

FRONTIER STREET OFFICIAL COMMUNITY PLAN AND ZONING AMENDMENT

Village of Pemberton

October 5, 2023

The owners of 7451 & 7453 Frontier Street would like to redevelop the existing lots to a mixed use residential and commercial building consistent with the neighbouring Expedition Station and Elements also in downtown Pemberton. Currently the lots are subdivided, so an application to amalgamate the lots would be made. This summary provides an overview of the development plans together with accompanying concept plans and renderings as prepared by Stark Architecture (dated October 4, 2023).

The following narrative provides a brief overview of the subject lands and the proposed development concept.

SUBJECT LANDS:

Location

The lands are located on the north-west corner of Frontier Street and Camus Street in downtown Pemberton. The Community Barn is just south of Camus fronting the east side of Frontier Street with its parking lot immediately east of the subject lands. The property was purchased by Linda and Stuart Sambell in 2021.

Context

The subject lands are physically in the centre of the downtown. The site also offers excellent visibility from the street and spectacular views to the southwest to Mount Currie (Ts'zil). The site is also adjacent to the Pemberton Community Barn and within the pedestrian focused downtown, where new residents will be able to walk to most local shops and services. The downtown also has transit service, close by (in front of the Blackbird Bakery).

Legal Description

The legal descriptions are Lot 1 & 2, Block 3, District Lot 203, LD, Plan 1624, PID: 011-506-571 & 011-506-580



Existing Use

The site currently accommodates an existing single-family home and garage (Lot 2) with a landscaped yard and shed (Lot 1). The site survey is provided in **Attachment #2**. The rear of the property is serviced by an improved laneway, running perpendicular to Camus Street.

Land Use Designations

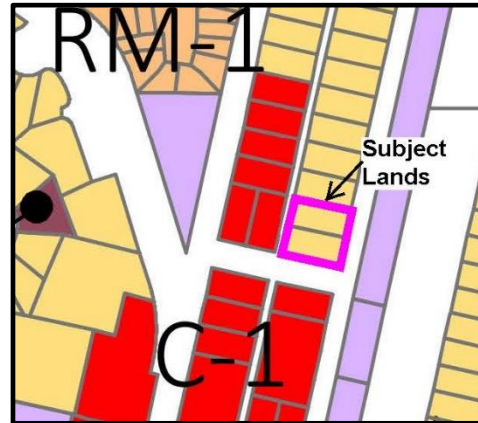
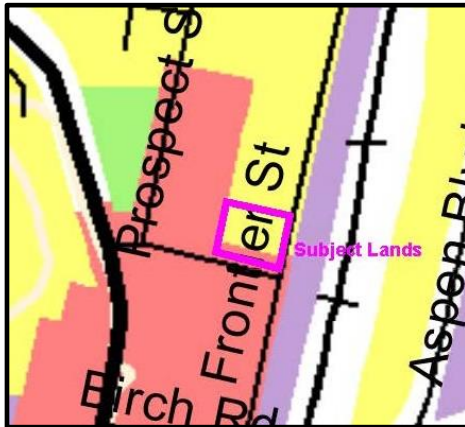
The current OCP and Zoning Bylaw designations reflect the previous owners desire to retain their low-density residential use.

Official Community Plan - The lands are currently designated as **Residential** use within the Urban Growth Boundary. Sanitary and water connections appear to be nearby. A future sidewalk has been anticipated on Camus Street, and the property is within the floodplain. The lands are not designated as a Development Permit Area, likely given its existing single family residential use.

The following provides the designations of the lands in the OCP Maps:

A	Within Urban Growth Boundary
B	Land Use Residential
C	Development Permit No designation
G	Proposed Open Space & Greenways and Proposed Public Parks Pemberton Community Barn just south on the west side of Frontier Street
I-1	Water Servicing Indicates an existing watermain
I-2	Sanitary Servicing Adjacent to sewer main
J-1	Transportation Both Frontier and Camus are Local Roads
J-2	Public Transportation and Sidewalks Proposed Sidewalk on Camus
L	Land Constraints Floodplain
M	Fire Protection Within the Village of Pemberton Fire Protection Area

Zoning Bylaw Designation – The site is zoned R-1 Residential and is intended to accommodate detached dwellings within residential neighbourhoods. Permitted uses are detached dwellings, accessory of a Bed and Breakfast, home occupation, secondary suite, and short-term vacation rentals. The site and building regulations respond to single family considerations with significant setbacks, and limited building coverage and height.



Property Dimensions and Area

The two lots are identical in size each measuring 20.117 m x 40.234 m with an area of 809.4 m². The total size of the development site is 1618.8 m² or 0.40 acres. The site's primary frontage is Frontier Street, secondary frontage Camus Street and rear access via a public laneway.

Access

Vehicular: There are currently access points for vehicles directly from Frontier Street and Camus Street, as well as Menzel Lane.

Pedestrian/Cycling – There is currently no sidewalk along the existing road frontages.

Transit – There are two transit routes that service Pemberton (one to Whistler, the other to Xit'olacw and Mount Currie), although lines stop directly at the LCAI site (the only stop in the Village is at the Blackbird Bakery downtown).

PROPOSED DEVELOPMENT

Intent

The Sambells purchased the property in 2021, and apply to amend the Official Community Plan (OCP) and the Zoning Bylaw to permit land uses more consistent with the existing and contemplated development in the downtown (i.e. Expedition Station and south with the Elements, and Blueshore/Pemberton Valley Supermarket buildings).

Pre-Application discussions with the Village of Pemberton generally supported the infill opportunity, which would provide additional commercial retail and services as well as apartment units in a mixed-use building, (commercial uses only on the ground floor).

The concept plan which proposes a mixed residential and commercial use introduces land use directions that are consistent with the current OCP policies specifically:

- Maintain the downtown as the dominant commercial node, as well as a cultural and social focal point of the Pemberton area

- Make efficient use of land that is deemed appropriate for development through embracing applicable Smart Growth Principles
- Offer an interesting, convenient and pedestrian-friendly downtown

Further as noted in the OCP, the Downtown Enhancement Strategy identifies the following principles in consideration of future planning and development of the area:

- Provide a mix of land uses at increased densities;
- Be environmentally, socially and economically sustainable;
- ensure great, focused and designed open spaces;
- Be pedestrian, bike and stroller friendly and accessible;
- Provide a strong sense of arrival;
- Ensure appropriate parking and transit facilities;
- Be economically vibrant;
- Showcase the natural assets;
- Share Pemberton’s authentic identity; and
- Work together to meet stakeholder and community needs.

The proposed building has been thoughtfully designed to include the below features:

- Designed to maximise commercial space along Frontier Street with 3m of patio spill out space on both Frontier and Camus Street.
- Wrap around covered patio on Frontier and Camus Street. The patio is higher than the pedestrian walkway to create separation.
- Quiet residential entry off Camus Steet, visually marked by providing different canopy treatment above.
- Landscaping integrated into the façade, softening the building.
- The building purposely steps back in set locations to visually reduce the building mass into four smaller volumes. The setbacks are positioned to signify entrances into the residential lobby and commercial spaces.
- The residential units at levels 2-4 are intentionally setback from Frontier and Camus Street between 2-3m.

Preliminary Concept

Proposed to rezone the two lots to a Comprehensive Development Zone allowing for a mixed residential/commercial use building. Proposed four stories maximum with level 1 commercial and 1.8 FAR. The proposal is to construct a four-storey building with an FAR of 1.8. The commercial (and ancillary uses) are proposed on the ground floor with surface and underground parking accessed from the existing lane². The residential uses above will include three (3) storeys of residential with 33 units. The following provides an overview of the development by floor:

Residential Unit Mix	# Units	Area of Units (m ²)
Level 1	5	CRU units (4 x 93.5 m ² 1 x 110.3 m ²)
Level 2 Residential	4	1 bdrm (56-65 m ²)
	5	1 bdrm + den (75-81 m ²)
	1	2 bdrm (81 m ²)

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	1	2 bdrm + Den (94 m ²)
Level 3 Residential	4 5 1 1	1 bdrm (56-65 m ²) 1 bdrm + den (75-81 m ²) 2 bdrm (81 m ²) 2 bdrm + Den (94 m ²)
Level 4 Residential (Penthouse)	4 6 1	1 bdrm (56-65 m ²) 1 bdrm + den (75 m ²) 2 bdrm + Den (94 m ²)
Total Commercial Units	5	
Total Residential Units	33	

All units to have a private deck from 7.8 m². The total interior storage for bikes ski's & general storage is 171m².

The following provides a comparison of the current R-1 zoning, immediately adjacent C-1 zoning, and the proposed development (which could be zoned as a comprehensive development). The red highlighted font shows differences among the C-1 zone and the proposed development.

	R-1	C-1	Proposed
Permitted Uses	Dwelling, Detached	Commercial, Civic, Restaurant Service uses.	Residential and Commercial, Restaurant and Service uses.
Permitted Accessory Uses	Bed and Breakfast Home Occupation Secondary Suite Short-Term Vacation Rental	Residential Bed and Breakfast Home Occupation	
Max FAR		2.5	1.8
Max Lot Coverage:	40%	100%	80%
Min Lot Size	700 m ²	220 m ²	809.4 m ²
Min Lot Width	18 m	12 m	20.117 m x 40.234 m
Min Principal Building Width	7.6 m		
Min Front Setback	6 m	0 m	0 m
Min Rear Setback	5 m	5 m	5 m
Min Interior Side Setback*	1.5 m	0	0
Min Exterior Side Setback:	4.6 m	0	0
Max Building Height, Principal: 10.5 m	10.5 m	10.5 m	17 m
Max Building Height, Accessory: 4.6 m	4.6 m	4.6	n/a

*The total of two interior lot lines setbacks shall not be less than 4.5 m with at least one of the interior lots line setbacks not being less than 1.5 m.

Parking

The development concept would generate the following parking generation:

	Generation	Requirement	Proposed	Proposed
28 x 1-bedroom units	1 space/unit	28	1 space/unit	28
5 x 2-bedroom units	1.75 space/unit	8.75	1.25 space/unit	6
Visitor	0.25 space/unit	8.25	Visitor overnight, commercial during daytime onsite	6
484 m² commercial	0.25 space/100 m ² *	1.21		
Total Parking		46.21		40
Total Loading	1 space <500 m ²	1	1 space <500 m ²	1

*neighbourhood commercial

It is the intent that a parking space on site be provided for every unit minimum. Additional (and new) on-street parking spaces can also be provided along Frontier and Camus Street for the commercial uses. A variance will be required for the on-street loading stall. The applicant would then like to be considered for cash-in-lieu parking for the on site deficit, as well with applying small car and tandem parking opportunities, where applicable. The applicant requests a variance to reduce the parking stall width from 3.05m to 2.74m. The reduction aligns with typical parking stall widths in neighbouring municipalities such as Whistler. E-charge connections can also be considered, in accordance with the Zoning Bylaw being 1 EV charging space for every ten stalls (4 EV charging stalls will be required).

SUPPORTING TECHNICAL REPORTS

Additional direction is required regarding any technical reports that may be required in support of the OCP and zoning amendment applications, such as site servicing and traffic. The applicant has included the Kontur report for reference (May 2023).

The main issue appears to be the flood protection level. In previous discussion with the Village and Kontur it was confirmed that in accordance with the **Flood Hazard Area Land Use Management Guidelines (FMLUG)** a flood plain bylaw may be modified...provided the subject property is in the flood plain fringe area and that there is not erosion of channel avulsions hazards in the immediate vicinity. It is confirmed by Kontur that the recommended FCL could be reduced by the freeboard (0.6m) – resulting in a FCL of **211.5** or about 1.0-1.5 m above existing grade.

In addition, the Pemberton Building Bylaw allows for the Building Official to exercise the authority to provide an exemption whereby **a report by a professional engineer** who has assessed the condition of the land certifies in the report that the land may be safely used for its intended purposes subject to the following conditions.

1. the owner covenants with the Village to use the land only in the manner certified in the report, as enabling the safe use of the land for the intended use.
2. a covenant containing conditions for reimbursing the Village for any expenses that may be included by it because of the breach of the covenant.
3. registration of the Section 219 covenant on title.

It is understood that Kontur cannot give assurance that the areas below FCL would be safe for intended use as flood damage could occur. It would be up to Pemberton to decide if it could be classified as a hardship case. The proposed development has the first floor below the FCL, but the intent would be to have all EOT facilities, mechanical and electrical above the FCL. This will allow the commercial space to have a comfortable association with the street level. A similar variance occurred with the Elements Building.

COMMUNITY AMENITY CONTRIBUTIONS

The applicants are aware of the Village's voluntary request for Community Amenity Contributions (CACs) and Affordable Housing as a rezoning provides value through increased development rights that in-turn should be off-set by the capital or cash contribution of community amenities and affordable housing. The current CAC policy, however, is dated and likely will not be updated until the provincial government introduces their new legislation, slated for late October 2023.

In addition, the Village has prepared a Housing Needs Assessment which indicates a significant need for housing through to 2028. In addition, the study highlights the need for a flexible and diverse housing stock, supply more non-market and rental housing options, and address the high cost of homeownership. It is understood that the Village is working through more recent development applications for new housing product (ranging from rental, ownership and non-market units). The applicants would like to better understand how the subject application could best contribute to a community amenities and affordable housing. It would be helpful to meet and discuss the most appropriate approach for the Village.