

## -Advisory Land Use Commission-

**Agenda** for the Advisory Land Use Commission Meeting of the Village of Pemberton to be held Thursday April 13, 2023 at 5:00 pm in person at Council Chambers and online via ZOOM Webinar ID: **834 0384 1595**

|  | Page   |
|--|--------|
| <b>1. CALL TO ORDER</b><br>In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.                  |        |
| <b>2. APPROVAL OF AGENDA</b><br><br><b>Recommendation: THAT</b> the agenda be approved as presented.   | 1      |
| <b>3. MINUTES</b><br>a) Minutes of the ALUC Meeting of July 20, 2022<br><br><b>Recommendation: THAT</b> the minutes of the ALUC meeting held July 20 3, 2022 be adopted as circulated. | 2-4    |
| <b>4. OR135 – Official Community Plan and Zoning Bylaw Amendment, Parkside - 7362 Pemberton Farm Road East</b><br><br>Colin Brown, VOP Planner will present a report regarding OR135.  | 5-35   |
| <b>5. OR133 – Nkwúkwma Sub-Area Plan</b><br><br>Scott McRae, Manager of Development Services will present a memo regarding the Benchlands Nkwúkwma Sub-Area Plan.                      | 36-112 |
| <b>6. NEW BUSINESS</b><br>No new business arising.   |        |
| <b>7. NEXT MEETING</b><br><br><b>Recommendation: THAT</b> the next meeting take place Thursday May 18 <sup>th</sup> if required.   |        |
| <b>8. ADJOURNMENT</b>  |        |

**ADVISORY LAND USE COMMISSION MINUTES**

**Minutes** for the Advisory Land Use Commission Meeting of the Village of Pemberton held Wednesday July 20, 2022 at 5:00 pm via ZOOM Webinar ID: 870 7423 5933

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|------------------------------|--|
| <b>IN ATTENDANCE:</b>        | Kirsten McLeod<br>Jeanette Elmore<br>Richard Nott<br>Allison Twiss   |
| <b>REGRETS:</b>              | Jagoda Kozikowska<br>Nick Fisher   |
| <b>STAFF IN ATTENDANCE:</b>  | Scott McRae, Manager of Development Services<br>Nikki Segovia, Building & Planning Clerk<br>Mark Barsevskis (Consulting Planner) |
| <b>PUBLIC IN ATTENDANCE:</b> | Applicants Casey Clerkson and Jessie Abraham<br>General public 2   |

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**1. CALL TO ORDER**

At 5:02 p.m. the meeting was called to order.

In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.

**2. APPOINTMENT OF ACTING CHAIR**

Moved/Seconded

**THAT** Richard Nott was appointed as Acting chair.

**CARRIED**

**3. APPROVAL OF AGENDA**

Moved/Seconded

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

**CARRIED**

**4. ADOPTION OF MINUTES**

Moved/Seconded

**THAT** the minutes of Advisory Land Use Commission meeting held February 3, 2023 and be adopted as circulated.

**CARRIED**

**5. Rezoning OR 133- SCS Affordable Housing on Harrow Rd, Lot 2 District Lot 203, Lillooet District Plan KAP 5664**

Consulting planner Mark Barsevskis presented a report regarding a Rezoning Application for the proposed Affordable Housing development at Lot 2 Harrow Road, along Harrow Road and Pemberton Portage Road (Highway 99).

Questions were opened to the commission for staff.

Questions were asked in regards to what can be done to ensure the building is used as rental purpose affordable housing; what the definition of true market rental is; how the multi-use pathway proposed would connect to the Village's transportation network; what is the plan to retain mature trees on site; whether or not the Village would consider split-zoning the lot to preserve density; how the application arrived at 5 stories from the permissible three; what are the flood requirements for commercial space; has the Village provided feedback to MoTI around pedestrian crossings and safety; whether or not the parking study was done by a reputable firm and was it conducted with comparable communities; clarification was asked regarding a commitment to evacuation measures; and asked whether or not the bicycle storage is secure.

At 5:43 the applicants Jessie Abraham and Casey Clerkson presented a report to the ALUC expanding on the nature of the project and clarified answers that the commission had for staff.

Further questions asked pertained to parking requirements; whether or not high value trees were included in the arborist's report; whether or not the rental would be restricted to Pemberton community members; how ratios for rental calculations were arrived and are these ratios adjustable; the commission asked for clarification on building height; if there are considerations for increasing southern setbacks to protect residents from potential cars in the ditch; how the unit sizing is reached in terms of livability; whether or not the claims from media that there has been a rush to expedite the application are true; clarification on how the ride program SCS offers works and how it has impacted parking in other projects with similar operations; why four stories of residential is desired; considerations for additional landscaping to absorb high water table in the area; What is proposed as the Residential Amentiy Space, and have these spaces been used in other SCS buildings; how tall with the exterior fence be and and what type of experience is being created for people travelling along the highway corridor; if there are any commitments through the rezoning process to support a daycare space; comments were made on the low efficiency of this parcel, especially in relation to where Laurel street terminates; what the sequence of application requirements looks like for the applicant; and how much more space is SCS looking to add for their programming if they abandon their current space.

The floor was opened to the public for questions, no questions were asked from the public.

The commission Moved/Seconded

**THAT** the Advisory Land Use Commission recommends that Council support proposed rezoning application OR#136 – SSCS Affordable Housing, subject to the following recommendations:

- Surface parking design should integrate green features and improve its general environmental sustainability.
- Parking requirements should be re-evaluated to consider local data and studies from comparable municipalities.
- Applicant should be required to flag any significant trees being removed as part of the site development and note efforts to retain.
- The visual design of the site should reflect the intention of the Gateway, including the design of the fence between the building and the highway.
- The rezoning should retain the current permitted Commercial C-2 uses and should not become more permissive.
- The rezoning retains the ability to achieve the existing permitted density through the future development of the remainder of the site.
- The ALUC encourages the applicant to consider future child care use through the development permit.
- Consideration that the application is consistent with the Village's transportation plans and plans around multi-use pathways and the connectivity within the community.
- Applicant works with MOTI to address the increase in vehicle and pedestrian traffic at the intersection of Harrow Road and Hwy 99.

**CARRIED**

## 6. NEW BUSINESS

## 7. NEXT MEETING

Moved/Seconded

**THAT** the next meeting take place Wednesday August 24<sup>th</sup>, if required.

## 8. ADJOURNMENT

At 7:34 p.m. the meeting was adjourned.

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Acting Chair, Richard Nott



**Date:** April 13, 2023  
**To:** Advisory Land Use Commission  
**From:** Colin Brown MCP, Planner II  
**Subject:** OR135 – Official Community Plan and Zoning Bylaw Amendment, Parkside

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**PURPOSE**

The purpose of this report is for the Advisory Land Use Commission (ALUC) to consider and make recommendations to Council regarding a proposed major OCP amendment and rezoning, located at 7362 Pemberton Farm Road East.

**BACKGROUND**

Location

The subject lands are a 2.4-hectare site located at 7362 Pemberton Farm Road East, north of the Pemberton Plateau subdivision and Pemberton Plateau Townhomes. The site is accessed via Pemberton Farm Road East to Sabre Way, a new road dedication located between properties on Pemberton Plateau and Den Duyf Park. The subject lands are legally described as LOT C DISTRICT LOT 211 LILLOOET PLAN EPP40824.



### Site History

The site was at one time part of the Agricultural Land Reserve (ALR); however, for a time it was used as a rock quarry for BC Rail with a mapping error that showed the property outside the ALR. The property (Lot C) was formally excluded from the ALR in 2013, along with Lot A, that flank Den Dufy Park which was granted Non-Farm Use approvals for the development of the rec site. The site is currently vacant and considered brownfield with no significant vegetation, a legacy from the rock quarry. The site is subject to floodplain requirements should development proceed.

The property is designated in the Hillside Special Planning Area in the OCP. Any development in this area must follow directions contained within the Hillside Planning Study that was approved in 2011. The Land Use Framework within the Hillside Study notes that despite the planning work done at the time, development applications for individual parcels within the special planning area would require OCP and zoning amendments initiated by the property owners.

The current Zone is RES-1 Resource Management, that allowed the previous use of a rock quarry. The proposed development is to create a new Comprehensive Development Zone that will provide opportunity to customize the regulations to best suite the property and the land uses that are confirmed throughout this process.

### Application

The application proposes to create a new subdivision consisting of thirty-four (34) residential and one (1) commercial lot. Residential lots range from 300-956 square metres, with the majority under 500 square metres. Corner lot 35 is proposed for commercial use, with conceptual drawings provided for approximately 775 square metres of neighbourhood commercial floor space. The highlights of the application package are attached as **Appendix A**. The full application with all attachments can be view on the Village website:

<https://www.pemberton.ca/departments/development-services/parkside>

The subject lands are a former rock quarry, and a portion are located in the floodplain that present some significant geotechnical challenges with siting of properties and future buildings. Proposed zoning would create a comprehensive development zone to accommodate the mix of uses. Residential regulations would closely mirror those in the current R-2 Residential, Small Lot Zone, with a small reduction in minimum lot size and increase from two (2) to three (3) stories to allow accommodations for the flood plain and geotechnical challenges.

Lot 35 is proposed with neighbourhood commercial uses, with those details to be determined. The proposed zoning breakdown for 34 small lot residential properties are below:

| <b>Lot Regulations</b>                | <b>R-2 Zoning</b>        | <b>Proposed</b>          |
|---------------------------------------|--------------------------|--------------------------|
| a) Min lot size                       | <b>350 m<sup>2</sup></b> | <b>300 m<sup>2</sup></b> |
| b) Minimum lot width                  | 12 m                     | 12 m (min frontage)      |
| <b>Building Regulations</b>           |                          |                          |
| a) Minimum Principal Building Width   | 6 m                      | 6 m                      |
| b) Minimum Front Setback              | 6 m                      | 6 m                      |
| c) Minimum Rear Setback               | 5 m                      | 5 m                      |
| d) Minimum Interior Side Setback      | 1.5 m                    | 1.5 m                    |
| e) Minimum Exterior Side Setback      | 2.7 m                    | 2.7 m                    |
| f) Maximum Lot Coverage               | 50%                      | 50%                      |
| g) Maximum No. of Principal Buildings | 1                        | 1                        |
| h) Maximum No. of Accessory Buildings | 1                        | 1                        |
| i) Maximum Building Height, Principal | <b>Two (2) storeys</b>   | <b>Three (3) storeys</b> |
| j) Maximum Building Height, Accessory | 4.6 m                    | 4.6 m                    |

### Community Amenity Contributions

The Village adopted a Community Amenity Contribution Policy on September 1, 2020, which outlines a framework for defining, establishing, and securing Community Amenity Contributions (CAC) through the rezoning process. 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. Preliminary negotiations have occurred between staff and the applicants. The proximity to Den Duyf Park offers several options for amenities to add to the site for the benefit of the community. A full CAC package will be presented to Council for consideration.

### Servicing / Off-site Improvements

Servicing to the property would come from Village of Pemberton water and sanitary systems. Capacity for water and sanitary would need to be modelled by ISL, the Village's Engineering Consultant. Proposed storm water management will also be assessed by ISL, with input from the Pemberton Valley Diking District.

Off-site improvements will be determined via a review of the Village's Subdivision and Development Control Bylaw and will be secured through a Servicing Agreement. Development Cost Charges may also be applicable.

### **DISCUSSION and COMMENTS**

The purpose of this report is for the ALUC to provide Council with recommendations respecting the land use change. This report is intended to demonstrate the relative merits of the proposal and a request for recommendations based on the rationale and referral comments to date. The following sections provide a review of relevant plans and policies, and a summary of engagement activities and the responses.

## **Plan and Policy Review**

### Regional Growth Strategy

Last updated in 2019, the Squamish Lillooet Regional District (SLRD) Regional Growth Strategy (RGS) seeks to be a region comprised of diverse, distinct, and liveable communities. To achieve this vision, the RGS establishes eleven (11) goals that guide growth management challenges. The most relevant goals are noted below.

Goal 1 takes a long-term view that values the quality of life for future generations and promotes the efficient use of land and population densities. By focusing developments into a small footprint, sustainable communities or nodes promote accessibility of services, public spaces, and amenities.

Goal 3 aspires to provide an adequate supply of quality affordable housing that serves employees, seniors, and people in need. The RGS maintains a stated target of 15% of affordable housing in perpetuity.

### Official Community Plan

#### *Regional Context Statement*

The OCP is required to be consistent with the RGS policies and includes a context statement that describes how the Village meets each goal. With respect to Goals 1 and 3 mentioned previously, the Village OCP directs growth into Urban Areas contained within an Urban Growth Boundary. This prevents development in non-settlement areas, and encourages Smart Growth. The context statement supports regional initiatives for affordable housing and encourages a range of housing forms.

The regional context statement also contains direction for specific properties. The subject property for this application is identified as Parcel #7, and comes with the following statement:

*Parcel #7 – Lot 1, Plan KAP87819, DL 211*

*This rocky knoll is currently within the Agricultural Land Reserve, yet at one time was a BC Rail quarry and (due to an early mapping error) outside the ALR. The development of the rocky knoll will increase the density in the neighbourhood and may provide a small opportunity for a neighbourhood commercial store, thus reducing vehicle trips.*

#### *Policies and Directions*

General OCP Policies address important topic areas related to growth and development within Village boundaries. Highlights are presented below with discussion following the policy review.

Policy 5.1 contains statements regarding Growth Management and Community Priorities, that build off the RGS goals of concentrating development using Smart Growth Principles and the desire to create well-designed compact neighbourhoods. Growth is encouraged within existing communities, whereas new growth areas should be considered when it is

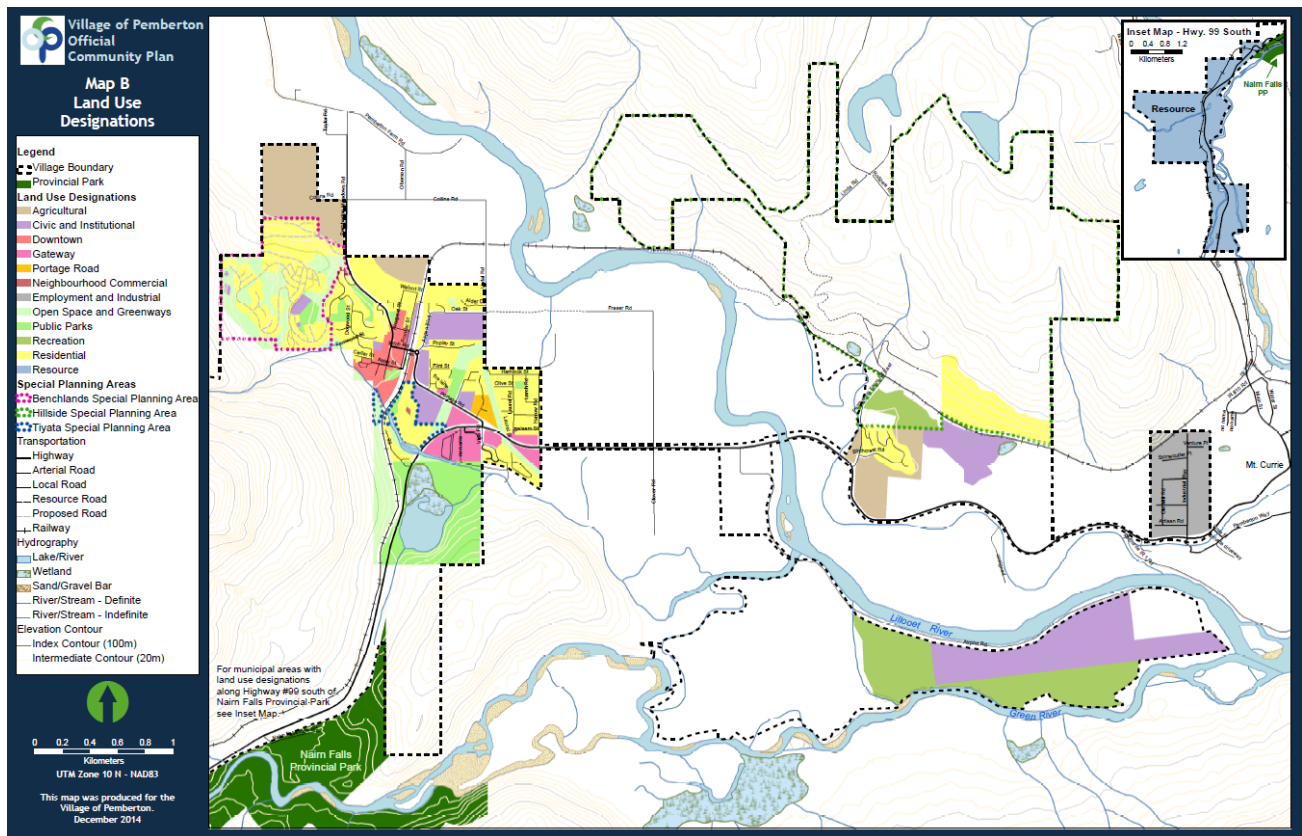
demonstrated that the proposed development is needed. Policies maintain that downtown is to be preserved as the dominant commercial node, as well as a social and cultural focal point of the Pemberton area.

Other policies that address growth include the provision of quality parks, trails, and open spaces ideally within a 5-10 minute walk from residents and businesses. Parks and facilities accommodate leisure and educational needs of residents of all ages and abilities.

Policy 5.9 contains policies regarding the provision of livable, affordable, and secure housing stock. Directions include development of rental housing and support of a variety of affordable options to suit the needs of the community.

### Land Use Designation

Land Use Designations implement the land use plan in the OCP by regulating the types and scale of land uses. Lands within the Village boundary are designated on OCP Map B.



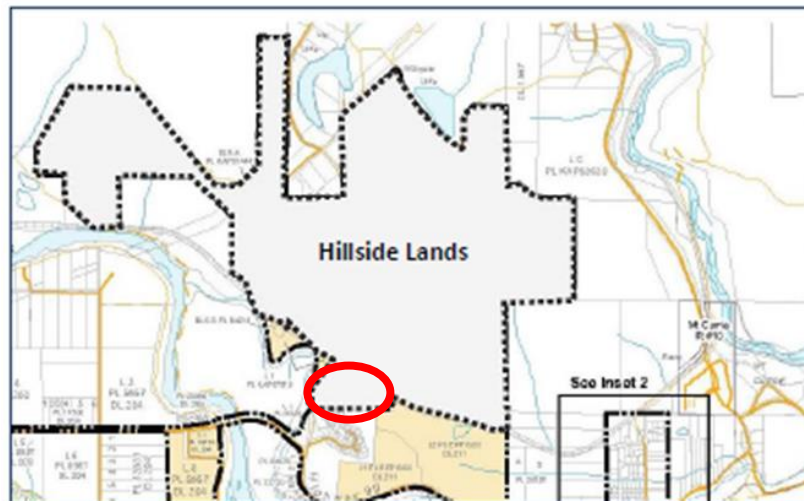
The subject property was brought into the Village of Pemberton through a boundary extension process that finished after the adoption of the 2011 OCP. Therefore, this project does not have a land use designation and must be established. The lands are within the Hillside Special Planning Area, identified in the OCP, which also contains Den Duyf Park, the Ridge, and Sunstone development lands. A more comprehensive overview of the subject lands is contained within the Hillside Planning Study, as approved by Council in 2011.



Any development proposed shall consider the directions contained within the Hillside Planning Study as it provides additional information related to the character of the lands and site constraints (environment, archaeological and cultural sites, slope stability, agriculture, wildfire protection, and visual impacts), development potential, community amenities, connectivity, servicing and phasing.

### *Hillside Planning Study*

This report provided the background information for the boundary extension and the OCP amendments that occurred in 2011. It recognized that future considerations would be required including site specific OCP amendments that apply to new development. The Land Use Framework gave direction on Site Constraints (Natural Environment, Archaeological and Cultural Sites, Geotechnical Considerations and Slope Stability, Agricultural Land Reserve, Wildfire Protection, Visual Impacts, Recreational Trails, Rock Climbing and Bouldering) and Development Potential. The Hillside Lands cover a large area, shown in the map below. It should be noted that the subject property for this application makes up a small portion in the southwest corner.



The Development Potential section notes that the Hillside Lands are anticipated to be a satellite neighbourhood that is separated from the main community of Pemberton that surrounds the downtown. The opportunity is to create a well-designed compact neighbourhood that integrates the existing parcels in that area. The challenge is to create a level of density that supports non-residential uses.

### Community Climate Action Plan

Pemberton Council adopted the Community Climate Action Plan (CCAP) in 2022, which contains several policies related to development. Building construction is mostly addressed through building permits and later in the process. Strategies to “Shift Beyond the Car” are applicable for this application that build upon RGS and OCP directions on building compact communities. Shift 1.1 calls to optimize land use policies and bylaws for compact growth. The policy includes direction to use density bonusing in hillside and infill locations to encourage compact

developments. The rationale being that added densities will better support future transit, a commercial node, and protect more green space.

Policy Shift 2 prioritizes walking, cycling, and zero emission mobility options. This policy is relevant when considering how the new development fits in the network around Den Duyf Park.

### Age-Friendly Housing Action Plan

Completed in 2019, the Housing Action Plan uses the age-friendly lens that seeks to create an inclusive community that has a full range of affordable housing type. The goals are to:

- Prioritize affordable housing
- Encourage housing design to meet changing household needs and allow seniors to age-in-place
- Focus on addressing housing needs for low to moderate income households
- Foster collaborative partnerships to address housing issues and related social infrastructure

The Housing Plan contains 16 Strategic Directions, many of which look to build partnerships and advocate on housing issues with community groups or to other levels of government. Strategic Directions are highlighted that apply to this application:

- #9 Consider measures to support and incentivize purpose-built rental housing.
- #10 Amend zoning regulations to facilitate the development of more secondary suites where suitable as a means of increasing the rental stock.
- #12 Support innovative housing forms, such as pocket neighbourhoods or co-housing to increase housing choice and ensure older residents can age-in-place.
- #13 Consider the use of covenants or housing agreements to secure affordable rental and affordable homeownership housing.

### **Engagement**

#### Referrals and Responses

Referral letters were sent to Lil'wat Nation and several agencies as per Council's resolution of December 13, 2022:

*THAT Council has considered the obligations under Section 475 of the Local Government Act with respect to the Official Community Plan and Zoning Amendment application by Riverside (Pemberton) Nominee Ltd. on property located at 7362 Pemberton Farm Road East, LOT C DISTRICT LOT 211 LILLOOET DISTRICT PLAN EPP40824, PID 030-164-532 and requests that the applicant organize, advertise, and host at least one (1) additional public information meeting at a venue considered widely accessible prior to consideration of First and Second reading of the forthcoming OCP amending bylaw.*

*AND 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
- Squamish-Lillooet Regional District (SLRD)
- Agricultural Land Commission
- Ministry of Transportation and Infrastructure
- Pemberton Valley Dyking District

- *Pemberton Valley Trails Association*
- *School District No. 48 – Sea to Sky*
- *School District No. 93 - Consular Scholaire Francophone de la BC*
- *Pemberton and District Chamber of Commerce*
- *TELUS*
- *BC Hydro*

Summaries of responses are below with the complete letters attached as **Appendix B**.

### *Lilwat Nation*

The Village of Pemberton lies within the traditional territory of the Lilwat Nation. The lands have been used and occupied by the Lilwat since time immemorial.

In the response letter dated, February 7, 2023, the Lilwat Nation asserts its inherent aboriginal title to its entire traditional territory, sovereignty over its traditional territory, and a right to self-determination. The Lilwat Nation's aboriginal rights, including title, are protected under s. 35 of the Constitution Act, 1982.

This application was reviewed by the Lilwat Nation Land Use Committee. The committee tabled the referral and will not comment on an amendment to the Village of Pemberton Official Community Plan (OCP) while the review and update of the OCP is in progress.

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

A letter from the SLRD, dated, February 8, 2023, made several comments. The letter identifies notes the relationship between the subject lands and the recreation site and the importance of the transition to the residential subdivision. Other comments question the lack of affordable housing options in the proposal.

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

The response from MOTI had no immediate objections to the development proceeding. Section 52(3) of the *Transportation Act* requires that a copy of the proposed zoning bylaw be sent to MOTI for review and approval after Third Reading.

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

PVDD provided a response letter with no immediate concerns. Some guidelines were shared to be followed if this development proceeds to the construction stage.

### *School District 48 Sea to Sky*

The school district responded to the referral request on January 6, 2023, with no comments.

### *Agricultural Land Commission (ALC)*

The Regional Planner for the ALC responded noting that the affected properties are outside the ALR and adjacent to a gravel pit, there is no objection to the proposal.



### BC Hydro

BC Hydro responded with several comments that are applicable at the building permit and construction stages. They have no objection in principle for the development application.

### Village of Pemberton (VOP) – Internal Referrals

In addition to the external referrals that are summarized above, the application was circulated for internal comments from VOP Departments. Comments received noted the potential for some affordable housing options in this location, the desire to improve the aesthetics of a neighbourhood with this level of density, and the environmental benefits to providing walkable service amenities in this area.

### Applicant Response

All referral responses were forwarded to the applicant who responded to the various issues that were raised. Where applicable, the applicants will work with the PVDD, BC Hydro, and other agencies as required throughout the development process. Some comments are more specific to the land uses and the options that could be considered for affordable housing and other issues. The applicants have had continued dialogue with Village staff to address the issues raised.

### **Public Meetings**

The applicants have held two (2) public information meetings providing the community opportunities to learn more about the proposed development, ask questions, and provide comments. The first public meeting was held on November 1, 2022, at Sunstone Golf Course, with approximately 35 in attendance including the hosts. The second meeting was held on February 28, 2023, at the Pemberton and District Community Centre, with 21 in attendance (hosts and Village staff excluded).

### Comment Summary

The applicants have provided a summary of comments collected at the two public information meetings. Comments were arranged by topic and are summarized below. A full record, including responses from the applicants, is provided as **Appendix C**.

Comments were arranged by topic with categories for Housing, Layout and Design, Commercial Uses, Parking, and Community Amenities. Housing comments were a mix of support for density noting the need for affordable options and concerns over the increase in traffic. Comments on Layout and Design included support for more park and open spaces, and possible connections to Den Duyf Park. Some support was included for the idea of commercial space and some amenities like a daycare. Parking space was noted with concerns over residents using garages as storage and not wishing to have cars overflowing into the street. Community Amenities should focus on the ongoing development of Den Duyf Park and ensuring that new additions support the families that are in the area.

## **Discussion**

The proposal is generally consistent with the goals and objectives of the Official Community Plan and the other plans and policies, with some exceptions. The location of the property that abuts Den Duyf Park is critical for success of the hillside area with respect to a compact community. The existing developments (The Plateau, The Ridge, Sunstone) are low density subdivisions that will struggle to achieve the number of residents to support neighbourhood amenities.

The application supports the concept of infill, with a development of a brownfield site and will connect with existing infrastructure. Many of the plans, policies, and comments support this type of development at this location.

Comments received through referrals and the public meetings highlight the need to consider housing options beyond the single-family homes. Alternatives from suites to smaller lots were among the responses.

There is an opportunity to further the development of the area with greater support and investment in the Den Duyf Park rec site. Additional densities will grow the population within walking distance of the rec site and establish the node as the central place for the hillside area.

In response to the feedback received, Village staff have maintained dialogue with the applicants, discussing the possibilities for the proposed development. The housing mix has been revisited to consider Houseplexes that could contain up to 4 dwelling units on a lot, with the maximum density determined in part by the lot size. Co-housing, a complex of up to 16 micro units, could be considered on two or three of the larger lots.

*Attachments: Appendix A – Application Package  
Appendix B – Referral Response Letters  
Appendix C – Public Information Meeting Comments*

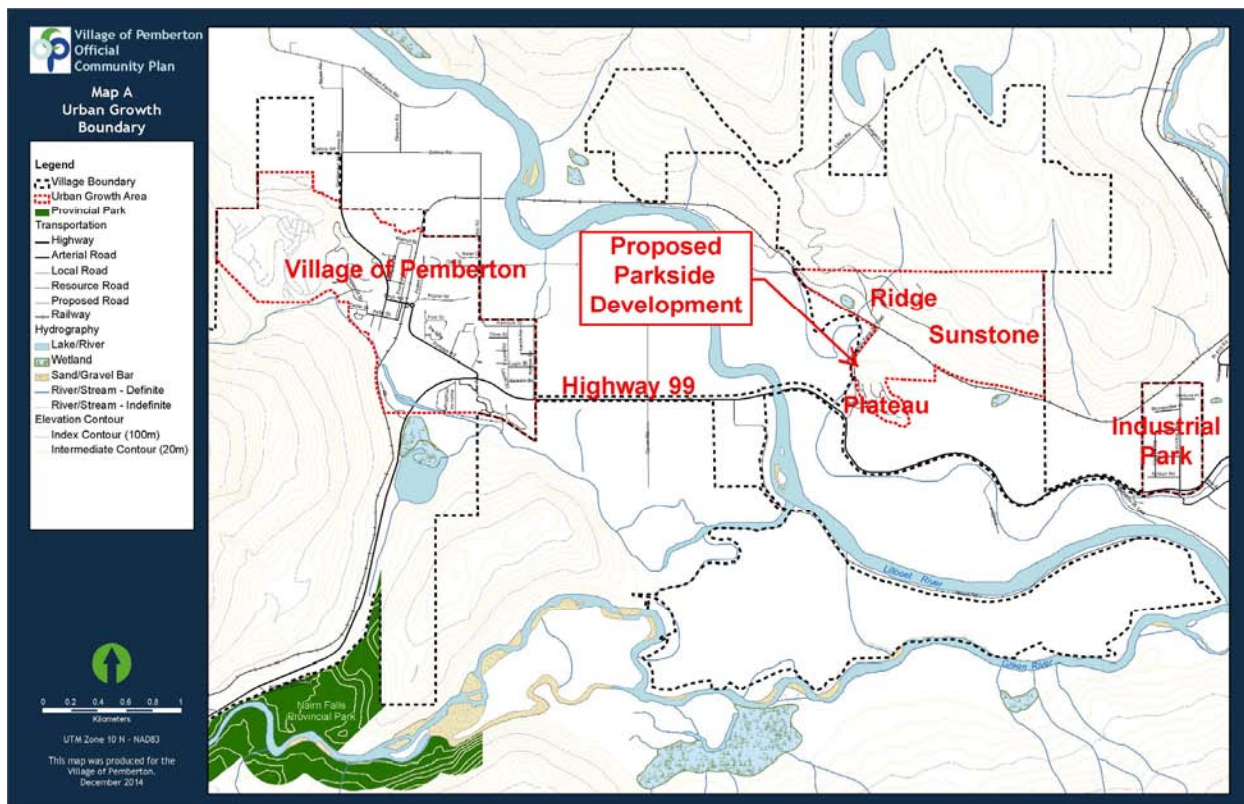


## Description/Rationale Statement for OCP/Zoning Amendment Application Rivertown Properties – 7362 Pemberton Farm Road East

Rivertown Pemberton GP Ltd. appreciates the opportunity to present this OCP/Zoning Amendment Application to the Village of Pemberton. The purpose of this Application is to propose the rezoning of the subject lands to allow for a single-family residential subdivision and a small neighbourhood commercial property fronting Sabre Way on the corner of Pemberton Farm Road East.

### Description of the Proposed Development

The proposed development is a 2.4-ha (6-acre) site located at 7362 Pemberton Farm Road East, 3.5-km east of the Village of Pemberton. The site is on the east side of Pemberton Farm Road East and south of Sabre Way (new road dedication), between the Pemberton Plateau neighborhood and Den Duyf Park. It is legally described as Lot C, Plan EPP40824, DL 211. The site location is illustrated below.



The property is immediately north of the 60-lot single-family residential subdivision known as Pemberton Plateau (accessed from the south from Pinewood Drive), and the 29-unit townhouse complex known as Pemberton Plateau Townhouses (with primary access from Pemberton Farm Road East). An aerial perspective of the site looking west is provided below.



## Description/Rationale Statement for OCP/Zoning Amendment Application Rivertown Properties – 7362 Pemberton Farm Road East



Directly north of the subject property is Den Duyf Park, (formerly know as the Pemberton and District Recreation Site) where there will be multiple, family-oriented recreation facilities including two grass playing fields (and a to-be-constructed amenity building and change room), a mountain bike skills park, amenity building and space for a future baseball diamond, as well as an indoor recreation complex. Flanking the north side of the proposed Recreation Facility are the recent neighbourhood-oriented subdivisions of The Ridge (a 44-lot single family development), Sunstone Pemberton (currently, a 114-lot single-family development with future phases coming) and Elevate (a 50-unit multi-family development). All families in these subdivisions will pass by the subject lands daily making this site an ideal location for small neighbourhood commercial service providers.

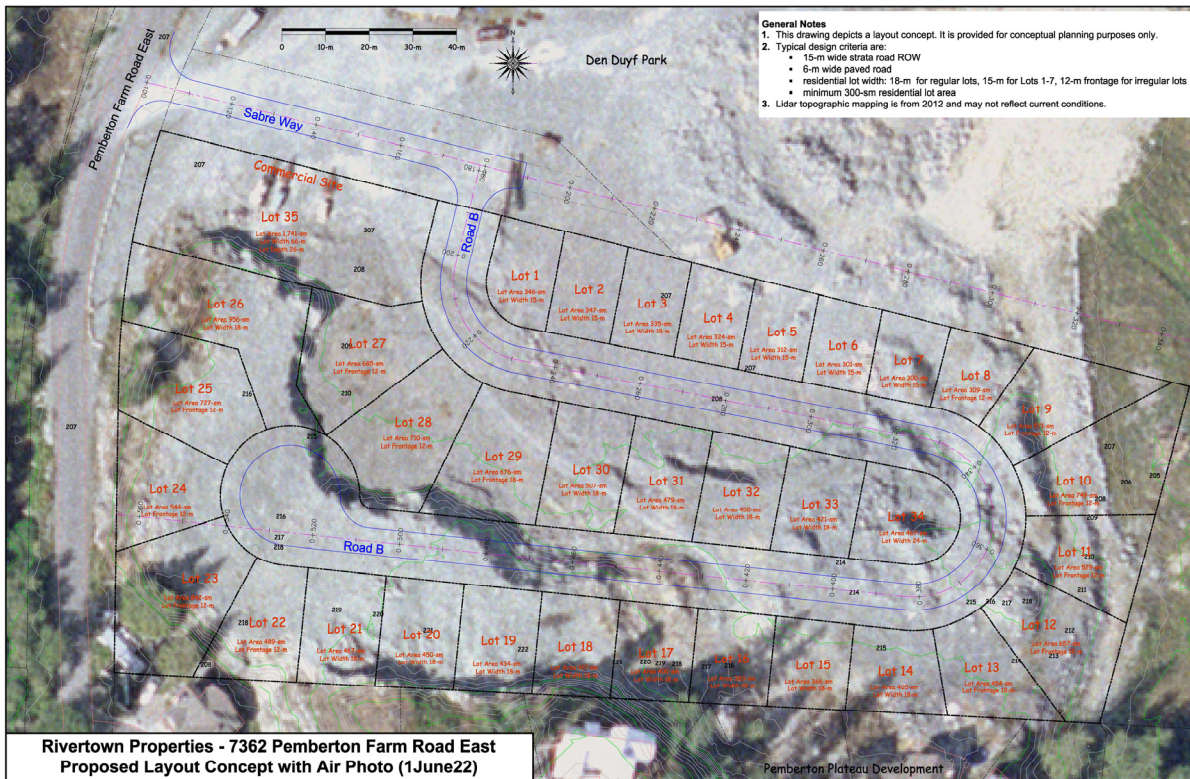
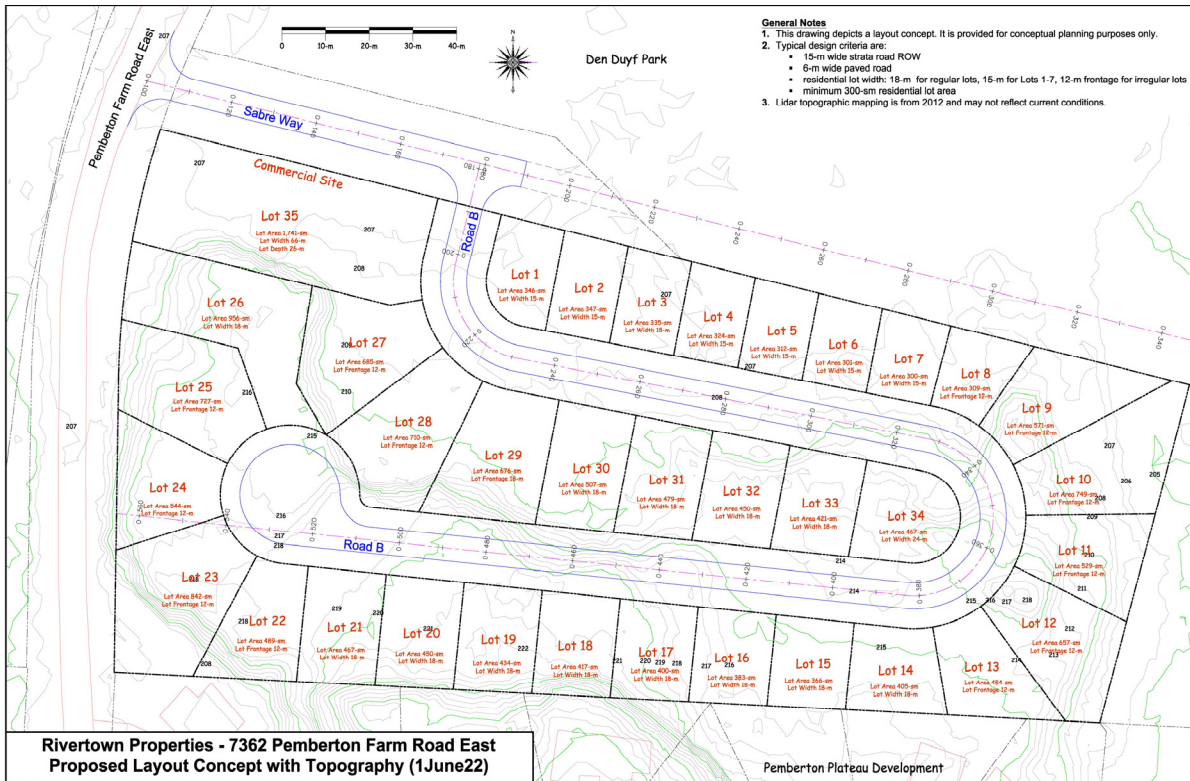
The site is currently vacant. Historically, it was used for part of a gravel processing operation. There is no significant vegetation on the site. The site consists mostly of tailings from the gravel operation (boulders and a gravel stockpile) and exposed rock outcrops. The site is not within the Agricultural Land Reserve but is subject to floodplain requirements.

The site is currently zoned RES-1 (Resource 1). It is proposed to rezone it to a Comprehensive Development (CD) zone that would permit affordable single-family residential lots (minimum 300-sm lot size), as well as a commercial building with surface parking. The proposed development concept is illustrated below.





# Description/Rationale Statement for OCP/Zoning Amendment Application Rivertown Properties – 7362 Pemberton Farm Road East





## **Description/Rationale Statement for OCP/Zoning Amendment Application Rivertown Properties – 7362 Pemberton Farm Road East**

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Site servicing will conform to Village of Pemberton servicing standards. Access to the site will be from Pemberton Farm Road East along an existing road right-of-way. A 6-m wide paved road will be constructed to provide access to the site. Water services will connect to the existing watermain adjacent to the site on Pemberton Farm Road East. Sewer services will connect to the existing sewer pumpstation at the intersection of Pemberton Farm Road East and Sunstone Way.

In the Village of Pemberton Official Community Plan, the proposed development site is located within the Hillside Special Planning Area (reference Section 6.2 and Map O of the OCP). The site is further identified as Parcel #7 of the Regional Context Statement Area (reference Section 3 and Map N of the OCP).

### **Rationale in Support of the Proposed Development**

Given the demand for housing in Pemberton and the nature of the surrounding neighbourhoods, it makes logical sense that this infill site be rezoned for small single-family lots and add to the residential stock of the Pemberton community. We propose to create single-family lots rather than townhouses as the property's topography and composition make a townhouse project more difficult to service and would require excessive blasting and disruption. In addition, small single-family homes provide a more affordable option to larger single-family homes and offer more living space for a growing family than a typical townhouse unit.

We also contemplated development models where duplex lots could run along the north perimeter of the site (east of the commercial lot). Since it is not possible to stratify a strata plan, these duplex lots could be separate strata corporations (one for each duplex) that all share Road B with the bare land strata corporation – a complicated arrangement. Alternatively, we considered whether the duplex lots could be fee-simple lots however due to the constraints of the site, it is not possible to accommodate a municipal road. Instead, fee-simple duplex lots could be oriented with driveways facing north toward the park, accessed by an extension of Road A/Sabre Way (municipal road with additional requirements for infrastructure). We understand that the Village of Pemberton prefers that all lots are accessed from the internal strata road (internal driveways).

After analyzing these different scenarios, we conclude that the most efficient use of this unique site is to provide a combination of a commercial building for neighbourhood-oriented service providers together with affordable small single-family lots. We believe that small single-family homes will be attractive to the “missing middle” demographic of young families and empty nesters. This demographic will enjoy the development's prime location right across from the recreation centre and park, trails, biking and hiking.

Once rezoned, we will propose to subdivide the property into:

- a) one commercial lot (subdivided from the parent parcel) located at the corner of Pemberton Farm Road East and Road A/Sabre Way along the northwest border of the subject lands with a lot size of 1,732 square metres.



## Description/Rationale Statement for OCP/Zoning Amendment Application Rivertown Properties – 7362 Pemberton Farm Road East

- b) a bare land strata subdivision which would include 34 small single-family strata lots ranging in size from approximately 300 to 700 square metres (3,229 to 7,535 square feet).

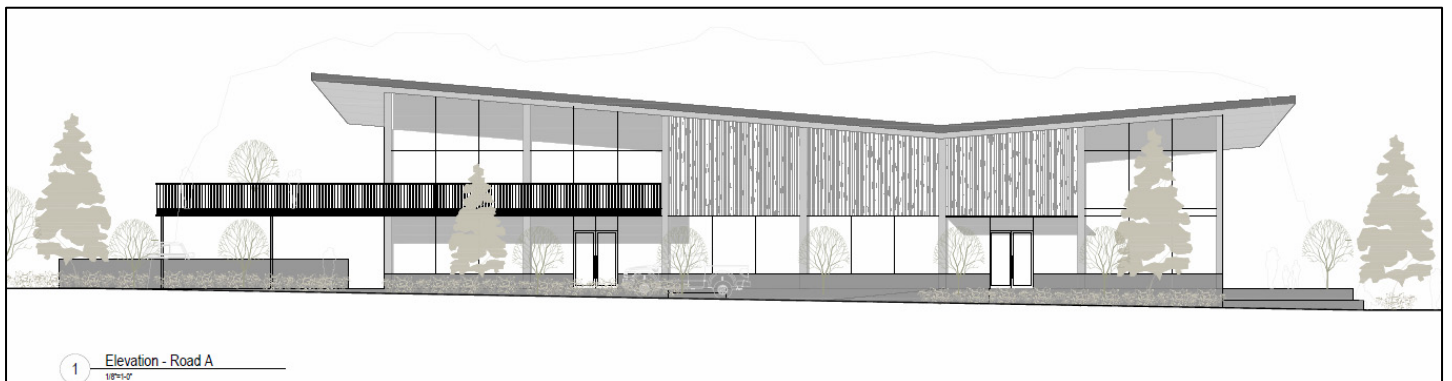
### Commercial Lot

We envision the commercial lot will comprise a small neighbourhood commercial building with a single level and mezzanine (or two full levels) with adequate surface parking for patrons. An easement would allow the commercial lot to share part of Road B with the bare land strata subdivision, to provide access to the side and rear of the building for parking, loading and waste facilities.

We have provided a sample massing drawing of a commercial building with a total of 8,402 square feet broken down as 6,032 sf on the ground floor and 2,370 sf on the 2<sup>nd</sup> level mezzanine. You will note that we intend to blast/remove a minimum amount of rock from the shear wall at the back of the proposed commercial lot to maximize the usable land and provide for more design options.

Here is a list of potential commercial tenants who would be interested in this location as the hub for Dun Duyf Recreation Centre and as the centre point for services provided to the growing residential population in the surrounding neighbourhoods:

- Bike shop, sporting store
- Bakery, café, bistro, coffee bar
- Private liquor store
- Convenience store, variety store
- Pet store, Doggie daycare
- Local office services such as business/accounting, insurance, legal
- Hair salon, beauty salon, esthetic services, day spa
- Health services – physiotherapy, massage, acupuncture
- Daycare (if parkland across the street can be used for outdoor space requirements)



Elevation – looking South from Dun Duyf Park





## Description/Rationale Statement for OCP/Zoning Amendment Application Rivertown Properties – 7362 Pemberton Farm Road East

Full-size drawings of the sample commercial building elevations are included in this package for your review. This sample layout contains a minimum of 2 commercial units (4,200 sq.ft. each) and has been designed to allow for up to 6 different commercial units of 1,400 sq.ft. each (or units can be combined).

### Residential Bare Land Strata Lots

We have reviewed Pemberton’s R-2 Small Lot zoning and find most of the regulations could be met by our proposed development, with two exceptions noted below.

| Lot Regulations                       | R-2 Zoning               | Proposed                 |
|---------------------------------------|--------------------------|--------------------------|
| a) Min lot size                       | <b>350 m<sup>2</sup></b> | <b>300 m<sup>2</sup></b> |
| b) Minimum lot width                  | 12 m                     | 12 m (min frontage)      |
| Building Regulations                  |                          |                          |
| a) Minimum Principal Building Width   | 6 m                      | 6 m                      |
| b) Minimum Front Setback              | 6 m                      | 6 m                      |
| c) Minimum Rear Setback               | 5 m                      | 5 m                      |
| d) Minimum Interior Side Setback      | 1.5 m                    | 1.5 m                    |
| e) Minimum Exterior Side Setback      | 2.7 m                    | 2.7 m                    |
| f) Maximum Lot Coverage               | 50%                      | 50%                      |
| g) Maximum No. of Principal Buildings | 1                        | 1                        |
| h) Maximum No. of Accessory Buildings | 1                        | 1                        |
| i) Maximum Building Height, Principal | <b>Two (2) storeys</b>   | <b>Three (3) storeys</b> |
| j) Maximum Building Height, Accessory | 4.6 m                    | 4.6 m                    |

The eight proposed single-family lots along the north PL are on the flood plain, so we envision two levels of living space atop garage/storage/entry = three levels.

For the remaining lots that do not have floodplain restriction on the ground floor, we propose that secondary suites be allowed in the design of the homes. These suites can be rented out as a mortgage helper for the owner and at the same time, address the need in Pemberton for affordable rental studio/bachelor suites for local residents and employees.

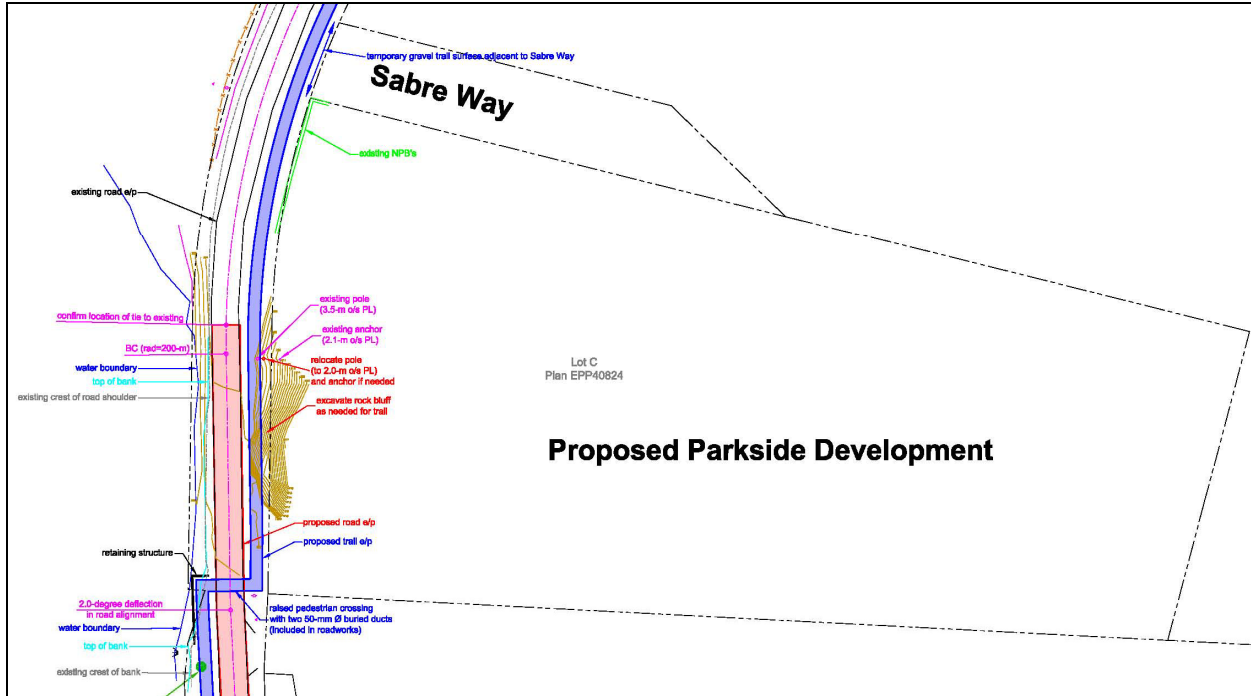
### Other Notable Items

- As you are aware, there are townhome neighbours near the southwest corner of the property whose backyards are encroaching over the property line. We are offering to formalize this arrangement with a surveyed easement allowing them to continue to use it.
- We are committed to assist with the extension of the Valley Trail along the West side of Pemberton Farm Road East and have provided a preliminary drawing of how we can trim back some of the rock within the SRW to accommodate the trail (below).





# Description/Rationale Statement for OCP/Zoning Amendment Application Rivertown Properties – 7362 Pemberton Farm Road East

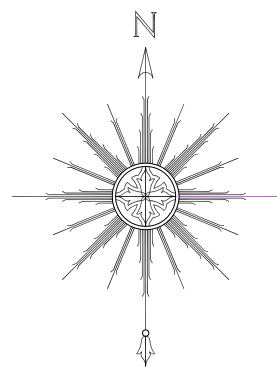
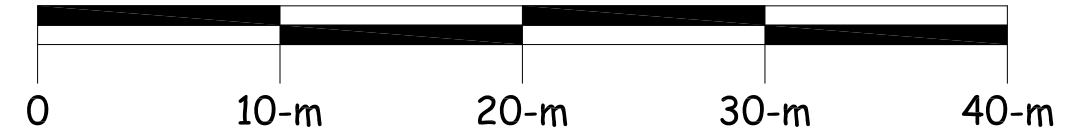


## Aligned Goals and Objectives of the OCP

The proposed development is consistent with the goals and objectives of the OCP as follows:

- the site is identified in the OCP for residential and neighbourhood commercial use;
- the proposed lot size will result in more affordable housing than for the larger lots in the adjacent Hillside developments;
- the site is adjacent to the proposed Recreation Facility, as well as an extensive network of trails and bike routes;
- the site will be adjacent to regional transit services when they are established to service the Recreation Facility and Hillside developments.





Den Duyf Park

**General Notes**

1. This drawing depicts a layout concept. It is provided for conceptual planning purposes only.
2. Typical design criteria are:
  - 15-m wide strata road ROW
  - 6-m wide paved road
  - residential lot width: 18-m for regular lots, 15-m for Lots 1-7, 12-m frontage for irregular lots
  - minimum 300-sm residential lot area
3. Lidar topographic mapping is from 2012 and may not reflect current conditions.

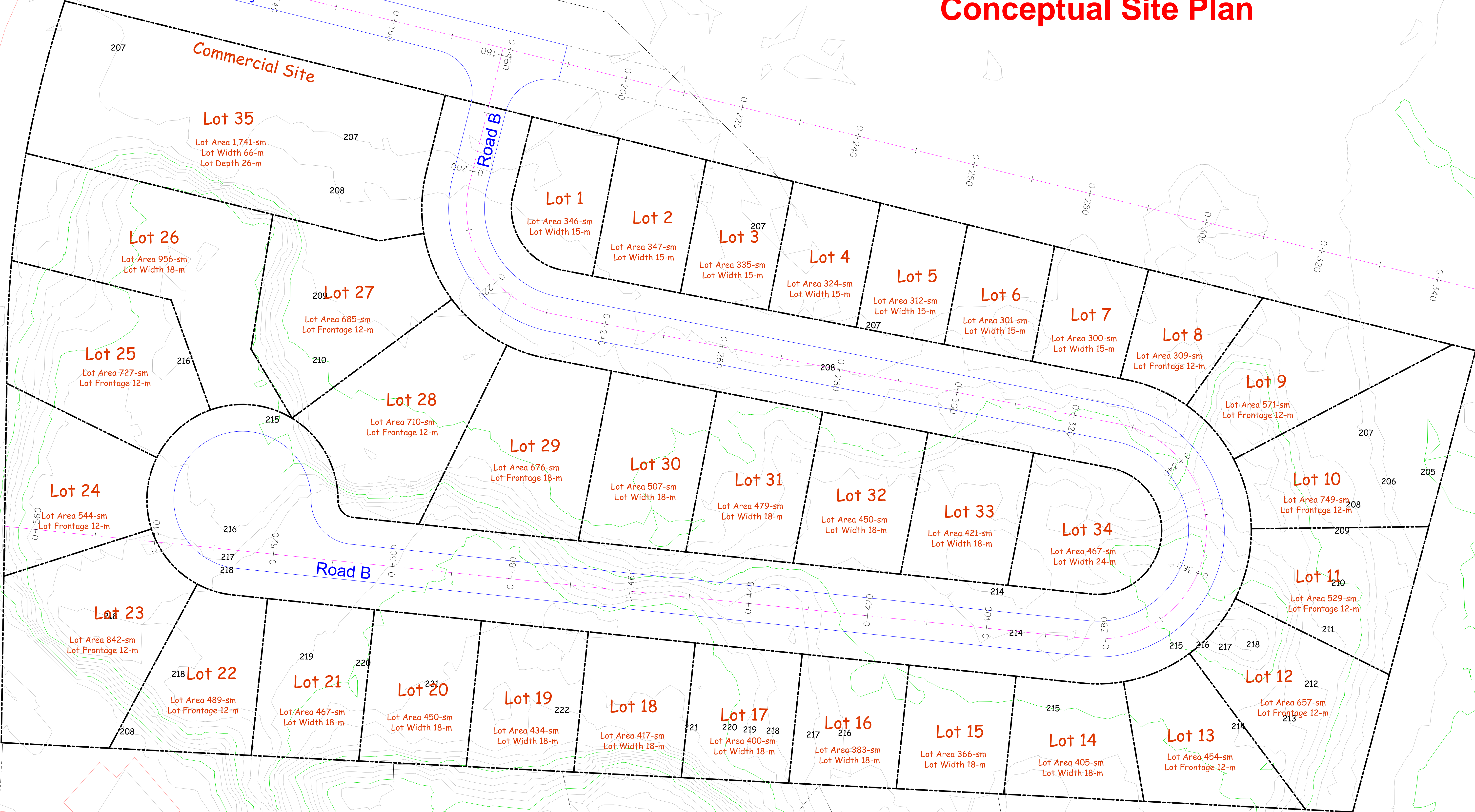
# Conceptual Site Plan

Pemberton Farm Road East

Sabre Way

Road B

Commercial Site



**Rivertown Properties - 7362 Pemberton Farm Road East  
Proposed Layout Concept with Topography (1June22)**

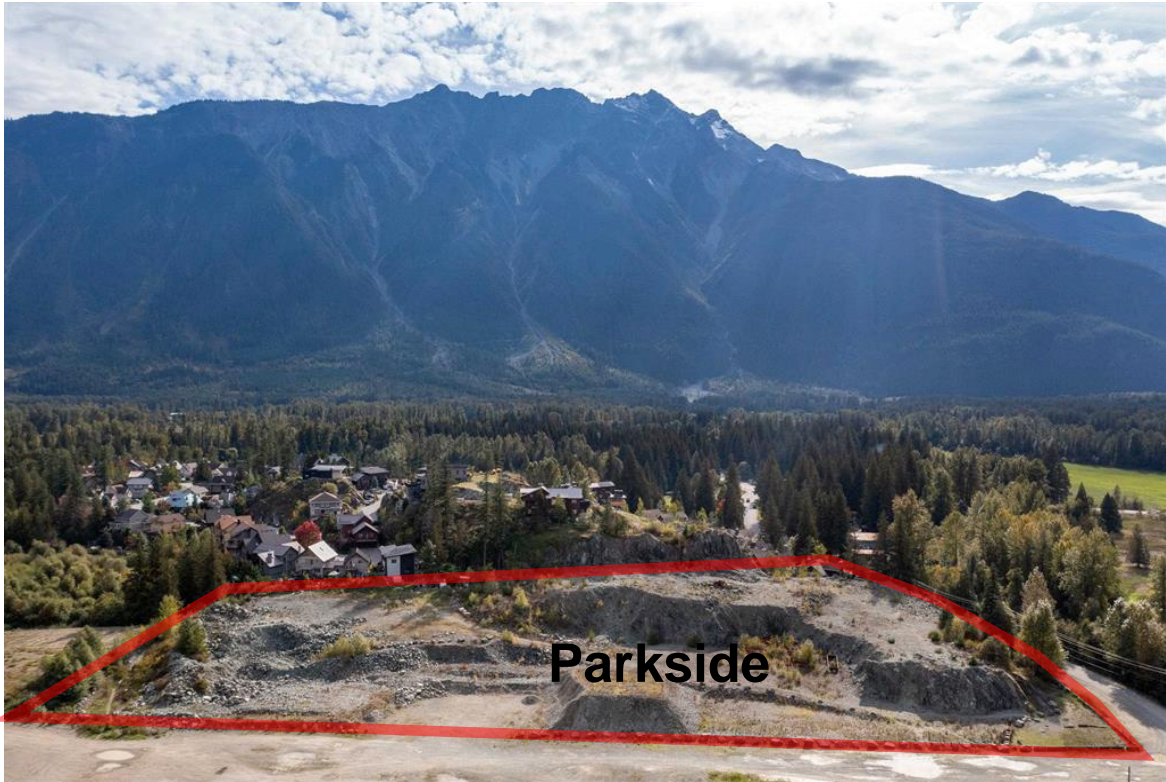
Pemberton Plateau Development



# Photographs of the Site

Site Photographs for OCP/Zoning Amendment Application  
Rivertown Development – 7362 Pemberton Farm Road East

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Looking South at Site



Looking West at Site



**Site Photographs for OCP/Zoning Amendment Application  
Rivertown Development – 7362 Pemberton Farm Road East**

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**Looking East at Site**



**Looking South at Site**



February 7, 2023

Village of Pemberton  
P.O. Box 100, 400 Prospect Street  
Pemberton, BC V0N 2L0  
Email: [cbrown@pemberton.ca](mailto:cbrown@pemberton.ca)

Attention: Colin Brown, Planner II

**Re: OR135 – Parkside OCP and Zoning Bylaw Amendment**

**Our File: 01042023-001 VOP Parkside**

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We are writing to you in response to your letter dated January 4, 2023, informing us of a application for an OCP and Zoning Bylaw amendment to facilitate development of 34 small residential lot subdivision and one commercial lot, and providing an opportunity for consultation on this proposed change.

The Village of Pemberton lies within the traditional territory of the Lil'wat Nation. These lands have been used and occupied by the Lil'wat since time immemorial. The Province of British Columbia has been notified of the existence of the Lil'wat Nation's traditional territory.

The Lil'wat Nation asserts its inherent aboriginal title to its entire traditional territory, sovereignty over its traditional territory, and a right to self-determination. The Lil'wat Nation's aboriginal rights, including title, are protected under s. 35 of the *Constitution Act, 1982*.

A series of recent court decisions have:

- upheld the existence of aboriginal title in British Columbia;
- declared that aboriginal title coexists with crown title;
- limited the instances in which aboriginal title can be infringed by British Columbia or a third party;
- established strict criteria for any such infringement;
- declared that aboriginal title includes the right to choose the use to which the land is put;
- placed a legal duty on the Province of British Columbia to undertake meaningful consultation with First Nations and accommodate potential infringement; and



- declared that accommodation may have economic and/or cultural components.

Furthermore, the Supreme Court of Canada confirmed in the *Tsilhqot'in* decision that aboriginal title is real and meaningful, territorial in nature, and that First Nation consent is required for the use of its aboriginal title lands and resources. The decision also specifically states that aboriginal title confers:

. . . the right to decide how the land will be used; the right of the enjoyment and occupancy of the land; the right to possess the land; the right to economic benefits of the land; and the right to pro-actively use and manage the land. (at para. 73)

As a consequence of these decisions, British Columbia is under a legal obligation to consult with the Lil'wat Nation, and, where appropriate, seek consent from Lil'wat Nation and accommodate the Lil'wat Nation for infringements on its aboriginal title and rights.

We reviewed the information provided with this referral regarding the proposed OCP and Zoning bylaw amendment with the Lil'wat Nation Land Use Referral Committee on January 25, 2023. The Referral Committee tabled this referral and asked that this referral be amalgamated with the VOP OCP Referral (our file #09262022-001 VoP Official Community Plan Review). The Referral Committee will not comment on an amendment to the Village of Pemberton Official Community Plan while the review and update of the Village of Pemberton Official Community Plan is in progress.

If any new information were to arise during the course of this activity that indicates there may be impacts on Lil'wat aboriginal rights, title or interests, we would expect to receive notice and to have an opportunity to provide comments at that time. Furthermore, nothing in this letter is intended to affect the scope of, or the opportunity to exercise, any of Lil'wat's aboriginal rights, nor is it intended to accept any infringement of same.

Sincerely,



Lisa Pedrini, Acting Director / Territory Land Use Manager  
Lands and Resources Department  
Lil'wat Nation





Box 219, 1350 Aster Street  
Pemberton, BC V0N 2L0  
P. 604-894-6371 TF. 800-298-7753  
F. 604-894-6526  
info@slrd.bc.ca www.slrd.bc.ca

February 8, 2023

Dear Mr. Brown,

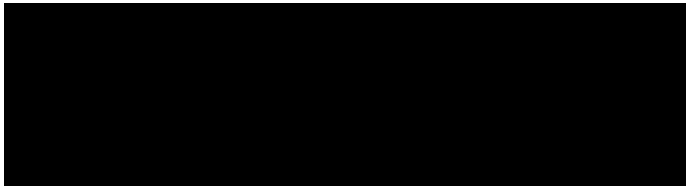
**RE: Proposed 35 Lot subdivision at 7362 Pemberton Farm Road East**

Thank you for the opportunity to provide comments with respect to this referral. The SLRD offers the following comments with respect to this application:

- When this parcel of land was in SLRD Electoral Area C, the Official Community Plan called for a sub-area plan to be created. It appears that this was never done once this land transferred to the Village of Pemberton.
- The recreation site property (Lot B) is still in the Agricultural Land Reserve (under a non-farm use permit). The OCP requires decent buffers to ALR land. Careful attention should be paid to separating the recreation site from the residential. An example to avoid would be the Tiyata neighbourhood and the interface to the Signal Hill Elementary School – with various fences backing onto schoolyard space and creating a hard interface and awkward overlook.
- The general concept of infill on the site seems appropriate, however, this project does not appear to meet affordability housing goals and objectives.
- There is no commitment or plan for non-market housing (The SLRD Regional Growth Strategy sets target of 15% - see Goal 3 of the [Regional Growth Strategy Bylaw](#))
- This site presents one of the few remaining opportunities for affordable housing. Townhouses and small apartments would house more people on the site and be within financial reach of more residents.
- With such small houses being proposed, it would be much more efficient financially and environmentally to simply join the houses together as townhouses. This would also avoid the snow shedding issues that come with houses that are too close together. It would also house far more people with side setbacks eliminated.
- The proposed affordability of “small lot single family” is questionable, especially given that lots will likely start at \$500,000 (apparently this was communicated at the proponent open house). With construction costs at \$300+ per square foot, the average house will cost well over \$1 million. This is not affordable to most Pemberton residents.

- There is no commitment or plan for employee rental suites (ideally suites should be required in all single detached dwellings and these should be covenanted for employees and retirees)
- The proposed density of the site may create parking challenges . The lots are very small.
- Driveways should be long enough to allow a full truck to park without encroaching onto the road drive aisles.
- The addition of a commercial use will be beneficial for the neighbourhood and sports facilities.

If you should have any questions, please feel free to contact me directly.



Kim Needham,  
Director of Planning and Development Services, Squamish-Lillooet Regional District



**To: Colin Brown – Planner / Development Services**

**RE: OR135 – Parkside, 7362 Pemberton Farm Road East**

The PVDD has reviewed the documents and has the following comments on the proposed development.

The PVDD has no immediate concerns for the land use as shown, however some guidelines need to be followed.

1. No part of any structure should be built below the FCL. This is to increase flood resilience inline with the Provinces new flood strategy and Emergency Preparedness Act. FCL calculation should be based on the latest flood plain mapping that can be found on the PVDD website.
2. This area is an area that will likely be affected by future diking works. The goal would be to increase flood protection levels. It is up to the developer to engage with PVDD to learn more about this as the process moves forward. The potential project may affect the alignment of Pemberton Farm Road East and other geographical features.
3. The PVDD cannot comment on the drainage requirements at this time due to the lack of detailed drawings. We recommend that the drainage designer reach out to the PVDD prior to the start of design to get more detailed information on the area. The PVDD will need to see a detailed drainage plan prior to permitting.
4. The current design does not appear to have any place for snow melt and storage areas. This should be part of the over all plan.

Please forward more detailed drawings when they become available.

If there are any other questions related to this matter please email [kclark@pvdd.ca](mailto:kclark@pvdd.ca)



## Colin Brown

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**To:** ALC Referrals ALC:EX  
**Subject:** RE: Development Referral - OR135 Parkside, OCP and Zoning Amendment Application

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**From:** ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>  
**Sent:** January 10, 2023 1:52 PM  
**To:** Colin Brown <cbrown@pemberton.ca>  
**Subject:** RE: Development Referral - OR135 Parkside, OCP and Zoning Amendment Application

Colin

It is noted that the affected properties lies outside the ALR but adjacent to a gravel pit in the ALR.

As such there is no objection to the proposal .

Regards

Martin Collins, Regional Planner, ALC  
Ph. 604 953 6673

## Colin Brown

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**To:** Ian Currie  
**Subject:** RE: [EXTERNAL]Development Referral - OR135 Parkside, OCP and Zoning Amendment Application

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**From:** Ian Currie <ICurrie@sd48.bc.ca>  
**Sent:** Friday, January 6, 2023 10:41 AM  
**To:** Colin Brown <cbrown@pemberton.ca>  
**Cc:** Scott McRae <smcrae@pemberton.ca>; Danielle Haverstock <DHaverstock@sd48.bc.ca>  
**Subject:** RE: [EXTERNAL]Development Referral - OR135 Parkside, OCP and Zoning Amendment Application

Hi Colin,

Thank you for forwarding the Development Referral – OR135 Parkside, OCP and Zoning Bylaw amendment application for our comments.

On behalf of School District No. 48 (Sea to Sky), I have reviewed the information and have no comments at this time.

Regards,

Ian

Ian Currie  
Director of Operations  
School District No. 48 (Sea to Sky)  
P.O. Box 250  
37866 Second Avenue  
Squamish, BC  
V8B 0A2  
Tel: 604-892-5228  
Cell: 604-848-5825



MoTI File #: 2023-00220

Date: Feb/01/2023

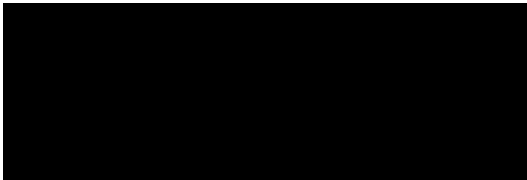
Village of Pemberton  
7400 Propsect Street  
PO Box 100  
Pemberton, British Columbia V0N 2L0  
Canada

Attention: Colin Brown, Planner II

**Re: Proposed OCP and Zoning Bylaw Amendments for:  
LOT C DISTRICT LOT 211 LILLOOET DISTRICT PLAN EPP40824  
7362 Pemberton Farm Road E, Pemberton**

Thank you for the opportunity to comment on the above noted rezoning and OCP amendment referral for 7362 Pemberton Farm Road East. The Ministry has reviewed the proposal and has no objections to the development proceeding. If there are any changes to the scope of development please provide an update when available. Otherwise a copy of the zoning bylaw should be provided to our office after third reading for review and approval under Section 52(3)(a) of the *Transportation Act*.

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



Kattia Woloshyniuk  
Senior Development Officer

| Local District Address   |
|--|
| <p>Squamish Area Office<br/>101-42000 Loggers Lane<br/>Squamish, British Columbia V8B 0H3<br/>Canada<br/>Phone: () - Fax: (604) 898-4376</p> |

## Colin Brown

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**To:** Mak, Monique  
**Subject:** RE: [External] Development Referral - OR135 Parkside, OCP and Zoning Amendment Application

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**From:** Mak, Monique <Monique.Mak@bchydro.com>  
**Sent:** Monday, January 16, 2023 11:55 AM  
**To:** Colin Brown <cbrown@pemberton.ca>  
**Cc:** Design, NSC <design.nsc@bchydro.com>; Properties, Help Desk <properties.helpdesk@bchydro.com>  
**Subject:** RE: [External] Development Referral - OR135 Parkside, OCP and Zoning Amendment Application

Thank you for your email. BC Hydro has no objection in principle to the proposed subdivision. The following comments are for the property owner's information:

1. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.
2. It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafe BC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).
3. If the Developer or Property Owner requires any additional electrical connections, or wishes to relocate any existing powerlines or equipment, please call BC Hydro's Electric Service Coordination Centre at 1-877-520-1355 and ask to speak to a Distribution Designer.

Thank you,

---

**Monique Mak** | Property Coordinator, Property Rights Services

**BC Hydro**  
8475 128<sup>th</sup> Street  
Surrey, B.C. V3W 0G1

**P** 604 543 6058  
**E** [monique.mak@bchydro.com](mailto:monique.mak@bchydro.com)

[bchydro.com](http://bchydro.com)

**Smart about power in all we do.**

| <b>SUMMARY OF GUEST COMMENTS</b>  |  |
|---|--|
| <b>Public Information Meetings - OR135 OCP/Zoning Amendment Application</b>   |  |
| <b>Single-Family Housing</b>  |  |
| We want you to succeed!   |  |
| I like the concept. Pemberton needs more single-family homes.   |  |
| I am a Pemberton local that would love the opportunity to continue to work local.   |  |
| I would appreciate if you built <u>affordable</u> small homes rather than selling lots that people can cram large houses onto. I'm all for small homes.   |  |
| I want all information pertaining to this development.  |  |
| High density - No! Family-oriented - Yes please!  |  |
| I would prefer townhomes.   |  |
| Great project for Pemberton. It will be a great addition. More housing and commercial space.  |  |
| Nice lots, good to see less density in a development.   |  |
| It is a shame that affordable single-family homes are not being suggested here. This lot offers an exciting opportunity for this type of lot.   |  |
| Overall looks like a great concept.   |  |
| Single family lots - good (no apartment building or townhouses - too much density and traffic)  |  |
| Need suites if you stick with single family homes as Village needs housing.   |  |
| <b>Layout/Design/Greenspace</b>   |  |
| I would appreciate if park space is prioritized because Sunstone and the Ridge have absolutely none, with all the dog owners and kids there is nowhere for anyone to go.  |  |
| Amenity building (mail-post/garbage/meeting space?). Natural landscape buffer between development and Plateau homes (Pinewood Dr + Pinewood Place)  |  |
| I would love to see you address: greenspace. Paying to reduce parkland is not acceptable. When this area is fully developed there wont be lots of space for community to gather. Using the sportsfield is not a viable alternative to greenspace. |  |
| Suites are good.  |  |
| Consideration for a path from the Plateau through the development to the Recreation complex.  |  |
| Don't understand why low lying lots that need backfill would not be townhouses, or is it the whole lot strata. Sidewalks needed.  |  |
| <b>Commercial Component</b>   |  |
| Love the idea of Bike shop/Coffee shop - Great!   |  |
| My partner and I recently bought in Plateau and we love the commercial space idea - bike shop, coffee shop etc. We are a young couple with future family planning. Thank you.   |  |
| Design review per lot should match formal proposal for retail space.  |  |
| Commercial space - great idea.  |  |
| Daycare would be good.  |  |

| <b>Parking</b>  |
|---|
| Please reconsider parking - you need lots! Visitor spots + 10. Also your spot is quite dark so take darkest places to make visitor parking?   |
| Most people are in trades and garages often needed for tools storage. Is it possible to "halve" the commercial building in order to have more residential parking.  |
| Parking is biggest issue - must require 2-car garage + driveway parking + suite parking + visitor parking.  |
| Parking is a concern as garage is a space people use for storage.   |
| Any re-zoning application should include enough parking for min 3-4 vehicles per lot.   |
| Parking is very important. Garages will not be used for parking so essential to have enough parking on site.  |
| Please consider visitor parking spaces.   |
| Parking - reduce industrial lot to accommodate overflow. Road width - what's impossible vs. not cost-effective.   |
| Consider ample parking for owners & visitors.   |
| Parking good (can expand driveways)   |
| Parking - need 2 for main home and 2 for rental suite.  |
| <b>CAC's</b>  |
| Contribution space = dog park / fencing along Sunstone Way.   |
| Appreciate more going into the Rec site.  |
| Love the update to PFarmRdE. Raised crosswalks to reduce speed on a road close to a family complex is fantastic. I am concerned about traffic and worried that the locals will be priced out of this development. |
| Traffic calming good (raised sidewalks). Community Amenity - park and play structure (with spray park?)   |
| Equestrian use on trails. Equestrian parking/staging area   |
| <b>Other Guest Comments during the Information Meeting:</b>   |
| Where is the garbage area and mailboxes. Garbage is a chore.  |
| Residents are car-dependent. Bus to/from Whistler only twice per day.   |
| <b>Answers from Rivertown Properties:</b>   |
| Lots will be flat, inside the building envelope. No need for the builder to do extensive lot preparation.   |
| We could consider the greenspace immediately adjacent the site - provide cash-in-lieu and work this out with VoP planners.  |
| We could look at a path that runs down from the Plateau and through lots 9 and 10 on the drawing to the Rec Complex.  |
| Local builders are running out of serviced lots - this development supports local businesses and builders.  |
| The bulk of the CAC's will be in the form of amenity contributions for Pemberton residents.   |
| CAC's also to assist in the upgrades to Pemberton Farm Road East.   |
| We propose to extend the Friendship Trail along the side of the property on PFRE.   |
| The water facilities and sewer treatment plant for this area is expandable to accommodate this development.   |

**Date:** April 13, 2023  
**To:** Advisory Land Use Commission  
**From:** Cameron Chalmers Consulting Inc.  
**Subject:** Nkwúkwma Sub-Area Plan

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## **PURPOSE**

The purpose of this report is to provide the Advisory Land Use Committee with the Draft Nkwúkwma Sub-Area Plan for review at a future meeting in May.

## **BACKGROUND**

Substantial background information is included in the attached Committee of the Whole report and Draft Nkwúkwma Sub-Area Plan. In short, the draft sub-area plan is intended to refine and improve the land use and development approach for future phases of the neighbourhood formerly known as Benchlands which is currently designated and zoned for single detached residential.

## **PROPOSED AMENDMENT**

The draft sub-area plan is proposed as an amendment to the Official Community Plan (OCP). The Benchlands specific OCP policies will be removed from the OCP and the sub-area plan will be included as a schedule to the OCP to provide comprehensive policy guidance for future development. The OCP Land Use Schedule will be amended to create a new Nkwúkwma land use designation and there will be concatenate amendments to the OCP document and maps.

A new Comprehensive Development (CD) zone will be prepared following the consultation and review phase currently underway.

## **STAFF COMMENTS**

As the Draft Nkwúkwma Sub-Area Plan is a comprehensive policy document, the intent at this meeting is simply to provide the document and Committee of the Whole report to the Advisory Land Use Commission for review and discussion at a meeting in May.

Staff are planning a workshop with Committee of the Whole in early May, and will host a similar workshop with the ALUC at their May meeting. Staff also note that a community open house is scheduled for April 20, and may be of interest to Committee members. Advertising for that session will be circulated in early April.

*Attachments: Appendix A – Committee of the Whole Report dated March 15, 2023  
Appendix B – Draft Nkwúkwma Sub-Area Plan*



**Date:** Tuesday, March 14, 2023

**To:** Elizabeth Tracy, Chief Administrative Officer

**From:** Cameron Chalmers, RPP, MCIP, Consulting Planner

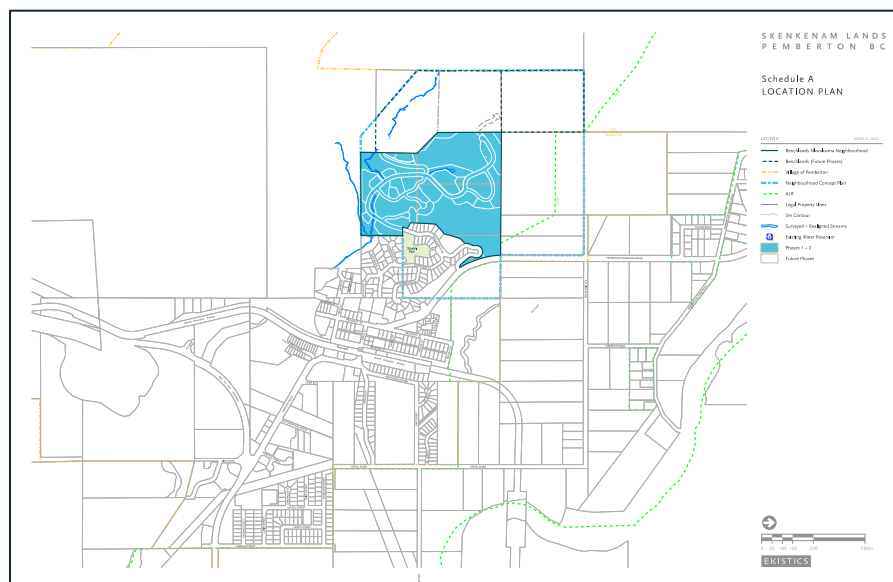
**Subject:** Nkwúkwma (Benchlands) Sub-area Plan Introduction

## **PURPOSE**

The purpose of this report is to provide the Committee of the Whole with the first draft of the Nkwúkwma Sub-area Plan. This will facilitate detailed review at upcoming meetings and initial community consultation on the sub-area plan document. Staff are not seeking detailed discussion of the plan at this meeting, but rather propose a process for ensuring ample opportunity for Committee of the Whole and the broader community to contribute to the sub-area plan.

## **BACKGROUND**

An application has been received from Skénkenam Development Limited Partnership (Skénkenam) for an Official Community Plan (OCP) amendment and rezoning for the proposed Nkwúkwma (Benchlands) neighbourhood. Specifically, the application seeks to refine the existing OCP policy and Residential 1 – RS-1 zoning on the 31 hectares (77 acres). The refinements will facilitate the next several phases of what was initiated as the Benchlands development in 2007.



*Figure 1: Skénkenam Land Holdings*

Since the application submission, Council has directed early and ongoing consultation on the OCP amendment, and Committee of the Whole has received several updates on the nature of the application and the application review process.

Over the last year, Staff have been working diligently on preparing the attached draft of the Nkwúkwma Sub-area Plan in collaboration with the Applicants. It represents a significant milestone in the preparatory work for detailed review by the Committee of the Whole and the community.

### **SUB-AREA PLAN DESCRIPTION**

The attached sub-area plan is an important tool in guiding the development of the affected lands over the long-term. Its principal purpose is to translate and apply broader Official Community Plan policy and other Council approved strategies and policies to the specific lands. As a schedule to the Official Community Plan, it will establish site and context specific policy and development permit area guidelines to steer the development of the land and buildings over time.

Staff have also promoted the sub-area plan tool to clearly reconcile and synthesize a large amount of technical and policy material in one place. This will ensure a more fulsome community and Council review.

It will function as a site-specific Official Community Plan, meaning that all future development applications will have to conform to the policies and guidelines in the plan. Particularly, it will guide the companion rezoning application. This will ensure continuity in the development over the long-term course of the development of the neighbourhood.

### **PROCESS AND NEXT STEPS**

The current process was initiated in response to a development application to amend the current development permissions on the subject lands. From pre-application, Staff have identified a comprehensive sub-area planning process as the most suitable means to consolidate and synthesize all the information necessary to guide the future development of the lands. The process is generally organized into three phases as described below:

#### ***Phase 1: Information Collection (nearing completion)***

To date, the process has been about collecting and processing information necessary to consider the characteristics of the land and its sustainable development in a manner that reflects OCP policy and Council direction. The Owners have undertaken a community consultation process as part of this information collection stage which has been incorporated into the draft sub-area plan. A comprehensive servicing capacity model is nearing completion and is the remaining significant body of information required to move the application forward.

#### ***Phase 2: Policy and Regulation Development (initiating)***

The submission of the sub-area plan to Committee of the Whole represents the formal initiation of Phase 2, the policy and regulation development stage. The sub area plan has had multiple technical, design, and public inputs that Staff have consolidated and attempted to reconcile in the draft sub-area plan.

This phase is necessarily consultative. It consists primarily of detailed review of the sub-area plan by Committee of the Whole, the community, referral agencies, and other stakeholders. The sub-area plan will be critical in facilitating a well-informed comprehensive conversation about the future development of the land.

Staff will also continue the technical review of the servicing capacity and necessary upgrades to municipal systems, potential community amenities, and utilize this information to begin framing the rezoning requirements.

### **Phase 3: Formal Consideration (future)**

Once the Committee of the Whole and Staff are satisfied with the proposed sub-area plan and zoning amendments, Staff will prepare OCP amending and rezoning bylaws for Council consideration through the statutory approvals process.

### **Next Steps**

Staff submit that the ongoing process will require some flexibility to ensure it is fulsome and satisfactory to the Committee of the Whole and the community. Accordingly, Staff are recommending some initial next steps and will determine a more fulsome process after the initial round of Committee of the Whole and community consultation on the sub-area plan.

The purpose of this report is simply to provide the Committee of the Whole with the first draft of the sub-area plan. This will enable broader distribution and discussion with the community and provide the Committee of the Whole with an opportunity to review the plan before engaging in substantive discussion. Staff are recommending the following milestones before establishing a more finite review process and timeline:

- *Public Consultation Session (Mid-late April)*: This session will be hosted by the Applicant, but the Applicant has agreed to allow Staff an opportunity to introduce and solicit comment on the sub-area plan document. The primary intent will be to share information and the development proposal with the community and introduce the sub-area plan to the community.
- *Committee of the Whole Workshop (Late April)*: Staff are scheduling a workshop in late April for Committee of the Whole to engage in a detailed review and discussion of the sub-area plan. Staff will also facilitate a discussion on the remaining review process including additional Committee of the Whole review and community consultation.

The remaining process will be determined through Committee of the Whole and community collaboration once the initial review period is underway.

## **DISCUSSION & COMMENTS**

As a major development approval process, Staff have been working diligently with the Owners, internal departments, and the Village's consultants to collect, synthesize and reconcile a significant amount of information into the attached sub-area plan. Release of the plan to Committee of the Whole and the community represents a significant shift in the review process as now broader input can be received on the consolidated information.

Staff look forward to fulsome discussions on the sub-area plan in the community and at upcoming committee of the whole meetings.

## **COMMUNICATIONS**

Once received by Committee of the Whole, the Nkwúkwma sub-area plan will be posted on the Village website and the Village's 'Have Your Say' digital engagement platform. The upcoming consultation and comment opportunities will be advertised by both the Village and the Applicant to secure the broadest reach possible.

## **LEGAL CONSIDERATIONS**

There are no legal considerations arising from this report.

## **IMPACT ON BUDGET & STAFFING**

Staff and consulting time are covered by the development application fees and cost-recovered. The Applicants have funded all aspects of the Village review and process to date.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

A developmental draft of the sub-area plan was circulated through Village departments and comments have been incorporated into the current draft. The remaining process will involve input from most departments.

## **COMMUNITY CLIMATE ACTION PLAN**

The Village of Pemberton Community Climate Action Plan (CCAP) was adopted in March 2022, with several strategies and directions towards addressing the challenges of climate change. The big moves contained in CCAP address the following topic areas:

- Shift Beyond the Car - Shift
- Electrify Transport - Electrify
- Step Up New Buildings – New Build
- Decarbonize Existing Buildings – Existing Build
- Close the Loop on Waste - Waste
- Organizational Leadership - Leadership

The proposed Nkwúkwma (Benchlands) development is aligned with broad high impact actions in the CCAP, such as '*SHIFT 1.1 – Optimize land use policies and bylaws to encourage compact growth.*' Policy directions outlined in the CCAP have been incorporated into the draft Sub Area Plan, for example building safe routes for walking, cycling, and other forms of zero emission mobility.

## **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

The OCP amendment application and likely annexation of lands has impacts on the SLRD and Lílwat Nation, both of whom have been referred the application and will be provided additional opportunity for comment.

### **ALTERNATIVE OPTIONS**

#### **Option One:**

**THAT** Committee of the Whole receive the Draft Nkwúkwma Sub-Area Plan and authorize Staff to facilitate additional public consultation and Committee of the Whole review at a future meeting.

#### **Option Two:**

**THAT** Committee of the Whole refer the Draft Nkwúkwma Sub-Area Plan back to staff for consideration of the following comments:

- {To be added by the Committee of the Whole}

**AND THAT** Staff be directed to return the Draft Nkwúkwma Sub-Area Plan to a future Committee of the Whole meeting for review.

### **RECOMMENDATIONS**

**THAT** Committee of the Whole receive the Draft Nkwúkwma Sub-Area Plan and authorize Staff to facilitate additional public consultation and Committee of the Whole review at a future meeting.

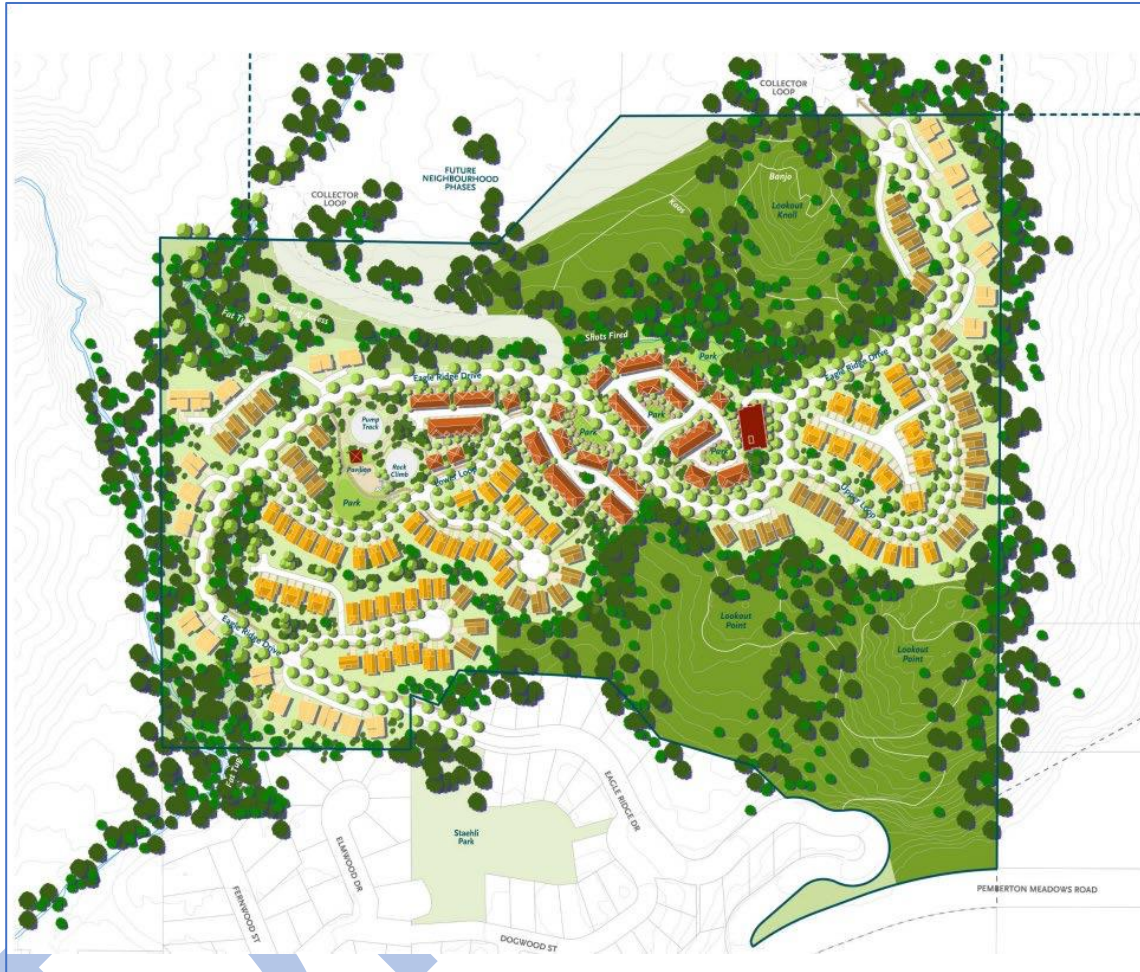
### **ATTACHMENTS:**

#### **Appendix A: Draft Nkwúkwma Sub-Area Plan**

|                   |   |
|-------------------|---|
| Submitted by:     | Cameron Chalmers, RPP, MCIP, Consulting Planner |
| Manager Approval: | Scott McRae, Manager of Development Services    |
| CAO Approval by:  | Elizabeth Tracy, Chief Administrative Officer   |



# Nkwúkwma Sub-area Plan



**Schedule “E” to Village of Pemberton Official Community Plan**

**Draft 1**

**March 14, 2023**



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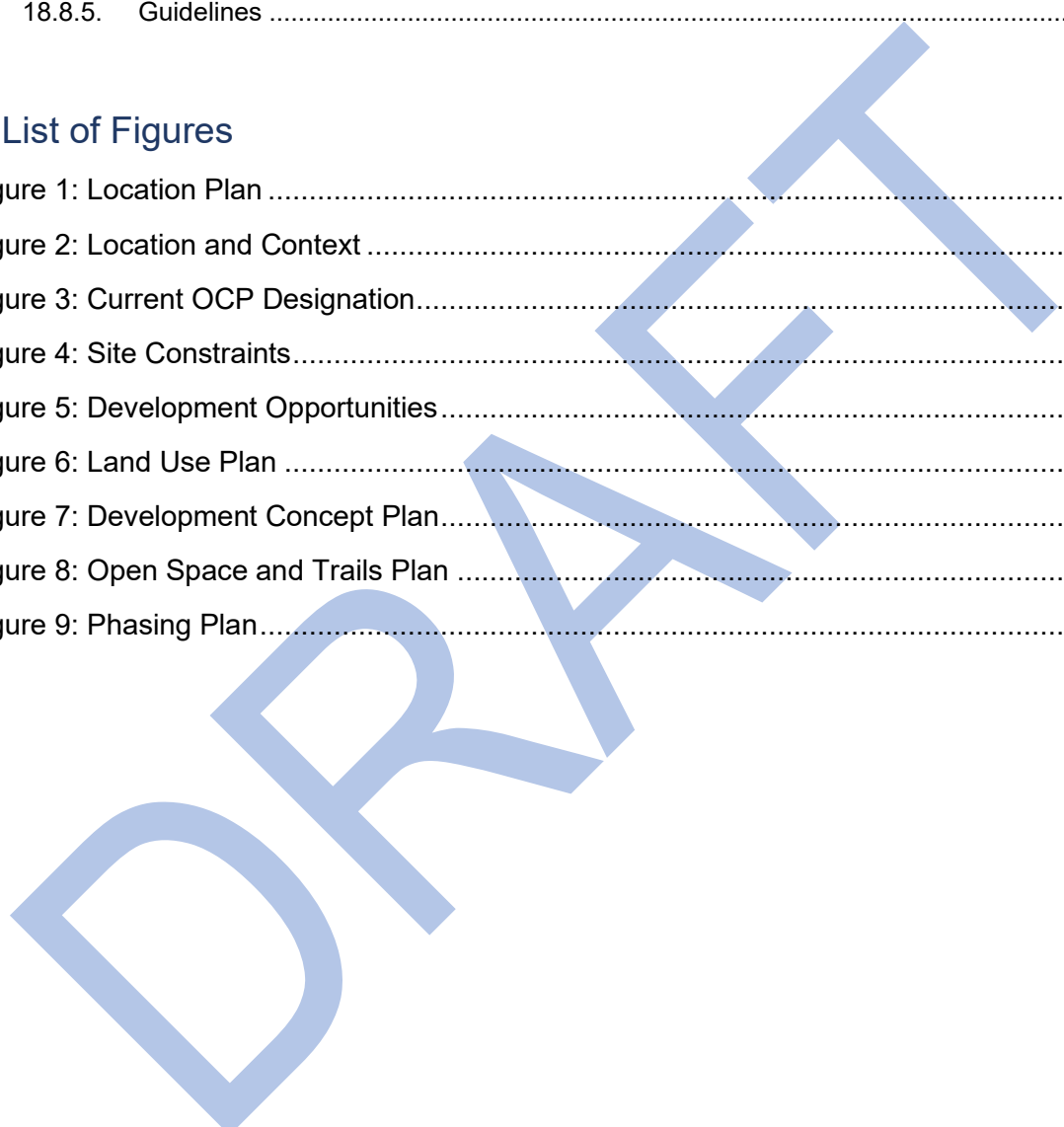


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## PART 1: NEIGHBOURHOOD FOUNDATION

### 1. Nkwúkwma Vision Statement

Sensitively draped over the hillside above Downtown Pemberton, the Nkwúkwma neighbourhood will provide a range of housing options in a comprehensively planned, family-oriented community. Integrated within the natural topography and preserved greenspaces, the new neighbourhood will serve an important role in accommodating Pemberton's growing population in balance with nature and community values. It will be a model of sustainable hillside development.

The Nkwúkwma neighbourhood will embrace and reflect the unique character of the land. It will protect archaeological and environmental features, clean up lead and copper contamination and improve access to recreational amenities.

The neighbourhood will prioritize pedestrians and feature an integrated network of public trails and pathways connecting parks and natural open spaces. It will retain habitat connectivity and complement the character of the community. It will facilitate social activation for residents. In the spirit of reconciliation, it will acknowledge and share the Lílwat Nation's cultural heritage and language and protect significant archaeological places.

### 2. Nkwúkwma Sustainability Statement

The Nkwúkwma neighbourhood embodies a sustainable approach to land use and development that seeks to balance the environment, the economy, and people. When in harmony, these three pillars are equitably affected, and the relative costs and benefits are offset. This sustainability statement specifically assesses the balance of the policy and development directions in the sub-area plan in contrast to the existing zoning and development regulations that apply to the lands.

#### 2.1. Environmental Sustainability

- a. The Nkwúkwma sub-area plan is based on a comprehensive understanding of the land and its natural assets.
- b. The development of the Nkwúkwma neighbourhood will mitigate historic contamination of the lands.
- c. The policies and development permit area guidelines in the Nkwúkwma sub-area plan will preserve and protect 48% of the lands as park and natural areas.
- d. Riparian and habitat areas will be protected through the development permit area guidelines.
- e. The relatively compact footprint of the development pattern and adjacency to the downtown will promote walkability and alternate modes of transportation.
- f. The neighbourhood will further the Village's Climate Action objectives.

## 2.2. Economic Sustainability

- a. As Lílwat Nation is the beneficial owner of the land, and development partner, the Nkwúkwma neighbourhood represents an opportunity for sustained economic growth for Lílwat Nation.
- b. Located adjacent to downtown Pemberton, the Nkwúkwma neighbourhood will add new residents close to downtown businesses.
- c. The buildout of the Nkwúkwma neighbourhood will provide long-term direct and indirect construction and related industry benefit.
- d. Retention of the public trail system will support local recreation and tourism sectors.
- e. The Nkwúkwma development will compel coordinated upgrades to existing servicing infrastructure at the cost of the developers.
- f. The relatively compact development form, and anticipated pockets of strata development, will reduce the amount of public infrastructure, thereby reducing the long-term maintenance obligation on the Village.
- g. Significant community amenities and benefits are anticipated from the rezoning of the land which will provide additional assets for the community at the developer's cost.

## 2.3. Social Sustainability

- a. As a Lílwat Nation benefitting development, the Nkwúkwma neighbourhood represents an opportunity to further reconciliation efforts with Lílwat Nation on traditional territory.
- b. The Nkwúkwma neighbourhood presents an opportunity to recognize and protect important archeological and culturally significant places for Lílwat Nation.
- c. The layout of the Nkwúkwma neighbourhood is a relatively compact community with a diversity of housing types offering a range housing options for future residents.
- d. The proposed land uses preserve important recreational lands which will be enhanced and secured for public access to promote the recreational culture of the neighbourhood.
- e. Adding additional residents in proximity to the downtown will create additional vibrancy and social interaction in the downtown.
- f. The role of the Nkwúkwma neighbourhood to accommodate current and future housing demand is important in maintaining housing attainability and affordability.

### 3. Nkwúkwma Sub-area Plan Introduction

The Nkwúkwma sub-area plan combines the vision for a new neighbourhood with Official Community Plan policy directions and regulations to frame future development. Through policy directions and development permit area guidelines, it ensures a coordinated approach to the development of the land over the long term.

The plan builds on a 15-year planning history on lands known locally as the Pemberton Benchlands, which have been designated for residential use in the Pemberton Official Community Plan and zoned for residential development since 2007. The initial phase of the Benchlands has been constructed and occupied.

In 2019, the Owners began to revisit the Neighbourhood Concept Plan through a detailed site analysis, review of current Village policy directives, and analysis of the evolving housing market to inform the next phases. This plan represents a consolidation of the background and site information, planning intent and policy to update the development approach and realign the proposed development with community values.

The sub-area plan balances inputs from municipal policy, site conditions, and the community outreach to reflect the housing needs and desired amenities of the Village of Pemberton and its residents.

#### 3.1. Purpose of the Nkwúkwma Sub-area Plan

The purpose of the sub-area plan is to bridge the broader Official Community Plan growth and development policies with the refined development approach for the Nkwúkwma lands. It specifically applies municipal policy and community values to the lands covered in this plan to integrate the proposed development with the Village's overall growth management and planning policy approaches.

The policy established in the sub-area plan will become the basis for a rezoning, including specific zoning regulations and accompanying agreements to secure servicing, community amenities and benefits.

The sub-area plan establishes site-specific development permit area guidelines that will regulate the physical development of the land.

## PART 2 – SUB-AREA PLAN CONTEXT

### 4. Site Description

#### 4.1. Location

The lands are located west of downtown Pemberton on an elevated bench of land accessed via an extension of Eagle Drive. The lands are legally described as: Block A, District Lot 8556; Block J, District Lot 202; Block I, District Lot 202; District Lot 2297; Block K, District Lot 8410; and District Lot 202. They are bound to the south, west and north by provincially managed lands; and to the east by privately held lands. The northern boundary between Collins Road and the subject lands is primarily privately owned land. Pemberton Creek is just beyond the southern boundary.

A portion of the land holdings are in the Squamish Lillooet Regional District. Those lands are not identified for short-term development and not included in the sub-area plan process or rezoning application. If those lands are incorporated into the Village, an amendment to this plan will be required in advance of any consideration for development.

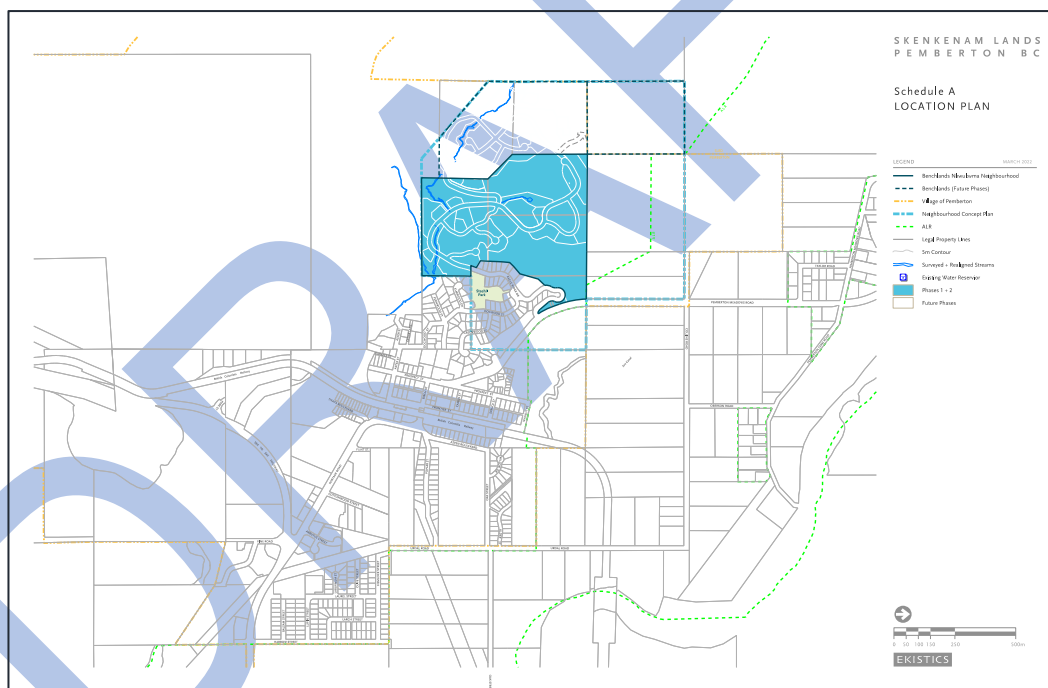


Figure 1: Location Plan

#### 4.2. Site Context

The Nkwúkwma neighbourhood is close to downtown and an extension of the existing Benchlands neighbourhood. Located on the hillside, rising away from the downtown, the site is above the valley floodplain and outside the Agricultural Land Reserve. The lands have been used for several decades for passive recreation, accessed by mountain bikers, hikers, and dog walkers. Both the Pemberton Waterfall and the Fat Tug trails can be accessed through the lands, and the land carries significance for recreational users.



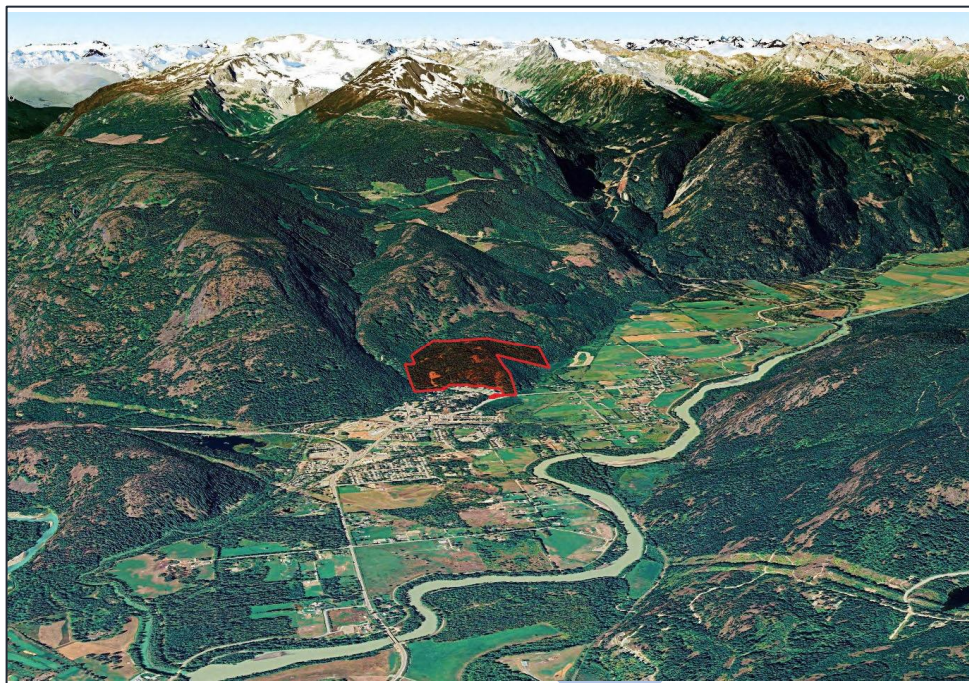


Figure 2: Location and Context

### 4.3. Land Use History

#### 4.3.1. Historic Use

The site lies within the Traditional Territory of Lílwat Nation which encompasses close to 800,000 hectares of land in and around the Pemberton Valley. Traditional use by Lílwat Nation has been confirmed through archaeological investigations on the site which identified archeological Areas of Concern and a designated archaeological site that includes a rock shelter and pictograph panels. The discoveries confirm the Nkwúkwma lands were a strategic location for the Lílwat7úl being above the floodplain with the valued views of the surrounding valley.

The Pemberton Benchlands area was utilized for hunting, fishing, and later for trapping. It encompasses a Trapline owned by Ronny Lester, and previously owned by Mack Lester in the 1940's. Pemberton Creek is the setting for the traditional Lil'wat story told by Charlie Mack "The Boy Who Had Cherry Bark as His Power". It was also the location of known trails and was used for berry gathering (i.e., huckleberries).

In the 1970's a small community ski hill was established with a rope tow, and later in 1970's to 2008 a rifle and gun range. The former gun range left significant contamination of lead and copper, which will need to be mitigated before two of the District Lots can be considered for development. The site now used for its network of informal trails and utility installations, including two water reservoirs servicing the Village.

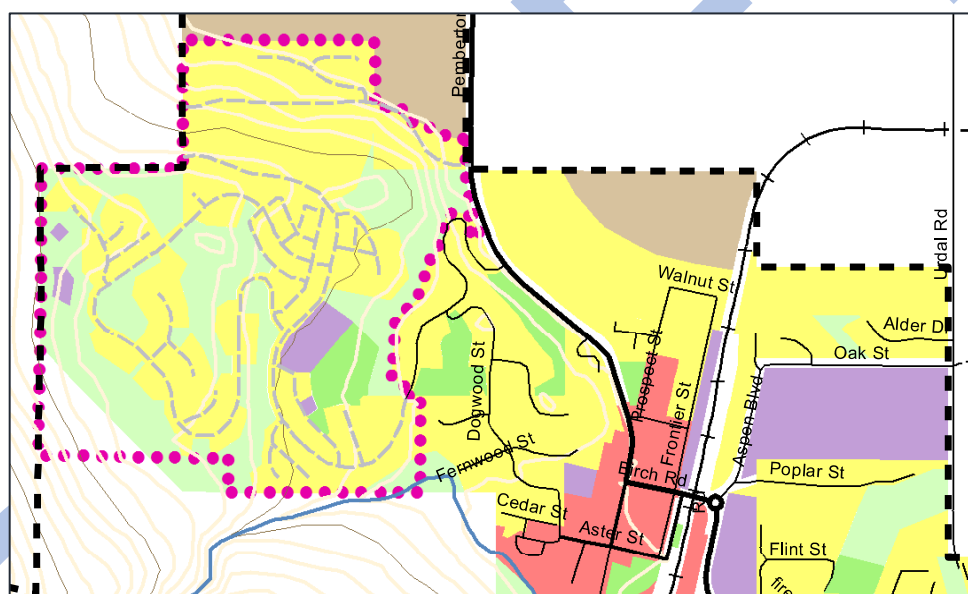
#### 4.3.2. Land Use Policy History

The lands covered by this sub-area plan have been included in the Village growth policy as a new residential neighbourhood necessary to accommodate residential growth since 2007. Current Official Community Plan designations and zoning on the site permit the continued

development of the neighbourhood similar to the first phase. The Nkwúkwma sub-area plan represents a fine tuning and elaboration of the previously approved development.

The 2007 Neighbourhood Concept Plan was a Village initiated, multi-agency, planning process for a 95.7 ha (236.5 ac) area of privately held and provincially managed lands. The Village rezoned the first phase of the plan with a single-family subdivision and the construction of the Eagle Drive access, Staehli Park, and interconnecting trails. The initial phase was developed over 14 years commencing in 2008. The remaining phases in the initial plan are being reconsidered in this sub-area plan as the new Nkwúkwma neighbourhood.

The 2007 Neighbourhood Concept Plan was initially attached to the 1999 Official Community Plan as a schedule, which was revamped as a Special Planning Area in the current 2011 Official Community Plan. The current Official Community Plan designates the subject lands as a residential neighbourhood and within the urban growth boundary. It also establishes land use policies to further guide the development of the land as a residential neighbourhood, predominantly as single-detached homes. As such, the new Nkwúkwma neighbourhood complies with the Squamish Lillooet Regional District Regional Growth Strategy.



**Figure 3: Current OCP Designation**

The first phase of development approved in 2007 has been developed and constructed as the community known as Benchlands. The balance of the lands, and particularly those included in this sub-area plan have remained dormant until the current owner initiated a detailed land analysis and comprehensive planning exercise in 2019, which led to this sub-area plan.

The Nkwúkwma development proposes to complete five of the eight phases of the 2007 Neighbourhood Concept Plan (2007 Neighbourhood Concept Plan) approved for what was then known as the Benchlands. As described in this sub-area plan, more detailed analysis of the land, and its opportunities and constraints, has refined the development approach.

The Nkwúkwma neighbourhood recognizes and reflects the policy directions of the Village's current Official Community Plan as well as planning studies and land development considerations that have evolved since the 2007 Neighbourhood Concept Plan was adopted. Accordingly, the sub-area plan constitutes a refinement of how the lands will be developed as the question of whether the lands should be developed has been long resolved.

#### *4.3.3. Ownership History*

Until October 2021 the subject lands were Crown Land managed by the provincial government's Ministry of Forests, Lands, Natural Resource Operations and Rural Development. Over the past several decades, the province has granted occupation licences and leases to various interests including the Village of Pemberton, for water reservoirs, water lines, and communication utilities; the Squamish Lillooet Regional District for a water line; The Canadian Broadcasting Corporation for a communications tower; and the Pemberton Wildlife Association and RCMP for the former gun and rifle ranges.

In 2005 an accommodation interest was secured for the Benchlands by the Lílwat Nation, as the lands are within the unceded traditional territory of Lílwat Nation. The accommodation agreement requires a payment to the Lílwat for each parcel of provincially managed land sold, fulfilling any applicable legal obligations of consultation and accommodation. In addition, a 3.84-hectare triangular portion of the Benchlands area to the northeast of Pemberton Meadows Road (known as Parcel 2A) was transferred to the Lílwat Nation by the province as part of the Ministry of Transportation Sea to Sky corridor accommodation package.

In 2017, the Lílwat Nation submitted a land acquisition request to the province for the lands, and in 2019 an Offer to Purchase was signed by Lílwat Nation (Lílwat Capital Assets). The transfer was completed in September 2021, and the lands are currently owned in fee simple. At the time of the transfer, statutory rights of ways were registered on the site to secure rights of way for the existing utilities, power lines and access, as well as a blanket public use right of way in favour of the Village for public use of the existing informal trail network.

## 5. Detailed Site Conditions

In the fall of 2019, Lílwat Nation and their development partners retained an extensive team of qualified consultants to update the 2007 Neighbourhood Concept Plan. The update includes a detailed assessment of the lands through additional investigations of the natural context and development potential of the lands. Based on that assessment, an updated site plan was prepared that responds to the opportunities and constraints on the land, as well as updated municipal policy directives and the contemporary Pemberton community.

The site investigations include geotechnical, environmental sensitivity mapping, and archaeological review providing the basis for a new site constraints plan. The site servicing, traffic impacts and market absorption reports were also updated to inform the land use plan. The following provides a brief overview of the findings as they consider the site conditions, and have enhanced the understanding of the site and its development potential:

- a. *Existing Development*: The subject lands are currently vacant, except for existing infrastructure including two above ground water reservoir tanks, an electric service line, a gravel access road (which services two utility sites situated on a knoll on the north-west corner of the site) and an informal network of mountain bike/walking trails.
- b. *Access*: Primary access for Nkwúkwma is from Pemberton Meadows Road via Eagle drive as designated in the 2007 Neighbourhood Concept Plan. The designated collector has been constructed to the entrance of the Nkwúkwma lands and will extend into the neighbourhood linking the proposed housing clusters as a looping access.

Trail access to the site exists via the Pemberton Creek Waterfall Trail and the existing utility access road.

- c. *Site and Landform Conditions*: Updated and detailed analysis of landform, slope, aspect, and aerial interpretation. The results were input in a three-dimensional overlay, providing a greater visual understanding of the lands. The highlights of the analyses, include the following:
  - i. *Landform* - The site rises from the valley with a complexity of landforms, including a series of well-defined benches, steep slopes, rock knolls and undulated terrain. The lands have a few small watercourses that drain to the south-east, feeding into Pemberton Creek.
  - ii. *Slope* – The site is characterized by significant slopes along the south, west, and north edges of the property, with dramatic topographic features including a drainage ravine (south) to Pemberton Creek steep rock outcrops and three prominent rock knolls.
  - iii. *Aspect* - The site features dramatic south, east and north views over the Pemberton Valley notably prominent Ts'zil (Mt. Currie) and the Lillooet River.
- d. *Trails* – Since the closure of the gun range, many informal trails have been constructed on the property. The trail type ranges from the steep and rubbly access road, walking trails, and black diamond mountain bike trails routed down rock faces, gullies, and man-made berms. The property also provides access to the Section 56 (provincially sanctioned) Fat Tug Mountain bike trail.



- e. *Geotechnical* - The assessment identified rock fall hazards requiring mitigation along the northern side of Eagle Drive, south of the centre knoll and along the western property line. District Lot 8820 (currently within the Squamish Lillooet Regional District) has rock fall hazards over approximately 50% of the lot, which has significantly constrained the ability to construct a collector as identified in the 2007 Neighbourhood Concept Plan.

## 5.1. Natural Environment

The Initial Environmental Review provided baseline conditions and identified potential environmental considerations and constraints as follows:

- a. *Vegetation*: The existing vegetation on the site consists mainly of young and mature forest (structural stages 5 and 6) with occasional shrub (structural stages 3a and 3b), and a small area of old forest dating back more than 250 years. The site is part of the Coastal Western Hemlock (CWH) Dry Submaritime (ds) Southern (1) – CEHds1-Variance Biogeoclimatic Zone Classification. Approximately 6% of the site consists of anthropogenic development. Detailed investigations of each of the vegetation polygons as well as risk potential for blue or red plant listed species and ecological communities are provided in the Initial Environmental Review. This study has informed the overall land use and natural environment preservation approach in the sub-area plan.
- b. *Watercourses/Hydrology*: Four watercourses were observed on the property, two appeared to be ephemeral. Two unnamed watercourses (one ephemeral) flow into the Arn Canal, a third watercourse flows into Pemberton Creek, while the fourth appeared to be a man-made ditch which drains into the Dogwood Road drainage system.
- c. *Wildlife*: The site investigations recorded wildlife and wildlife signs, available forage as well as riparian habitat. Signs of the black-tailed deer, Douglas squirrel, and bobcat were documented. The review identified other potential mammal, bird, amphibian, and reptile species and observed favourable habitats such as rock outcrops, course woody debris and wildlife trails.

The review recommended additional investigations related to a screech owl nest survey, rare and endangered plants, and wildlife surveys (little brown myotis and sharp tailed snake), as well as construction management and landscaping guidelines. These studies will be undertaken as a pre-requisite to rezoning and the recommendations will be secured through future development permits and other means.

## 5.2. Archaeology

A Preliminary Field Reconnaissance identified eight (8) Areas of Concern and a designated archaeological site on the lands subject to this sub-area plan. An Archaeological Impact Assessment will be required prior to development permit, site alteration or building permit approvals. The designated archaeological site is clear evidence of the Lílwat's traditional use of the lands. There is currently an archaeological covenant registered on the properties which protects the archeological features of the site by prohibiting development.

### 5.3. Site Contamination

Several investigations and reports have been prepared by qualified professionals which have identified contamination on the two westerly parcels (District Lot 2297; Block K, District Lot 8410; and District Lot 202). The contamination includes lead and copper, which was caused by the former gun and rifle range. These contaminated lands are included in the Sub-Area Plan in anticipation of future development; however, prior to any rezoning application for future residential development of these lands, the provincial government must approve remediation and/or disposal plans. There is currently a “no-build” covenant on the lands requiring the remediation of the lands prior to development.

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## 6. Opportunities and Constraints

The result of the detailed site investigations is that the Nkwúkwma lands have both opportunities and constraints in considering their future development. These site attributes, when considered with the principles outlined in future sections, have driven the proposed Land Use Plan (Schedule 1) and Development Concept Plan (Schedule 2).

### 6.1. Constraints

The Nkwúkwma site is located on a series of rocky benches, situated above the Benchlands/Dogwood neighbourhood, as illustrated in the Slope Analysis (Schedule 3) The lands have constraints to development shown on the Site Constraints plan (Schedule 4) that require a higher level of review and will compel a rigorous approvals and development process. The constraints that refined the land use and development approach are as follows:

- a. *Challenging Terrain:* The technical reports highlighted the challenging terrain whereby only 50% of the lands can be utilized for development. The constraints include rock fall hazards, riparian areas, old growth forest, possible habitat of listed species, and steep slopes greater than 40%.
- b. *Natural Environment:* Environmental values should be protected, specifically riparian and Streamside Protection and Enhancement Areas, a small grove of old growth forest and possible listed species.
- c. *Lead and Copper Contamination:* The upper bench has been significantly contaminated from shot and casings left from the former gun and rifle range. As a result, the two legal parcels where the contamination has been documented, cannot be considered (rezoned) for neighbourhood development until they are mitigated to provincial standards.
- d. *Archaeological Discoveries:* The development has been designed to ensure the protection of the confirmed archaeological site and areas of concern. The preservation and cultural significance of these archaeological sites is extremely important to the Lílwat Nation and will be protected through provincial legislation.
- e. *Existing Development:* Site development is also limited by existing infrastructure installations (access roads, communications tower, transmission lines, and water reservoirs) as well as a highly valued informal trail system.
- f. *Secondary Access:* A further constraint is the inability to provide a secondary access to the site, as the lands as potential alignments are encumbered by terrain and private land ownership. The road connection identified in the 2007 Neighbourhood Concept Plan was never secured through adjacent properties and is unlikely to proceed.

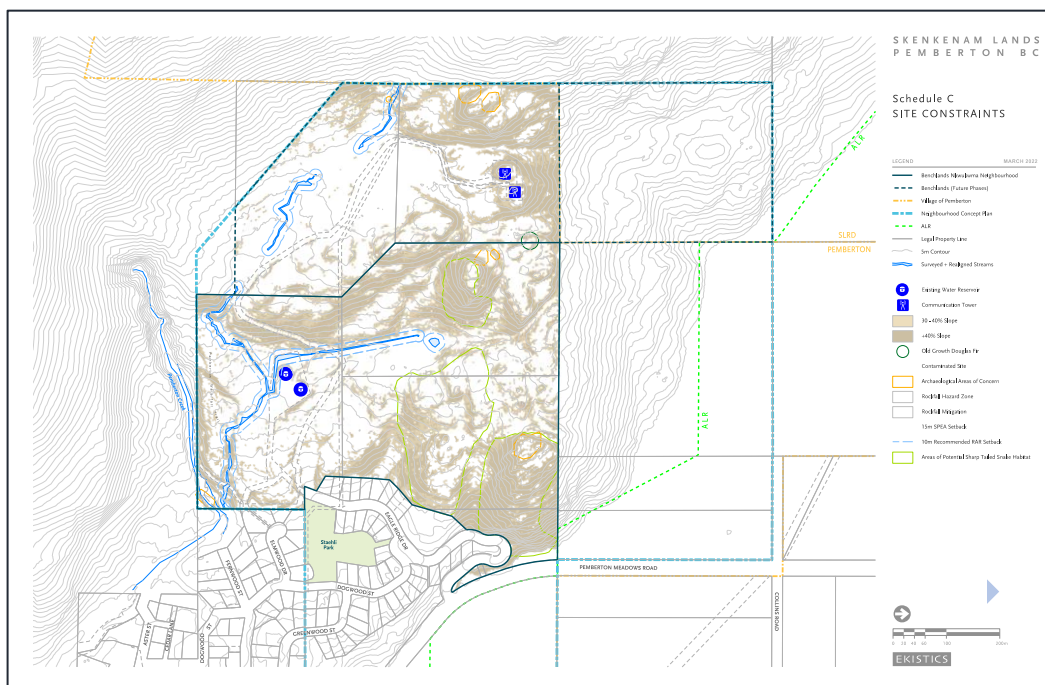


Figure 4: Site Constraints

## 6.2. Opportunities

Despite the constraints imposed by the natural topography and natural features of the site, there are several opportunities to incorporate residential development on responsibly and sensitively on the lands as follows:

- Reconciliation:** Though the ownership of the land is not the primary land use planning consideration, the planning process has been initiated by a subsidiary of Lílwat Nation and as such represents an opportunity to incorporate a range of First Nations principles and practices into the land use. It also represents an opportunity to reframe the opportunities for Lílwat Nation to utilize lands within their traditional territory for economic development, cultural education, and housing.
- Connection to Downtown:** The development is close to downtown Pemberton and as such can add more residents to support downtown businesses. Though the terrain is challenging, the pedestrian, transit, and vehicular routes will connect directly to and through the downtown. This proximity will benefit both downtown businesses and the Nkwúkwma neighbourhood.
- Model hillside development:** The development represents an opportunity to incorporate newly established *Hillside Design Guidelines* in a comprehensive manner. Context sensitive road alignments, widths, carefully selected development sites and transitions between different land uses creates the opportunity to establish the Nkwúkwma neighbourhood as a model of hillside development
- Terraced benches suitable for development:** Though much of the site is challenging terrain, there are several naturally terraced benches suitable for residential development in a range of housing forms. The objective is to utilize

these benches as the development areas reduce the need to alter the terrain to accommodate the neighbourhood.

- e. *Secure and enhance recreation assets:* The lands have accommodated a range of passive and active recreation uses for some time. The sub-area plan, approvals process and ultimate development represents an opportunity to secure these recreational assets for public use in perpetuity and to work collaboratively to enhance them with local trails and recreation organizations.
- f. *Connect the residential development to natural areas:* As the natural state of the lands establishes development pockets surrounded by natural areas and open spaces, the lands present an opportunity to develop a neighbourhood that is woven into natural areas and provides soft edges between development and nature.
- g. *Connect to existing municipal infrastructure:* The lands have been identified as a residential growth area since 2007, and as such the development of the lands will create a natural extension to existing municipal services in an orderly manner. Though improvements to the existing road, water, sanitary sewer, and storm sewer systems is expected, the development will extend existing infrastructure systems, rather than require the creation of new service systems.

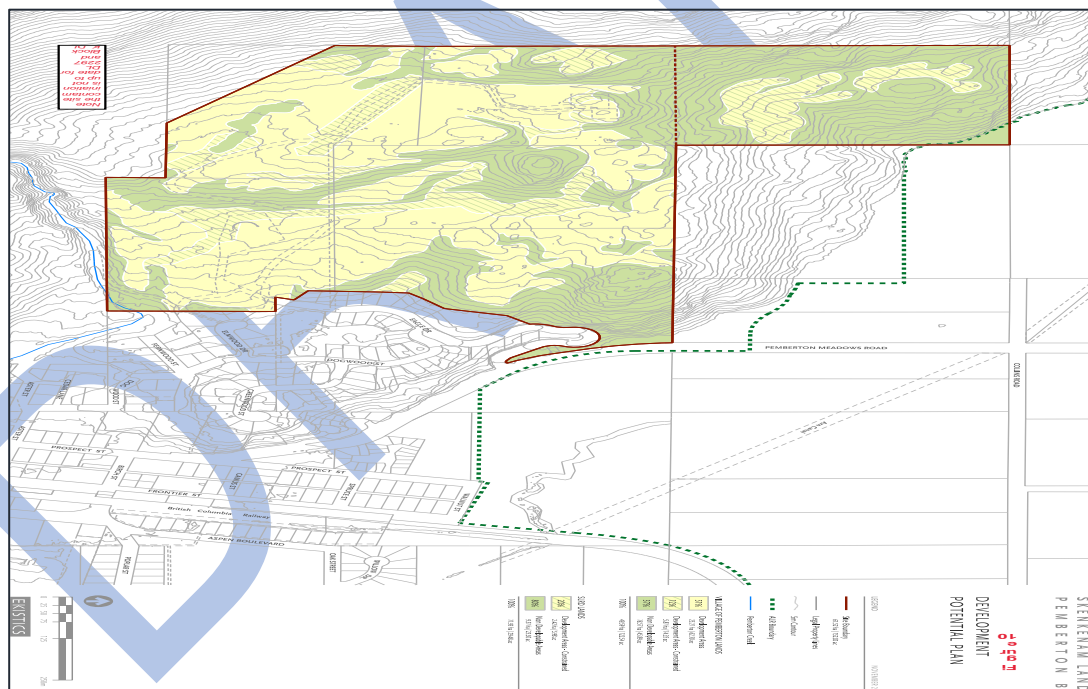


Figure 5: Development Opportunities

## PART 3: SUB-AREA PLAN INPUTS

### 7. Sustainable Neighbourhood Design

The technical investigations, together with Village land use policies and community consultation established the framework for the sub-area plan. This community-centred design approach was first initiated in the 2007 and this sub-area plan further evolves the concept. The sub-area plan strives to meet the needs of the community notably, a diversity of housing types, connected streets prioritized pedestrian/cycling routes, effective and sustainable infrastructure, and community amenities. If the contaminated sites are mitigated to permit future residential development, small neighbourhood commercial use may be considered. The sub-area plan provides flexibility to designate land use as commercial/community use as part of a mixed use/apartment building.

### 8. Consultation Process

In early 2016 discussions between the Village of Pemberton and the Lílwat Nation considered the potential land purchase and development of future phases of the Benchlands. Pre-application meetings with Village staff and Council continued for five years through to March 2021. A public meeting was held with the community in March 2020, together with an on-line survey to help better understand the community's needs and aspirations for the new neighbourhood. A second public meeting was held (virtually) in December 2021 to present the development plan. A website and second community survey were also posted to gather additional input. The results of the outreach have been documented in a project Engagement Report.

Community input identified the following primary areas of interest that are addressed in the sub-area plan:

- a. localized neighbourhood impacts (traffic, stormwater management, pedestrian-oriented mobility)
- b. protection of riparian areas and habitat
- c. alternative vehicular access and construction traffic
- d. affordable housing opportunities
- e. protection and enhancement of trails and infrastructure upgrades.

The outreach also identified Village-wide issues such as downtown traffic, affordable housing, growth, active transportation, and climate change as priorities.

### 9. Population Projections and Market Assessment

Two growth forecast reports (2018 and 2020) have been prepared considering housing demand, housing supply, and new housing absorption forecasts. The forecast considers Pemberton's share of growth in the Squamish Lillooet Regional District according to BC Stats and Census Canada data. Pemberton's population growth over the past 18 years has been faster and more volatile than most BC municipalities. In that time, the region grew by 29%, and Pemberton grew 70% even though Pemberton sustained a 3.1% loss from 2010-2011 as the Olympics made employee housing available for purchase in Whistler. The projected

population in report for 2020 was determined to be approximately 2,962, yet the 2021 Census indicates a population of 3407 which is an increase of 32.4% since 2016, indicating higher than forecast growth.

In considering the medium growth scenario (particularly given the unprecedented demand for housing in 2021-2022), population projections considered the following:

|                    | Absorption Study Medium Growth Population | Forecast Population with 6.48% growth ( 2021 Census) |
|--------------------|---|--|
| 2026<br>(5 years)  | 4,157                                     | 4,501  |
| 2036<br>(15 years) | 5,405                                     | 11,232   |

In summary, the population forecasts suggest the Village will grow from 3,407 residents in 2021 to 4,157 to 4,501 people in 2026. Even with a conservative growth forecast, the Village is expected to grow by 2,000 people in the next 15 years.

This growth pressure raises questions about how the Village will balance interests such as housing need, economic growth, and affordable housing in the context of community values around community character, the natural environment, and outdoor recreation.

The 2021 Census identifies an average household size of 2.5 people per household. For the Village to match forecasted housing pressures, an additional 300-400 new housing units throughout the Village will be needed within the next five years. That number rises to a minimum of 800 new housing units in the next 15 years.

The proposed Nkwúkwma neighbourhood figures prominently in providing housing supply to meet future needs and seeks to balance supply and demand in a variety of forms with an emphasis on attainable and affordable housing.

As the largest contiguous development site remaining in the Village of Pemberton, it is important that the lands deliver a responsible amount of housing while respecting the land and community values. The first stage, which is proposed for rezoning will deliver 267 new housing units for 600-700 people over the next 10 years which is a substantial proportion of the anticipated demand.

Subject to remediation, the total buildout of 450 units will help fulfill the Village's housing needs over the next 10-15 years and will accommodate between 1,200-1,350 new residents in total for the Nkwúkwma neighbourhood. This establishes the new Nkwúkwma as a very important growth area for the Village.



## PART 4: NEIGHBOURHOOD PLANNING PRINCIPLES

### 10. Planning Principles

The Nkwúkwma Sub-area Plan creates a direct link between the new neighbourhood and policy frameworks and community wide planning principles established in the Official Community Plan. It also captures advances in municipal policy and approaches that have been endorsed since the Official Community Plan adoption in 2011.

The planning principles listed below have informed and guided the approach to land use and development outlined in this sub-area plan. They run deeply through the conception of the new neighbourhood and the policy and development permit area guidelines established in the sub-area plan to guide its future development. Though many of the principles have existed in Village planning frameworks for some time, they continue to evolve. The Nkwúkwma sub-area plan exercise has been one of establishing contemporary application of these principles in a specific site context in the establishment of a new neighbourhood:

#### 10.1. Applying Official Community Plan Principles

The following principles are taken directly from section 2.0 of the 2011 Official Community Plan have been applied to the creation of the Nkwúkwma sub-area plan as outlined below. The Official Community Plan principles apply to the entire community and what follows is a brief statement of how each principle is being respected in the Nkwúkwma neighbourhood.

*a. Our Community Is Habitat*

The Official Community Plan principle is that the Village of Pemberton is in a relationship with the natural world and will work to protect and enhance the environment that sustains and nourishes us. The Nkwúkwma neighbourhood as outlined in the sub-area plan seeks to minimize the footprint of the new neighbourhood while intensifying the development of the land necessary to provide housing for the growing community. The current approach preserves 48% of the land base in a natural state.

*b. Our community flourishes because the local economy is nurtured*

The Official Community Plan principle is to ensure a vibrant, diverse, and supported local economy and employment base that enables creative, intellectual, and material fulfillment of our citizens. The Nkwúkwma neighbourhood is located immediately adjacent to the Village town centre and as such has the potential to add critical mass of population adjacent to the planned commercial centre of the community to ensure an additional support base for existing and future businesses in the downtown. Provision of new housing stock is also a critical consideration in economic development to ensure there is a balance of housing in the community to both drive and accommodate new employment. As a local First Nations is partner to the development, there are significant opportunities to ensure local labour participation in the development and construction of the new neighbourhood.

*c. In our community, all are valued.*

The Official Community Plan seeks to honour diversity and seek to provide a place to live, work and play that is inclusive, healthy, and safe for all. The new Nkwúkwma neighbourhood seeks to provide a range of housing diversity and housing types that



promote a broader level of diversity than initially approved. It further seeks to permanently secure a comprehensive network of recreational trails on the lands to ensure the neighbourhood provides benefit to the entire community. The development permit areas also include specific requirements to guard against threats of wildfire and hillside development to ensure safety and resiliency in the new neighbourhood. The sub-area plan process also involves a significant amount of public consultation to ensure the revisions to the proposed neighbourhood outlined in this plan are reflective of community values.

*d. We know where we are because we embrace our heritage.*

The Official Community Plan principle refers to acknowledging what makes Pemberton distinctive and grounded in a unique sense of place in our people, history, culture, and physical setting. The Nkwúkwma sub-area plan represents an elaborate analysis of the land to ensure it reflects the physical setting. The lands are currently owned in partnership by a subsidiary company of Lílwat Nation on whose traditional territory the lands are located. The sub-area plan identifies and protects heritage assets including archeological sites. The sub-area plan also represents an opportunity to incorporate First Nations investment and planning principles into the Village of Pemberton planning framework.

*e. Our community chooses to tread lightly.*

The Official Community Plan principles seeks to proactively manage impacts on non-renewable resources to preserve them for current and future generations. The Nkwúkwma sub-area plan commits to a more sustainable land use and development pattern than earlier iterations on the site. Emphasis on reducing impacts on the climate, while still accommodating necessary housing is a theme of the plan. Incorporating alternative modes of transportation, on lands proximal to the town centre, to the extent possible are key efforts to reduce climate impacts.

*f. We work together.*

The Official Community Plan principle seeks to make decisions that engage and respect present and future citizens, considers neighbours in other jurisdictions and ensures financial responsibility. The Nkwúkwma planning process and neighbourhood development has been necessarily consultative, incorporating an extensive review of and updated approach to land development on lands that have already been approved for development through a comprehensive community consultation process. The Lílwat Nation ownership position and engagement in the planning process is unprecedented in Village of Pemberton. And finally, the sub-area plan and concurrent rezoning process has compelled an extensive review of servicing capacity in a coordinated and planned fashion with necessary upgrades and community amenities balanced through a comprehensive financial analysis of servicing costs and approvals.

## 10.2. Nkwúkwma Community Planning Principles

Since the initial approval of the Benchlands Neighbourhood Concept Plan and rezoning in 2007, and incorporation in the 2011 Official Community Plan, the Village has undertaken additional planning studies and the approach to neighbourhood planning has continued to evolve. The following principles reflect new and site-specific directions the Village has endorsed and how they apply to the Nkwúkwma neighbourhood. As with the Official

Community Plan principles, these principles permeate the approach to neighbourhood planning, policy, and development permit area guidelines in the sub-area plan.

*a. The Nkwúkwma neighbourhood supports First Nations reconciliation*

Over recent years, the Village has sought to formalize and recognize the importance of Lílwat Nation as a partner government and acknowledge the significance of the Village of Pemberton as part of the Traditional Territory of Lílwat Nation. Protocol Agreements which formalize the government-to-government relationship. The province has made the Nkwúkwma lands available to Lílwat Nation and their subsidiary companies for development as a reconciliation offering. The Nkwúkwma neighbourhood represents an opportunity to reshape a previously approved neighbourhood with the potential to benefit the Village of Pemberton and Lílwat Nation.

*b. The Nkwúkwma neighbourhood prioritizes open spaces*

The Nkwúkwma neighbourhood represents a more compact, walkable development approach than the initial Benchlands approvals. The result is expansive preservation of natural and green spaces which will enable preservation of natural habitat and provide a range of passive and active recreation experiences near existing neighbourhoods and the downtown.

*c. The Nkwúkwma neighbourhood responds to community housing needs.*

The Village of Pemberton has undertaken an initial Housing Needs Assessment as mandated by the province and has prepared initial strategies to promote affordable and attainable housing. The existing Benchlands approvals and rezoning would be predominantly a large-lot, conventional single-detached neighbourhood. The new Nkwúkwma neighbourhood will feature a broader range of housing types and will facilitate innovative forms of housing to appeal to broader range of residents. This will further the Village objective of promoting a broad range of housing types. Affordable housing, either on site, or in a different location will be a pre-requisite of rezoning approval.

*d. The Nkwúkwma neighbourhood advances climate action priorities*

The Village's Climate Action Strategy seeks to find means to reduce the climate impacts of the community and particularly new development. Located near the downtown and services, combined with the emphasis on pedestrians and active transportation will further the Village's efforts through the Nkwúkwma neighbourhood.

*e. The Nkwúkwma neighbourhood provides safe and resilient housing*

Located outside the floodplain and with development requirements specific to protection from wildfire and geological hazards, the Nkwúkwma neighbourhood provides housing in a safe and resilient manner in a valley which is prone to a range of natural hazards.

*f. The Nkwúkwma neighbourhood models responsible hillside development*

Hillside development generates a range of considerations regarding the natural terrain, visual appeal, and integration with the natural environment. The Nkwúkwma neighbourhood will serve as a model of hillside development sensitively draping the neighbourhood onto the topographic features of the land to minimize alteration of the

land and preserve the visual appeal of the area. Specific development permit area guidelines will ensure that development is comprehensively planned and managed.

*g. The Nkwúkwma neighbourhood is fiscally responsible*

The servicing approach to the Nkwúkwma neighbourhood will ensure the development of the land will not create undue financial burdens on the Village over the short or the long term. Comprehensive analysis of Village service systems, and a requirement that the development make proportionate contributions to the Village's servicing infrastructure will ensure a coordinated and fiscally responsible approach to development.

*h. Nkwúkwma will benefit the community*

Through community amenity contributions, servicing improvements, affordable housing contributions, and secured tenure over recreational lands, the Nkwúkwma neighbourhood will provide direct and tangible benefits to the Village of Pemberton and its residents as a legacy of the project.

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## PART 5: DEVELOPMENT CONCEPT AND LAND USE POLICIES

### 11. Development Summary

#### 11.1. Land Use

The Nkwúkwma neighbourhood proposes a diverse and integrated residential neighbourhood on the three developable benches. The development will be serviced by a main arterial road that provides connection through the neighbourhood. The Land Use Plan (Schedule 1) identifies the land use designations. The land uses have been established by considering community needs for a range of more attainable and affordable housing, but also considering the neighbouring single-family neighbourhood. The site layout and road network has also been dictated by the terrain and seeks to minimize the impact of the development. The parks and open spaces frame the neighbourhood, provide recreation amenities, preserve the natural environment, and preserve archeological sites. The Development Concept Plan (Schedule 2) represents a development concept plan as an illustration of how the proposed land use allocation may be developed.

In total, the first stage of the development will yield up to 275 housing units with an additional 175 units subject to site remediation in stage two. In total, the new neighbourhood could add up to 450 new housing units over the next 15-20 years.

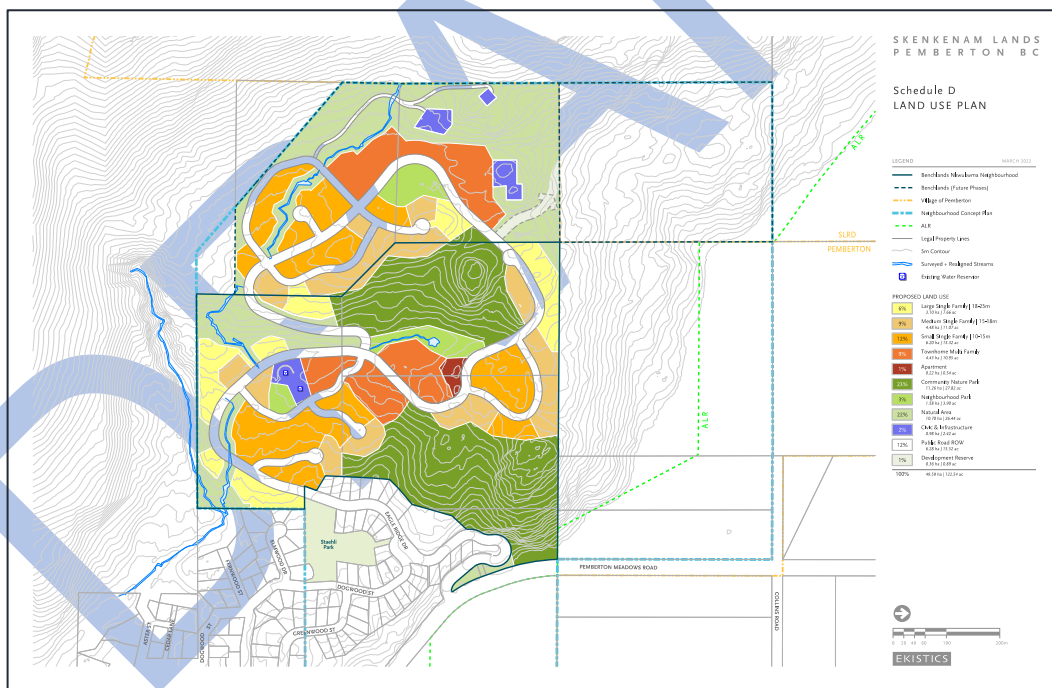


Figure 6: Land Use Plan



**Figure 7: Development Concept Plan**

#### 11.1.1. Land Use Allocation

The Land Use Plan (Schedule 1) identifies how land uses will be allocated. The Nkwúkwa neighbourhood is primarily housing situated amongst the natural environment and open spaces. The land use plan provides a higher degree of certainty about how the site will develop than the Official Community Plan yet includes sufficient flexibility to adapt the plan to housing needs in the Village over time.

##### a. Residential (35-40% of site)

In response to the community's need for affordable and ground floor accessible dwellings, the residential mix includes a range of tenures and units: single family (with suite potential); duplexes; townhouses; and apartments. The following unit types are proposed:

- i. **Single Detached (small, medium, and standard):** The neighbourhood includes a mix of lot sizes and frontages. The larger lots will accommodate ancillary residential dwellings, providing mortgage helpers and rental units. Garages are typically included within the dwelling unit.
- ii. **Duplex:** The building has a slightly smaller unit frontage of 11 metres, accommodating two separate dwelling units. Garages are typically included within the dwelling unit.
- iii. **Townhomes:** A series or cluster of three or more dwelling units on one lot, attached either vertically or horizontally, where individual access to each unit is from the finished grade of the lot. Garages are typically included within the dwelling unit with some surface visitor parking.



- iv. Apartment: Medium sized, 3-4 story building(s) consisting of multiple units, generally accessed from an inner lobby and hallway system. Shared outdoor space is incorporated into the design and there is either surface parking or a structure. There may be an opportunity for flexible uses on the ground floor to accommodate community space or neighbourhood-serving commercial use(s).
- v. Innovative Residential: The land use plan provides for the four principal residential landforms. However, the zoning should be flexible in its application to provide other innovative unit types as identified by the Village, such as carriage homes, lock-off suites, and ancillary residential units.

*b. Commercial and Community Uses (<1%)*

The neighbourhood has identified space for commercial and/or community use space to service the immediate neighbourhood as opposed to destination commercial. The proposed apartment use in the Land Use Plan (Schedule 1) may be suitable for commercial use as part of a mixed-use development.

*c. Parks, Open Spaces and Trails (48%)*

The parks, open spaces and trails will facilitate outdoor activity while being sensitive to environmental conditions and archaeological sites. The trail system will provide both recreational opportunities and link the neighbourhoods, parks and open spaces and also provide commuting pedestrian and bike trails (Valley Trail type) throughout the neighbourhood and surrounding lands for safe movement.

Consultation with local recreational users and the application of Indigenous planning principles will inform the design of the parks, open space and trails considering the natural terrain, existing trails, archaeological areas, cultural recognition, and development parcels.



## 12. Land Use and Development Policy

The Official Community Plan includes policies directing development of land in the Village of Pemberton which will apply to the Nkwúkwma neighbourhood. As a sub-area plan to the Official Community Plan, the sub-area plan policies are specific to the Nkwúkwma neighbourhood and enhance the Official Community Plan policy.

### 12.1. General Land Use Policy

- a. Zoning and use of land within the plan area shall be in accordance with the Land Use Plan (Schedule 1). Significant changes to the allocation of land-uses and/or description of uses will require amendment to the Official Community Plan.
- b. Parks, trails, and other public amenities and benefits are permitted uses in every land use on the Land Use Plan (Schedule 1).
- c. The boundaries land use designations on the Land Use Plan (Schedule 1) are approximate and may be confirmed or refined through rezoning and the development process.
- d. Land uses within the Nkwúkwma neighbourhood are intended to be neighbourhood supporting uses. Inclusion of destination uses or development, other than trails and opens spaces, is discouraged.
- e. Continuity in character through the neighbourhood is encouraged for parks, open space and pathway treatments, public realm design and facilities, and other improvements to create neighbourhood character.

### 12.2. Natural Environment and Hazards

- a. The areas identified as Natural Park and Natural Area on the Land Use Plan (Schedule 1) shall be preserved in their natural state and remain free of development other than recreational pathways and trails.
- b. Lands identified on Slope Analysis Plan(Schedule 3) as having a slope of 40% or greater shall remain free of development.
- c. Areas subject to rockfall hazards as identified on Preliminary Rockfall Hazard Areas Map (Schedule 5) shall remain free of development. Any development adjacent to the identified rock hazards require Geotechnical reports to confirm the lands can be safely used for their intended purpose and making site-specific recommendations to address geotechnical hazards.
- d. Areas identified as Riparian Areas, as defined by the provincial Riparian Areas Regulation (RAR), will require setbacks in accordance with the RAR, and shall comply with the Village's DPA guidelines.
- e. Each phase of development shall address the wildfire interface to the satisfaction of the Village, including accepted FireSmart BC practices and applicable development permit area guidelines.
- f. All lands identified as contaminated lands shall only be rezoned or developed after receiving approval of the Ministry of Environment to the satisfaction of the Village.

### 12.3. Open Space and Parks

- a. A network of parks and open spaces, generally shown on the Open Space, Parks, and Trails Plan (Schedule 6) shall be provided and preserved for a mix of active and passive public use.
- b. The Village will explore options with Lílwat Nation for the ownership, stewardship, and management of open spaces and parks to ensure continued public access in balance with Lílwat Nation cultural enhancement.
- c. Areas set aside as riparian areas should be provided as publicly accessible lands and should be designed to accommodate pathway access within or adjacent to any riparian setbacks.
- d. Each residential unit shall be located within a 250 metre walk of a publicly accessible neighbourhood park that includes playground and park amenities to the satisfaction of the Village.
- e. Provision of public access to parks located in strata developments is encouraged.
- f. Neighbourhood-scale community gardens are encouraged.



Figure 8: Open Space, Parks, and Trails Plan

### 12.4. Trails Network Policies

- a. A comprehensive trail network throughout the Nkwúkwma community shall be provided, generally as shown on Open Space, Parks, and Trails Plan (Schedule 6,) to provide a range of trail experiences.

- b. The trail network should be designed, constructed, and managed in conjunction with Lílwat Cultural Interpretation.
- c. The Pemberton Valley Trails Society and relevant recreational user groups shall be consulted before any disruption to existing trails to ensure connectivity to off-site trail assets, when any on-site trail requires rerouting to accommodate development.
- d. A net gain in recreational trails, equivalent to the trail typologies and experiences existing on the site, shall be provided through each phase of development.
- e. Destination trailhead parking and other facilities and amenities to accommodate recreational users are encouraged as an amenity to the community, and to minimize any negative impacts on surrounding properties.

Any trails or trail connections over private or strata land shall be secure for public use as statutory rights-of-way.

### **12.5. Residential Development Policy**

- a. Residential development shall be allocated generally as shown on the Land Use Plan (Schedule 1).
- b. Lands identified as Stage 2 lands on the Phasing Plan (Schedule 7) may only be rezoned or developed after a contaminated sites approval from the Ministry of Environment has been received for the intended uses to the satisfaction of the Village.
- c. Housing form and type shall be generally allocated in accordance with the Development Concept Plan (Schedule 2) but will be refined through rezoning, subdivision, and development.
- d. Compact residential development that provides a range of housing types is encouraged. Innovative forms and housing types will be considered through rezoning that may expand on the typologies shown on the Development Concept Plan (Schedule 2).
- e. The number of residential units in stage 1 shall not exceed 275 units. Subject to remediation, stage 2 shall not exceed 175 units for a maximum of 450 residential units within the plan area.
- f. Notwithstanding the limit on maximum residential development, any non-market affordable housing provided on-site, and secured through a housing agreement, will not be included in the calculation of maximum density.
- g. Single detached residential development is encouraged as an interface with existing residential development on adjacent properties.
- h. The Village encourages consideration of innovative housing forms, types, and tenures to provide housing to the broadest spectrum of residents. Innovative forms may include consideration of secondary suites, carriage homes, garden suites, lock-off suites, and other innovative means to provide housing for people in Pemberton.

- i. Residential Lots less than 550 sq.m., or with average frontages less than 15 metres, are deemed intensive residential development and subject to a Development Permit in accordance with the Development Permit Area Guidelines
- j. Bareland strata development is encouraged for single-detached residential development on cul-de-sacs to minimize the public infrastructure burden on the Village.

## 12.6. Affordable Housing

- a. Affordable housing is a priority of the Village of Pemberton and is encouraged as a deliverable of the Nkwúkwma development. It will be considered in the context of other community benefits and amenities at the rezoning stage.
- b. In considering affordable housing in Nkwúkwma, the Village will consider the following conditions to determine the suitability of affordable housing on the Nkwúkwma:
  - i. The priority of affordable housing in the Nkwúkwma neighbourhood relative to other locations in the Village.
  - ii. Proximity of the proposed housing to commercial development and amenities.
  - iii. Availability of transit service or other means of transportation.
  - iv. Appropriateness of providing affordable housing in Nkwúkwma relative to other community amenities, benefits, or cash-in-lieu payments.
- c. The Village may consider cash-in-lieu payments as part of the broader community amenities and benefits package.

## 12.7. Commercial/Community Use Development Policy

- a. Commercial and Community land uses shall be located in accordance with Land Use Plan (Schedule 1) and should be limited in scale.
- b. Commercial development in the Nkwúkwma neighbourhood should be limited to commercial uses that provide neighbourhood scale commercial services to the immediate neighbourhood. Destination commercial, or commercial development aiming to service the broader community are discouraged.
- c. Community uses, such as daycare facilities, are appropriate uses in the area identified on the Land Use Plan (Schedule 1) either as independent uses or in conjunction with other commercial uses.
- d. Commercial and Community uses should be considered a central meeting place in the neighbourhood and should be supported by outdoor spaces and urban design focused on the public realm.
- e. Seasonal, temporary, and mobile commercial uses will be considered, subject to appropriate licensing and approvals.

## 12.8. Hillside Development Policy

- a. Development of land with any slopes more than 15% is considered hillside development.
- b. Development of hillside lands shall work with natural slopes with an emphasis on minimizing cutting, filling, and retention of natural lands.
- c. Comprehensive grading shall be considered early in the development approvals process and will require development permits in accordance with the development permit area guidelines. .
- d. Removal of natural vegetation on hillsides is discouraged and shall be minimized. Any disturbed areas should be revegetated

Each proposed development shall demonstrate application of the Village's "Hillside Development Guidelines" or the objectives of any prevailing hillside development policy.

## 12.9. Sustainability and Energy Efficiency

- a. Future development applications shall further the Village's Community Climate Action Plan objectives and/or other applicable energy policy.
- b. The implementation of energy efficient utility servicing options for public infrastructure is encouraged.
- c. Water conservation is encouraged through building standards and low-maintenance landscape design.
- d. Leading-edge green building practices, exceeding minimum Village building standards, are encouraged at every stage of development.
- e. Future subdivisions and development permit applications should consider orientations that utilize passive solar gain minimize mechanical heating and cooling.

## PART 6: DEVELOPMENT PHASING

### 13. Phasing Description

The development of the Nkwúkwma neighbourhood will occur in two primary stages, with each stage further divided by phases. The primary stages are identified on the Phasing Plan (Schedule 7) and consist of the stage 1 development of 250-275 residential units which are identified as phases 1 and 2 on the Phasing Plan (Schedule 7). The stage 1 lands are expected to be rezoned at the outset of development with build-out of the lands occurring over 10-15 years in several phases.

Stage 2, consisting of 150-175 dwellings, and shown as phase 3 on the Phasing Plan (Schedule 7) will not be rezoned until the Owner has obtained appropriate authorization to remediate the contaminated portions of the land. Subject to Ministry of Environment acceptance, the rezoning application will compel another servicing review and development agreement.

The Nkwúkwma project anticipates each stage will have several phases of development, to meet the housing needs of the community and corresponding infrastructure requirements. The phases will be considered trigger points for the delivery of services, amenities, and benefits, and will form the basis of the development agreement.

A comprehensive development agreement will accompany all rezoning applications and outline the staging, sequencing and triggers for each servicing improvement, community amenity and benefit and any other development obligations in the phases included in the rezoning.

As with the 2007 Neighbourhood Concept Plan, the development will commence at the extension of Eagle Drive with three phases, each with respective sub-phases. The phasing plan reflects both the terrain available as well as trying to provide a diversity of housing products. It is also the intent to phase the clearing, so that the existing character of the site will remain intact until development is needed.

Timing of development will be dependent upon many factors, such as market conditions, housing demand and absorption. Stage 2 will be dependent on the required remediation of the contaminated site. The sub-area plan Phasing Plan is attached as Schedule 7

### 14. Phasing Policy

- a. The land use and sub-area plan and principles apply to all lands within the Nkwúkwma neighbourhood.
- b. The Nkwúkwma neighbourhood shall be considered in two primary stages with separate rezoning applications and servicing reviews required for each stage.
- c. Each stage may be further divided into multiple phases to accommodate a reasonable staged approach to development, servicing, and market absorption.
- d. Servicing improvements, amenities, community benefits, and other obligations of the developer shall be assigned to a specific phase in the development agreement.
- e. Subdivision of the lands into development parcels, generally in accordance with the layout in Development Concept Plan (Schedule 2) will be considered and shall be addressed in the initial development agreement.



- f. The construction of trails, roads and utilities, as well as the alteration of land for FireSmart improvements or other alterations on Stage 2 lands that are deemed necessary to support the Stage 1 development or public benefit may be considered subject to the applicable development permit area guidelines.

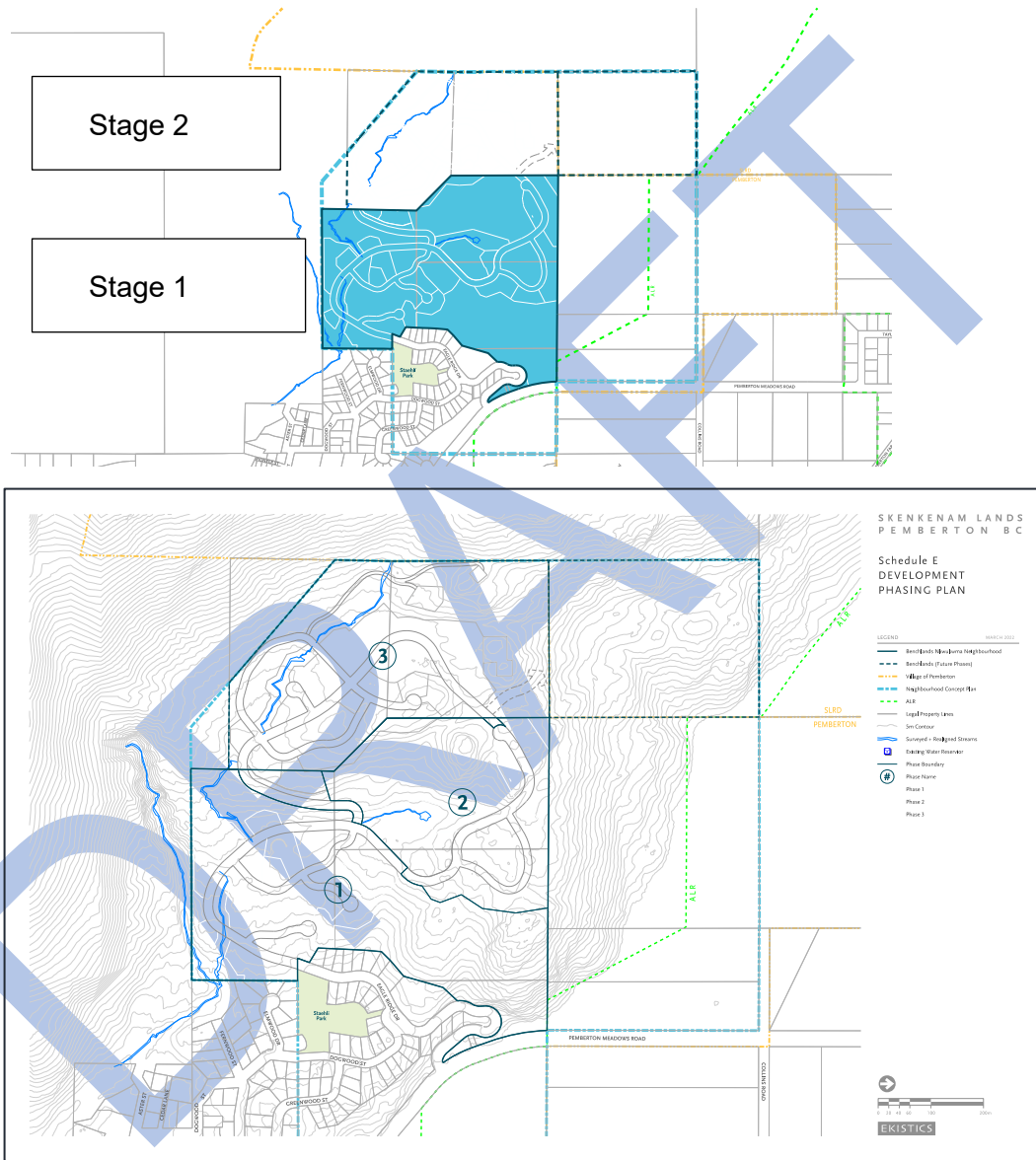


Figure 9: Phasing Plan

## PART 7: SERVICING PROPOSAL AND POLICY

### 15. Servicing Proposal and Policy

The Nkwúkwma neighbourhood will be serviced by existing municipal infrastructure that will be extended and upgraded as necessary to service the lands. The proponents have funded a detailed analysis of the Village's water, sanitary sewer, and storm sewer systems to confirm existing capacity and the upgrades necessary to provide service without undue impacts on existing residents and businesses.

The outcomes of the study will drive the overall servicing approach and financial model to deliver the new infrastructure at the developer's cost and an allocation of system wide improvements to the Village system. Before rezoning for phase 1 is approved, a comprehensive development agreement will secure the contributions of the developer at various trigger points in the development.

The sub-area plan speaks to servicing only generally. The rezoning process will identify and secure any necessary off-site improvements, and the subdivision and development process requires detailed servicing design and construction by the developer, secured through development and servicing agreements, as a prerequisite to approval.

#### 15.1. Servicing Proposal

The servicing proposal is relatively simple in concept as the lands will extend existing services in a planned and coordinated fashion. There will be significant design, review and cost-allocation exercise throughout later stages of the process to ensure the lands are suitably serviced without undue burden on existing property owners, residents, or the Village. The following briefly describes the approach to servicing the lands with municipal servicing.

##### 15.1.1. Water

The property currently accommodates two existing reservoirs which are a major source of the Village's supply. Initial phases of the development will require an interim water distribution system comprised of a multistage pump, balancing tank and emergency generator until a new reservoir is constructed in a later phase. The Village maintains a water service model to ensure that new developments are responsible for the project's share of off-site water service infrastructure improvements.

##### 15.1.2. Sanitary Sewer

A gravity system will be used from the site, then connecting to the Village's sewer trunk main. The Village maintains a sanitary service model to ensure that new development is responsible for the project's share of off-site water service infrastructure improvements.

##### 15.1.3. Stormwater Management

An Integrated Stormwater Management Plan has been provided within the initial phase of the development in accordance with Village Bylaws. The Integrated Stormwater Management Plan applies a science-based understanding of how natural watersheds function and how this function is affected by land use change. The conceptual stormwater drainage plan comprises two catchment areas, all which will drain into two detention ponds, including an upgrade at Staehli Park. The Village is developing a stormwater

service model to ensure new development will be responsible for the project's share of off-site stormwater management infrastructure improvements.

The property will be subject to the Pemberton Valley Dyking District (PVDD) taxation and will continue to work with the PVDD to discuss the stormwater impacts to the Arn Canal and Pemberton Creek.

#### 15.1.4. *Roads and Sidewalks*

The principal access to the site is from Eagle Drive which was constructed in support of the original Benchlands neighbourhood development and intended to service the development contemplated in the Benchlands Neighbourhood Concept Plan. The initial plans also considered a secondary access to the north, which is not a viable or cost-effective option. Safe and resilient access to the neighbourhood is a significant consideration in the ongoing design and approvals process.

The main access road will be a public road, and the local roads may be public or strata roads depending on the ultimate development type. The development will also promote responsible hillside road standards to lessen the physical impact of road construction through engineering, design speeds, and a maximum road grade.

Accommodating pedestrians and bicycles in a comprehensive network of pathways, trails and sidewalks connecting the neighbourhood to the existing community is a priority. These may take several forms and mix recreational opportunities with provide direct and accessible pedestrian and cycling connections.

The road network will accommodate transit in the short-term and incorporate means for future transit improvements in the long term.

#### 15.1.5. *Traffic Impacts*

A Traffic Impact Assessment has been completed and considers existing conditions, background traffic, and the impact of project traffic including trip generation, site traffic and future background traffic volumes. The traffic generated for Stage 1 (Phases 1 and 2) within the capacity of the existing intersections and roadways, while subsequent phases (contaminated parcels) will require an additional Traffic Impact Assessment and may trigger improvements to the road network. This will be an important consideration in future rezoning and road design exercises.

As the main road network servicing the development is within the jurisdiction of the Ministry of Transportation and Infrastructure, the Transportation Impact Assessment will also be essential in assessing the adequacy and improvements of the Ministry's infrastructure.

## 15.2. **Servicing Policy**

### 15.2.1. *General Servicing Policy*

- a. Prior to the first rezoning, a comprehensive review and modelling study will be required to confirm adequacy of service availability and any necessary off-site upgrades or improvements.

- b. All off-site works and services necessary to provide appropriate levels of service to the Nkwúkwma neighbourhood will be the responsibility of the Owner.
- c. The Village and the Owner will consider infrastructure financing and cost recovery for service improvements that improve services for the broader community.
- d. A comprehensive development agreement as a prerequisite to rezoning will be required for all off-site service improvements, amenities, community benefits and other public improvements for each phase of development identified in the agreement.

#### 15.2.2. *Active Transportation Policy*

- a. Safe access for residents to walk, cycle and take public transit from the neighbourhood to Village amenities is a priority.
- b. An integrated and efficient on-street sidewalk and off-street pedestrian pathway system is a priority for all phases of the Nkwúkwma neighbourhood.
- c. Dedicated neighbourhood bike and pedestrian pathways that link community and neighbourhood destinations will be required in the overall site circulation design.
- d. Implementation of the directions, recommendations and/or standards in the Village's *Cycling Network Plan* should inform the design of the cycling network for both bicycles and e-bikes.

End of trip facilities, including bicycle racks adequate to accommodate e-bikes, and other cycling amenities should be considered both in the Nkwúkwma neighbourhood as well as in the downtown and other community destinations.

#### 15.2.3. *Vehicle Traffic Policy*

- a. Ensure capacity to accommodate traffic growth within Pemberton's existing transportation network and the Ministry of Transportation and Infrastructure's road system.
- b. Hillside road standards to minimize required earthworks and hillside disturbance, which could include a narrowed street right-of-way, and implement a lower design speed for increased neighbourhood safety will be considered or incorporated in the Subdivision and Development Control Bylaw.
- c. Adequate emergency access to and through the neighbourhoods will be required as a pre-requisite to rezoning and subdivision approval.
- d. Parking areas should address access, safety, and landscaping standards without detracting from a high-quality pedestrian experience.
- e. Snowfall storage and winter conditions maintenance shall be considered in detailed street designs and construction.

Safe and efficient vehicular access to the neighbourhood from Pemberton Meadows Road via Eagle Drive shall be achieved through road design, improvements to existing roadways, and if appropriate traffic calming.

#### 15.2.4. *Transit and Alternate modes of Transport Policies*

- a. A transit-friendly street network, to accommodate future transit service shall be a consideration in road design and pedestrian circulation.
- b. Transit turnaround and facilities shall be included for each phase of development.
- c. Parking to accommodate electric vehicles, car-share, and other innovative transportation approaches shall be considered in future development.
- d. End-of-trip facilities for bicycle commuters including ample bicycle racks suitable for e-bikes, and consider washroom facilities, bike-wash stations, and adequate parking areas for recreation trailheads should be incorporated in parks, public spaces, and commercial development.
- e. Consider the cooperative use of electric bicycles, co-op cars and other means of providing transportation alternatives for residents of multi-family developments.

#### 15.2.5. *Water Policy*

- a. Ensure the Village's water system has adequate capacity and pressure for domestic water use and fire flows before rezoning and before each phase of development.
- b. Utilize water conservation initiatives consider use in buildings and irrigation. Use of drought tolerant plantings and xeriscaping will be considered.
- c. Accommodate appropriate setbacks, security, and landscape treatment for the Village's existing water system assets.

#### 15.2.6. *Sanitary Policy*

- a. Ensure that the sanitary system provides the required sanitary service for the neighbourhood as well as the community's corresponding off-site water infrastructure improvements.
- b. Prioritize gravity sanitary sewer connections, except where it is not practical given steep and rugged terrain.

#### 15.2.7. *Stormwater Management Policy*

- a. Develop an integrated stormwater management plan that simulates natural (pre-development) conditions reducing the amount of piped stormwater by applying innovative and integrated best practices (i.e., utilizing natural flows, ditches, ground infiltration and detention ponds within parks and the public realm).



## PART 8: COMMUNITY AMENITIES AND IMPLEMENTATION

### 16. Community Amenity and Benefits

Community amenities and benefits are important considerations in the rezoning and development process. In keeping with the Village's *Community Amenity Contribution Policy*, amenities and benefits will be negotiated through the rezoning process for residential use.

At that time, and once the off-site service improvements are known, the community will receive a comprehensive proposal for community amenities as a rezoning consideration.

#### 16.1. Community Amenities and Benefits Policy

- a. The Village of Pemberton will apply the *Community Amenity Contribution Policy* to the Nkwúkwma development at the time of rezoning.
- b. Any community amenities accepted by the Village shall be included into a development agreement, housing agreement, or other legislatively binding tool to ensure the obligation is delivered at the agreed-upon stage of the development process.

#### 16.2. Potential Community Benefits

The following have been identified by the applicants as potential benefits arising from the development of the Nkwúkwma neighbourhood:

##### a. *Reconciliation*

The project is consistent with the intent of the Village of Pemberton's and Lílwat Nation's Protocol Agreement (2010) to "recognize and acknowledge that the Lílwat Nation asserts aboriginal title to all lands within its traditional territory" and is further reinforced by the following Official Community Plan policy: "The Lílwat People's approach to governance is to be collaborative consultative, whereby the Land and the People are one... It is therefore imperative that Pemberton integrate this philosophy into its principles, policies, and actions of its Official Community Plan"

Nkwúkwma is within the unceded Traditional Territory of the Lílwat Nation. As stewards of these lands, Lílwat will develop a Cultural Interpretation Plan to share the Nation's cultural heritage and language throughout the project.

##### b. *Lílwat Cultural Significance and Natural History*

The unique ownership arrangement at the planning stage creates an opportunity to learn, protect, and preserve the Lílwat Nation's archaeological sites, through a cultural interpretation plan for the open spaces, parks, gathering areas, trails, naming, and wayfinding. There is an opportunity to acknowledge unique landscape, celebrating the views and vistas, landforms, and the natural environment and recognize the community's history, people, places, and events.

The Nkwúkwma neighbourhood will promote active education and appreciation of natural history and the Lílwat Nation's Traditional Territory.

*c. Infrastructure Improvements*

Nkwúkwma will be required to complete significant improvements to off-site infrastructure including upgrades to municipal sanitary and water systems, and stormwater management. The project has contributed to the municipal update of sanitary and water modelling and a new stormwater management model.

*d. Natural Environment: Preservation and Connection*

The lands set aside 48% of the available land as natural areas and open spaces for the benefit of the community as both perpetual natural areas, habitat, or passive and active recreational use.

*e. Clean Up of Contaminated Sites*

A condition of the land purchase is the clean-up of the former gun and rifle range. There is currently significant lead and copper contamination, which will require very costly mitigation.

*f. Long Term Housing Supply*

In accordance with the Village's current Official Community Plan (2011 Official Community Plan), Nkwúkwma will provide a long-term supply of diverse housing forms for the local community which is located both out of the flood plain and outside the Agricultural Land Reserve.

*g. Economic Development*

The initial phases of the project will have a long-term build-out (15-25 years) providing a range of housing types and provide ongoing employment for the Lílwat Nation as well as other local construction trades, with spin-offs to both the retail and service sector.

*h. Archaeological Sites*

Lílwat Nation's traditional use of the lands has been further established by recent archaeological investigations of the site that identified 10 separate Areas of Concern on these lands, and a confirmed an archaeological site, including a rock shelter and pictograph panels which has been protected by covenant. The Areas of Concern required further study to confirm, prior to any ground disturbance in the area.

*i. Tax Base*

The new development will increase the property tax base for both the Village of Pemberton and the Pemberton Valley Dyking District.

*j. Community Amenity Contributions*

The project will contribute community amenities as negotiated at the rezoning stage in accordance with the Village of Pemberton Community Amenity Contribution Policy. Preferred amenities include affordable housing, recreation facilities, parks, and other trail improvements.

*k. Affordable Housing*

The development will provide a range of smaller and livable units with finishes that will ensure that the units will be attainable by the residents. Innovative residential units throughout the development, as revenue sources and rental product to promote housing attainment. Opportunity to deliver or contribute to affordable housing in the Village.

## PART 9: IMPLEMENTATION

### 17. Implementation Description

The sub-area plan for the Nkwúkwma neighbourhood represents a refinement of the 2007 Benchlands Neighbourhood Concept Plan. It amends and refines the current residential designation in the Official Community Plan and will guide the rezoning amendment to implement the provisions of this plan and the future development of the lands.

#### 17.1. Rezoning

For the lands to develop as outlined in the sub-area plan, rezoning will be required. As described in the phasing section, the rezoning will start with the Stage 1 lands, with Stage 2 following once a remediation program is in place to remediate existing site contamination.

#### 17.2. Development Agreement

A detailed development agreement will be required as a pre-requisite to rezoning approval. The agreement will outline all the obligations for servicing, benefits, and amenities and assign the delivery of those obligations to a specific phase of development.

The agreement will become the guidebook for the long-term, coordinated development of the land over multiple phases.

#### 17.3. Development Permits

The new development permit area guidelines established in the plan will apply to the Nkwúkwma lands once it is adopted. Most of the land will require a development permit before any disruption or disturbance to the land to address the hillside condition, wildfire issues, natural environment guidelines and riparian areas setbacks.

Any intensive residential development of lots less than 550 square metres or multi-family, or commercial development will also require development permits to address the form and character of sites and buildings.

#### 17.4. Subdivision Approval

Following rezoning in accordance with this sub-area plan, and incorporating the obligations of the development agreement, the subdivision approvals process will incorporate many of the objectives and land uses in this plan. At subdivision, the owner will be required to provide detailed design drawings for all works and services and will require servicing agreements with security to ensure the detailed design drawings are implemented in accordance with applicable standards. The subdivision process will also compel development permits to address the land-based development permit area guidelines.

#### 17.5. Building Permits

The first building permits in any phase of development are essential to the implementation of the plan framework and specifically the obligations outlined in the development agreement.

The building permits will also reflect and assure that any commercial or multi-family buildings meet the form and character guidelines established in development permits are satisfied.

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## PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES

### 18. Development Permit Area No. 9 Guidelines

#### 18.1. General Guidelines

##### 18.1.1. Introduction

The Development Permit Area No. 9 (DPA 9) Guidelines apply to all lands in the Nkwúkwma (Benchlands) neighbourhood is twofold. They ensure the land is safely used in a manner that responds to special site conditions and the natural characteristics of the site. They also establish objectives for the form and character of the built environment.

Development permits are key to incorporating OCP sub-area plan policy into physical development in a manner that reflects the policy and the specific conditions of the Nkwúkwma neighbourhood. The Nkwúkwma neighbourhood will be subject to the following development permit areas:

- 9.1 – Protection of the Natural Environment and Riparian Areas
- 9.2 – Geological Hazard Protection
- 9.3 – Wildfire Hazard Protection
- 9.4 – Form and Character of Hillside Development
- 9.5 – Form and Character of Small Lot Residential Development
- 9.6 – Form and Character of Multi-family Development
- 9.7 – Form and Character of Commercial Development

##### 18.1.2. Applicability

Section 488 (1) of the *Local Government Act* enables municipalities to designate development permit areas and establish guidelines to respond to certain site characteristics and to further form and character objectives for the built environment.

The DPA 9 guidelines reflect designations permitted in the *Local Government Act*, and Map C of the Village of Pemberton Official Community Plan designates the entire Nkwúkwma (Benchlands) neighbourhood as DPA 9.

DPA 9 is further divided into sub-development permit areas based on site conditions and the type of development proposed as described in each development permit area. Development of any portion of the lands subject to DPA 9 may be subject to multiple development permit guidelines as described in the applicability section of each guideline.

A development permit, issued in accordance with the Village's Development Procedures Bylaw, will be required before any of the following activities are undertaken within the DPA 9 area:

- a. Any alteration of land including deposition of soil or removal any vegetation or earthen materials;



- a. Subdivision of land under the Land Title Act or Strata Property Act and Bareland Strata Regulations;
- b. Construction or erection of buildings and structures requiring a development permit.

#### 18.1.3. *Justification*

In alignment with Section 488(1) of the *Local Government Act*, the DPA 9 guidelines are designated for the following purposes:

- a. DPA 9.1 Protection of the Natural Environment
- b. DPA 9.2 and DPA 9.3 Protection of development from hazardous conditions;
- c. DPA 9.4 and DPA 9.5 Establishment of objectives for the form and character of intensive residential development;
- d. DPA 9.6 and 9.7 Establishment of objectives for the form and character of commercial, industrial or multi-family residential development

#### 18.1.4. *Exemptions*

The lands are subject to all exemptions in the Official Community Plan. In addition to the Official Community Plan exemptions may be granted by the Village to all DPA 9 Guidelines in the following circumstances:

- a. Reconstruction of damaged or destroyed buildings on their existing foundations.
- b. Additions to residential buildings and structures up to 25% of the gross floor area of the building
- c. Accessory buildings, except those located in the front yard
- d. Subdivision to facilitate boundary adjustments resulting in the same number of lots or lot consolidations
- e. Development or improvements on roadways, public land, dedicated park land or public recreational trails
- f. Construction of works, services, and structures for public utilities and roads constructed by the Village or under a Servicing Agreement.
- g. Removal of invasive plant species

## 18.2. Development Permit Area No. 9.1 Natural Environment Protection Guidelines

### 18.2.1. Introduction

The Nkwúkwma neighbourhood is located on a site with considerable natural attributes which warrants a measure of protection and enhancement. The Natural Environment guidelines are intended to ensure a balance of site alteration and development with the protection of the natural environment. Specifically, it will address and preserve riparian areas in accordance with the Riparian Areas Protection Regulation.

### 18.2.2. Applicability and Justification

DPA 9.1 applies to all lands in Development Permit Area No. 9, and specifically any portion of land within 30 metres of top of bank of a watercourse as defined by the Riparian Areas Protection Regulation. The natural environment guidelines are justified by section 488.1(a) as the site is heavily forested, providing natural habitats susceptible to disturbance and includes several watercourses which are important for fish and wildlife.

In most instances, the Natural Environment guidelines will apply at the land development and building stages, and may apply in concert with form and character guidelines.

### 18.2.3. Exemptions

The following activities are exempted from the requirement to obtain a development permit otherwise required in the Natural Environment guidelines:

- a. Development on land which is subject to report prepared by a Qualified Environmental Professional which is secured a registered restrictive covenant that addresses all of the applicable Natural Environment development permit area guidelines to the satisfaction of the Manager of Development Services.
- b. The emergency removal of hazardous trees as determined by the Village or a Certified Arborist.
- c. Emergency works required to prevent flood damage to structures or repair public utilities.
- d. Emergency works required to mitigate or prevent land erosion, landslip or significant soil erosion.
- e. Fish habitat enhancement work approved by the Department of Fisheries and Oceans or the Ministry of Environment.
- f. Tree and vegetation removal required to comply with a wildfire hazard mitigation program approved by the Village or to comply with any wildfire hazard development permit area obligation.
- g. Construction of public recreational trails, and in riparian areas specifically, trails constructed in accordance with a Riparian Areas report prepared by a Qualified Environmental Professional.
- h. Lands which have been previously altered under a development permit issued in accordance with the Development Permit Area No. 9.1 Guidelines.

#### 18.2.4. Objectives

- a. To protect fish, wildlife and vegetation
- b. To protect sensitive riparian habitat
- c. To delicately integrate development and human impacts on the natural environment.

#### 18.2.5. Guidelines

##### Natural Environment Guidelines

- a. Development should be designed and constructed to minimize the disruption to the natural environment and protect sensitive ecosystems including wetlands, creeks, riparian areas, rock outcrops, cliffs and mature forests.
- b. Development sites and building envelopes shall be minimized with the goal of preserving mature forests, maximizing tree preservation, in balance with wildfire protection, using the following approaches:
  - i. Preserve mature tree stands where possible and safe to do so, and provide vegetated transitions between development, open areas, and significant tree stands;
  - ii. Where possible, preserve mature trees in groupings rather than individual trees with appropriate vegetative transitions;
  - iii. Minimize cut and fill required for road construction and utility installation; and
  - iv. Minimize exposed earthen areas by incorporating suitable, native, groundcovers.
- c. The Village may include recommendations and requirements as conditions of a development permit based on a species at risk survey prepared by a Qualified Environmental Professional.
- d. Design and construction practices should minimize erosion and sedimentation in stormwater run-off.
- e. Landscaping should include native tree and shrub species that reduce wildlife attractants.
- f. Construction Site Management Plans addressing how the construction approach will mitigate the impacts of development on the natural environment should be incorporated into development permit recommendations and conditions.
- g. If found on the site, an invasive species removal and mitigation plan should make recommendations for the Village to include as condition in a development permit.

##### Riparian Area Guidelines

- a. All development and alteration of land within 30 metres of the top of bank of a riparian area shall comply with the Riparian Areas Protection Regulation.

- b. Development setbacks from riparian areas will comply with the recommended setbacks submitted by a Qualified Environmental Professional.
- c. Variances to the prescribed setback may be granted provided there is no net loss of riparian area and the variance provides additional protection to more sensitive habitat in exchange for setback reductions in less sensitive areas.
- d. A development permit may be issued by the Village once it has received confirmation that the appropriate federal and provincial agencies have been notified of the proposal in accordance with the Riparian Areas Regulation.
- e. The development permit may contain conditions or requirements based on the report prepared by a Qualified Environmental Professional.
- f. Where supported by a Qualified Environmental Professional's report, the Village supports the inclusion of public pathways and trails within riparian areas or expansion of riparian areas to accommodate pathway and trail construction adjacent to the setback area.
- g. If a Qualified Environmental Professional Report identifies works, services, or development that triggers a Harmful Alteration, Disruption, or Destruction (HADD) under the Canada Fisheries Act, the Village will not issue a development permit until approval is granted by the Department of Fisheries and Oceans.

#### Wildlife Habitat Area Guidelines

- a. Applications for subdivision should be accompanied by a study conducted by a Qualified Environmental Professional identifying habitats for species at risk and red-listed species and include raptor and bird (nest) surveys, rare and endangered plant survey, and wildlife surveys (specific to the sharp-tailed snake).
- b. To facilitate wildlife movement through the site and retain breeding and foraging areas, vegetation within and surrounding development should be retained wherever possible. Long expanses of contiguous fencing are discouraged to promote wildlife mobility through the site.
- c. Development should minimize wildlife impacts and comply with any policies or management plans accepted by the Village.

## 18.3. Development Permit Area No. 9.2 Geological Hazard Protection Guidelines

### 18.3.1. Introduction

Located on a forested hillside site with sections of steep topography, the Nkwúkwma neighbourhood is potentially exposed to several natural hazards that the following guidelines seek to mitigate. Specifically, considerations related to the steep topography of the land and the wildfire risks are addressed in the following objectives and guidelines.

### 18.3.2. Applicability and Justification

The Hazard Protection guidelines apply to all lands within DPA 9 in which any of the following site conditions apply:

- a. Any portion of the land being developed or subdivided has a slope greater than 20%, or is within 30 metres of either the top of bank or low side of a slope exceeding 20%.

In most instances, the Geological Hazard Protection guidelines will apply at the land development and building stages, and may apply in concert with form and character guidelines.

The Geological Hazard Protection guidelines are justified by section 488.1(b) as the site is steeply sloped and have special geological and geotechnical considerations that should be addressed through development. The Geological Hazard Protection Guidelines will work in concert with the Hillside Development guidelines (9.4) where both apply.

### 18.3.3. Objectives

- a. To ensure development and public spaces are protected from geological hazards;
- b. To ensure development works with the natural topography and alteration is minimized;
- c. To ensure professional evaluation and mitigation of geotechnical hazards;
- d. To preserve geologically hazardous lands as natural features.

### 18.3.4. Exemptions

- a. Development on lands that have had a comprehensive geotechnical assessment report prepared by a qualified professional and are subject to a registered Section 219 Restrictive covenant that incorporates the report recommendations and, addresses the DPA guidelines to the satisfaction of the Manager of Development Services.
- b. The emergency alteration of sloped land as determined by the Village's engineer.
- c. Emergency works required to prevent flood damage to structures or repair public utilities.
- d. Emergency works required to mitigate or prevent land erosion, landslide or significant soil erosion.



- e. Alteration of land for surveying, road construction, emergency access construction, and utility servicing by the Village of Pemberton or under an approved servicing agreement.
- f. Construction of public recreational trails.
- g. Reconstruction or repair of a permanent structure on its existing foundation.

#### 18.3.5. Guidelines

- a. Lands with slopes more than 40% should remain free of development.
- b. On lands with slopes in excess of 20%, A Professional Engineer with experience in geotechnical engineering shall submit a geotechnical study in accordance with the landslide assessment guidelines published by APEGBC (Associated Professional Engineers and Geoscientists of BC) indicating that the development will not be endangered, or that the measures have been taken to ensure that the development will not be endangered, by rock fall hazard, landslides, earthflow or other slope or foundational instability.
- c. Any dedicated public amenities including dedicated park land, pathways, trails and roads shall be included in the geological study, and shall be confirmed as safe for public recreation use by a qualified professional.
- d. The Village may include any or all of the recommendations of the professional engineer as obligations of the development permit, including a requirement that the professional engineer supervise the alteration of lands.
- e. Any clearing or stripping of sloped lands shall be accompanied by a landscape plan prepared by a member of the BC Society of Landscape Architects indicating how plantings will be utilized to minimize slope erosion and failure.
- f. The Village will require landscape security in its standard form for the replanting plan.
- g. Any development proposing rock cutting and filling shall provide a detailed plan, including estimated volumetric calculations for the removal and replacement or disposal of rock materials. The plan shall identify current natural and proposed finished grades.
- h. Any retaining exceeding 1.2 metres in vertical height, or any mechanical slope stability systems shall be designed by a professional engineer, who shall also supervise and certify the construction.
- i. Post development alteration of land for development not contemplated in the initial geotechnical report will require assessment by a professional engineer and a new development permit.
- j. Any alteration of land on a sloped site will require a comprehensive stormwater management plan that addresses the management of stormwater, erosion and impacts on adjacent watercourses during construction and after development.
- k. Significant sources of water intrusion, or potential water intrusion such as in-ground swimming pools and decorative ponds are discouraged and will require a report from a qualified professional.

- I. Significant removal of vegetation and trees on sloped lands.

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## 18.4. Development Permit Area No. 9.3 Wildfire Hazard Protection Guidelines

### 18.4.1. Introduction

The Nkwúkwma neighbourhood is bordered by, and incorporates natural forested areas which, despite their desirable natural attributes increase the risk of wildfire.

### 18.4.2. Applicability and Justification

The Wildfire Hazard Protection guidelines are justified under section 488.1(b) of the *Local Government Act* and apply to all lands within DPA 9 in which any of the following site conditions are present:

- a. Any portion of the land being developed or subdivided is within 70 metres of a forested area greater than 1 hectare.

In most instances, the Wildfire Hazard Protection guidelines will apply at the land development and building stages, and may apply in concert with form and character guidelines.

### 18.4.3. Objectives

- a. To ensure future development is protected and resilient against potential wildfire hazards;
- b. To balance wildfire hazard protection and FireSmart principals with the natural environment;

### 18.4.4. Exemptions

- a. Development on lands included in a site-specific wildfire assessment report, prepared by a qualified professional, that addresses all of the Wildfire Hazard development permit area guidelines to the satisfaction of the Manager of Development Services, and are subject to a registered Section 219 restrictive covenant that incorporates the report recommendations to the satisfaction of the Village.

### 18.4.5. Guidelines

- a. All building development or subdivision of land within 70 metres of a forested area greater than 1 ha. in size shall prepare a wildfire hazard assessment and mitigation plan prepared by a qualified professional, which at minimum should address the following:
  - v. Assessment of the wildfire hazard;
  - vi. Building siting
  - vii. Building fire-resistant construction materials
  - viii. FireSmart principles respecting vegetation management
  - ix. Fire-resistant planting materials for landscaping plans
- b. The use of fire-resistant materials in building construction is strongly encouraged and should be incorporated as obligations of development permits.

- c. The development permit should address the management, storage, and disposal of site clearing materials.
- d. Subdivision applications should identify emergency access, including firefighting access to wildland areas
- e. Where the Wildfire Hazard development permit area guidelines, may conflict with the Natural Environment guidelines in 9.1, the Natural Environment guidelines shall take precedence.

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## 18.5. Development Permit Area No. 9.4 Form and Character of Hillside Development Guidelines

### 18.5.1. Introduction

Development on hillside sites requires a coordinated approach any development can have significant technical and visual considerations. Accordingly, the following guidelines are intended to work in concert with the hazard guidelines to ensure that the Nkwúkwma neighbourhood are comprehensively planned and coordinated.

### 18.5.2. Applicability and Justification

The Hillside Development Guidelines apply to all lands within the DPA9 area, as development of any portion of the site will require alteration of the hillside for road, utility and building construction.

The Hillside Development Guidelines are justified as guidelines to regulate the form and character of intensive residential development under section 488.1 (e) of the *Local Government Act* as any level of development on the hillside is deemed by Council to be intensive in the hillside context.

They apply to all development, and a development permit will be required as a prerequisite to land alteration or subdivision as form and character guidelines. For clarity, they will not apply to individual standard single-detached lot construction, but they will work in concert with specific building form and character guidelines for small lot intensive residential, multi-family, and commercial development.

### 18.5.3. Objectives

- a. To ensure the sensitive integration of development with the natural terrain and landscape context and minimizes the impact on the hillside
- b. To minimize the visual impacts of hillside development, from prominent public view corridors.
- c. To incorporate an approach to hillside development that comprehensively addresses the challenges of hillside development

### 18.5.4. Exemptions

- a. Subdivision applications where proposed each lot exceeds 0.5 hectares, and no clearing or construction for roads and utilities are required, are exempt from the hillside development permit area guidelines.

### 18.5.5. General Guidelines

- a. Prior to the subdivision of land, the owner shall submit topographic plans and cross sections to specifically illustrate the following information:
- b. The natural topography of the land to be developed
- c. A proposed subdivision plan spot elevations at the corner of each lot



- d. A proposed subdivision plan identifying the portions of each lot available for building development and the portions of the land to be preserved
- e. Spot elevations representing finished grade of the portions of land available for building development
- f. Driveway grades to the defined building envelope and parking areas that address negative slope driveways
- g. Cross sections for each lot between the front and rear property lines and the two side lot lines.
- h. Any areas required to accommodate stormwater drainage
- i. Any areas requiring retaining structures or mechanical slope stabilization
- j. The owner shall also prepare an assessment and statement of how the proposed development has incorporated the objectives of the Village of Pemberton *Hillside Development Design Guidelines*.
- k. In determining finished grades and elevations for potential building sites, minimizing disturbance to the natural topography is encouraged.
- l. Maintain yard areas generally in a natural slope condition to minimize excess cut and fill of earthen material for yards.
- m. Locating building sites directly atop of significant topographic features is discouraged in favour of buildings set back from top of slope to minimize visual impacts.
- n. Any necessary retaining structures or mechanical slope stabilization should be constructed of materials that integrate into the surroundings and mimic natural topographic features as closely as possible.
- o. A comprehensive landscape screening plan shall be required for any areas requiring retaining structures and/or slope stabilization areas, as well as detailed drawings of the form and character of the retaining structures.
- p. Conceptual drainage plans shall be submitted to illustrate the general approach to site drainage.

## 18.6. Development Permit Area No. 9.5: Form and Character of Small Lot Residential Development Guidelines

### 18.6.1. Introduction

The Form and Character of Small Lot Residential Development guidelines are to ensure that this intensive form of residential development is encouraged to develop in a uniform and coordinated manner. Specifically, the guidelines will address the form and character of the neighbourhood with respect to building siting and orientation, while enabling flexibility in building form and character.

The Form and Character of Small Lot Development apply to all subdivision applications that propose single-detached residential lots less than 550 square metres. The guidelines will guide development permits as a prerequisite to subdivision approval but will not regulate the form and character of single-detached homes on small lots.

The guidelines are justified under section 488(1)(e) of the Local Government Act which enables the creation of development permit area guidelines to regulate the form and character of intensive residential development.

### 18.6.2. Applicability and Justification

The Form and Character of Small Lot Development apply to all subdivision applications that propose single-detached residential lots less than 550 square metres or have an average minimum lot-frontage of less than 15 metres. The guidelines will guide development permits as a prerequisite to subdivision approval but will not regulate the form and character or architectural design of single-detached structures on small lots.

The guidelines are justified under section 488(1)(e) of the Local Government Act which permits the creation of development permit area guidelines to regulate the form and character of intensive residential development sites.

### 18.6.3. Objectives

- a. To ensure the form and character of small lot residential is well coordinated and comprehensively planned.
- b. To provide continuity in small lot development without restricting the architectural character and massing of individual homes.

### 18.6.4. Exemptions

- a. Accessory buildings that otherwise comply with zoning
- b. Landscape enhancement on previously landscaped sites
- c. Construction or reconstruction of a single detached dwelling

### 18.6.5. Guidelines

- a. The Owner shall prepare plans that express the following attributes
- b. A defined building envelope for each single detached house, including setbacks, landscaping areas, and garage, carports or parking areas

- c. Finished grade elevations for each building envelope on each lot and the means or structure for addressing grade differentials between lots
- d. A streetscape rendering demonstrating the rhythm of the streetscape frontage including driveways, parking areas, building alignments
- e. Landscaping for all public and/or common areas
- f. The front yard setback of each small lot should be contiguous with adjacent lots to create a coordinated streetscape. Front yard setbacks should pay particular attention to should ensure that vehicular parking and site circulation is both functional and aesthetically designed.
- g. Staggered side-yard setbacks between residential structures are encouraged to manage topographic conditions, provide variety in the streetscape and enable some privacy among dwellings outdoor spaces.
- h. Landscaping for all common and/or public areas in intensive residential developments should be coordinated and should be enhanced to establish a strong character for the neighbourhood, and soften the transition between private and public lands
- i. Neighbourhood utilities such as community mailboxes, waste and recycling facilities, and snow-dump areas shall be attractively landscaped, and conveniently located for both vehicular and pedestrian access.

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## 18.7. Development Permit Area No. 9.6: Form and Character for Multi-family Development Guidelines

### 18.7.1. Introduction

The Form and Character of Multi-family Development guidelines will guide the development of townhouse and apartment land and buildings as well as the residential portion of mixed commercial-residential buildings. Anticipated primarily as strata developments, these guidelines will promote a coordinated, comprehensively planned approach to development with an emphasis on creating livable spaces for future residents and blending the physical form of the development into the landscape and surroundings.

### 18.7.2. Applicability and Justification

The Form and Character of Multi-family Development Guidelines apply to all building development proposals for more than three residential units on one lot. The guidelines will apply as a prerequisite to building permit issuance and will regulate the form and character of the buildings and land.

The guidelines are justified under section 488(1)(f) of the Local Government Act which enables the creation of development permit area guidelines for multi-family residential development.

### 18.7.3. Objectives

- a. To ensure the form and character of multi-family is coordinated, comprehensively planned and responds to site conditions.
- b. To ensure the form and character of multi-family buildings reflect Pemberton's small town rural character, natural environment and the surrounding topography.
- c. To encourage form, massing and materials that create neighbourhood identity and continuity without limiting architectural expression.

### 18.7.4. Exemptions

- a. Accessory buildings that otherwise comply with zoning
- b. Landscape enhancement of existing landscaped areas
- c. Repairs, maintenance and minor alterations that, in the opinion of the Manager of Planning and Development, do not change the form and character of the buildings.
- d. Repairs, maintenance and minor alterations that, in the opinion of the Manager of Development Services do not change the form and character of the land or buildings.
- e. Reconstruction of one or more damaged permanent structures provided the reconstruction is constructed in accordance with a previously issued development permit.

### 18.7.5. Guidelines

#### Building Siting

- a. Multi-family buildings should recognize and complement the site's existing topography, vegetation and, relationship to adjacent buildings and surrounding conditions
- b. Building siting should consider solar access and seasonal passive solar heating
- c. Buildings fronting a public street or other public land shall establish a strong relationship with the street, sidewalk and/or access driveways. Where practical, buildings should provide an inviting frontage along the street.

#### Townhouse Building Form and Massing

- a. Roof-decks will be considered, but shall not exceed 50% of the area of the roof, shall be demised for each individual unit, and should minimize overlooking of adjacent properties
- b. Buildings should respect the natural topography of the site with minimal cut and fill, with necessary grade changes achieved by stepped terracing rather than large retaining structures/walls. greatest extent possible.
- c. Townhouse clusters on sloped lots should reduce the building mass with fewer units per building to better respond to natural topographic considerations.
- d. Roof forms should be subtle and articulated to maximize unit and common area views of the surrounding environment.
- e. Roof-decks will be considered, but shall not exceed 50% of the area of the roof and should be demised for each individual unit.
- f. Buildings with horizontal runs of more than four units shall articulate along any public-fronting space.

#### Apartment and Stacked-Townhouse Building Form and Massing

- a. Apartment and stacked townhouse forms should create visual interest through building articulation, varied roof-lines and well-defined residential pedestrian entrances features and covered entrance plazas.
- b. Individual or communal roof-gardens are encouraged, but should be incorporated into the roof with a clear setback from the roof-edge.
- c. Under-building parking entrances directly from the street are discouraged where possible, in favour of legible entrances from within the site.
- d. Building design that accommodates adaptation into accessible units for at least a portion of the units is encouraged.

#### Building Materials and Colours

- a. All building materials and colours should reflect the natural landscapes and the robustness of the hillside environment.



- b. Any decorative or architectural elements incorporated into building design shall be meaningful and integral to the building rather than meaningless applications to the buildings.

#### Storage

- a. Multi-family development should provide adequate and secure storage opportunities for the equipment that accompanies a Pemberton lifestyle, and particularly enhanced bicycle, ski and outdoor equipment storage.
- b. Storage for larger outdoor equipment is encouraged either in communal storage areas or in balance with parking requirements.
- c. Stand-alone communal and secure equipment storage facilities will be considered if incorporated into the overall site-plan

#### Signage

- a. Neighbourhood or development project signage should be made of natural materials, be subtle in scale, and be of a consistent character with other neighbourhood signs in the Nkwúkwma neighbourhood.
- b. Incorporating unifying artistic works in neighbourhood signage is encouraged.

#### Site Circulation and Parking

- a. Each multi-family apartment development should have only one primary feature entrance off the public street to promote legibility. Should a second access be required, it should be understated relative to the primary entrance.
- b. For townhouses and apartments, individual unit access off the public street is discouraged.
- c. Walled or gated developments that seek to separate an individual neighbourhood from the broader community are strongly discouraged.
- d. Site plans shall provide adequate circulation and turning radii for fire-fighting and services.
- e. Large expanses of surface parking are discouraged.
- f. Any necessary surface parking shall be clearly marked and extensively landscaped from any public vantage-point.
- g. Under-building parking walls are discouraged along public streets. Any garage wall facing a street shall minimize exposed concrete, utilize artistic or visually appealing ventilation features and have extensive landscaping to minimize the visual impact of the parking facility from the street.
- h. All communal and public parking areas should be universally accessible.
- i. All surface and underground parking areas should prepare a lighting plan ensure optimal pedestrian-oriented lighting and minimal shadows to ensure the real and perceived safety of users.
- j. Surface parking areas should not cast light beyond the property boundary of the development and incorporate dark sky principles.

- k. Snow dump/snow clearing areas are a vital consideration in Nkwúkwma and adequate snow dump areas are required throughout each multi-family development. Snow dump areas may be combined with passive recreation areas.
- l. Electric vehicle charging units are strongly encouraged in resident and visitor parking areas, and pre-wiring for electric vehicle charging is similarly encouraged in all individual units and portions of common parking facilities.
- m. Bicycle parking facilities should be weather protected, e-bike friendly, weather protected, e-bike friendly, visible, convenient and securely located in common parking areas or at grade level.

#### Usable Open Space and Pathways

- a. Each multi-family development is encouraged to provide communal open spaces within the development.
- b. In townhouse complexes, the mix of active open spaces should include playgrounds, outdoor and covered gathering areas, and passive greenspace.
- c. In apartment buildings, rooftop-terraces, building plazas, and active or passive greenspaces are encouraged.
- d. A network of pathways connecting pedestrians to the larger public pathway system or the public street is required.
- e. A network of pathways connecting to the larger public pathway system or the public street is encouraged.
- f. If warranted, extensions of the public pathway network through private multi-family developments will require statutory rights-of-way to secure public access over a portion of the property.
- g. Multi-family units are encouraged to have usable deck and/or patio space for each unit.

#### Recycling and Waste Management

- a. Each multi-family development shall provide fully enclosed communal waste management facilities.
- b. Waste structures shall be constructed utilizing Bear Smart principles, and should seek to mitigate access by other invasive wildlife.
- c. Waste structures should be designed and constructed to be architecturally consistent with the neighbourhood.

#### Landscaping

- a. All landscaping should be designed by a registered BC Society of Landscape Architects professional who shall also monitor the installation of the landscaping.
- b. Plant-groupings that reflect the natural surroundings and balance drought tolerance, fire-resistance with a natural aesthetic are encouraged.

- c. Depending on landscape planting approach, irrigation may be required. Incorporation of the roof drainage and stormwater detention systems are encouraged as a source of irrigation water.
- d. Any fencing and retention structures required shall be designed and constructed utilizing natural materials
- e. Incorporation of artistic features into the landscape, and in open areas and public areas is strongly encouraged.

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## 18.8. Development Permit Area No. 9.7: Form and Character for Commercial Development Guidelines

### 18.8.1. Introduction

The Form and Character of Commercial Development guidelines will guide the development of commercial development in the neighbourhood. Whether commercial uses integrated with residential in mixed use buildings, or stand alone commercial development. The intent of the guidelines is to ensure the commercial development achieves a certain standard of form and character. The commercial uses contemplated in the neighbourhood are anticipated to be of a neighbourhood commercial scale for residents, rather than more destination-oriented commercial for the broader community or travelling public.

### 18.8.2. Applicability and Justification

The guidelines are justified under section 488(a)(f) of the Local Government Act which enables the creation of development permit area guidelines for commercial and commercial/multi-family residential mixed-use development.

The Form and Character of Commercial Development Guidelines will apply to all building development proposals for any commercial buildings or commercial portions of mixed-use buildings. The guidelines will apply as a prerequisite to building permit issuance and will regulate the form and character of the buildings and land.

The guidelines are justified under section 488.1(f) of the Local Government Act which enables the creation of development permit area guidelines for commercial and mixed-use residential development.

### 18.8.3. Objectives

- a. To ensure the form and character of commercial development is well coordinated and comprehensively planned and responds to site conditions.
- b. To ensure the form and character of commercial buildings reflects the natural characteristics of Pemberton and the surrounding topography and natural features
- c. To ensure that commercial development creates a welcoming gathering place for the neighbourhood.

### 18.8.4. Exemptions

- a. Accessory buildings that otherwise comply with zoning
- b. Landscape enhancement of existing landscaped areas
- c. Repairs, maintenance and minor alterations that, in the opinion of the Manager of Development Services, do not change the form and character of the buildings.
- d. Repairs, maintenance, and minor alterations that, in the opinion of the Manager of Development Services, do not change the form and character of the buildings.
- e. Reconstruction of one or more damaged permanent structures provided the reconstruction is constructed in accordance with a previously issued development permit.

- f. Change of use permit applications to change commercial uses and signage copy, provided the change of use does not contemplate significant alterations to the exterior of the building.

#### 18.8.5. Guidelines

##### Siting, form, and massing

- a. Commercial uses should be located at important intersections or strongly address a public street.
- b. Commercial buildings located in mixed-use buildings should occupy the most prominent frontage or corner of the building, and in the event of a corner unit, should wrap the corner to create two related frontages.
- c. Stand-alone commercial buildings should be at a neighbourhood scale and modest in footprint.
- d. Strong, identifiable architectural forms that reflect the Pemberton character are encouraged for commercial development.
- e. Covered, rain protected entrance features to commercial entrances are encouraged.

##### Building Materials and Colours

- a. Extensive use of glazing and strong architectural elements should distinguish commercial development, while complementing the architectural character of the building or surrounding development.
- b. A natural colour palette, consistent with surrounding development is preferable over bright corporate or attention-grabbing commercial colours.

##### Signage

- a. A comprehensive sign plan shall be provided and shall identify natural themed signage materials with front lighting.
- b. The use of changeable copy, neon, or backlit signage is discouraged.
- c. Pylon or freestanding signage should be pedestrian scaled, low profile, made of natural materials, and front-lit.

##### Site Circulation, Parking, and Loading Areas

- a. Parking areas dedicated to commercial uses shall be universally accessible and should be located proximal to the front pedestrian entrance.
- b. Parking areas shall be lit to a pedestrian scale, without offsite light emissions, to ensure real and perceived safety and comply with dark sky principles.
- c. Parking areas should be appropriately screened by landscaping.
- d. Loading areas should be sized to mirror the scale and intended use of the building. Undesignated loading may be incorporated with parking areas at the discretion of the Village if site circulation is minimally impacted.



Landscaping

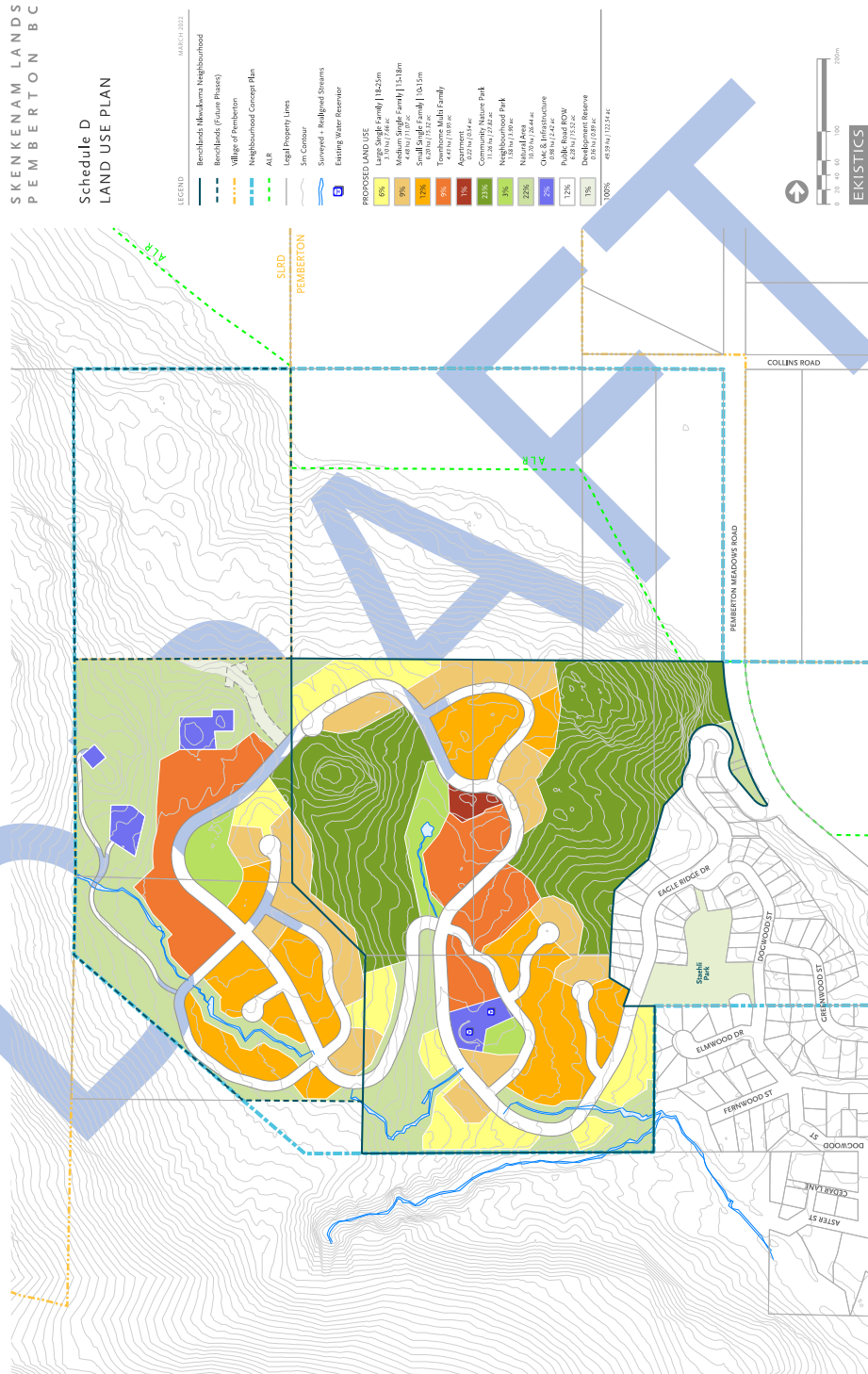
- a. Pedestrian plazas, patios, or similar finished outdoor gathering spaces are encouraged at the entrance to commercial uses.
- b. Public art or other strong design elements to signify the commercial use are strongly encouraged.
- c. Use of decorative pavers, modest landscaping and similar visual cues are encouraged to distinguish the public commercial portion of mixed-use developments.
- d. All landscaping shall be designed, and the installation should be supervised by a registered member of the BC Society of Landscape Architects.

*I. Waste Management and Recycling*

- a. All waste and recycling facilities shall be located in a dedicated waste facility which should be incorporated into a mixed-use waste facility or designed as a specific feature of a stand-alone commercial development.
- b. All waste facilities shall be screened from any public vantage point.

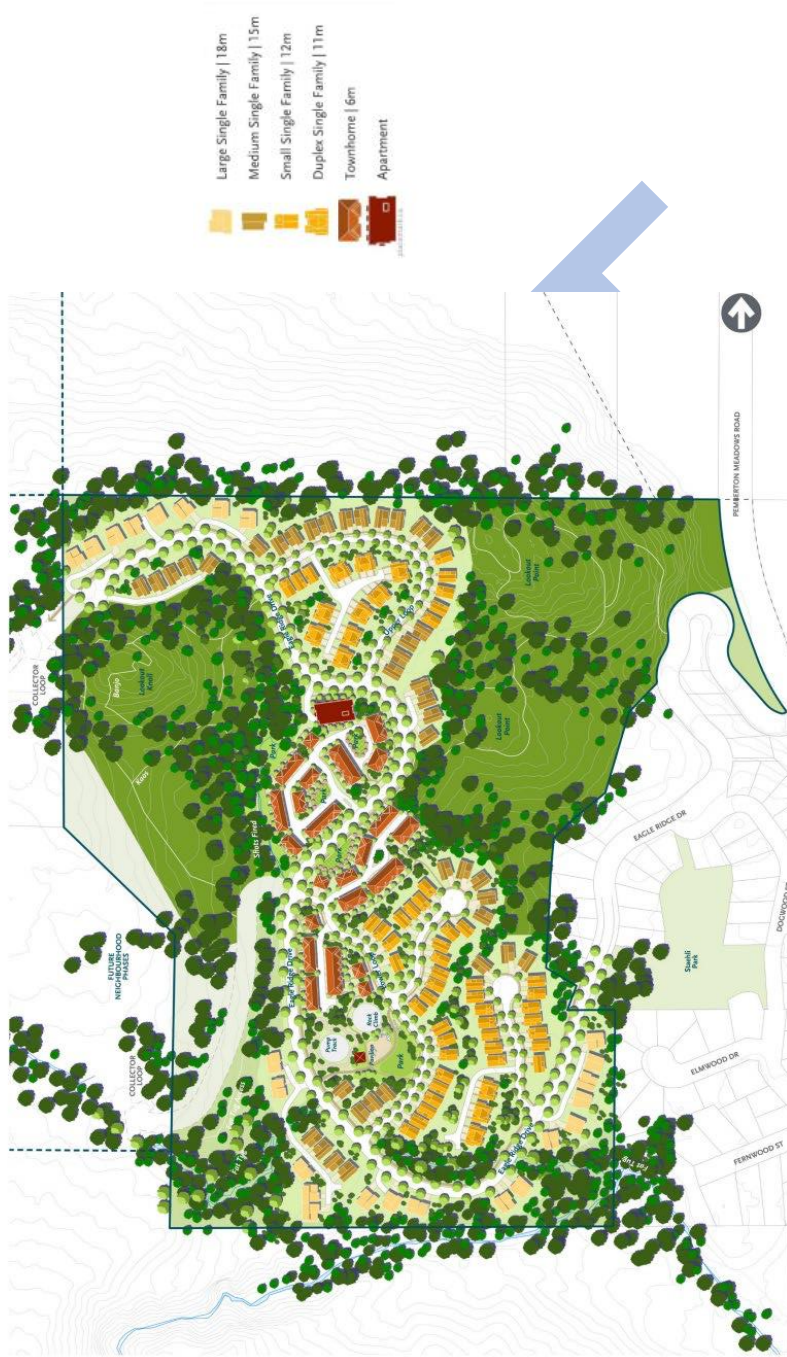
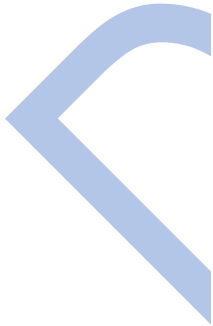
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Schedule 1: Land Use Plan



Schedule 2: Development Concept Plan

Nkwúkwma, Pemberton  
Development Concept Plan

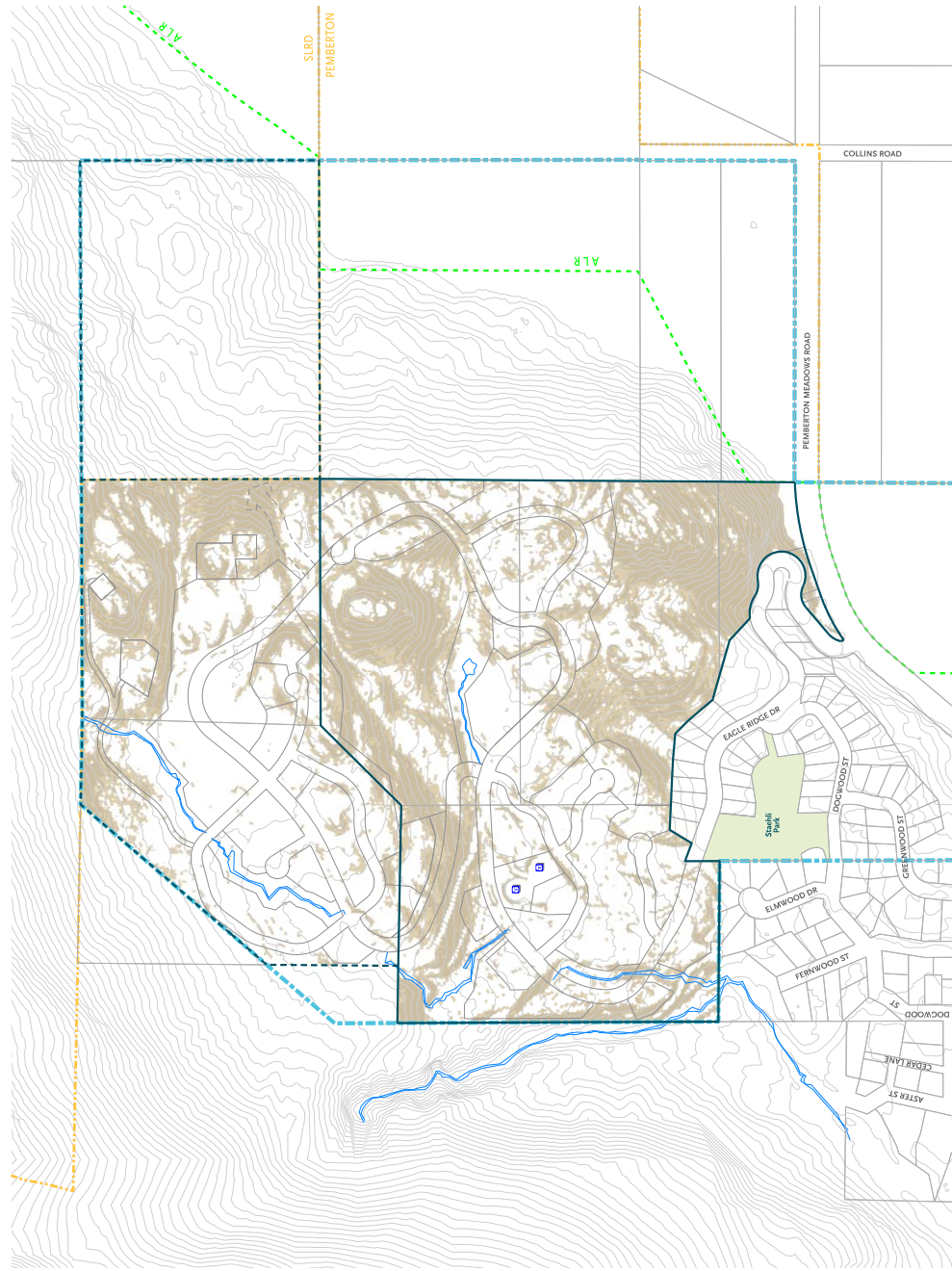
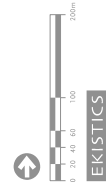


Schedule 3: Slope Analysis

SIKENENAM LANDS  
PEMBERTON BC

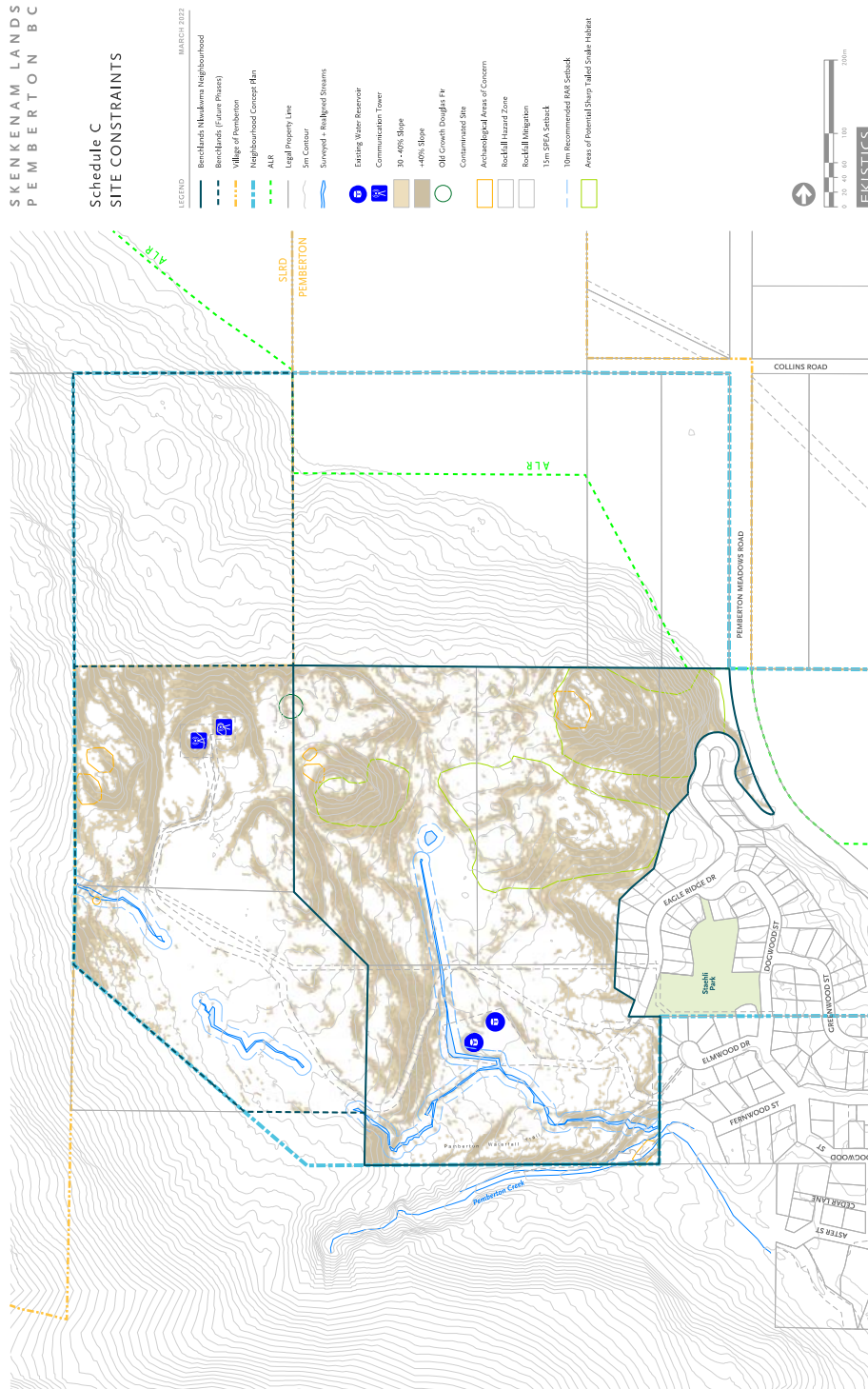
Schedule B  
STEEP SLOPE PLAN

- MARCH 2023
- LEGEND
- Benchmark Mawakams Neighbourhood
  - Benchmark Future Phases
  - Village of Pemberton
  - Neighbourhood Concept Plan
  - ALR
  - Legal Property Lines
  - 5m Contour
  - Surveyed + Realigned Streams
  - Existing Water Reservoir
  - 30-40% Slope
  - 40% Slope

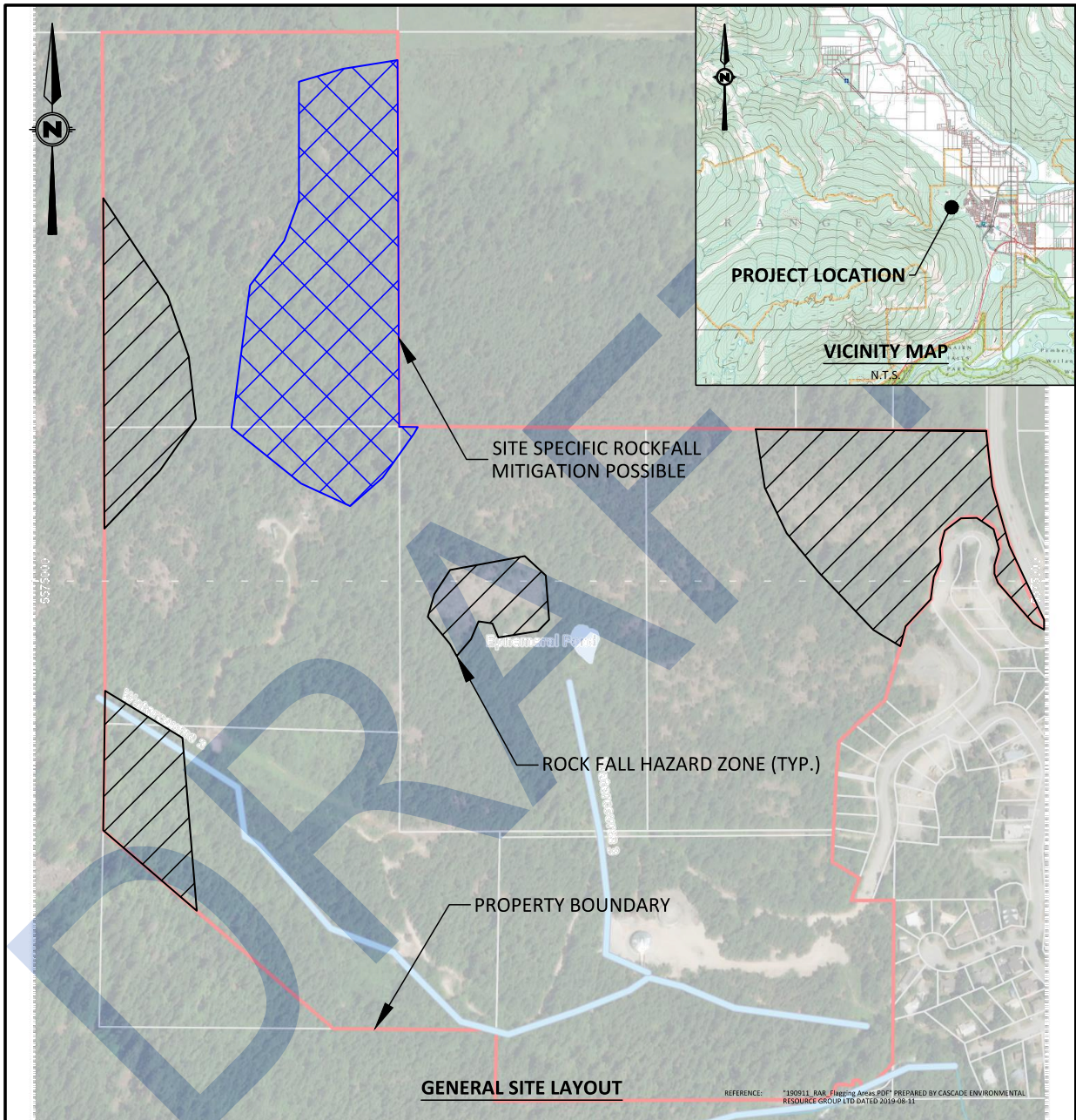




Schedule 4: Site Constraints



Schedule 5: Rock Fall Hazard



Unit 65, 1833 Coast Meridian Rd., Port Coquitlam, B.C. V3C 6G5  
 t. +1 (778) 730-1747 | toll-free. +1 (833) 301-7575 | e. info@kontur.ca | www.kontur.ca

|   |                  |                          |            |
|---|------------------|--------------------------|------------|
| TITLE<br>PRELIMINARY ROCKFALL HAZARD AREAS                    | DATE: 2019-10-23 | PROJECT NO.: K-191204-00 |            |
|   | SCALE: 1:5500    | DWG NO.:                 | FIGURE 1   |
| CLIENT<br>BETHEL LAND CORPORATION                             | NO.              | REVISIONS                | DATE       |
|   | 0                | ISSUED FOR REVIEW        | 2019-10-23 |
| PROJECT<br>PROPOSED BENCHLANDS DEVELOPMENT<br>PEMBERTON, B.C. | DRAFT: JL        | DESIGN: -                | CHECK: EGS |



Schedule 6: Open Space, Parks, and Trails Plan

Nkwúkwma, Pemberton  
Conceptual Trails Plan



Schedule 7: Phasing Plan

