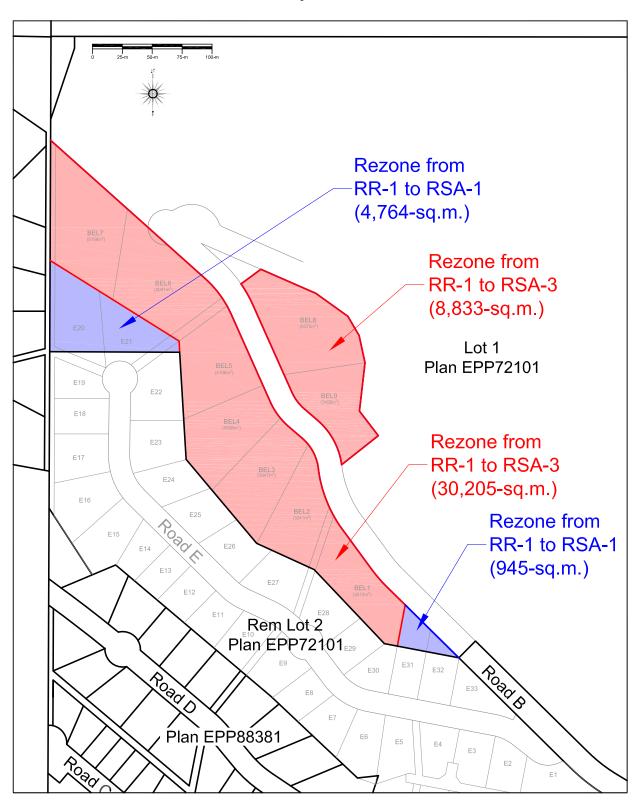
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Mike Richman Mayor	Sheena Fras Corporate O		

SCHEDULE A "Subject Lands"



SUNSTONE RIDGE DEVELOPMENTS LTD.

Public Open House

Public Notice | Council Mandated Public Information Meeting Wednesday, September 25th, 5:30pm to 7:00pm The Black Squirrel Restaurant, 1730 Airport Road

IN ATTENDANCE

Name	ADDRESS	
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COMMENT SHEET

Sunstone Ridge Developments Ltd.

Public Notice – Council Mandated Public Information Meeting
Wednesday, September 25th, 5:30pm to 7:00pm

Thank you for attending the Public Information Meeting. If you have any questions, please ask one of the development representatives present.

Please provide us with your input on the application:

1.	I am a resident of Pemberton, Ves No If no, I am a resident of
2.	I am in favour of this rezoning application as presented, YesNo Explain,
3.	To make the application more successful, I suggest the following; I would like to have a trail system that pridges the Ride of Sonstan. so the connections are not all paved.
4.	Other Comments,
100	me: Barb Turran.
Em	ail: (for project updates)
Th	ank you. Please leave this completed sheet with a representative.
Fu	ther Contact information:
Ca	m McIvor: