



**-PUBLIC HEARING MEETING AGENDA-**

Agenda for a Public Hearing of the Village of Pemberton to be held **Tuesday, September 21, 2021, at 5:30 p.m.** via ZOOM Webinar.

*"This meeting is being recorded as authorized by the [Village of Pemberton Video Recording & Broadcasting of Electronically Held Council, Committee, and Board Meetings](#)*

**\* All Council and Staff will be attending the meeting electronically. Instructions for public participation at the meeting can be found [here](#). Link to the Zoom Webinar: <https://us02web.zoom.us/j/81140799681>**

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**Official Community Plan Bylaw No. 654, 2011 Amendment (Tiyata - École de la Vallée) Bylaw No. 902, 2021 and Zoning Bylaw No. 832, 2018 Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021**

**ORDER OF BUSINESS**

1. Opening Statements by Mayor Mike Richman.
2. Presentation of Village of Pemberton Official Community Plan Bylaw No. 654, 2011, Amendment (Tiyata - École de la Vallée) Bylaw No. 902, 2021 & Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021. 2
3. Correspondence and petitions received by the Village as of 12:00 p.m., Wednesday, September 15, 2021.  
*None received.*
4. Any other correspondence and petitions received  
  
Presentation of correspondence received after the deadline of 12:00 p.m., Wednesday, September 15, 2021.
5. Meeting open for public comment.
6. Closing Statements by Mayor Richman.
7. Adjournment.

**PLEASE NOTE:**

**Once the Public Hearing has been adjourned, the opportunity for public discussion has ended and Council members cannot accept any further information or submissions; this is to ensure a fair process as established by provincial case law. The Bylaws are now a matter for Council's consideration based upon information received as of September 21, 2021.**

**Date:** September 21, 2021

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Cameron Chalmers, Village Consulting Planner

**Subject:** Concurrent Public Hearing to Official Community Plan (École de la Vallée) Amendment Bylaw No. 902, 2021 and Zoning Amendment (École de la Vallée) Bylaw No. 903, 2021

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### **PURPOSE**

The purpose of this report is to provide Council background information on the proposed Official Community Plan (OCP) Amendment and rezoning, specifically Official Community Plan (École de la Vallée) Amendment Bylaw No. 902, 2021 and Zoning Amendment (École de la Vallée) Bylaw No. 903, 2021 which if both are approved, would enable the construction of a new public school.

The report is also to draw Council's specific attention to an issue that has emerged with respect to one of the prior-to adoption requirements Council established at first and second reading. Specifically, this is in reference to the obligation for the Applicants to deliver, solely at their own cost, a new pedestrian bridge across Pemberton Creek.

A letter from the Applicants is attached as **Appendix A**. There is new information available about how that bridge crossing may be delivered that may warrant Council's reconsideration of this obligation. As this information is pertinent to consideration of the two bylaws, it should properly be introduced at public hearing should Council choose to amend the prior to obligations before consideration of third reading, which is Staff's recommendation.

### **BACKGROUND**

At Council Meeting No. 1539, held June 1, 2021, Council gave first two readings to the aforementioned OCP amendment and rezoning bylaws. At that time, Council also established prior-to obligations through the following resolution:

***THAT Official Community Plan Bylaw No. 654 (Tiyata - École de la Vallée) Amendment Bylaw No. 902, 2021 be given First and Second Reading;***

***THAT Zoning Bylaw No. 832, 2018, Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021 be given First and Second Reading;***

***AND THAT Adoption only be considered upon the Owner's completion of the following requirements:***

1. *Enter into a Section 219 restrictive covenant prohibiting issuance of any building permit or the use of any portion of the site as a school until the following amenities, works, and services have been constructed to the satisfaction of the*

*Village, or the Owner has entered into a Servicing Agreement or other acceptable form and posted a security to complete the following:*

- a) Community garden and parking area;*
- b) Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13 and Pemberton Creek crossing;*
- c) Road connection between CSF and Tiyata Strata for use as emergency access/exit;*
- d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard;*
- e) Off-site sanitary sewer upgrades as determined by the Village Engineer.*

*2. Prepare and submit in a registrable form, Statutory Rights-of-Way to provide public access as follows:*

- a) Community (public) use of the community garden area;*
- b) Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13 and the Pemberton Creek crossing;*
- c) Road connection between CSF and Tiyata Strata for use as emergency access/exit;*
- d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard.*

*3 Payment of any outstanding processing fees as per Development Procedures Bylaw No. 887, 2020.*

The detailed Staff report respecting the application is included as **Appendix B**.

At that time, Council also set July 13, 2021 as the date and time for public hearing, which was subsequently cancelled by resolution and September 21, 2021 was set as a new public hearing date.

The principal reason for the delay was the Applicant and Staff required additional time to work through the amenities outlined in Council's resolution and specifically the obligation to construct a pedestrian bridge over Pemberton Creek.

## **DISCUSSION & COMMENTS**

The Pemberton Creek pedestrian crossing is a longstanding desire of the Village. It is included in the Official Community Plan (OCP) policy as a deliverable of the Tiyata Special Planning Area, and was secured by restrictive covenant at the time of the original OCP amendment to facilitate the Tiyata subdivision (2010).

On Staff's recommendation, at their Regular Meeting No. 1512 held on April 21, 2020, Council removed the restrictive covenant affecting the subject land to facilitate the land sale from a private developer to Conseil scolaire francophone (CSF) for a French Language School. To date, CSF has worked with Staff to deliver many of the amenities contemplated in that original covenant, such as pathway connections and community gardens. In the first and second reading report, the condition established obligated CSF to deliver the pedestrian crossing as part of that amenity package despite the fact that an institutional development such as this is not expected to

contribute voluntary community amenities as per the Village's Community Amenity Contribution Policy.

The Applicant's and Staff have worked towards a solution for delivering that bridge crossing, but it has become apparent that CSF, as a publicly funded school under provincial regulations, may not have the ability to access Treasury Board funds for the bridge crossing. These limitations are clearly expressed in the letter from CSF attached as **Appendix A**.

Concurrent with the CSF amenity discussions, Staff entered negotiations with the original developer of Tiyata who is pursuing approval of a fourth phase subdivision. Those negotiations have sought to bring the bridge expectation to a conclusion subject to further discussion to address some minor concerns. CSF is committed to providing critical pathway connectivity at this time. Staff will continue to collaborate with both developers to deliver a public Pemberton Creek crossing.

Accordingly, Staff will be working toward bringing forward a recommendation to Council at Third Reading that the original pre-requisite be modified which would relieve CSF from the obligation to deliver the bridge through the school development. A draft recommendation is provided which would be subject to agreement being reached.

**THAT** the "prior to rezoning obligation" 1(b) for *Zoning Bylaw No. 832, 2018, Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021* established by Council resolution at the Regular Meeting No. 1539, held on June 1, 2021, be amended to read as follows: "*Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13 and that CSF continue to collaborate with Staff, adjacent landowners, and the Province to deliver a public pedestrian Pemberton Creek crossing.*"

As outlined in CSF's letter, there are still opportunities for CSF to be active financial partners in the ultimate bridge construction; however, they cannot have the rezoning contingent on a requirement that they do not have the means to satisfy.

In terms or process, Council should consider the above noted staff recommendation and potential amendment to the prior-to obligations at consideration of third reading, following conclusion of the public hearing.

## **COMMUNICATIONS**

Subject to Section 464 of the *Local Government Act*, a Public Hearing must be held for both OCP and the Zoning Amendment Bylaws, after First Reading of the bylaws and before Third Reading. Notice of the Public Hearing has been given as per s. 466 of the *LGA [RSBC 2015]*.

Notice of public hearing was published in the September 9<sup>th</sup> and September 16<sup>th</sup> editions of the Pique Newsmagazine. A copy of the notification is attached as **Appendix C**.

## **LEGAL CONSIDERATIONS**

The processing of an OCP Amendment and Rezoning application is regulated by various sections contained in Part 14 of the *Local Government Act [RSBC 2015]* and by the Village's Development Procedures Bylaw 887, 2020, as amended from time to time.

### **IMPACT ON BUDGET & STAFFING**

The research and preparation of this report is a component of the daily work undertaken by the Development Services Department. All costs associated with the processing of this application, including Staff time, are recoverable from the applicant's fees as per the Village of Pemberton Development Procedures Bylaw 887, 2020, as amended from time to time.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There is no interdepartmental impact or approvals required respecting the processing of this application as it is a function of the Development Services Department.

### **ALTERNATIVE OPTIONS**

There are no alternative options provided at this time.

### **Attachments:**

**Appendix A:** Letter from CSF dated September 7, 2021

**Appendix B:** Report to Council for consideration of First and Second Reading, dated June 1, 2021

**Appendix C:** Public Hearing Notification

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



## OFFICE OF THE SECRETARY-TREASURER

Richmond, September 7, 2021

Mayor and Council  
 Village of Pemberton  
 Box 100, 7400 Prospect Street  
 Pemberton, BC V0N 2L0

Re: Official Community Plan (“OCP”) amendment and rezoning application for Lot 3,  
 District Lot 203 Lillooet District Plan 12807

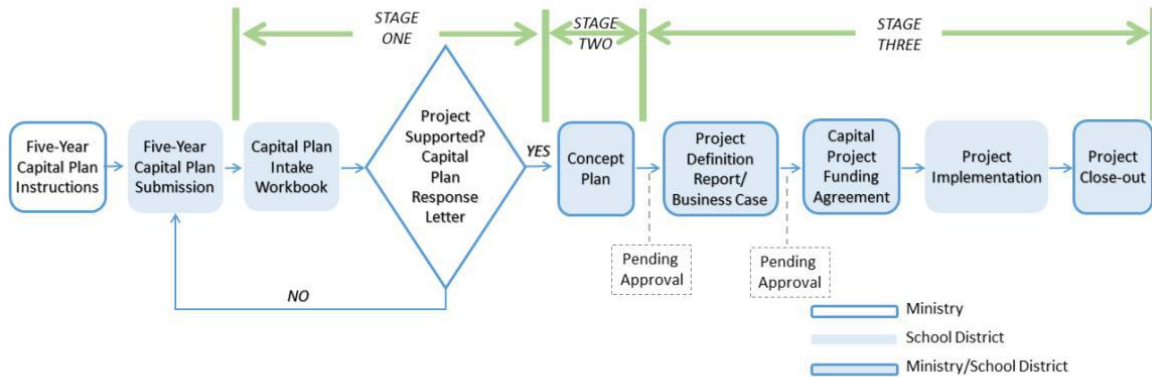
Dear Mayor and Council,

On behalf of the CSF Board of Education and the Pemberton francophone students, staff, and parents, we extend a sincere thank you for approving First and Second Readings regarding Official Community Plan (Ecole de la Vallee) Amendment Bylaw No. 902, 2021 and Zoning Amendment (Ecole de la Vallee) Bylaw No. 903, 2021 (OCP Amendment). Achieving this first step in the approval process has provided the Pemberton francophone community with increased hope of overcoming its long time *Section 23, Charter of Rights* struggle to have its own francophone homogeneous school in the Village of Pemberton.

The letter dated June 3, 2021, from the Village of Pemberton (Village) Manager, Corporate & Legislative Services outlines the requirements the CSF must complete to receive adoption of the OCP Amendment. As stated in previous correspondence, the CSF is a publicly funded entity and as such must comply with provincial government regulations, policies, and processes as it relates to capital project funding approvals. The CSF has met with Ministry of Education officials on several occasions seeking support for the Community Amenities Contribution required by the Village. To date, government has maintained its position that the CSF will need to provide a concept plan and business case development to secure funding for construction of a new school. The concept plan provides decision-makers with information regarding a capital need, as well as a preliminary analysis of potential options to meet that need. No funding decision can be made by the Ministry of Education. The Ministry of Finance will review and recommend directions to move forward to the third stage process.

As a means of assisting Council in understanding the CSF’s plight, the following schematic outlines the Capital Planning process that the CSF must adhere to. Currently, the CSF is at Stage 2 - Concept Plan. The Concept Plan is the segment of the development stage where all aspects of the construction project are identified. Stage 3 represents the final development, budget approval and the implementation segments of the process and is where the multitude of funding formulas are applied as outlined in the Ministry of Education Schedule B Companion Document. A budget item is included under Schedule B to recognize on-site development work that a school district may choose to undertake as part of an approved capital project. The Site Development Allowance provides funding for site work and site features, such as site preparation, site servicing, landscaping, fencing, concrete paving, asphalt paving, and site structures as it relates to on-site amenities. In addition, supplementary site items which are premium costs for work not covered under the Site Development Allowance, can be identified for consideration by government.

Government has been clear that it will not commit support for individual municipal funding requirements related to off-site amenities until such time as the CSF submits its Concept Plan and Business Case for the project.



In addition to the various community amenities inherent with the development of a school highlighted in CSF correspondence dated April 21, 2021, including the construction of a new Highway 99 intersection, the CSF is prepared to complete the following Village requirements as noted in Council’s June 1 resolutions:

- a) Community garden and parking area
- b) Road connection between CSF and Tiyata Strata for use as emergency access/exit
- c) Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13
- d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard
- e) Off-site sanitary sewer upgrades as determined by the Village Engineer

In addition to the foregoing requirements, the CSF will prepare and submit in a registrable form, Statutory Rights-of-Way to provide public access as follows:

- a) Community (public) use of the community garden area
- b) Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13 and Pemberton Creek crossing
- c) Road connection between CSF and Tiyata Strata for use as emergency access/exit
- d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard

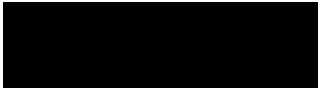
It is with regret that without government’s financial support for the Pemberton Creek Crossing, the CSF cannot commit to the estimated cost of this requirement therefore unable to complete all requirements outlined in the June 3 letter. The CSF will continue its pursuit for government financial support of the Pemberton Creek Crossing as it moves forward through Stage 3 of the Capital Planning process and appeals to Council to continue working collaboratively with the CSF to develop the details, costs and putting a plan together associated with the Pemberton Creek Crossing that meets the financial limits of both the Village and the CSF including the willingness to seek alternate funding sources.



## OFFICE OF THE SECRETARY-TREASURER

The CSF sincerely appreciates Council's understanding and looks forward to its continued support as the project moves forward through government's Capital Planning processes.

Sincerely,



**Simon Couture**

A/Secretary Treasurer

cc: Lisa Pedrini, Manager of Development Services  
Nikki Gilmore, Chief Administrative Officer Michel  
St-Amant, CSF (SD 93) Superintendent-CEO Chafic  
El Rassi, Director of Capital Planning Cameron  
Chalmers, Village Consulting Planner Craig Burns,  
Principle Architecture, Agent  
Guy Bonnefoy, CSF (SD 93) Consultant



**Date:** June 1, 2021

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Lisa Pedrini, Manager of Development Services  
Cameron Chalmers, Village Consulting Planner

**Subject:** Official Community Plan (Tiyata - École de la Vallée) Amendment Bylaw No. 902, 2021  
Zoning Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021  
First and Second Readings

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### **PURPOSE**

The purpose of this report is for Council to concurrently consider first and second readings to Official Community Plan (Tiyata – École de la Vallée) Amendment Bylaw No. 902, 2021 (**Appendix A**) and Zoning (Tiyata – École de la Vallée) Amendment Bylaw No. 903, 2021 (**Appendix B**).

The bylaws have been prepared in response to an application by Craig Burns, Principle Architecture, Agent for the applicant Conseil scolaire francophone de la Colombie-Britannique (CSF)/School District No. 93 to facilitate the construction of a school/community hub aimed at francophone education on Lot 3, DL 203 LLD, Plan 12807, except that part which Lies to the East of the East Boundary of Plan Crown Grant 253 (**Appendix C**).

### **BACKGROUND**

The CSF (SD#93) is the only province-wide school district which offers French-first language elementary and secondary education. In Pemberton, the CSF operates École de la Vallée de Pemberton (École de la Vallée). The CSF's program is presently operated in four portable classrooms behind Signal Hill Elementary (two of which are owned by SD#48). The CSF also leases two classrooms and gym space in the Pemberton Community Centre. As of September 2020, 84 students are enrolled from kindergarten to grade 8 and there is no secondary (9-12) French-first language program offered. The CSF's core catchment area includes the Village of Pemberton and surrounding communities as shown in **Appendix D**.

Presently, there is an overall lack of capacity and functionality, including space for a Strong Start, daycare or preschool program at the school. In September 2016, the British Columbia Supreme Court determined that provincially the lack of functional, attractive, and sufficient space deterred eligible parents from enrolling their children in French-first Schools, impeding them from exercising their constitutional rights to have their children attend French-first language programming. This decision applied to École de la Vallée as well as other CSF locations across the province. In June 2020, the Supreme Court of Canada concluded that the CSF cannot offer its students an educational experience that is substantively equivalent to that offered by English schools and that the breach must be remedied.

French-first language programming (provided by the CSF) is different from French Immersion programming provided by the Sea-to-Sky School District (SD#48). The CSF's programming is intended for students whose parents are part of the Francophone minority and who are eligible to attend a CSF school pursuant to stringent admissions criteria. In a CSF school, French is taught as a first language and meant to help students develop their French language identity and culture. In contrast, French immersion (offered by SD#48), is intended for the majority student population (often families where no parent is Francophone) and where French is taught as a second language.

The CSF has been seeking acquisition of a site to construct a school in Pemberton for over 10 years. Village Staff have assisted various representatives from CSF for the past few years in their search for an ideal parcel to facilitate this development.

On April 21, 2020, at the Regular Council Meeting No. 1512, Staff presented a report to Council seeking to discharge a covenant on lands slated for Stage 2 of the Tiyata development. While not disclosed at that time, this parcel was under negotiation of sale between the landowner and the CSF. Staff sought the removal of certain amenity commitments negotiated between the Village and the developer of Tiyata as part of the historic rezoning to facilitate residential development to free up the title for transfer to a non-profit entity for a non-residential use. As a result, Council passed the following resolution:

***THAT Council authorizes the discharge of Covenant LB387063 from Lot 3, Plan 12807, District Lot 203, Lillooet Land District, Except that part which lies to the East of the East boundary of Plan Crown Grant 253, and authorizes the Chief Administrative Officer to effect the discharge.***

At that time, Staff advised that the new proposed use would require OCP and Zoning Bylaw Amendments, and thus Council would have the discretion to consider the application and any voluntary amenity contributions offered at a future date.

The Village received the OCP Amendment and Rezoning application on October 9, 2020 and shortly afterward Staff presented a report to Council for their consideration of early and ongoing opportunities for consultation on the OCP Amendment pursuant to Section 475 of the *Local Government Act*. At the Regular Meeting No. 1524, held October 20, 2020, Council passed the following resolution:

***THAT Council has considered the obligations under Section 475 of the Local Government Act with respect to the Official Community Plan amendment application by on Lot 3, DL 203, LLD, Plan 12807 and requests that the Applicant organize, advertise, and host at least one (1) public information meeting prior to consideration of First and Second reading of the forthcoming OCP amending bylaw.***

***THAT Council has considered Section 475 of the Local Government Act and directs Staff to consult with the following organizations before consideration of First and Second Reading to the forthcoming OCP amending bylaw:***

- *Lil'wat Nation*
- *Ministry of Transportation and Infrastructure*

- *Ministry of Education*
- *Squamish Lillooet Regional District*
- *Pemberton Valley Dyking District*
- *CN Rail*
- *School District No. 48 – Sea to Sky*
- *Pemberton and District Chamber of Commerce*
- *TELUS*
- *BC Hydro*

## **DISCUSSION & COMMENTS**

The subject property is designated “*Tiyata Special Planning Area*” and “*Residential*” in the Village of Pemberton Official Community Plan (OCP) Bylaw 654, 2011. As per Section 6.1, the stated vision for the **Tiyata at Pemberton Neighbourhood** is “*a sustainable development that offers compact housing catering to a range of incomes and ages*”. Part of that vision is that “*residents have easy access to places or work, shopping and community amenities*”. In order to accommodate a public school within the neighbourhood, Staff recommend some high-level text amendments to clarify that adding institutional uses to the land use mix will not compromise the vision of the existing residential neighbourhood and can be accommodated under this designation.

In terms of OCP Schedules, revisions to Schedule B - Land Use Map are necessary to remove the Residential designation and replace it with the Civic & Institutional designation. Revisions to Schedule C – Development Permit Areas and Schedule F2 – Future Community Facilities are also necessary.

The subject property is zoned Comprehensive Development Zone 5 (CD-5), **Tiyata at Pemberton**. The intent of the CD-5 Zone is to recognize a comprehensively planned area which includes a variety of types of housing, a limited amount of commercial and office floor space, active and passive park land, and a trail network. For the purpose of regulation, the zone was divided into six (6) separate “areas”, and separate regulations apply to each area in this Zone.

Amendments to the CD-5 Zone include removing reference to the site for non-market affordable housing (formerly Area 3) and rearranging the area numbers. Area 1 and 2 remain the same. Area 3 now refers to the former Area 4 (Small Lot Residential). Area 4 now references Parkland which was formerly Area 6. Area 5 refers to the School Use proposed for the entire subject parcel and includes regulations modelled after the Public 1 (P-1) Zone, except for maximum height. [The applicants have requested that the maximum height refer to storeys (3), rather than a maximum height in metres given that the height of the school ceilings, which are generally greater than residential, have yet to be determined.]

## **PROPOSED DEVELOPMENT CONCEPT**

The proposed development concept is a new, three (3) storey Kindergarten to Grade 12 (K-12) community school centre capable of accommodating 40 kindergarten, 200 elementary and 150 secondary students, for a total nominal capacity of 390 students. The 6,946 sq m (74766.122 sq ft) school will provide space for growth, both at the elementary and secondary levels. The site area is sufficient to accommodate eventual expansion, both temporary (in portables) and permanent (construction of an addition). The CSF projects that its student population will increase

significantly once a new school, from which it will be able to offer equivalent programming, is built and expects to see enrolment from Whistler, mostly for the secondary program.

The subject property is currently vacant and is bordered by Highway 99 to the South, Pemberton Creek to the West, the Tiyata development, Signal Hill Elementary School and BC Hydro Right of Way to the North and a vacant property to the East. The property measures 10.13 acres and is encumbered by BC Hydro Right of Way.

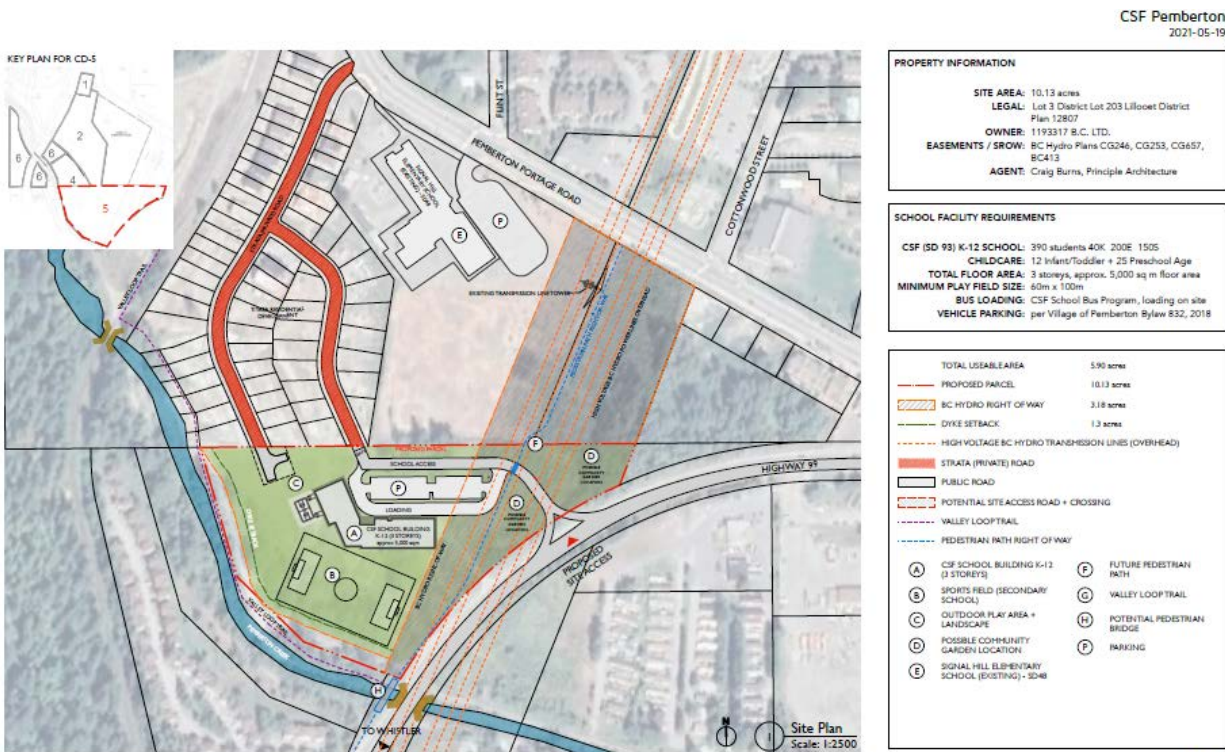


**Map A: LOCATION MAP**

The proposed development site will be accessed from Highway 99 from the southern edge of the property. Access through Tiyata is not viable, as this is a strata development; however, the proposed access can serve as an emergency exit for the Tiyata neighbourhood in future. As part of their due diligence, the CSF undertook an extensive review of other potential options for accessing the site, including seeking access through Lot 13. It was determined that access off Highway 99 was the preferred and ultimately the only viable option, and will require the construction of an intersection and new public road. The jurisdiction for approving access off Highway 99 rests with the Ministry of Transportation and Infrastructure.

The existing CSF elementary school, which presently operates from portable buildings on the adjacent Signal Hill Elementary School site and the Pemberton Community Centre, will be integrated into the new school. The daycare component will have capacity for up to 40 children of Francophone families, providing much-needed childcare space for infant/toddler- and preschool-aged programming. The CSF's facility will also incorporate community amenities and serve as a community hub for the French-speaking population of the Pemberton Valley. Community amenities, which may include a theatre, industrial kitchen or other multi-purpose rooms, will be available to the broader community outside of regular school hours. The Property will also include

a regulation-sized (60 m 100 m) sports field and community garden space, which will be available to the broader community.



Site Plan - OCP + Zoning Amendment **AO**

### MAP B: PROPOSED DEVELOPMENT SITE PLAN

The Conceptual Site Plan above indicates a proposed site access off Highway 99 allowing full movement to vehicles turning right or left. The Ministry of Transportation and Infrastructure (MOTI) will need to authorize an access (driveway) permit in this location. Parking and loading have been provided.

The Conceptual Site Plan also shows the inclusion of a hammerhead as a turn-around for Tiyata Boulevard and a flow-through from the unnamed road to be developed in Tiyata Phase 4. As the road system cannot freely connect to Tiyata given its status as a bareland strata, any emergency access potential through Tiyata would need to be locked and gated. The accommodation of a turn-around for the unnamed road in Phase 4 will not be housed on the CSF property, but Staff have recommended to the Approving Officer that this be a requirement of Tiyata Phase 4.

## REVIEW OF DEVELOPMENT CONCEPT

### Access and Circulation

In the absence of other viable options for site access to the municipal road network, the Ministry of Transportation and Infrastructure (MOTI) has reviewed the application and supports direct access off Highway 99. MOTI has indicated support for the highway access as a right-in/out driveway. The Ministry has further advised that left-turn entry/exit access may also be considered if determined to be safe and without significant operational impact to traffic flow on the highway.

- The access will require further review and will require an Access to a Controlled Access Highway permit from the Ministry.
- A full movement access will require further analysis and review – this present support should not be construed as pre-approval for a full movement access
- The proponent will need to consider the costs of potential improvements to the highway to support an access
- Access approval may need to consider access to adjacent lands (e.g. through public road dedication or easements)
- Consideration of active transportation accommodation.

The proponents retained Peter Joyce, P. Eng., Bunt & Associates Ltd., to prepare a transportation study for the proposed development. The primary focus for the transportation study is to assess the safety and operation of the proposed highway access intersection, and to consider the broader mobility requirements of the new school including notably the accommodation for convenient and safe pedestrian and cyclist connections.

**Planning Staff Comments:** *The final decision on the type of intersection permitted rests with the Ministry of Transportation and Infrastructure (MOTI). While the applicants would prefer a full-movement intersection and are working towards achieving this, they have been guaranteed the right in/right out as a minimum and having this early determination from MOTI has allowed the applicants to continue to pursue the rezoning. Council is dissuaded from making a full movement intersection a requirement of rezoning, as this is outside the Village's jurisdiction.*

*The emergency access connection to Tiyata will need to be established through a statutory right-of-way registered prior to adoption. As such, Staff recommend a Statutory Right-of-Way (SROW) for this purpose be prepared and submitted prior to adoption of the Bylaws. Restrictions via removable bollards or similar on vehicle access will be required.*

*The hammerhead at the north-west corner of the site will also need to be constructed and registered as a SROW or easement as this infrastructure is necessary for the vehicle circulation of the Tiyata development located to the north of this school site. Staff recommend a Statutory Right-of-Way to provide public access to this turn-around be prepared and submitted prior to adoption of the Bylaws.*

### **Affordable Housing**

The subject property presently has a portion of the site designated for non-market housing, specifically the portion zoned Area 3 in the current Key Map of the CD-5 Zone. At the time of the original Tiyata rezoning in 2010, the intent was for the Village to develop the small, triangular shaped portion next to the community garden for “*the purposes of housing for Pemberton residents*” as per Covenant LB387063. In 2020, the property owner requested that Council remove Covenant LB387063 to facilitate sale of the property to a non-for-profit entity (CSF) for the purposes of a non-residential development (the proposed French School).

At the time, Staff reviewed the lands identified for this use, and noted that they were severely encumbered by restricted access from Highway 99, the BC Hydro right of way, servicing and parcel configuration, and felt it was very unlikely that the portion of Lot 3 lying east of the hydro right-of-way would ever yield any residential development. As such, Staff supported the discharge

of the developer obligations in the covenant noting there would not likely be any benefit or value accruing to the Village from completion of the developer obligations.

**Planning Staff Comments:** *Staff did not foresee the viable development of the site for any commercial or residential purpose, and is therefore satisfied that the rezoning to facilitate a new school, playing fields, much needed daycare spaces, community garden space and emergency access for Tiyata residents is as beneficial, if not more, as the small piece of land designated for non-market housing.*

### **Amenity Contributions**

At the time of rezoning for the subject property, covenants were registered on the lands to further guide the development of the area and secure a number of amenities. As noted in the background, the restrictive covenant that was registered on the Stage 2 Tiyata – Thuro Lands (the subject property) was removed to facilitate sale of the land for the proposed development.

It is standard for the Village to seek a voluntary contribution of community amenities from applicants at the time of rezoning. However, the Village’s Community Amenity Contribution Policy only applies to residential developments. Despite this, given that Council was asked to discharge Covenant LB387063, the Restrictive Covenant that outlined all the commitments made by the original developer of Tiyata, Staff feel it is in the best interest of the Village to maintain some of the commitments and amenities previously made that are still compatible with the new land use.

- *the dedication of that portion of the Lands for the purposes of a community garden*
- *the construction of flood protection works as necessary*
- *the construction of the Valley Loop Trail within the boundaries of the land*
- *the design and construction, or security for the cost of developing a pedestrian bridge over the Pemberton Creek to the reasonable satisfaction of the Covenantee (Village).*

On April 16, 2021, the Applicants sent correspondence (**Appendix E**) that put forward an amenity package they feel will offset these items, acknowledging that this project is completely dependent on the capital funding support of the Province which is construction specific and does not include supplementary allocations for community-based amenities. As per the Village’s Community Amenity Policy, the Applicants outlined the significant amenity package the CSF brings to the Village as part of its proposed francophone school development including requirements, community benefits and voluntary amenities, which have been summarized in the table below.

| <b>Project Requirements</b>   | <b>Community Benefits</b>  | <b>Voluntary Amenities</b>  |
|---|--|---|
| \$40 million plus capital investment by the Province of BC generating Village Building Permit fee revenue   | Creation of 3 Storey K-12 Public Francophone School / Community Hub including 7,000 sq m of educational space  | Development of the Valley Loop Trail to provide continuity through the property |
| Site Access improvements and guaranteed right in/right out configured intersection at Highway 99 allowing emergency exit opportunities through Tiyata | Creation of a Francophone Childcare Program reducing pressure on local childcare providers, employing 10 staff | Development of pedestrian access through the site to community nearby amenities |

|   |  |  |
|---|--|--|
| Upgraded site servicing and off-site servicing improvements | After hour community access to full-sized play field and playground                                | Allocation of property for future location of Community Garden on the site |
|   | After hour community access to classrooms and full-sized gymnasium                                 |  |
|   | Employment of locally contracted services for grounds & facility maintenance                       |  |
|   | Numerous local employment opportunities in all facets of construction for estimated 18month period |  |

**TABLE 1: CSF PROPOSED BENEFITS, APRIL 2021**

In response, Village Staff sent correspondence to the Applicants, dated April 21, 2021, **Appendix F** acknowledging the inherent benefits of the project, but noting that one long-standing benefit, the pedestrian bridge crossing over Pemberton Creek, was not addressed. Staff noted their concern with completely abandoning the long-held understanding that the pedestrian crossing would be delivered through the development of the subject lands and requested that CSF collaborate with the Village to deliver this important community connection. The letter stated that while the Village realizes this is not a market, real estate development, it maintains that pedestrian trail connectivity, including the pedestrian bridge, are essential to the community and will further the Village’s Safe Routes to School desires.

The CSF provided a response on May 4, 2021 (**Appendix G**) advising that at this point, Ministry officials are unable to commit to amenity funding given the stage (Stage 2 – Concept Plan) where the CSF is with respect to the development of the construction project. They contend that once they move to a future stage (Stage 3 – Final Development/Budget Approval) opportunities open up to work collaboratively toward making a Business Case to the Province for this amenity.

**Planning Staff Comments:** *Planning Staff are satisfied with the proposed voluntary amenity contribution as presented in the correspondence, dated April 21, 2021, with the understanding that CSF is committed to working with the Village in future to develop details and costing for a pedestrian bridge over Pemberton Creek and working collaboratively toward its attainment. Staff recommend that the voluntary Community Amenity Contributions be secured through a Section 219 No Build Restrictive Covenant and that a Statutory Right-of-Way to provide public access to the community garden and trails linkages be prepared and submitted prior to adoption of the Bylaws.*

**Cultural Values**

The subject property is located within the traditional territory of the Lil’wat Nation; however, according to Map D, there are no registered archaeology sites or spirited ground areas on the subject property. The Lil’wat Nation did not provide a response.

The proposed school use will support French-first language elementary and secondary education which is guaranteed in British Columbia by s. 23 of the Canadian Charter of Rights and Freedoms



(the “Charter”) and will provide a key cultural hub for the French speaking residents of Pemberton and the surrounding area.

**Planning Staff Comment:** *The Village’s OCP, Section 5.3.1 directs the Village to provide safe, accessible and convenient facilities for artistic, cultural, academic, leisure and recreational expression, activities and learning.*

### **Development Permit Areas (Official Community Plan)**

Pursuant to the Village Official Community Plan (OCP), the subject property is located within Development Permit (DP) Areas No. 2 – Land Constraints (Floodplain) and No. 5 Intensive Residential, whereby the objectives are an effort to ensure that neighbourhoods embrace and accommodate a mix of residential densities to facilitate livable, cohesive and compatible neighbourhoods. Only the designation of DP Area No. 2 remains relevant.

**Planning Staff Comments:** *As the requested amendment does not include any residential development, Map C – Development Permit Areas will need to be revised to remove the “Intensive Residential DP Designation” from the subject property. Civic, developments, which a school would be considered, are not subject to Form and Character DP Area guidelines under the Local Government Act.*

### **Environmental Considerations**

The applicants submitted a Fill Soil Investigation Report for the subject property conducted by PGL Environmental Consultants (PGL) in 2017. PGL was retained by Tiyata Developments Inc. at that time to assess fill from unknown sources that had been stored on the site. Soil samples from five (5) different areas (three (3) from stockpiles and two (2) from surface) were collected and tested for potential contaminants of concern. The results indicated that all samples contained less than the maximum applicable residential standard for the potential contaminants of concern.

**Development Services Staff Comment:** *Staff are satisfied that there are no additional environmental considerations.*

### **Fire Protection**

The Fire Chief reviewed an early version of the concept plan for the application and made the following comments with respect to the proposed development:

- Strata Turnarounds – Fire apparatus turn around dimensions set by the International Fire Code need to be met at the terminus of both Strata Roads.
- Fire Lane Access - The school parking lot should be designed to be drive through and the school building should be as proximate as possible to the road or driveway.
- Hydrant locations will need to be reviewed.

**Staff Comment:** *The Fire Chief has since reviewed a resubmission of the latest site plan and noted his concerns have been addressed.*

### **Site Servicing and Infrastructure**

### Water

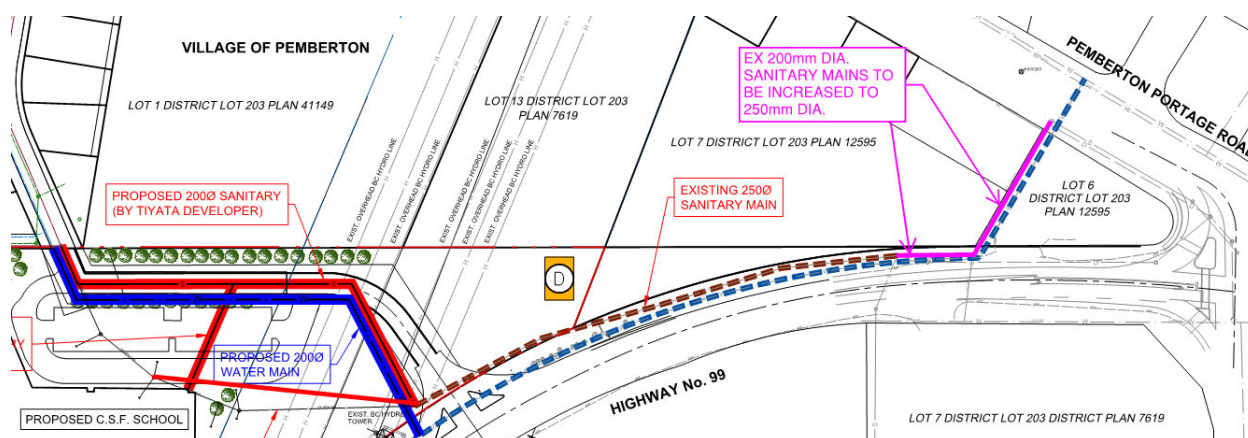
The Village's Consulting Engineer, Richard Avedon-Savage, P. Eng. of ISL Engineering, has reviewed the development proposal and has confirmed in **Appendix H** that the capacity of water can be accommodated but that more information on irrigation demands is needed.

**Engineering Staff Comment:** *It is recommended that a separate irrigation system that is not connected to the municipal water system is provided.*

### Sanitary

In **Appendix H**, it has confirmed that the peak flow rate will be 9.5L/sec and that downstream sewers can generally accommodate this additional flow except for two 200mm diameter segments.

**Engineering Staff Comment:** *Two segments of sanitary mains (total 95m) will require upsizing to 250mm diameter. Alternative alignments of the offsite sewers may also be considered.*



**MAP C: LOCATION OF REQUIRED SANITARY UPGRADES**

### Storm Management

A stormwater management plan has not been provided at this time however provisions for stormwater conveyance to receiving storm systems from the upland development (Tiyata) may need to be resolved.

**Engineering Staff Comments:** *A comprehensive storm water management strategy, to the satisfaction of the Village, will be required before any redevelopment is permitted on the subject lands. Flood construction levels will need to be established for this site and flood protection works may be required as part of the development of this site.*

### Offsite Works and Services

Upon acceptance of the proposed offsite works and services, a detailed construction cost estimate will be required by the Village of Pemberton and will form the basis for the Servicing Agreement and any bonding requirements. The Developer will be required to enter into a Servicing Agreement with the Village of Pemberton for all site improvement works as outlined in the current *Subdivision and Development Control Bylaw*.

**Planning Staff Comment:** Staff recommend securing any off-site works and services through the registration of a Section 219 No Build Covenant.

### Trail Connections

Proposed as part of the original phasing for Tiyata, the subject parcel included trail linkages from the subject parcel to the Valley Loop Trail and a pedestrian bridge over Pemberton Creek. In more recent trail planning, the Village approved the *Agricultural Parks Master Plan* in 2016 which proposes a commuter trail connecting the subject property to Lot 13 and beyond, as shown in the image below.



**MAP D: PROPOSED TRAIL CONNECTIONS ACROSS THE SUBJECT PROPERTY**

Since this time, Staff have also submitted a funding application for a Park and Ride on Lot 13 in conjunction with the community garden and have obtained commitment from the Developer of Tiyata to build the portion of the commuter trail and a storm water swale across Lot 13. Staff have relayed the expectations of the trail linkage to the applicants, and they have agreed to provide these as part of their Community Amenity Contribution package.

**Staff Notes:** Staff recommend that the pedestrian and cycling trail links to the Valley Loop Trail, Creekside and Lot 13 be secured through a Section 219 No Build Restrictive Covenant and that

*Statutory Rights-of-Way to provide public access to these trail connections be prepared and submitted prior to adoption of the Bylaws.*

## **Traffic**

A key feature of the CSF school operations across the Province is the provision of well-developed school transportation plans featuring use of school bus services that transport the majority of students for their trip to and from school. Student drop-off and pickup by private automobile generally account for no more than 20% of the travel mode split. This is a fundamental difference for CSF schools and will serve to lessen the impact of the planned access driveway to Highway 99.

As noted above, the proponents retained Bunt & Associates Ltd. to prepare a transportation study that not only would ascertain the access, but also predict traffic volumes generated for the proposed development. In their review of an early version of the Bunt report, MOTI identified the following items requiring further review, including:

- (i) Pedestrian movement and facilities on the highway: MOTI wishes to see more discussion on this point, understanding any pedestrian facilities will need to be discussed with the Village of Pemberton;
- (ii) Management of Queuing: Considering the anticipated traffic accessing the site, MOTI has asked for an explanation of how queuing on the highway will be managed and mitigated, given schools typically have a condensed peak period;
- (iii) Access to adjacent parcels: If MOTI were to consider a full movement access for the school site, they have asked to see options for shared use of this access to allow entry to the adjacent Lots 7 and 3.

The final Bunt Transportation Study addressing these points has been prepared and sent to the Ministry of Transportation and Infrastructure for their continued review. The Village received a copy for our information.

**Staff Notes:** *As mentioned earlier, it is the applicant's responsibility to gain approval from the Ministry of Transportation and Infrastructure for the design of the intersection and an access permit. The Ministry will consult with the Village of Pemberton in making this determination.*

## **REFERRAL AGENCY COMMENTS**

### **Lil'wat Nation**

The Lil'wat Nation did not provide comment.

### **Ministry of Transportation and Infrastructure (MOTI)**

Preliminary Bylaw Approval was received from MOTI on November 9, 2020 and is attached as **Appendix I**.

### **Ministry of Education**

The Ministry has communicated on November 5, 2020 that it is very supportive of the proposed amendment and CSF's plans to develop a new school. Their letter is attached as **Appendix J**.

### **Squamish-Lillooet Regional District (SLRD)**

No response received.

### **Pemberton Valley Dyking District (PVDD)**

The PVDD provided a response on November 9, 2020 indicating that the property is above the 200-year flood level and is protected by a Pemberton Creek Dike which is listed in fair condition; however it is the developer's responsibility to perform any due diligence required. The PVDD requested further consultation through the design process to ensure proper site planning for drainage and maintenance of dike access. Their letter is attached as **Appendix K**.

**Staff Notes:** *Village Staff may consult the PVDD when a Stormwater Management Plan is submitted. The project will not require any Development Permit approval, but drainage will be addressed at the time of Building Permit.*

### **CN Rail**

CN Rail did not provide a response.

### **BC Hydro**

BC Hydro sent preliminary correspondence on December 17, 2020 noting that initial review indicates the proposal may be feasible from their perspective. Additional design details are required before BC Hydro will be able to provide further comment. Their letter is attached as **Appendix L**.

**Staff Notes:** *The applicants will be required to obtain the necessary permits from BC Hydro to build within their Right of Way. The details requested by BC Hydro are the responsibility of the applicants and will be required to be submitted at the design stage.*

### **Sea to Sky School District #48**

No response received.

### **Pemberton and District Chamber of Commerce**

The Chamber provided supportive comments on November 13, 2020. Their letter is attached as **Appendix M**.

### **Advisory Land Use Commission**

The Village's Advisory Land Use Commission (ALUC) met on November 30, 2020 to review the OCP and Zoning Bylaw Amendment, OR#131 - École de la Vallée, application and give feedback on the overall development concept. Commission members asked questions regarding termination of existing Tiyata development roads, safe pedestrian access from nearby neighbourhoods and the proposed use of the land under the hydro lines. The applicant, Craig

Burns, noted that some of these questions would be answered at design stage. The ALUC passed the following resolution:

*Moved/Seconded*

**THAT** the Advisory Land Use Commission recommends to Council that the application for Official Community Plan amendment and rezoning for the property known as the portion of the Tiyata development that fronts Highway 99 be supported subject to further civil consultancy design guidelines regarding:

- the discrepancy between road terminations on Figures 2 and 3;
- pedestrian travel and access safety;  
Highway 99 speed limits, subject to Ministry of Transportation and Infrastructure guidelines; and
- general review and direction from Ministry of Transportation and Infrastructure.

**CARRIED**

**Staff Note:** The ALUC reviewed an early iteration of the Conceptual Site Plan, which has since been revised to address their comments. The minutes of the meeting are attached as **Appendix N**.

### **Developer Led Public Open House**

The Applicants held a Public Information Meeting via ZOOM on November 12, 2020 to obtain input from the community around the proposed OCP and Zoning Bylaw amendment. Forty-nine (49) people attended and support was expressed, with zero persons raising objections to the proposed land use change. Those who attended were mainly interested in understanding the timing of the build, the design of the proposed access, the rezoning process and the ultimate capacity of the school. The results of the meeting are attached as **Appendix O**.

**Staff Note:** Staff are satisfied that the Applicants held a very informative Public Information Meeting and that the information was received positively from those in attendance.

### **PROPOSED BYLAWS**

Bylaws have been prepared to amend the Official Community Plan (OCP) Bylaw No. 654, 2011 to replace Section 6.1 "Tiyata Special Planning Area" in its entirety to incorporate text amendments that support the development of a public school within the Tiyata Special Planning Area Designation and to redesignate the subject property from Residential to Civic & Institutional and to amend Zoning Bylaw No. 832, 2018, Section 18.5: Comprehensive Development Zone 5 – Tiyata at Pemberton (CD-5) to rename the Areas and permit within [Sub] Area 5 a public school on the subject property.

At this time, Planning Staff are introducing for Council's consideration OCP Amendment Bylaw No 902 and Zoning Amendment Bylaw No. 903, 2021, for First and Second Reading and the scheduling of a Public Hearing date. The proposed Bylaws are attached as **Appendix A and B**.

Staff recommend that prior to Council considering adoption of Zoning Amendment Bylaw No. 903, 2021, the Owner shall complete the following requirements:

1. Enter into a Section 219 restrictive covenant prohibiting issuance of any building permit or the use of any portion of the site as a school until the following amenities, works, and services have been constructed to the satisfaction of the Village, or the Owner has entered into a Servicing Agreement or other acceptable form and posted a security to complete the following:

- a) Community garden and parking area;
- b) Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13 and Pemberton Creek crossing;
- c) Road connection between CSF and Tiyata Strata for use as emergency access/exit;
- d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard;
- e) Off-site sanitary sewer upgrades as determined by the Village Engineering Department.

2. Prepare and submit in a registrable form, Statutory Rights-of-Way to provide public access as follows:

- a) Community (public) use of the Community Garden Area
- b) Pedestrian and cycling Trail links to the Valley Loop Trail, Lot 13 and Pemberton Creek crossing
- c) Road connection between CSF and Tiyata Strata for use as emergency access/exit
- d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard.

3. Payment of any outstanding processing fees as per Development Procedures Bylaw No. 887, 2020.

## **COMMUNICATIONS**

Subject to Section 464 of the *Local Government Act*, a Public Hearing must be held for both OCP and the Zoning Amendment Bylaws, after First Reading of the bylaws and before Third Reading. Notice of the Public Hearing will be given as per s. 466 of the *LGA [RSBC 2015]*.

## **LEGAL CONSIDERATIONS**

The processing of an OCP Amendment and Rezoning application is regulated by various sections contained in Part 14 of the *LGA [RSBC 2015]* and by the Village's Development Procedures Bylaw 889, 2020, as amended from time to time.

## **IMPACT ON BUDGET & STAFFING**

The research and preparation of this report is a component of the daily work undertaken by the Development Services Department. All costs associated with the processing of this application, including staff time, are recoverable from the applicant's fees as per the Village of Pemberton Development Procedures Bylaw 887, 2020, as amended from time to time.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

There is no interdepartmental impact or approvals required respecting the processing of this application as it is a function of the Development Services Department.

## **ALTERNATIVE OPTIONS**

There are three alternative options:

1. Council may choose to give the Bylaws First Reading only at this time and withhold Second Reading and the scheduling of a Public Hearing until the Applicants provide additional information, as itemized by Council.
2. Council may refuse the application.
3. Council may provide another option.

### **RECOMMENDATIONS**

**THAT** Official Community Plan Bylaw No. 654 (Tiyata - École de la Vallée) Amendment Bylaw No. 902, 2021 be given First and Second Reading;

**THAT** Zoning Bylaw No. 832, 2018, Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021 be given First and Second Reading;

**AND THAT** Adoption only be considered upon the Owner's completion of the following requirements:

1. Enter into a Section 219 restrictive covenant prohibiting issuance of any building permit or the use of any portion of the site as a school until the following amenities, works, and services have been constructed to the satisfaction of the Village, or the Owner has entered into a Servicing Agreement or other acceptable form and posted a security to complete the following:
  - a) Community garden and parking area;
  - b) Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13 and Pemberton Creek crossing;
  - c) Road connection between CSF and Tiyata Strata for use as emergency access/exit;
  - d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard;
  - e) Off-site sanitary sewer upgrades as determined by the Village Engineer.
2. Prepare and submit in a registrable form, Statutory Rights-of-Way to provide public access as follows:
  - a) Community (public) use of the community garden area
  - b) Pedestrian and cycling trail links to the Valley Loop Trail, Lot 13 and the Pemberton Creek crossing
  - c) Road connection between CSF and Tiyata Strata for use as emergency access/exit
  - d) Construction and registration of a hammerhead at the north-west corner of the site for the vehicle circulation at the terminus of Tiyata Boulevard.
3. Payment of any outstanding processing fees as per Development Procedures Bylaw No. 887, 2020.



**Attachments:**

- Appendix A:** Official Community Plan Bylaw No. 654 (Tiyata - École de la Vallée) Amendment Bylaw No. 902, 2021
- Appendix B:** Zoning Bylaw No. 832, 2018, Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021
- Appendix C:** Subject Property Map
- Appendix D:** CSF Present Catchment Area
- Appendix E:** CSF Amenity Package, Apr 16, 2021
- Appendix F:** VoP Response to CSF Amenity Package, Apr 21, 2021
- Appendix G:** CSF Response to Village Response, May 4, 2021
- Appendix H:** ISL Correspondence, Jun 5, 2017
- Appendix I:** MOTI Initial Referral Response, Nov 9, 2021
- Appendix J:** Ministry of Education Referral Response, Nov 5, 2020
- Appendix K:** PVDD Referral Response, Nov 9, 2020
- Appendix L:** BC Hydro Initial Referral Response, Dec 17, 2020
- Appendix M:** Chamber of Commerce Referral Response, Nov 13, 2020
- Appendix N:** ALUC Minutes, Nov 30, 2020
- Appendix O:** Public Consultation Results, Nov 12, 2020

|                  |   |
|------------------|---|
| Submitted by:    | Lisa Pedrini, Manager of Development Services<br>Cameron Chalmers, Village Consulting Planner |
| CAO Approval by: | Nikki Gilmore, Chief Administrative Officer   |

**THE CORPORATION OF THE VILLAGE OF PEMBERTON**

**BYLAW NO. 902, 2021**

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**Being a bylaw to amend the Village of Pemberton Official Community Plan Designation Bylaw No. 654, 2011**

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**WHEREAS** the Council may amend its Official Community Plan from time to time;

**AND WHEREAS** the Council of the Village of Pemberton deems it desirable to amend the Official Community Plan to accommodate institutional use within the Tiyata at Pemberton Neighbourhood;

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

**1. CITATION**

This Bylaw may be cited for all purposes as “Official Community Plan Amendment (Tiyata - École de la Vallée) Bylaw No. 902, 2021.”

**2. Village of Pemberton Official Community Plan Designation Bylaw No. 654, 2011 is amended by:**

- (a) Deleting “Section 6.1 Special Planning Area (Tiyata at Pemberton)”, and replacing with “Section 6.1 Special Planning Area (Tiyata at Pemberton)” as attached as Schedule 1 of this Bylaw;
- (b) Amending Map “B” **Land Use Designations** to remove the Residential Designation from Lot 3, DL 203, Plan 12807, LLD and replace with the Civic and Institutional Designation in accordance with Schedule 2 of this Bylaw;
- (c) Amending Map “C” **Development Permit Areas** to remove the “Intensive Residential” Designation from Lot 3, DL 203, Plan 12807, LLD, in accordance with Schedule 3 of this Bylaw.

**READ A FIRST TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**READ A SECOND TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**NOTICE OF PUBLIC HEARING FOR VILLAGE OF PEMBERTON OFFICIAL  
COMMUNITY PLAN AMENDMENT BYLAW (Tiyata - École de la Vallée) NO. 902,  
2021 WAS PUBLISHED IN THE Pique Newsmagazine on \_\_\_\_\_ AND  
\_\_\_\_\_.**

**PUBLIC HEARING HELD** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**READ A THIRD TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mike Richman  
Mayor

\_\_\_\_\_  
Sheena Fraser  
Corporate Officer

## Schedule 1

Official Community Plan Amendment (Tiyata - École de la Vallée) Bylaw No. 902, 2021

### ***Special Planning Area (Tiyata)***

#### **1.0 Background**

The **Tiyata at Pemberton** (Neighbourhood) is located within the heart of the Village of Pemberton. The lands subject to this ***Special Planning Area*** fall within the CN Rail line, Signal Hill Elementary School, Highway 99, and Pemberton Creek. A small portion of the lands lies west of Pemberton Creek.

The lands comprise an 8.9 hectare site and other than the presence of the creek, the lands exhibit no significant physical features. The relatively flat site is within the Lillooet River flood plain and the Pemberton Creek flood protection area.

The Neighbourhood has been designated as a ***Special Planning Area*** because of the significant opportunity to plan and design a new neighbourhood within the Village in a comprehensive manner respecting Smart Growth and sustainability principles. The project presents a unique opportunity as a significant and considerable tract of land within the centre of the community that is able to accommodate a variety of complementary land uses.

#### **2.0 Neighbourhood Vision**

The vision for the Tiyata at Pemberton Neighbourhood is to create a sustainable development that offers compact housing catering to a range of incomes and ages, parklands and institutional uses. The residents will have easy access to places of work, shopping, educational facilities and community amenities.

#### **3.0 Land Use Framework**

The **Tiyata at Pemberton Neighbourhood** will be developed generally in accordance with a land use framework shown in Map B and contain residential, institutional, office and recreational park land uses. The residential densities for the development comprise approximately 100-120 units which will be linked internally and externally by a trail and sidewalk network. The development's residential land uses, proximity to downtown, schools, childcare centres, community recreational facilities, and pedestrian network ensures that it will be a "walkable" neighbourhood.

The Neighbourhood will have two main community gathering points; one within the school/community hub in the south-end of the neighbourhood and the other at a public park located along Pemberton Creek. The school/community hub will be aimed at kindergarten to Grade 12 (K-12) students and incorporate much needed childcare spaces and a community garden.

The commercial/office use will be at the main entrance providing a transition between downtown and the neighbourhood. For those uses adjacent to the CN Rail right of way, setbacks will be integrated into the buildings and site design. The lower density single family and duplex lots with parkland and trail corridors will comprise the majority of the residential development. These lots will respect provincial requirements for riparian setbacks.

The Neighbourhood will consist of the following components:

- a total of approximately 100-120 dwelling units consisting of small lot single family, duplex dwelling lots and apartments;
- a three-storey K-12 school and playing fields;
- daycare and after-school care spaces;
- 2,230 square meters of commercial/office floor space;
- greater than 5% of the site for park land, including a community garden; and
- a connecting trail network.

#### **4.0 Circulation Systems**

The northern (residential) portion of the neighbourhood is served by a new local road accessed from Portage Road. The southern (school use) portion of the neighbourhood will be accessed directly from Highway 99, an access which will also serve as an emergency exit for the residential neighbourhood. The trail network will feature a trail along the dike and under the BC Hydro transmission lines connecting the neighbourhood to the Community Centre on Portage Road. Internal trails will also be provided linking various parts of the neighbourhood.

The Plan for the Neighbourhood has accommodated the possibility for a future vehicular and pedestrian crossing of the rail line by protecting a road right of way, however such a crossing will not materialize without the permission of the rail operations.

#### **5.0 Infrastructure and Services**

The Neighbourhood will be serviced with municipal water and sewer in accordance with Village standards. Stormwater will apply best practices in reducing the amount of flow that enters Pemberton Creek.

The upgrading of any off-site infrastructure to service the neighbourhood will be the subject of further technical studies.

Any street lighting shall be dark sky friendly.

#### **6.0 Flood Protection and Riparian Setbacks**

The **Tiyata at Pemberton Neighbourhood** is situated on the valley bottom and therefore lies within the Pemberton Creek alluvial fan and the Lillooet River floodplain. The property is protected by the Pemberton Creek Dike, which is a provincially regulated dike maintained by the Pemberton Valley Diking District. In a 2018 Floodplain Mapping Study this dike was listed in Fair Condition. The area is above the 200 year flood level as modelled in the 2018 Study. All habitable space within any building will need to be constructed to the established flood control elevations.

The project is subject the Riparian Areas Regulation. An assessment has been completed by a certified environmental professional whereby the Streamside Protection and Enhancement Area (SPEA) has been delineated as 15 metres. Although the proposed building envelopes will not be within the 15 meter setback, development parcels may be within the delineated Streamside Protection and Enhancement Area.

#### **7.0 Community Amenities**

As noted previously, the **Tiyata at Pemberton Neighbourhood** will contain a number of elements that the overall community will benefit from including:

- parkland dedications in excess of the 5% requirement;
- neighbourhood park improvements;
- neighbourhood trail construction, including a dike trail;
- school drop off improvements benefitting Signal Hill Elementary;
- community use of the K-12 School Facilities including day-care and after school care;
- a pedestrian bridge crossing linking the dike trail and the Creekside townhouse site; and
- a community garden.

## **8.0 Sustainability Initiatives**

The **Tiyata at Pemberton Neighbourhood** has been designed with a number of features that respect to accommodate a number of sustainability principles including:

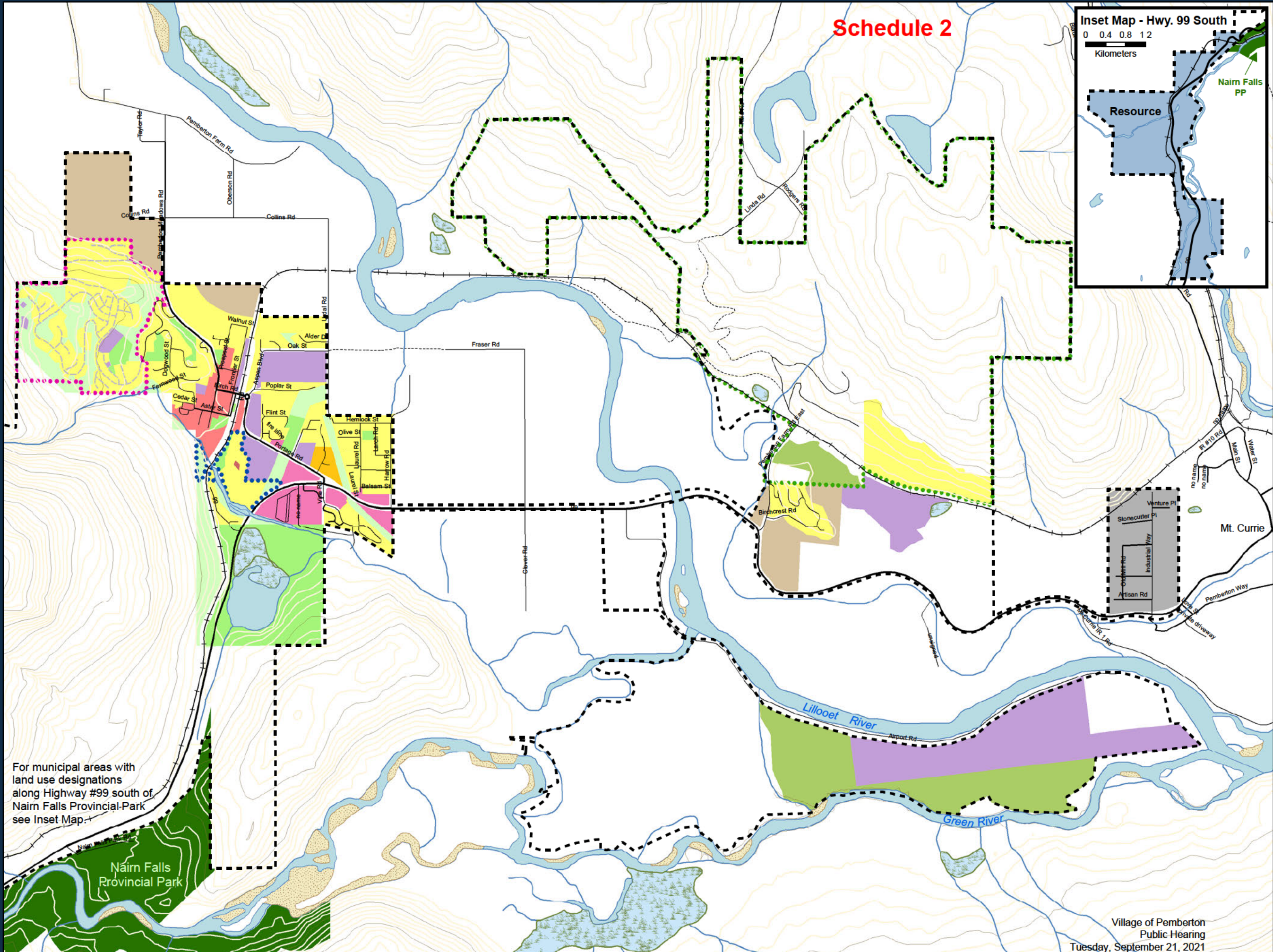
- central community meeting areas both passive and active in scope;
- community garden for growing food and building community;
- a trail connecting the neighbourhood with Signal Hill Elementary School;
- a variety and choice of housing opportunities;
- a walkable neighbourhood with a variety of pedestrian options; and
- opportunities for learning and long term employment.

There are a number of other sustainability opportunities that will be secured through the development approval process including:

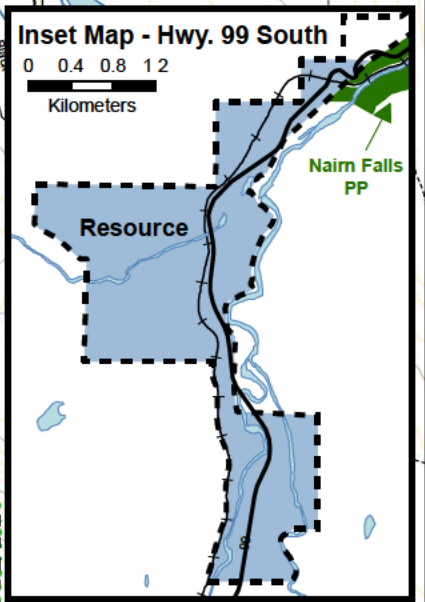
- diversity of tenures;
- attractive streetscape;
- universal access;
- commitment to ongoing community participation;
- green building best practices such as grey water reuse, water reduction appliances, the stormwater management, heat island reduction, permeable pavement, solar exposure; and
- flexibility in unit design to allow people to age in place.

Map B  
Land Use  
Designations

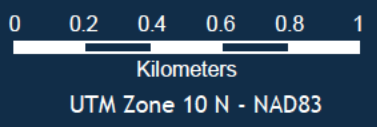
- Legend**
- Village Boundary
  - Provincial Park
  - Land Use Designations**
  - Agricultural
  - Civic and Institutional
  - Downtown
  - Gateway
  - Portage Road
  - Neighbourhood Commercial
  - Employment and Industrial
  - Open Space and Greenways
  - Public Parks
  - Recreation
  - Residential
  - Resource
  - Special Planning Areas**
  - Benchlands Special Planning Area
  - Hillside Special Planning Area
  - Tiyata Special Planning Area
  - Transportation**
  - Highway
  - Arterial Road
  - Local Road
  - Resource Road
  - Proposed Road
  - Railway
  - Hydrography**
  - Lake/River
  - Wetland
  - Sand/Gravel Bar
  - River/Stream - Definite
  - River/Stream - Indefinite
  - Elevation Contour**
  - Index Contour (100m)
  - Intermediate Contour (20m)



**Schedule 2**



For municipal areas with land use designations along Highway #99 south of Naim Falls Provincial Park see Inset Map.

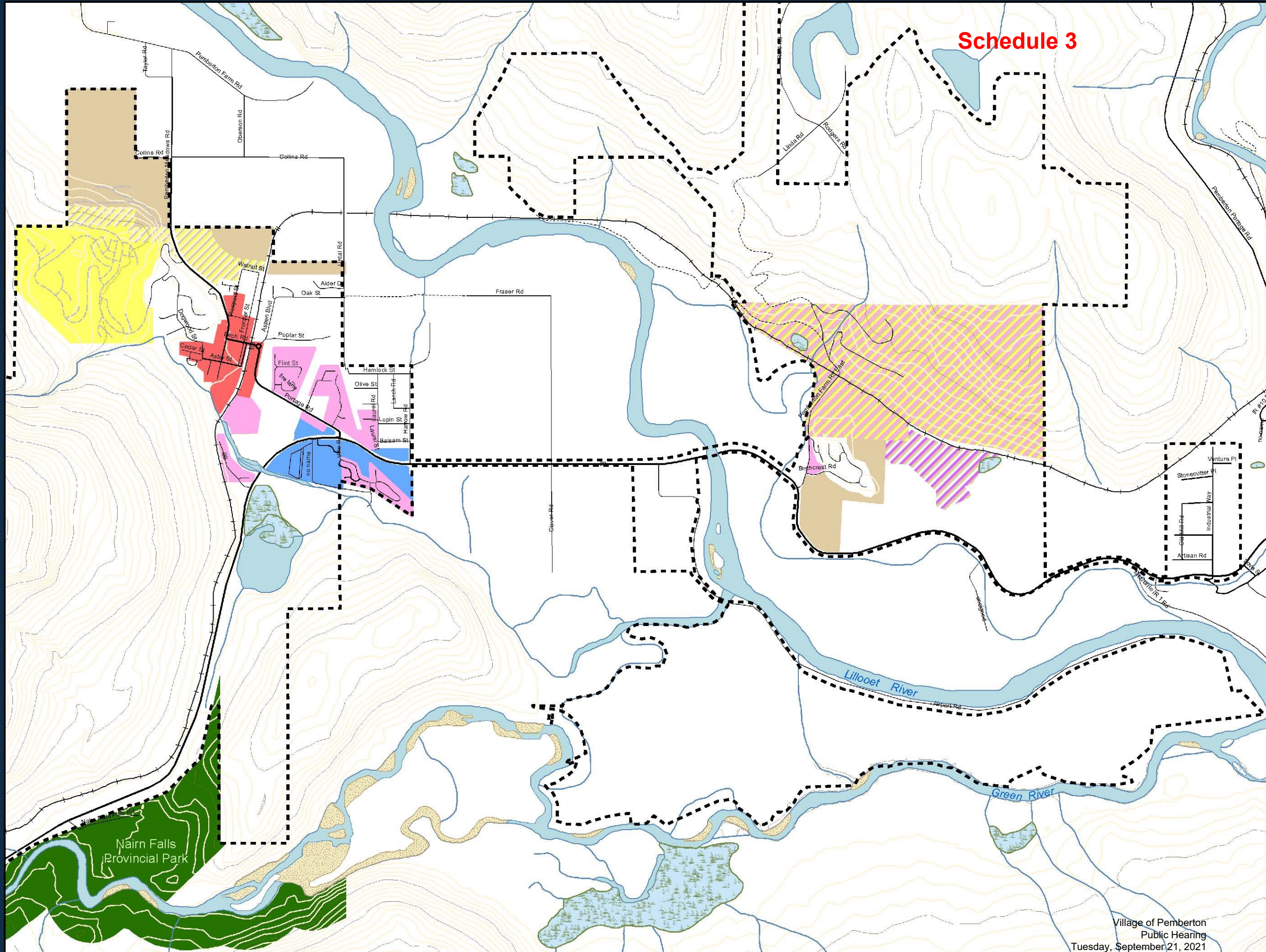


This map was produced for the Village of Pemberton. December 2014

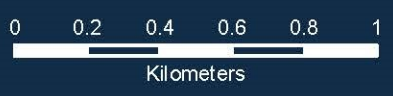
Map C  
Development  
Permit Areas

**Legend**

- Village Boundary
- Provincial Park
- Development Permit Areas**
- Enhancement of Agriculture
- Downtown
- Intensive Residential
- Multi-Family/Commercial
- Gateway
- Overlap of Residential and Enhancement of Agriculture
- Overlap of Enhancement of Agriculture, Residential, and Multi-Family/Commercial
- Overlap of Educational Campus and Enhancement of Agriculture
- Transportation**
- Highway
- Arterial Road
- Local Road
- Resource Road
- Proposed Road
- Railway
- Hydrography**
- Lake/River
- Wetland
- Sand/Gravel Bar
- River/Stream - Definite
- River/Stream - Indefinite
- Elevation Contour**
- Index Contour (100m)
- Intermediate Contour (20m)



Schedule 3



UTM Zone 10 N - NAD83

This map was produced for the  
Village of Pemberton.  
December 2014



**VILLAGE OF PEMBERTON  
BYLAW No. 903, 2021**

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

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

**AND WHEREAS** the Council of the Village of Pemberton deems it necessary to amend the Zoning Bylaw to revise the Comprehensive Development 5 (CD-5) Zone to accommodate a new school use within the Tiyata at Pemberton Neighbourhood;

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

**CITATION**

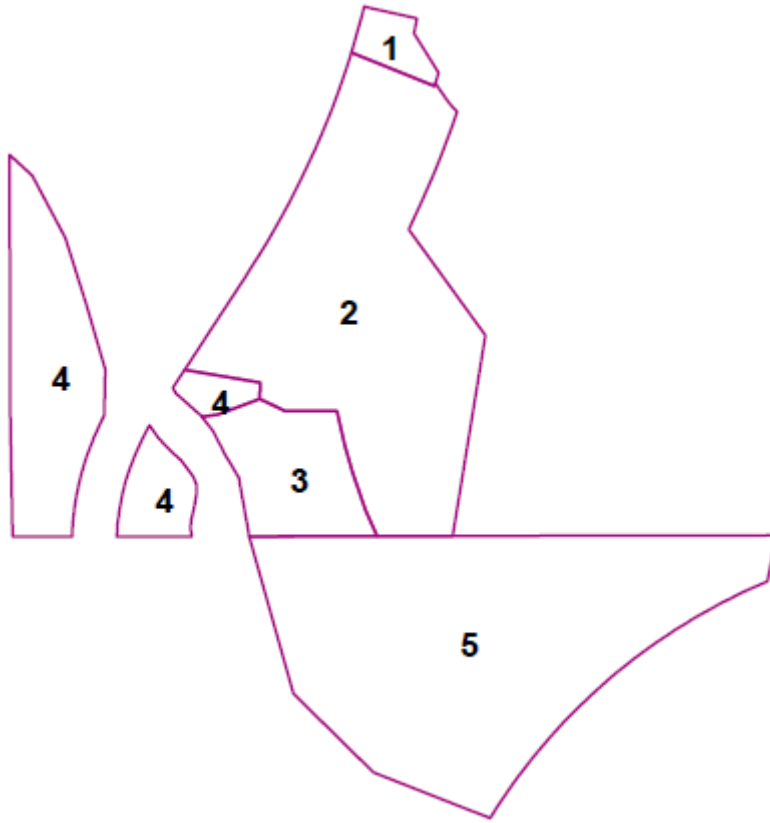
This Bylaw may be cited for all purposes as “Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021”.

**1. VILLAGE OF PEMBERTON ZONING BYLAW NO. 832, 2018 IS AMENDED AS FOLLOWS:**

That Section 18.5. **CD-5: Comprehensive Development Zone 5 (Tiyata at Pemberton)** be deleted in its entirety and replaced with the following:

The intent of the CD-5 Zone is to recognize a comprehensively planned area called Tiyata at Pemberton which includes compact housing, a public school, a limited amount of commercial and office floor space, active and passive park land and a trail network. Covenants have been registered on the lands to further guide the development of the area.

The regulations in the tables in this section apply to land in the Comprehensive Development 5 (Tiyata at Pemberton) Zone, as indicated by the column headings. For purposes of regulation, the area within the boundary of the CD-5 Zone is divided into five (5) separate areas labelled as Area 1 through Area 5 inclusive while the location of each separate area is identified below. Each area boundary within the CD-5 Zone shall be considered a *zone* boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this section.



### 18.5.1 Permitted Uses of Land, Buildings and Structures

(a) The following *uses, buildings and structures* and no others shall be permitted within the CD-5 (Tiyata at Pemberton) Zone:

|  | Area<br>1 | Area<br>2 | Area<br>3 | Area<br>4 | Area<br>5 |
|--|-----------|-----------|-----------|-----------|-----------|
| <b>i. Principal Uses of Land, Buildings and Structures</b>     |           |           |           |           |           |
| <i>Detached Dwelling</i>                                       |           | •         | •         |           |           |
| <i>Duplex</i>  |           | •         | •         |           |           |
| <i>Apartment</i> <small>(subject to Conditions of Use)</small> | •         |           |           |           |           |
| <i>Business and Professional Office</i>                        | •         |           |           |           |           |
| <i>Personal Service Establishment</i>                          | •         |           |           |           |           |
| <i>Park</i>  | •         | •         | •         | •         | •         |
| <i>Assembly</i>  | •         |           |           | •         | •         |
| <i>School</i>  |           |           |           |           | •         |
| <b>ii. Accessory Uses of Land, Buildings and Structures</b>    |           |           |           |           |           |
| <i>Uses accessory to Principal Uses</i>                        | •         | •         | •         | •         | •         |
| <i>Home Occupation</i>   | •         | •         | •         |           |           |
| <i>Child Care Centre</i>                                       |           |           |           |           | •         |

## 18.5.2 Density of Permitted Uses, Buildings and Structures

- (a) All *uses, buildings and structures* in the CD-5 (Tiyata at Pemberton) Zone shall comply with the following regulations regarding size, siting, density and lot size.

|  | Area<br>1 | Area<br>2   | Area<br>3   | Area<br>4 | Area<br>5 |
|--|-----------|---|---|-----------|-----------|
| <b>Maximum Lot Coverage</b>              |           |   |   |           |           |
| <i>Detached Dwelling</i>                 |           | 50%   | 50%   |           |           |
| <i>Duplex</i>                            |           | 50%   | 50%   |           |           |
| <i>Apartment</i>                         | 50%       |   |   |           |           |
| <i>Commercial</i>                        | 50%       |   |   |           |           |
| <i>Assembly</i>                          | 50%       |   |   |           |           |
| <i>School</i>                            |           |   |   |           | 50%       |
| <b>Maximum Floor Area Ratio (FAR)</b>    |           |   |   |           |           |
| <i>Detached Dwelling</i>                 |           | GFA of 238 m <sup>2</sup> or FAR of 0.5 whichever is less | GFA of 238 m <sup>2</sup> or FAR of 0.5 whichever is less |           |           |
| <i>Duplex</i>                            |           | GFA of 280 m <sup>2</sup> or FAR of 0.5 whichever is less | GFA of 280 m <sup>2</sup> or FAR of 0.5 whichever is less |           |           |
| <i>Apartment</i>                         |           |   |   |           |           |
| <i>Commercial</i>                        | 1.5       |   |   |           |           |
| <i>Assembly</i>                          | 1.5       |   |   |           |           |
| <i>School</i>                            |           |   |   |           |           |
| <b>Maximum Unit Size (m<sup>2</sup>)</b> |           |   |   |           |           |
| <i>Detached Dwelling</i>                 |           | GFA of 275 m <sup>2</sup> or FAR of 0.5 whichever is less | GFA of 275m <sup>2</sup> or FAR of 0.5 whichever is less  |           |           |
| <i>Duplex</i><br>(Total both units)      |           | GFA of 325 m <sup>2</sup> or FAR of 0.5 whichever is less | GFA of 375 m <sup>2</sup> or FAR of 0.5 whichever is less |           |           |
| <i>Apartment</i>                         | 95        |   |   |           |           |

|  | Area 1               | Area 2            | Area 3            | Area 4 | Area 5    |
|--|----------------------|-------------------|-------------------|--------|-----------|
| <b>Maximum Number of Dwelling Units</b>            | 12                   | 80                | 20                |        |           |
| <b>Maximum Amount of Commercial Floor Area</b>     | 2,230 m <sup>2</sup> |                   |                   |        |           |
| <b>Maximum Building Height (meters / storeys)</b>  |                      |                   |                   |        |           |
| <i>Detached Dwelling</i>                           |                      | 9 m               | 9 m               |        |           |
| Duplex   |                      | 9 m               | 9 m               |        |           |
| <i>Apartment</i>                                   | 17 m / 4 storeys     |                   |                   |        |           |
| <i>Commercial, See 18.5.3. (b) ii.</i>             | 17 m / 4 storeys     |                   |                   |        |           |
| <i>Assembly</i>                                    | 17 m / 4 storeys     |                   |                   |        |           |
| <i>School</i>                                      |                      |                   |                   |        | 3 storeys |
| <b>Minimum Building Setbacks (m)</b>               |                      |                   |                   |        |           |
| Front  | 6                    | 6                 | 6                 |        | 5         |
| Rear   | 7.5                  | 7.5               | 7.5               |        | 3         |
| Side, See 18.5.2. (b) v. & vi. for residential use | 3.0                  | 1.6               | 1.6               |        | 3         |
| <b>Minimum Lot Size (m<sup>2</sup>)</b>            |                      |                   |                   |        |           |
| <i>Detached Dwelling</i>                           |                      | 350               | 350               |        |           |
| Corner Lot   |                      | 375               | 375               |        |           |
| <i>Duplex</i>                                      |                      | 465               | 465               |        |           |
| <i>School</i>                                      |                      |                   |                   |        | 40,994    |
| <b>Maximum Lot Size (m<sup>2</sup>)</b>            |                      |                   |                   |        |           |
| <i>Detached Dwelling</i>                           |                      | 465               | 465               |        |           |
| <i>Duplex</i>                                      |                      | 558               | 558               |        |           |
| <b>Accessory Buildings</b>                         |                      |                   |                   |        |           |
| <i>Maximum Floor Area</i>                          | 10 m <sup>2</sup>    | 10 m <sup>2</sup> | 10 m <sup>2</sup> |        |           |
| <i>Maximum Height</i>                              | 2.7 m                | 2.7 m             | 2.7 m             |        |           |
| <i>Minimum Front Yard Setbacks</i>                 | 6 m                  | 6 m               | 6 m               |        |           |
| <i>Minimum Rear Yard Setbacks</i>                  | 1.5 m                | 1.5 m             | 1.5 m             |        |           |
| <i>Minimum Side Yard Setbacks</i>                  | 1.5 m                | 1.5 m             | 1.5 m             |        |           |

(b) **Conditions of Use:** All residential uses, buildings and structures in the CD-5 (Tiyata at

Pemberton) Zone must comply with the following additional Conditions of Use:

- i. An *apartment* use shall be located above a ground storey *commercial* or *assembly* use and shall comply with the regulations contained within this Bylaw.
- ii. For the purpose of this section, a *commercial* use includes a *building* that is occupied with a business and professional office or *personal service establishment* and may contain *residential* uses above the ground storey subject to the provisions of this Zone.
- iii. any portion of the *garage* for a *detached dwelling* that exceeds thirty-seven (37) square meters shall be included in the calculation of *floor area*, in addition to the maximum area permitted for *accessory buildings*.
- iv. any portion of the *garage* for a *duplex* residential dwelling that exceeds forty-five (45) square meters shall be included in the calculation of *floor area*, in addition to the maximum area permitted for *accessory buildings*.
- v. The *side yard setback* of a *detached dwelling* may be reduced to 1.2 m whereby a certified professional confirms that snow will not shed from the roof of the dwelling onto adjacent properties.
- vi. The side yard setback of the *garage* may be reduced to 0.6 m whereby a certified professional confirms that snow will not shed from the garage roof onto adjacent properties.

### **18.5.3 Off-Street Parking and Loading**

- (a) Off-street parking and loading shall be provided in accordance with the requirements of this Bylaw.
- (b) Notwithstanding Section 18.5.4(a) the off-street parking requirements for the following uses shall be as follows:
  - i. *Apartment*: 1.25 space per unit plus an additional 0.25 space per unit for Visitor Parking
  - ii. *Commercial Use*: One (1) space per 37 square meters of *gross floor area*
  - iii. *Business and Professional Office Use*: One (1) space per 37 square meters of gross floor area
  - iv. *School Use*: Refer to Section 8.6 Civic, Institution and Recreation Parking Requirements

### **18.5.4 Definitions**

- (a) For the purpose of the CD-5 zone, the following definitions shall apply:
  - i. *Apartment* shall mean three or more individual dwelling units on a lot where each dwelling unit has its principal access from an entrance or hallway common to at least two other dwelling units on the same storey.
  - ii. *School Use* shall include before and after school care.

**READ A FIRST TIME** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**READ A SECOND TIME** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**NOTICE OF PUBLIC HEARING** for Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Tiyata - École de la Vallée) Bylaw No. 903, 2021 was **PUBLISHED IN THE PIQUE NEWSMAGAZINE** on \_\_\_\_\_ and on \_\_\_\_\_.

**READ A THIRD TIME** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE ON** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

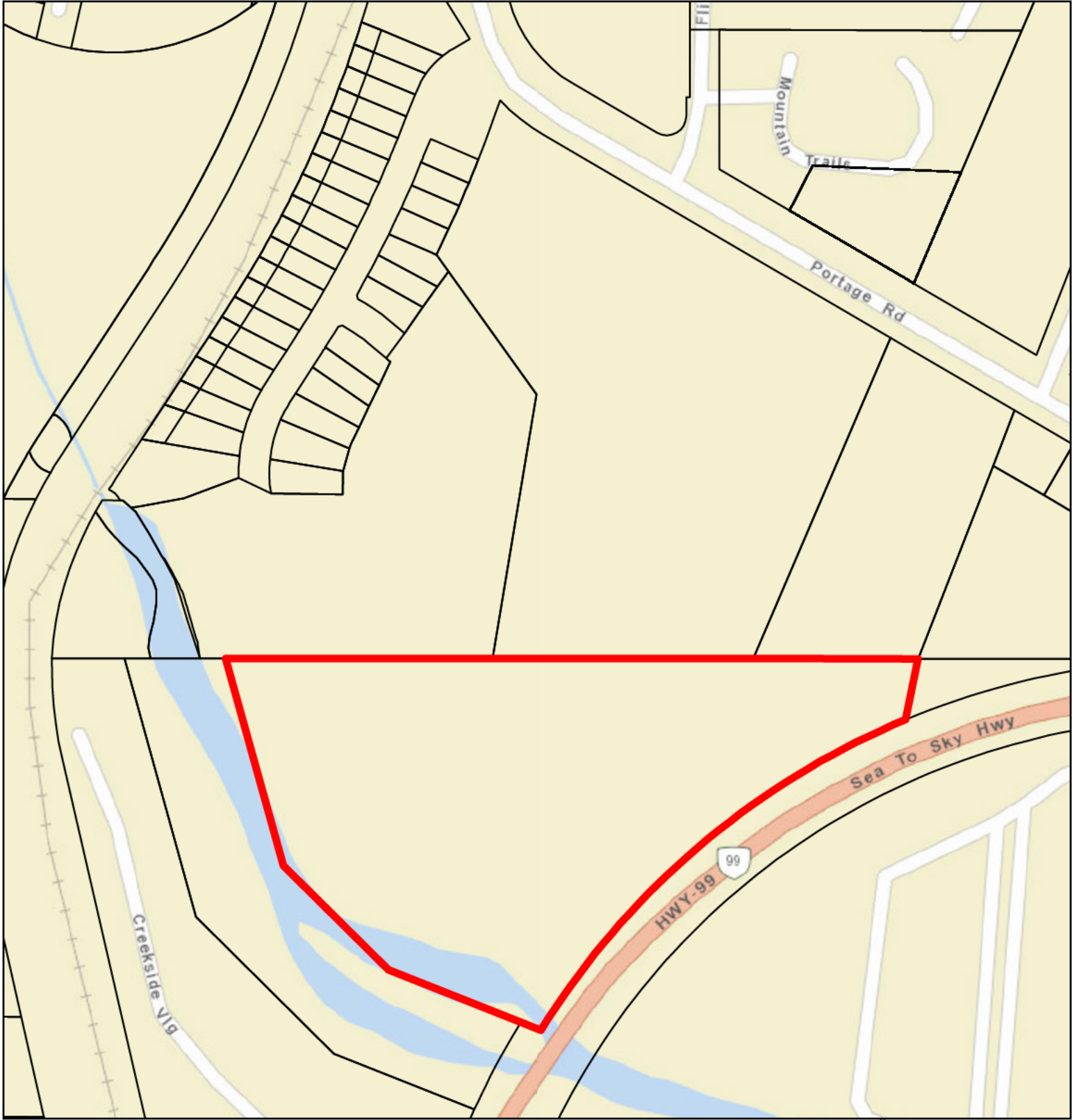
**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mike Richman  
Mayor


\_\_\_\_\_  
Sheena Fraser  
Corporate Officer

# Location Map


Appendix C



## Legend

 Subject Property

Lot 3 DL 203 LLD Plan 1287

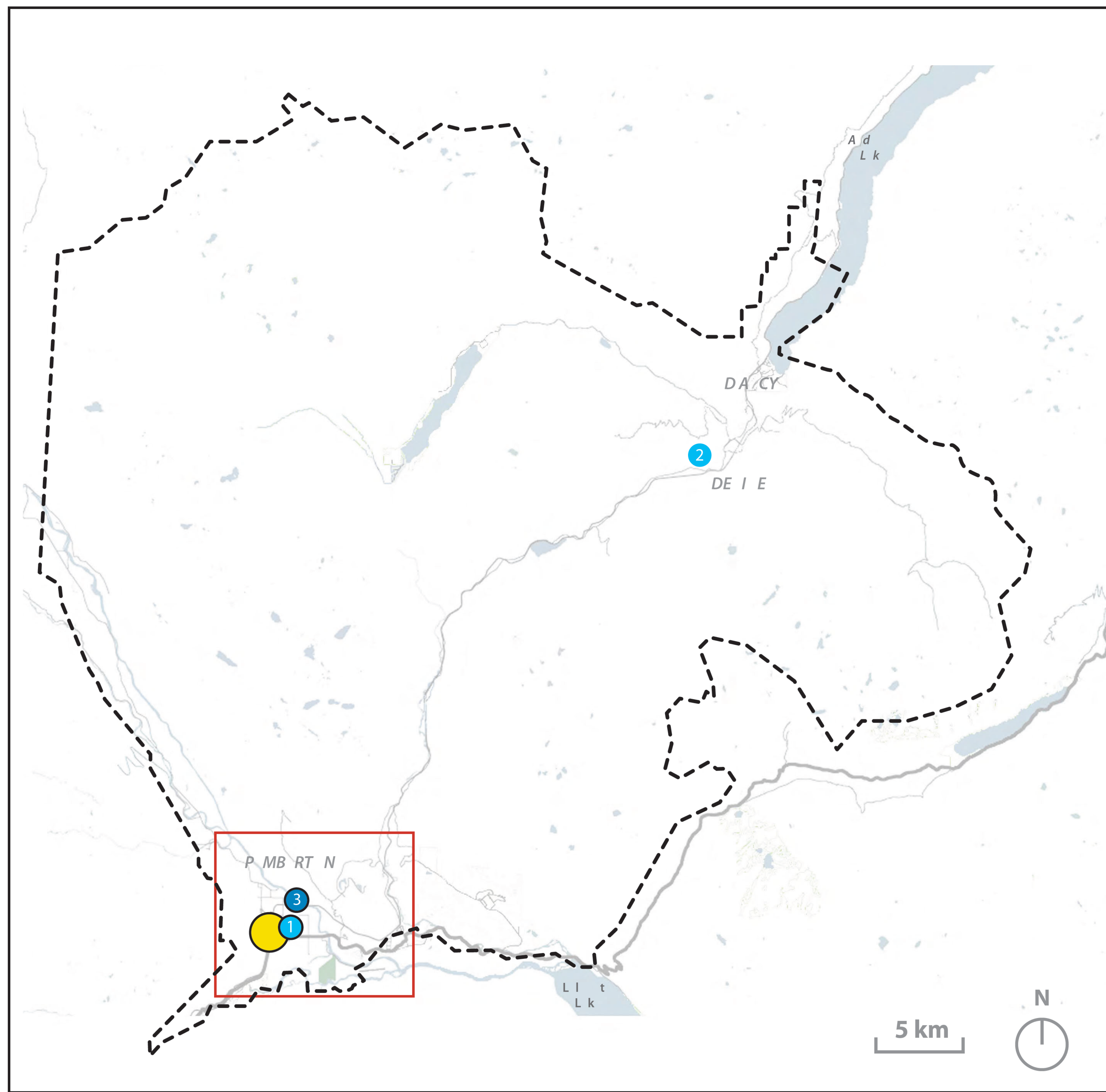
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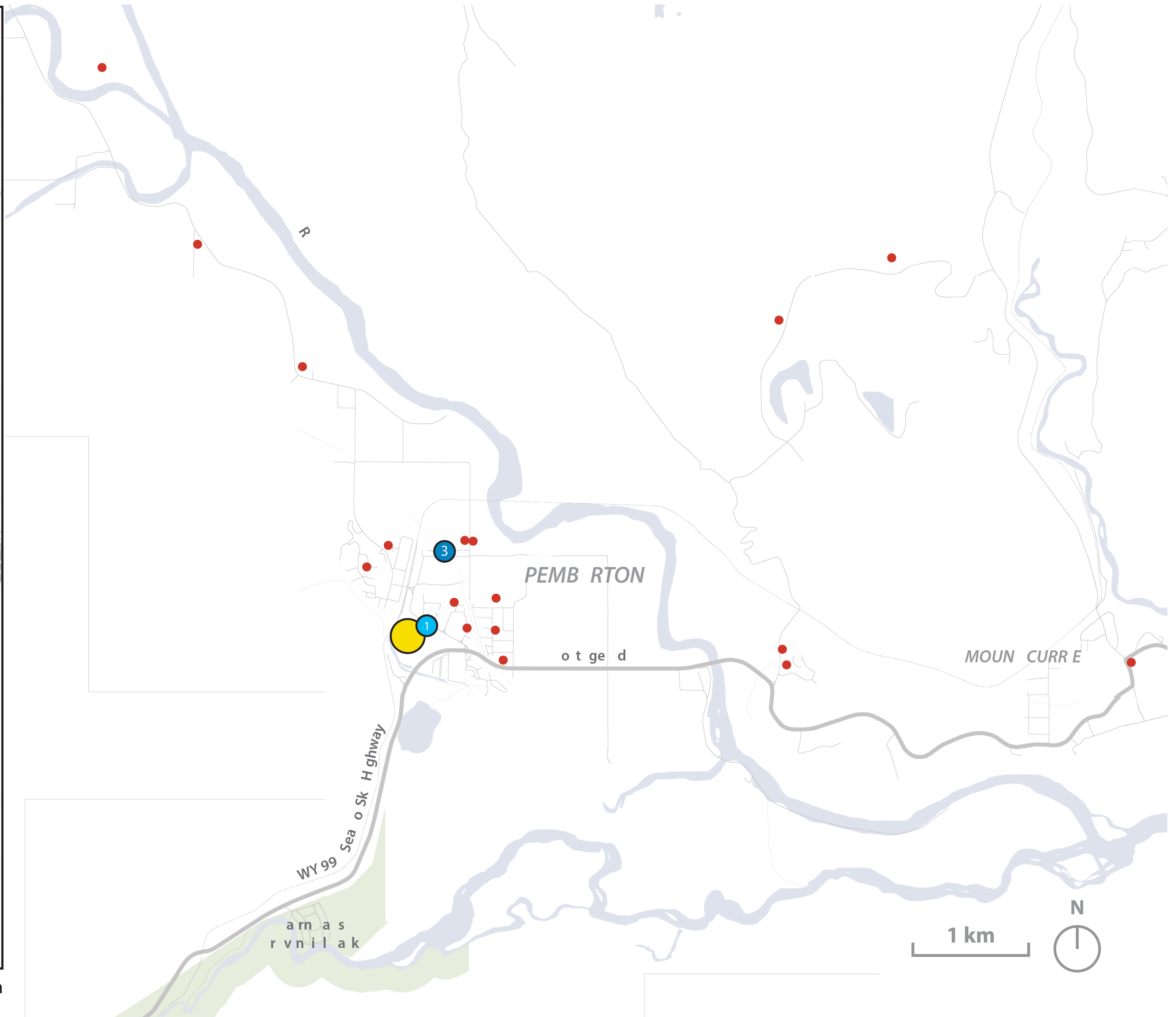
Village of Pemberton  
Public Hearing  
Village of PEMBERTON  
Tuesday, September 21, 2021  
Date: 2020 / 10 / 21  
40 of 64



# Appendix D



Ca chm nt Ar a



Core Ca chment area of

## École élémentaire de la Vallée de Pemberton

**École élémentaire de la Vallée de Pemberton**  
 110 Prage Road Pemberton BC V0N 1L0

• Adresso École élémentaire de Pemberton dans le recensement de 2011 / 013 cholear

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● S 48 En l h a g u g e e m e t r y c h o l s

● S 48 En l h a g u g e s c o d a y s h o o l

○ E g i h l n g u g e s h o l o f f e n g F e n h i m m e s o n

1 i n a H i E e m e n a y  
 1 P t R d P b t

2 B a k w t e C r e k l m n a y  
 6 7 P t R d D i

3 P m b e t n e o n d r y  
 4 0 0 S t P b t

N t : no ud n ad r s e a e o a e d u s d o f h c t h m n t r a



April 16<sup>th</sup> 2021

**Attn:** Lisa Pedrini, Development Services Department, Village of Pemberton  
lpedrini@pemberton.ca

**Cc:**

Simon Couture, CSF (SD93), Acting Secretary Treasurer, scouture@csf.bc.ca

Chafic El Rassi, CSF (SD 93), Director of Capital Planning, chafic\_elrassi@csf.bc.ca

Guy Bonnefoy, CSF (SD 93), Consultant, guybonnefoy@telus.net

Craig Burns, Principle Architecture, cjburns@principlearchitecture.ca

Cameron Chalmers, Village of Pemberton (Consultant), cameron@cameronchalmers.com

**Re: OCP Amendment and Rezoning Application – Additional Documentation – Community Amenities**

As a public entity, the CSF has made application to the Village of Pemberton for an amendment to the Official Community Plan (OCP) to develop the vacant second Stage of the Tiyata development lands for a public francophone school/community space. The CSF's intent is to designate the subject property in the OCP for institutional use and to amend the Zoning Bylaw No. 832, 2018 to P-1 (Public) to create a school/community space aimed at francophone education.

Village of Pemberton staff and the Conseil Scolaire Francophone (CSF) have discussed the matter of community amenities as it applies to the CSF OCP Amendment and Rezoning Application.

The Village of Pemberton Council has established a Community Amenity Policy (Policy) for the Village to capitalize on the opportunity to gain public facilities, services and amenities through voluntary contributions from proponents in the rezoning process.

The Applicability Section states the Policy applies to all rezoning applications for residential or mixed-use development that propose an increase in density, development opportunity, or any other zoning change that will increase the land value of land subject to the application. The basis of the CSF's application is to designate the property for **institutional use** as reported to Council in October 2020. Institutional use will not increase density or increase the land value.

In assessing the application pursuant to the Policy, the CSF would like to highlight the community amenities inherent with the development as well as additional community amenities the CSF is prepared to consider. The following categorizes amenities into 4 distinct groupings:

---

**CONSEIL SCOLAIRE FRANCOPHONE DE LA COLOMBIE-BRITANNIQUE (SD No 93)**

100-13511 Commerce Parkway, Richmond (C.-B) V6V 2J8

Téléphone 604-214-2600 Sans frais 1-888-715-2200 Télécopieur 604-214-9881

[info@csf.bc.ca](mailto:info@csf.bc.ca) / [www.csf.bc.ca](http://www.csf.bc.ca)

Village of Pemberton  
Public Hearing  
Tuesday, September 21, 2021  
42 of 64

Information - Project facts

Requirement – Items that must be done for the project to proceed

Benefit – Outcomes of building the school

Amenity – Items the CSF is prepared to improve/upgrade that are not direct components of construction

- **Information:**
  - Approx 7,000 sq m of floor area of educational space
  - Offer francophone education to 390 students
    - 40 kindergarten/200 elementary/150 secondary
  - Staffing estimates
    - Teachers - Support Staff (60)/Administration/Clerical (6)
- **Requirement:**
  - \$40m plus capital investment by Province of BC generating Village fee revenue
  - Site access road and right-in/right-out configured intersection at Highway 99 (MOTI approval received)
  - Updated site servicing
- **Benefit**
  - Village of Pemberton support for the CSF in exerting its constitutional rights under s. 23 of the *Canadian Charter of Rights and Freedoms* to protect minority language rights and providing an educational experience that is substantively equivalent to that of the majority
  - Development of 3 storey K-12 public francophone school/community hub
  - Creation of a francophone childcare program which will reduce pressures on local childcare providers
    - 1 Infant/Toddler program for 12 children (3 staff)
    - 1 Preschool Age Childcare program for 25 children (3 staff)
    - Before/After School Program (4 staff)
  - After hour community access to full-sized secondary play field and other outdoor play areas
  - After hour community access to other school-based amenities such as classrooms, full-sized gymnasium
  - Employment of locally contracted services to maintain facility and site
    - Ground maintenance
    - Facility maintenance
    - Custodial services (estimated to need 3 contracted employees)
    - Security/fire protection services

- Numerous local employment opportunities in all disciplines of construction during an estimated 18-month construction schedule
- Return of existing CSF leased spaces to community
  - Signal Hill Elementary spaces
  - 2 Community Centre spaces
- Provision for emergency exit from Tiyata development
- **Amenity**
  - Development of the Valley Loop Trail to provide continuity through the property
  - Development of pedestrian access to the site from Community Centre and neighbouring residential areas
  - Allocation of property for future location of Community Garden on the site

The foregoing highlights the significant community amenity package the CSF brings to the Village of Pemberton as part of its proposed francophone school development. This project is entirely dependent on the capital funding support of the Provincial government which is construction specific and does not include supplementary allocations for community-based amenities. While the CSF appreciates the intent and purpose of the Community Amenity Contribution Policy and that land development in small communities often involves the potential for different costs and different market responses than in large cities, the CSF is prepared to work with the Village of Pemberton to include certain community amenities that Council foresees for this site while respecting the financial restrictions inherent with provincial government funding. As such, the CSF would anticipate its proposed amenity envelop will be viewed favorably in Council's deliberations of its application.

Sincerely,



Chafic El Rassi  
Director of capital planning



#101 – 38026 Second Avenue, Squamish, BC V8B 0C3 T: 604.815.4646 F: 604.815.4647

January 8, 2021

Our Reference: 30387

**Village of Pemberton**  
PO Box 100  
7400 Prospect Street  
Pemberton, BC V0N 2L0

Attention: Lisa Pedrini, Manager, Development Services

Dear Madam:

**Reference: Ecole de la Vallee OCP and Zoning Bylaw Amendment (OR#131)  
Servicing Review Comments**

ISL Engineering & Land Services has completed a review of the proposed servicing for the above noted application. Along with the application, a technical memo prepared by Web Engineering Ltd and dated November 23, 2020 was reviewed. A summary of comments include:

#### Water

1. The existing water system does have available capacity to meet proposed domestic demand and fire flows. The available fireflow at Highway 99 is approximately 205 L/sec.
2. The technical memo indicates 2 hydrants are proposed however the locations are not shown. At least one hydrant will be required to be located within 90m of the building.
3. Any new watermain that loops thru the property will likely be owned and operated by the Village of Pemberton and will required a registered ROW or easement.
4. The technical memo indicates water metering will be provided at the school building. Coordination will be required with the Village of Pemberton for metering requirements
5. Irrigation demands have not been provided in the technical memo. A separate irrigation system without connection to the municipal water system is encouraged. Recent and ongoing capital projects undertaken by the Village of Pemberton have separate irrigation systems that do not impose irrigation demands on the municipal treated water system.

#### Sanitary

6. Proposed sanitary flows indicate a peak flow rate of 9.5L/sec. Downstream sewers can generally accommodate this additional flow except for 2 – 200mm diameter segments (total 95m) as shown in magenta below. These 2 segments will require upsizing to 250mm diameter. Alternative alignments of the offsite sewers may also be considered.

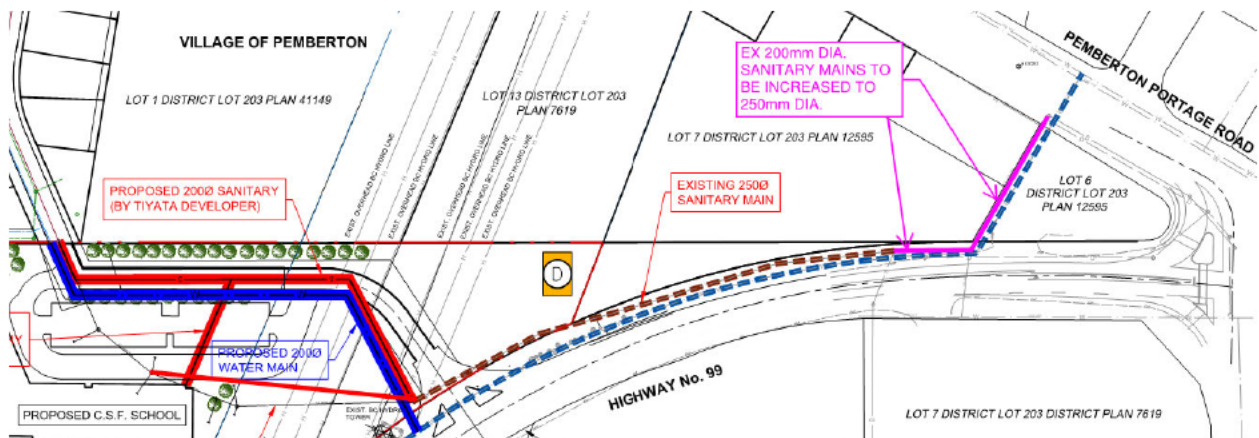


Figure 1 - Deficient offsite sanitary sewers (shown in magenta)

Storm

A stormwater management plan has not been provided at this time however provisions for stormwater conveyance to receiving storm systems from the upland development (Tiyata) may need to be resolved.

Additional comments include the following:

7. The proposed servicing plan indicates removal and relocations of significant sections of existing onsite sanitary sewers. Although the proposed alignments of the onsite sanitary and water systems shown on the servicing plan may be acceptable, there may be potential to retain most of the existing onsite sanitary sewer except for portions that are within 6.0 m the proposed building foundations.
8. Flood construction levels will need to be established for this site and flood protection works may be required as part of the development of this site.
9. Restrictions via removable bollards or similar on vehicle access thru the site to the north (Tiyata) will likely be required.
10. The cul-de-sac at the north-west corner of the site will likely need to be constructed and registered as a ROW or easement as this infrastructure is necessary for the vehicle circulation of the Tiyata development located to the north of this school site.
11. MOTI review and approval will be required for the access to Highway 99

The above comments do not necessarily represent a complete list of the development requirements. Should the applicant proceed with this concept, additional requirements may be imposed. Please do not hesitate to contact the undersigned if you would like to discuss this application further.

Yours truly,



Richard Avedon-Savage, P.Eng.,  
Senior Engineer

**DEVELOPMENT SERVICES  
PRELIMINARY BYLAW  
COMMUNICATION**

Your File #: OR131 – École  
de la Vallée  
(CSF)  
MoTI File #: 2020-05459  
Date: Nov/09/2020

Village of Pemberton  
7400 Propsect Street  
PO Box 100  
Pemberton, British Columbia V0N 2L0  
Canada

Attention: Lisa Pedrini, Manager Development Services

**Re: Proposed OCP and Zoning Amendment Bylaw for:  
PID: 009378740  
Lot 3 DL 303 LLD Plan 1287**

Thank you for the opportunity to comment on the above noted proposal. Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*, subject to the following conditions:

**Access to Highway 99:**

Although the Ministry's preference is to limit or eliminate private accesses off of Highway 99 through Pemberton, as it is a Controlled Access Highway, we recognize the challenges with this parcel in that it currently does not have frontage on a secondary road right of way and there is limited opportunities to establish alternative access. The applicant will need to address and consider the following:

- An Access to a Controlled Access Highway permit is required for direct access to Highway 99.
- Presently, the ministry supports a right in/right out access to Highway 99. This present support should not be construed as pre-approval for a full movement access. A full movement access will require further analysis and review.
- The proponent will need to consider the costs of potential improvements to the highway to support an access.
- Access approval may need to consider access to adjacent lands (e.g. through public road dedication or easements).

**Active Transportation:**

Consideration should be made for active transportation and pedestrian accommodation.

## Local District Address

Squamish Area Office  
101-42000 Loggers Lane  
Squamish, British Columbia V8B 0H3  
Canada  
Phone: () - Fax: (604) 898-4376

**Setback:**

All structures are to be located at least 4.5 metres back from the highway right-of-way.

**Storm Water Management:**

No storm drainage shall be directed into Ministry of Transportation and Infrastructure systems. This would include, but is not limited to, collection/run-off of the internal road system. All storm water is to be directed to a municipally maintained storm system.

If you have any questions please feel free to call Kattia Woloshyniuk at (236) 468-1926.  
Yours truly,



Kattia Woloshyniuk  
A/ Senior Development Officer





November 5, 2020

Ref: 241091

Lisa Pedrini, Manager of Development Services  
Village of Pemberton  
Email: [lpedrini@pemberton.ca](mailto:lpedrini@pemberton.ca)

Dear Ms. Pedrini:

**Re: OR#131 – École de la Vallée OCP and Zoning Bylaw Amendment**

---

I am writing in response to the Village of Pemberton's consultation process related to parties affected by Craig Burns' application on behalf of the Conseil scolaire francophone de la Colombie-Britannique (CSF) to amend the Official Community Plan (OCP), as required by section 475 of the *Local Government Act*. Thank you for including the Ministry of Education in the consultation process. The Ministry is very supportive of the proposed amendment and CSF's plan to develop a new school.

The Province has an ongoing constitutional obligation to work with the CSF to help identify priorities and to make best efforts to meet the CSF's current and future needs for schools in certain communities. In June 2020, the Supreme Court of Canada (SCC) confirmed this requirement, as well as the Province's obligations to address historic infringements of minority language rights under section 23 of the *Charter of Rights and Freedoms* (Charter). Specifically, the decision increases the scope and urgency of how the Province is expected to address the capital needs of the CSF in several communities, including the Village of Pemberton.

The Ministry cannot, by itself, take the steps that are necessary to comply with the Province's obligation under the SCC judgment. The Ministry requires the assistance and cooperation of many other ministries and public bodies to help fulfil the Province's constitutional obligations. For several years now, the Ministry and CSF have been pursuing the acquisition of a school site in the Village of Pemberton. The proposed amendment to the OCP would facilitate rezoning of the property from residential to civic and institutional, so that the CSF can begin the process of planning for a new school.

Funding for the site acquisition is supported in the Ministry's capital plan. If the CSF can acquire the site, they can then begin the two-stage process of concept plan and business case development to secure funding for construction of a school. The size of the school and grade configuration will be confirmed in consultation with the Ministry during the planning and development process. I encourage the Village of Pemberton to stay engaged in the project and continue to support the CSF through the development process.

If you require further information, or have any questions regarding our interest in this property, please contact Mora Cunningham, Regional Director, Capital Management Branch, by email at [Mora.Cunningham@gov.bc.ca](mailto:Mora.Cunningham@gov.bc.ca), or by phone at (250) 812-6750.

Thank you for your consideration.

Sincerely,



Joel Palmer  
Executive Director, Capital Management Branch

pc: Reg Bawa, Assistant Deputy Minister, Resource Management Division  
Lucie Pineau, Secretary Treasurer, School District No. 93 – CSF  
Craig Burns, Principle Architecture, Agent for the landowner  
Nikki Gilmore, Chief Administrative Officer, Village of Pemberton  
Capital Management Branch, Ministry of Education

Pemberton Valley Dyking District  
1381 Aster Street  
Pemberton B.C. V0N2L0



**To:** Lisa Pedrini  
Manager, Development Services

**RE: OR131 – École de la Vallée (CSF)**

Thank you for the opportunity to comment on the below referral.

The proposed location is in the path of the Pemberton Creek Alluvial Fan (NHC 2001). This property is protected by the Pemberton Creek Dike which is a provincially regulated dike. The PVDD has maintained this dike since it was built and has performed improvements on this section with the most recent being a Rip Rap installation in 2011.

In the (NHC 2018) Floodplain Mapping study this dike was listed as a Fair condition dike.

The proposed location is above the 200 year flood level as modeled by NHC. This is in the context of a Lillooet river dominant flow event. In the context of a Pemberton Creek the peak flows as reported in past studies may not return a large flood risk and the risk of debris flow hazards as outlined in (Bauman 2000)

Uncontrollable Risks and Information:

- BCR / CN Rail bridge – Debris flow creating restriction
- MOTI Hwy 99 Bridge – Low deck height and Debris flow creating restriction
- Large avalanche in the upper Pemberton Creek reaches. (Glacier, Deposition and Waterfall) (NHC 2001) (Clague 1995), (LaCas 1995) (Bauman 2000)
- Bauman 2009 – Signal Hill Geotechnical Report

Literature above does not constitute any technical comment on risks by a professional, only provides history and context for the reader. The documents cited are for information purposes and it is up to the developer to perform the due diligence required.

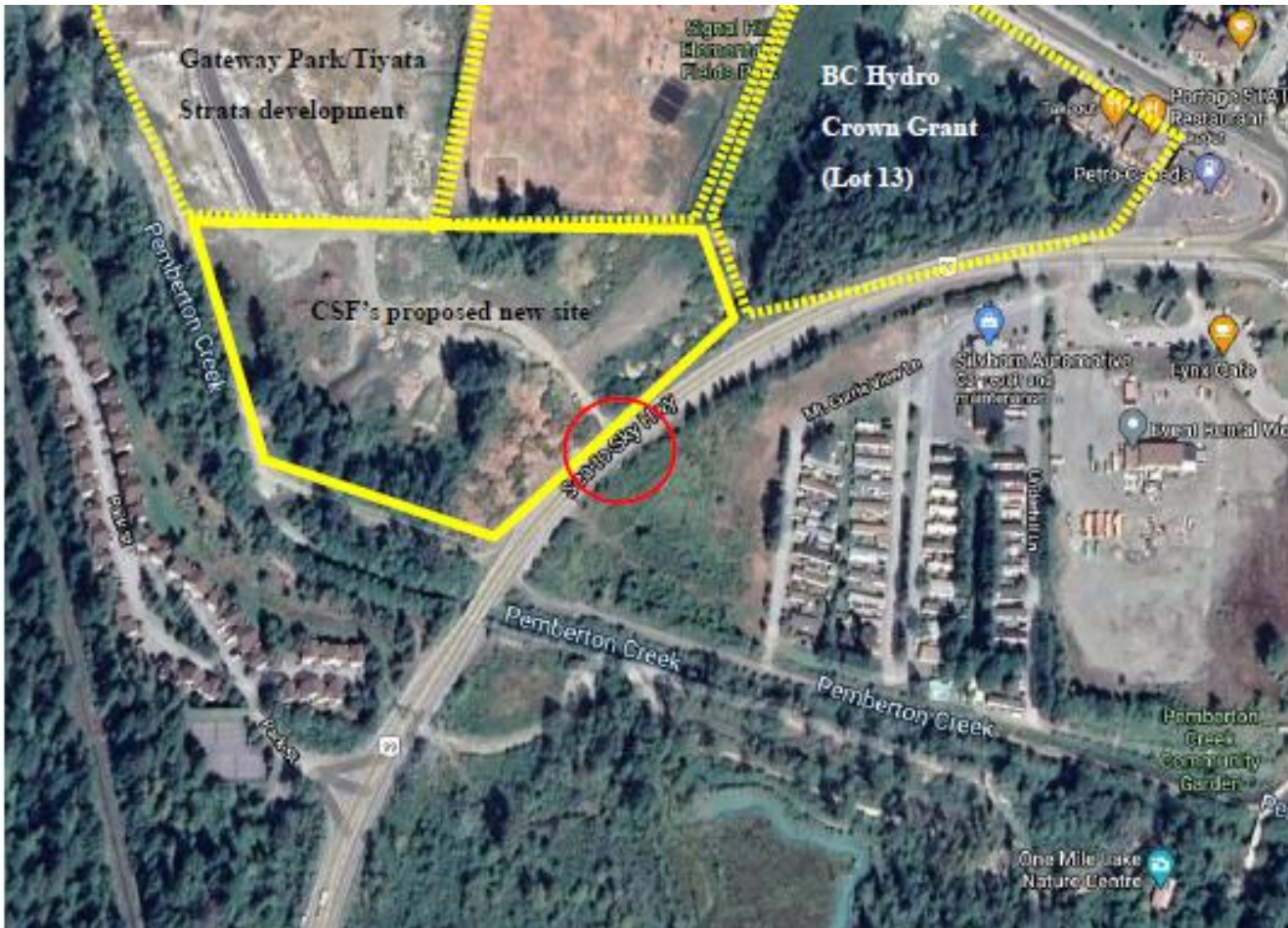
The PVDD request further consultation through the design process. This to ensure that proper site planning for drainage and access for diking purposes are maintained. Set back from the dike will be scrutinized as any encumbrance of dike maintenance cannot be planned. The preferred area of construction would be the North West corner of the property to give diking authority free and clear access to the dike from the dike crest as well as the site grade. Site drainage requirements may be an issue due to elevation. The PVDD would prefer that no drainage pass through the dike which would require a DMA approval.



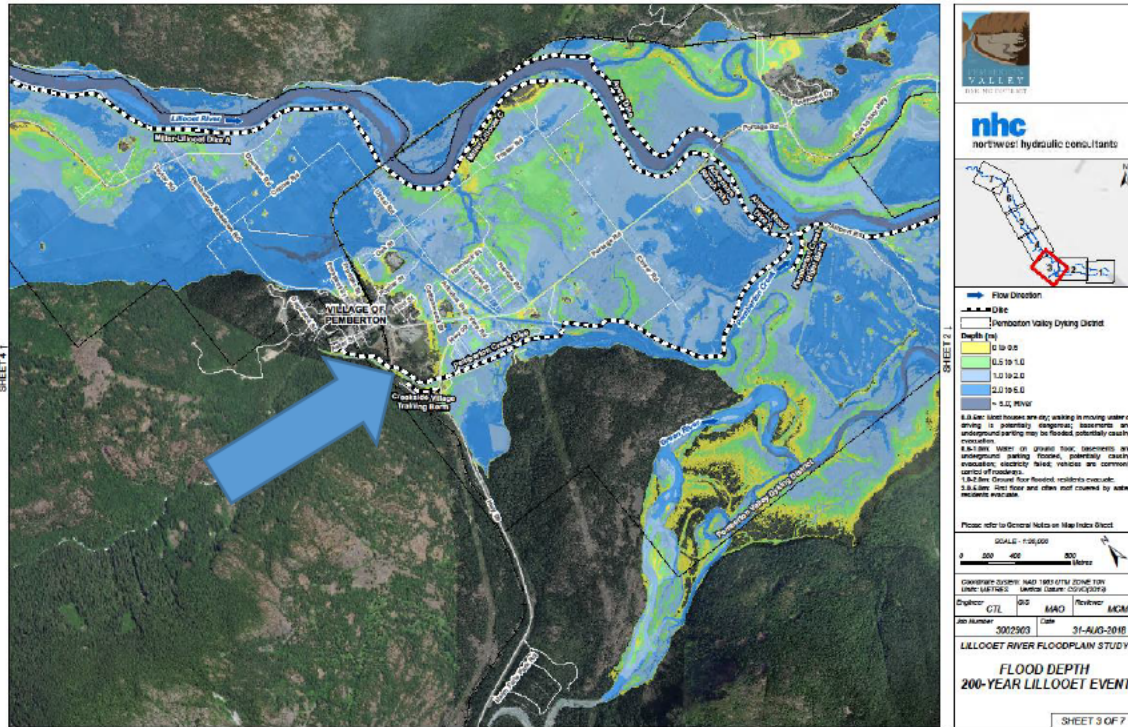
PO BOX 235 1381 Aster St, Pemberton, BC V0N 2L0 phone: (604) 894-6632 fax: (604) 894-5271 trustees@pvdd.ca www.pvdd.ca

PEMBERTON VALLEY DYKING DISTRICT

**Subject Property:**



Area during a 200 year Lillooet event



Kevin Clark  
 Operations and Maintenance Manger  
 Pemberton Valley Dyking District  
 Phone: 604-905-8011  
 Email: kclark@pvdd.ca

**Properties**

Property Rights Services

Phone: 604-543-1595

Email: [Carolyn.Genzel@bchydro.com](mailto:Carolyn.Genzel@bchydro.com)

17 December 2020

Assignment: PA1206444

File: BCE 1062 PT1

Circuit/Str.: 2L001 Str. 64-02 to 64-03

2L041 Str. 39-02 to 39-03

VIA EMAIL: [LPedrini@Pemberton.ca](mailto:LPedrini@Pemberton.ca)

Development Services

Village of Pemberton

Box 100, 7400 Prospect Street

Pemberton, BC V0N 2L0

Attention: Lisa Pedrini

Dear Ms. Pedrini:

**Proposal:** Proposed Access Road and Community Garden within BC Hydro 230kV Right of Way**Right of Way Charge No.:** 81765E Part Shown on Plan CG246; F5544 Part Red on CG Plan 657**Legal Description:** PID: 009-378-740 Lot 3 District Lot 203 Lillooet District Plan 12807 Except that Part which lies to the East of the East Boundary of Plan Crown Grant 253**Location:** Proposed C.S.F. School Location - Highway No. 99**Drawing:** 1833-Concept Drawing

BC Hydro's initial review indicates that your proposal may be feasible from our perspective. However, BC Hydro cannot offer further comment or confirm that it has no objection to your proposal until we receive and review the following:

1. Final detailed plans showing your proposal in relation to BC Hydro's structures, including vertical and horizontal distances from those structures. A distance of 10 metres must be maintained from the base of the Transmission Structure 64-02 located just south of the proposed access road.
2. The Plans and Profiles for the proposed Access Road and also for any parking/driving areas within the Right of Way area.
3. The Plans and Profiles for any preload work taking place within the Right of Way area.
4. Plans for any proposed utilities or wiring within the Right of Way area.
5. Advised if there will be any proposed traffic signals within Highway 99 and if so, the distance between the traffic light and the nearest Transmission Line conductor.
6. For fire fighting, advise where the muster areas will be and where the fire trucks will assemble. There is to be no fire fighting or fire hydrants within the Right of Way area.

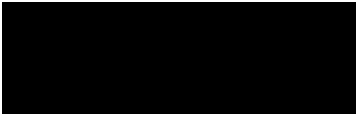
Please submit the above noted items to this office for review. Review times can take 12-16 weeks or longer should any electrical studies be required. If BC Hydro find no objection to your proposal after

receipt of all required information, we will issue you a letter confirming this and containing terms and conditions applicable to your proposal.

Do not commence any work within BC Hydro's right of way area until you have received, signed and returned BC Hydro's letter in this regard.

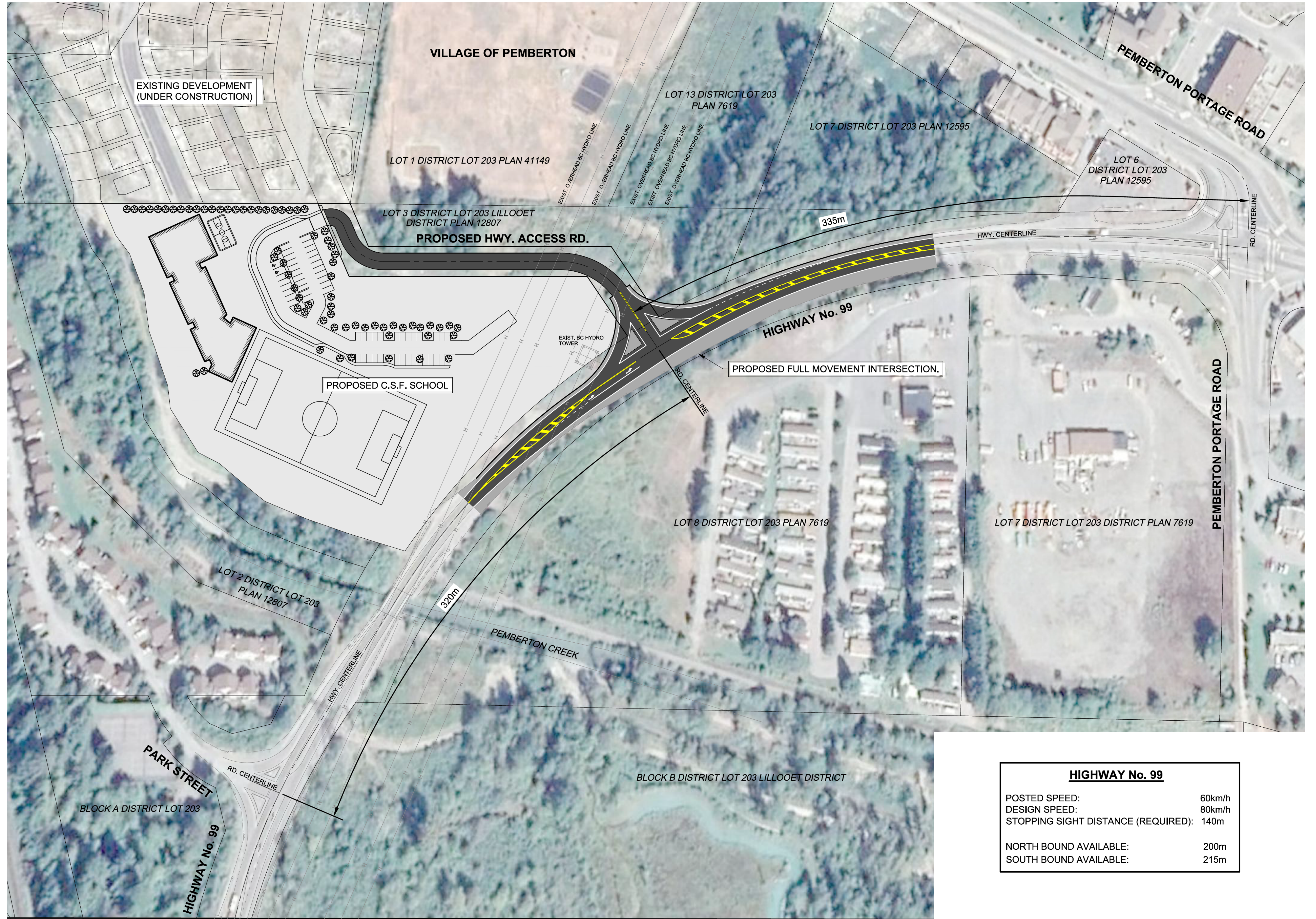
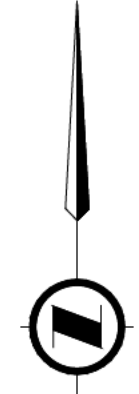
Please contact Carolyn Genzel at [Carolyn.genzel@bchydro.com](mailto:Carolyn.genzel@bchydro.com), if you have any questions.

Yours truly,  
British Columbia Hydro and Power Authority  
By:



Carolyn Genzel  
Property Coordinator  
Property Rights Services

c: Kim Proudlove, Property Representative, BC Hydro



| <b>HIGHWAY No. 99</b>               |        |
|-------------------------------------|--------|
| POSTED SPEED:                       | 60km/h |
| DESIGN SPEED:                       | 80km/h |
| STOPPING SIGHT DISTANCE (REQUIRED): | 140m   |
| NORTH BOUND AVAILABLE:              | 200m   |
| SOUTH BOUND AVAILABLE:              | 215m   |

ATTACHED TO:

FILE DWG. NUMBER

| NO. | REVISIONS | BY | DATE |
|-----|-----------|----|------|
|     |           |    |      |
|     |           |    |      |
|     |           |    |      |

THE LOCATIONS OF EXIST. UNDERGROUND UTILITIES ARE SHOWN IN AN APPROX. WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXIST. UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTES:

MONUMENT No.:

LOCATION:

COORDINATES:

ELEVATION:

COORDINATE SYSTEM:

APPR-SEAL

DRWN.:

DSGN. R.P.

CHKD. B.S.

DATE: 2020-01-16

CONSULTANT(S)

**JWEB ENGINEERING LTD.**  
consulting civil engineers  
4173 DAWSON STREET, BURNABY, B.C. 1st. (604) 294-8588

CLIENT:

**CONSEIL SCOLAIRE FRANCOPHONE / SCHOOL DISTRICT No. 93**

**PEMBERTON CSF HIGHWAY No. 99 ACCESS**  
CONCEPT DESIGN

|                               |
|-------------------------------|
| SCALE: 1:1000                 |
| SHEET 1 OF 1                  |
| WEB DRAWING NO.: 1833-CONCEPT |
| MUNICIPAL NO.:                |
| REV.                          |





November 13, 2020

Village of Pemberton Planning Department  
Box 100  
Pemberton, BC  
V0N 2L0

Dear Joanna Rees

**RE: Village of Pemberton OCP and Zoning Amendment Referral**

On behalf of the Pemberton & District Chamber of Commerce, please accept this letter regarding the Village of Pemberton OCP and Zoning Amendment Referral letter sent to the PDCC for comments.

Overall, the PDCC supports this long-awaited francophone school project and the OCP and Zoning Amendment Referral to make it happen, with the following questions and or concerns.

1. Will the outdoor areas be available for community use as the Signal Hill field is or exclusive to the school only?
2. It's important that childcare space be built in conjunction with the childcare provider (i.e. if it was going to be used as a Day Care maybe less so if it's for afterschool care). our understanding is in Whistler the childcare space at Spring Creek School was built but is actually not functional as a day care and could not successfully operate in the end.
3. Access to Highway 99 will be crucial to alleviate congestion in town with development on the rise at this end of town.
4. For safety, it would be great to see a sidewalk on highway 99 between the school and the Petro-Can intersection.

The Pemberton & District Chamber of Commerce is dedicated to enhancing the quality of life in our community by actively supporting business, economic growth and diversification. We pride ourselves in serving and promoting the entire area – Pemberton, Mount Currie, Birken, D'Arcy and all of Area C.

Yours truly,



Graham Turner  
Advocacy Committee Chair  
Pemberton + District Chamber of Commerce

**ADVISORY LAND USE COMMISSION MINUTES**

**Minutes** for the Advisory Land Use Commission Meeting of the Village of Pemberton held Monday November 30, 2020 at 5:00 pm via ZOOM Webinar ID: 829 9950 9419

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|                              |   |
|------------------------------|---|
| <b>IN ATTENDANCE:</b>        | Allison Twiss (Acting Chair)<br>Kirsten McLeod<br>Mark Barsevskis<br>Richard Nott             |
| <b>REGRETS:</b>              | Kristina Salin<br>Kevin Clark   |
| <b>STAFF IN ATTENDANCE:</b>  | Lisa Pedrini, Manager of Development Services<br>Gwendolyn Kennedy, Building & Planning Clerk |
| <b>PUBLIC IN ATTENDANCE:</b> | Craig Burns (Applicant) + 1   |

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**1. CALL TO ORDER**

At 5:06 p.m. the meeting was called to order.

**2. APPROVAL OF AGENDA**

Moved/Seconded

**THAT** the agenda be approved as circulated.

**CARRIED**

**3. ADOPTION OF MINUTES**

Moved/Seconded

**THAT** the minutes of Advisory Land Use Commission meeting held April 27, 2020 be adopted as circulated.

**CARRIED**

**4. OFFICIAL COMMUNITY PLAN AND ZONING BYLAW AMENDMENT – OR#131 - École de la Vallée**

Development Services Manager Lisa Pedrini summarized the application for Official Community Plan (OCP) and Zoning Bylaw amendments presented by Craig Burns, agent for the landowner 1193317 BC Ltd, on behalf of the Conseil scolaire francophone de la C.B. (School District #93), to facilitate the development of a Francophone public school/community space.

Ms. Pedrini invited questions from Commission members. Members requested additional information regarding access from the highway, measures to address pedestrian safety, and measures to prevent vehicle access from Tiyata Boulevard.

Craig Burns, agent, presented a conceptual plan of the proposed development that will include a three-storey school building with a full size gymnasium, sports field and outdoor play area, and designated school bus loading area. Consideration has been made for allotting space for a community garden and for a pedestrian bridge over Pemberton Creek, as these amenities were tied to the property under the current owner.

Commission members asked questions regarding termination of existing Tiyata development roads, safe pedestrian access from nearby neighbourhoods and the proposed use of the land under the hydro lines. Mr. Burns thanked Commission members for their input and noted that some of these questions would be answered at design stage.

Moved/Seconded

**THAT** the Advisory Land Use Commission recommends to Council that the application for Official Community Plan amendment and rezoning for the property known as the portion of the Tiyata development that fronts Highway 99 be supported subject to further civil consultancy design guidelines regarding:

- i. the discrepancy between road terminations on Figures 2 and 3;
- ii. pedestrian travel and access safety;
- iii. Highway 99 speed limits, subject to Ministry of Transportation and Infrastructure guidelines; and
- iv. general review and direction from Ministry of Transportation and Infrastructure.

**CARRIED**

## 5. NEXT MEETING

No further meetings are anticipated in 2020.

## 6. ADJOURNMENT

At 5:55 p.m. the meeting was adjourned.

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Chair

## Sommaire des discussions - Summary of Discussions

*Session d'information publique - Public Information Session, CSF (Conseil scolaire francophone)*

*Le jeudi 12 novembre 2020 à 18 h (par webinaire) - Thursday, November 12, 2020 at 6 p.m. (via webinar)*

Voici une liste des questions qui ont été posées, ainsi qu'un sommaire des réponses données par le panel d'experts présent<sup>1</sup> :

Here is a list of the questions that were asked by the participants, as well as a summary of the answers given by the panel of experts<sup>2</sup>:

### 1. Questions de clarification ou demandes de précision (Questions and requests for clarification)

| # | Questions   | Réponses - Answers   |
|---|---|--|
| 1 | “What is the predicted timing for start and finish of construction, and opening for students?”  | The CSF cannot confirm when the school will be open. At present, the primary goal is to secure the site.   |
| 2 | “How long would it take to build?”  | A 3-storey K-12 school facility, from start to finish, will take approximately 20-24 months to build.  |
| 3 | “How long will this process take for re-zoning?”  | The timeline is approximately 5-8 months. It is possible to accelerate the process by promptly providing information and working closely with the Village of Pemberton.  |
| 4 | « Suite au changement de zonage s'il y a lieu, quelles sont les prochaines étapes avant le début de la construction de l'école ? »<br>(Following the zoning amendment, if it happens, what are the next steps before the beginning of the school construction?) | Next steps include securing the property, developing a project definition report (identifying needs, design options, business case, etc.), which leads to a project agreement between the CSF and the Ministry of Education. |
| 5 | “What kind of fence is going on the property line?”   | There is construction boarding around the property now. Once built, fencing will be a question of design. Not every school property is fenced. A risk assessment could determine whether fencing is needed.                  |

<sup>1</sup> Les questions et les réponses ont été notées dans la langue qu'elles ont été posées et répondues.

<sup>2</sup> The questions and answers were noted in the language in which they were asked and answered.

| #  | Questions  | Réponses - Answers   |
|----|--|--|
| 6  | “There is no access through the existing subdivision it’s just emergency vehicle access, correct?”   | CSF and the Village of Pemberton have been discussing access to and from the school site via a connection from Highway 99. There would be a gated connection between the Tiyata subdivision and the school site for emergency use only (i.e. Fire department or village evacuation plans). The design presented on the slides is notional.   |
| 7  | “How many students can the new school hold?”   | School capacity of 390 (K-12) students: 40 Kindergarten students, 200 elementary students, and 150 secondary students<br><br>The facility will also include childcare spaces: 2 modules (1 for infant/toddler-aged children (capacity: 12), and 1 for preschool-aged children (capacity: 25))  |
| 8  | “What are the limitations for use of the space under and surrounded by the hydro lines?”   | There are setbacks for development of building and program space, but details are to be discussed.   |
| 9  | « Pour quand l'école serait-elle prête ? »<br>(When will the school be ready?)   | (answered above - see #1)  |
| 10 | « Est-ce que les gens de la communauté pourraient utiliser le bâtiment après les heures d'école ? »<br>(Will members of the community be able to use the building after school hours?) | Oui. Il y aura des protocoles en place pour permettre à la communauté d'utiliser leur l'immeuble après les heures d'école, comme dans les communautés où le CSF a des installations communautaires.<br><br>(Yes. There will be protocols in place to allow the community to use the building after school hours, as is done in communities where the CSF has community amenities.) |
| 11 | « Serait-il possible qu'il y ait beaucoup d'arbres sur le terrain de l'école ? »<br>(Is it possible for there to be a lot of trees on the school grounds?)                             | Efforts will be made to retain a grove of trees between the two school properties. An arborist will be involved to assess which trees are worth keeping and integrating into the design.   |
| 12 | « Est-ce que l'école serait accessible du village ou de l'autoroute ? »<br>(Will the school be accessible from the village or from the highway?)                                       | Regarding vehicle access, see #6. There have been preliminary discussions with the Village regarding pedestrian access and a trail that goes along the creek.  |

| #  | Questions  | Réponses - Answers   |
|----|--|--|
| 13 | <p>« Est-ce possible de nous éclairer sur la chronologie des actions et les dates importantes, de la conclusion sur le changement de zonage à la construction et l'opération de la nouvelle école ? »</p> <p>(Is it possible to provide us with some clarity on the chronology of steps and the important dates, from the conclusion on rezoning to the construction and operation of the new school?)</p> | <p>Voir les réponses #1 et 2. Plusieurs variables font en sorte que c'est difficile de mettre une date exacte (par exemple, le zonage, la conception de l'école et les consultations à ce sujet, la disponibilité des matériaux, de la main d'œuvre, etc.)</p> <p>(Answered above, see #1 and 2. Multiple variables make it difficult to provide an exact date (i.e. zoning, design and consultations related to design, availability of building materials, contractors, etc.).</p> |
| 14 | <p>“How long can the connection with Highway 99 take? Including the planning with the Ministry of Transportation and the construction of the exit/road?”</p>   | <p>The CSF has received a positive response from the Ministry of Transportation and Infrastructure. The CSF must design and assess whether it is a safe and viable place for an intersection. Timing is uncertain, but Ministry of Transportation and Infrastructure is supportive and responding quickly to questions.</p>  |
| 15 | <p>“This might be too early in the process and may also be better directed at the Village, but is there any indication or vision for what the intersection at Highway 99 will look like (i.e. traffic lights, turning lanes?”</p>  | <p>The type of intersection has not been decided. There are many different options (i.e. right-turn in and right-turn out or full movement intersection).</p>  |

## 2. Quelles sont vos inquiétudes ? (What are your concerns?)

| # | Questions  | Réponses - Answers  |
|---|--|---|
| 1 | <p>“What happens if the village doesn't want to rezone?”</p>               | <p>There is a role for the community to play. Come out and tell the Village that you need this school and have been waiting for it for a long time. Do not hesitate to show your support and show up to Village meetings.</p> <p>The feedback so far has been positive, and the CSF is optimistic about the rezoning.</p> |
| 2 | <p>“Since this process may take some time is there a plan in place for</p> | <p>The CSF will work with SD 48 to determine what space is available,</p>   |

| # | Questions   | Réponses - Answers  |
|---|---|---|
|   | extra room for the school over the next few years?" | including the options for adding more portables. The CSF is working to build its new school as quickly as possible. |

### 3. Est-ce que l'information présentée vous a rassurée ? (Have you been reassured by the information provided?)

| # | Réponses - Answers  |
|---|---|
| 1 | "Everyone is working so hard towards this common goal. It warms my heart."  |
| 2 | « Merci énormément pour tous vos efforts et votre beau travail. Vraiment très apprécié ! »<br>(Thank you very much for all your efforts and great work. Very much appreciated!)   |
| 3 | Quelle que soit la décision finale, le CFS et les employé.e.s de l'École la Vallée de Pemberton font un travail incroyable en liaison avec l'école Signal Hill. Je remercie toute la communauté et les personnes concernées pour les efforts portés à ce projet. Let's get together and make this happen for the whole community!<br>(Whatever the final decision, the CSF and the employees of École la Vallée de Pemberton are doing an incredible job liaising with Signal Hill. I think the whole community and the concerned persons for their efforts in this project.) |
| 4 | Merci à tous pour vos efforts et votre soutien à ce beau et important projet<br>(Thank you to all for your efforts and your support for this great and important project)   |
| 5 | Merci à tous. Reconnaissance que la nouvelle école sera sur le territoire traditionnel de la Première nation Lil'wat.<br>(Thank you to all. Recognition that the new school will be on the traditional territory of the Lil'wat First Nation.)  |
| 6 | Well done! It's very encouraging! We really appreciate the time taken tonight to inform us! Thank you!  |



# Public Hearing Notice

Questions?  
We're  
Listening.



604.894.6135



admin@  
pemberton.ca



pemberton.ca

**Official Community Plan (Tiyata-École de la Vallée) Amendment Bylaw No. 902, 2021 Zoning Amendment (Tiyata-École de la Vallée) Bylaw No. 903, 2021 Tuesday, September 21, 2021, 5:30 pm, via Zoom, Webinar ID: 811 4079 9681 (<https://us02web.zoom.us/j/81140799681>)**

**What is OCP Amendment (Tiyata -École de la Vallée) Amendment Bylaw No. 902, 2021 and Zoning Amendment (Tiyata-École de la Vallée) Bylaw No. 903, 2021 about?**

These Bylaws have been prepared to amend the Official Community Plan (OCP) Bylaw No. 654, 2011 to support the development of a public school within the Tiyata Special Planning Area Designation by introducing text amendments and re-designating the subject property from Residential to Civic & Institutional and to amend Zoning Bylaw No. 832, 2018, Section 18.5: CD-5 Comprehensive Development Zone 5 – Tiyata at Pemberton to permit a public school on the subject property.

**What is the significance of the proposed OCP Amendment (Tiyata -École de la Vallée) Amendment Bylaw No. 902, 2021 and Zoning Amendment (Tiyata-École de la Vallée) Bylaw No. 903, 2021?**

The subject property is currently vacant and is designated/zoned for residential purposes. The proposed development concept is a new, three (3) storey Kindergarten to Grade 12 (K-12) community school centre capable of accommodating 40 kindergarten, 200 elementary and 150 secondary students, for a total capacity of 390 students. The school's programming is intended for students whose parents are part of the Francophone minority; French is taught as a first language to help students develop their French language identity and culture. École de la Vallée is presently operating in portable classrooms behind Signal Hill Elementary and space in the Pemberton Community Centre.

**How do I get more information?**

A copy of the proposed bylaws and relevant background documents may be inspected at the Village of Pemberton Office, 7400 Prospect Street from Wednesday, September 8, 2021 to Tuesday September 21, 2021 during the office hours of 9am to 4pm (closed noon-1:00pm), Monday through Friday (statutory holidays excluded), and also online at [pemberton.ca](http://pemberton.ca)



**How do I provide feedback?**

All persons, who believe their interest in the property is affected by the proposed Bylaw, shall be given a reasonable opportunity to be heard by Council at the Public Hearing. Written comments must be addressed to "Mayor and Council" and received by 4pm on Monday, September 20, 2021.

**Email:** [admin@pemberton.ca](mailto:admin@pemberton.ca)

**Mail:** Corporate & Legislative Services, Village of Pemberton, P.O. Box 100, Pemberton, BC, V0N 2L0

**In person:** Corporate & Legislative Service Department, 7400 Prospect Street, Pemberton BC

Submissions received for the proposed Bylaw before 12pm on Wednesday, September 15, 2021 will be included in the Public Hearing information package for Council's consideration. This information package will also be available on the Village website at [pemberton.ca](http://pemberton.ca) with other associated information on Friday, September 17. Submissions received after 12pm on Wednesday, September 15, 2021 will be presented to Council at the Public Hearing. At the conclusion of the Public Hearing, no further information on this topic can be considered by Council.

**Sheena Fraser, Corporate Officer**

Village of Pemberton  
Public Hearing

Tuesday, September 21, 2021  
[pemberton.ca](http://pemberton.ca)  
64 of 64



VillageofPemberton