

VILLAGE OF PEMBERTON

BYLAW NO. 966, 2024

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

WHEREAS the Council may amend its zoning bylaw from time to time;

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

CITATION

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw No. 966, 2024 (Parkside 7362 Pemberton Farm Road East).”

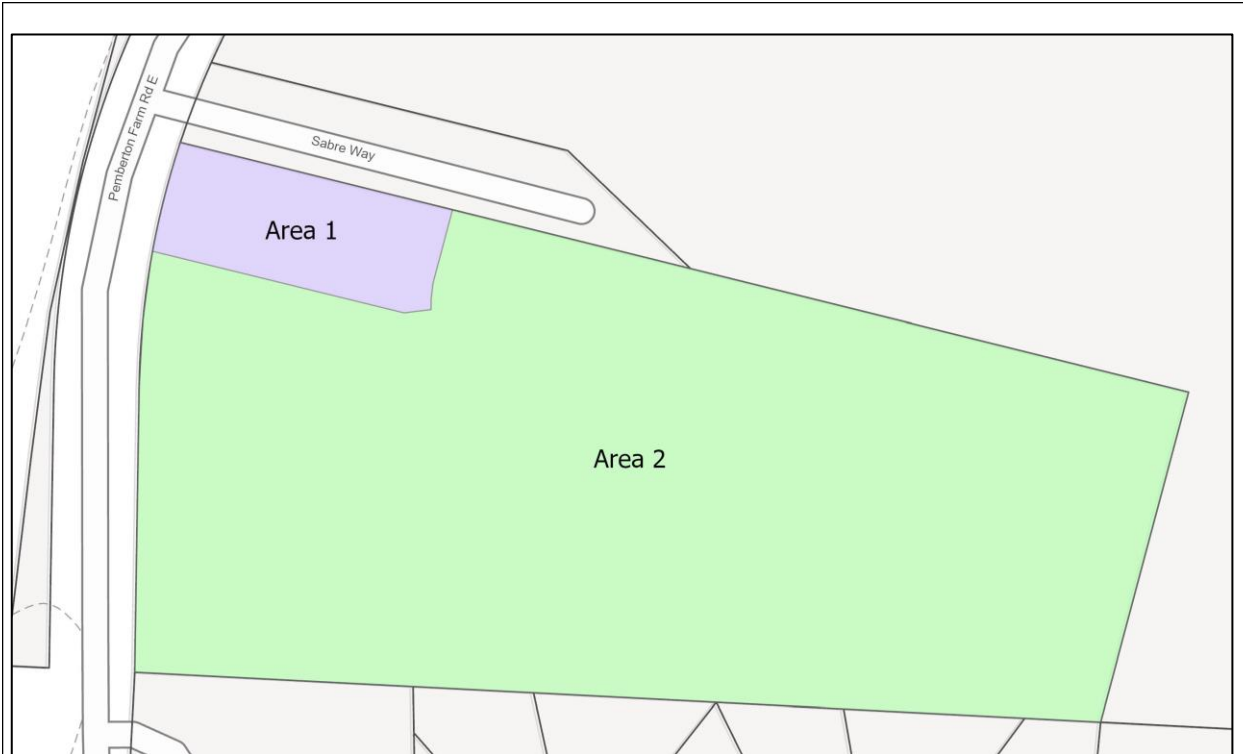
GENERAL

2. Village of Pemberton Zoning Bylaw No. 832, 2018 is amended by:
 - a) amending Schedule “A” Zoning Map by rezoning the lands identified in Schedule “A” of this amending bylaw from RES-1 Resource to CD-9 Comprehensive Development Zone 8, Parkside; and
 - b) adding the following Comprehensive Development zone as section 18.8 Comprehensive Development Zone 9 (Parkside):

<p>18.8 CD-9 Comprehensive Development Zone 9 (Parkside)</p>

<p>The Parkside comprehensive development zone accommodates mixed use development with diverse housing types, density, and neighbourhood commercial uses that supports a node centred around Den Duyf Park.</p>

<p>The regulations in the tables in this section apply to land in CD-9 (Parkside) zone as indicated by the column headings. For the purposes of regulation, the area within the boundary of the CD-8 Zone is divided into four (4) separate areas identified below. Each area boundary within the CD-8 Zone shall be considered a zone boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this section of the Bylaw.</p>



18.8.1 Definitions

Co-housing means buildings on typical neighbourhood lots that are designed with independent micro-suites together with large common areas for communal kitchen, living room, lounge/games area and shared laundry facilities. The suites have their own private bathroom/shower, and kitchen cabinets with under counter fridge for personal refrigeration.

Dwelling Unit, Lock-Off Suite means a separate, self-contained dwelling unit within a duplex or a townhouse unit which can be separated from the principal unit by an exterior or interior door.

Garden Suite means a detached accessory dwelling unit within the side or rear yard of a lot.

Houseplex means multi-unit buildings with up to four (4) dwelling units designed to look like a large house and be compatible in form and massing with the residential neighbourhood.

Landscaped Buffer means an open space at ground level used for cultivating and maintaining grass, flowers or other growth and landscaping, not for vehicle traffic or parking.

Local Commercial means the use of land and buildings for local commercial uses such as convenience stores, coffee shops, cafes, child care centre, and other uses intended to serve the day to day needs of residents of the neighbourhood.

18.8.2 Permitted Uses, Land, Buildings, and Structures		
(a) The following uses, buildings, and structures shall be permitted within the CD-8 (Parkside) Zone:		
	Area 1	Area 2
i. Permitted Principal Land Uses		
a. Local Commercial Uses	Yes	
b. Mixed Use Building	Yes	
c. Co-housing		Yes
d. Detached Dwelling		Yes
e. Duplex		Yes
f. Houseplex		Yes
ii. Permitted Accessory Uses		
a. Carriage House		Yes
b. Garden Suite		Yes
c. Lock-Off Suite	Yes	Yes
d. Secondary Suite		Yes
e. Home Occupation	Yes	Yes
iii. Lot Regulations		
a. Minimum Lot Size	1700 m ²	390 m ²
iv. Density Regulations		
a. Maximum Dwelling Units per Lot		
i. Lots under 280 m ²	N/A	3
ii. Lots over 280 m ²	N/A	4
v. Building Regulations		
a. Principal Building Width	N/A	6m
b. Minimum Front Setback	4.5m	6m
c. Minimum Rear Setback	4.5m	4.5m
d. Minimum Interior Side Setback	3m	1.2m or Nil
e. Minimum Exterior Side Setback	4.5m	2.7m
f. Maximum Lot Coverage	50%	N/A
i. Lots with one (1) dwelling unit	N/A	40%
ii. Lots with two (2) or more dwelling units	N/A	50%
g. Maximum Building Height, Principal	Three (3) Storeys	Three (3) Storeys
h. Maximum Building Height, Accessory		4.6m
18.8.3 Conditions of Use		

Density Benefits for Amenities

Pursuant to Section 482 of the *Local Government Act*, lots in Area 2 may be subdivided to create lots less than 390m², when the following criteria are met:

1. A duplex, triplex, or houseplex have been constructed and the subsequent bare land strata subdivision is subject to a registered party wall agreement, and
2. When an amenity contribution in the amount of \$5,000, paid to the Village of Pemberton.

Building Height

- The maximum building height may be increased to four (4) storeys when a mixed-use building, containing at least two (2) storeys of rental housing units, and secured with a Housing Agreement.

Landscaped Buffer

- All lots that abut Den Duyf Park must provide a Landscape Buffer of at least 3m width that provides an attractive transition from residences to park space.

Local Commercial

- is limited to a maximum floor area of 500 square metres on a lot. Local Commercial may exceed 500 square metres up to a maximum of 1000 square metres when at least two (2) storeys of rental housing units are provided in a mixed-use building.

Side Setbacks

- The side setback may be reduced to 1.2m whereby a certified professional confirms that snow will not shed from the roof of the building(s) onto the abutting property.
- The total of two side setbacks shall not be less than 3m with at least one of the interior side setbacks not being less than 1.2m.

Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the requirements of this Bylaw, with specific requirements for CD-9 Zone as follows:

Co-housing: 1 parking space per micro-suite

Houseplex - 1 parking space per dwelling unit when more than 2 dwelling units are provided.

Mixed Use Building - 1 parking space per dwelling unit and 1 parking space for every 100 square metres of commercial floor area.

READ A FIRST TIME this 30th day of April, 2024.

READ A SECOND TIME this 30th day of April, 2024.

NOTICE OF PUBLIC HEARING was **PUBLISHED IN THE PIQUE NEWSMAGAZINE** on 17th day of May, 2024, and on 24th day of May, 2024.

READ A THIRD TIME this 28th day of May, 2024.

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL OF THE BYLAW was granted on this 19 of August, 2024

ADOPTED this 22nd day of October, 2024.

Mike Richman
Mayor

Gwendolyn Kennedy
Corporate Officer

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this 19th day of August, 2024

 Tyler Gaudry,
Senior Development Officer
for Minister of Transportation & Infrastructure