

- **Development Application to Amend
The Village of Pemberton
Official Community Plan and Zoning Bylaw**

**Lil'wat Capital Assets LP 7374
Highway 99, Pemberton, BC
LOT 7, D.L. 203, LILLOOET DISTRICT, PLAN 7619**

Submitted by Murdoch + Company Ltd on behalf of
Lil'wat Capital Assets LP.

April 25, 2023

Lil'wat Mixed Use Development

Pemberton, BC

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April 23, 2023

Att: Scott McRae,
Manager of
Development
Services
Village of Pemberton,
PO Box 100, 7400 Aster Street,
Pemberton, BC, V0N 2L0

Re: Proposed Rezoning Application – Lil'wat Nation Mixed Use

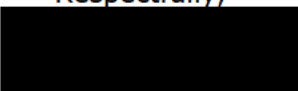
To Planning Staff,

Please accept this application and supporting documentation as a formal request for the rezoning of the former highway works yard site located at 7374 Highway 99 on lands legally described as LOT 7, D.L. 203, LILLOOET DISTRICT, PLAN 7619. At present the zoning of the subject land is split between the Tourism Commercial (C-2) and Service Commercial (C-4) Zones. The Application attached is requesting a formal rezoning of the subject land from its current use to either a Comprehensive Development (CD) zone or an amended C-2 zone (or similar) to permit a range of housing types, options and community amenities that address community needs and market demands in a manner consistent with Village's plans and policies. The intent of our application is to outline our rationale for the creation of a new CD zoning to permit more flexibility with regard to the build out of the site. The aim is to determine a proposal that aligns with the directives set out by the Pemberton Official Community Plan with specific attention being paid to relevant Community Planning Directions, Policies, Strategies, Actions, and Development Permit Guidelines and other applicable plans and policies like the Community Climate Action Plan and the Age-Friendly Affordable Housing Strategy.

The rezoning and subsequent Development Permit (DP) process will allow staff and the consultant team to refine and resolve a layout that best meets the objectives and design guidelines for the Lil'wat held site. The preference for the rezoning at this time is to permit the developers to proceed with concept that assures them and the stakeholders, staff and council of a preferred strategy for the development of the site based on a rational approach that exemplifies the best practices for a multi-use mixed commercial / residential site in a timely manner that is still nimble enough to adapt to changing economic, financial and building conditions.

It is our client's intent to provide a clear rationale through the rezoning application for a Development Plan that is consistent with provisions included in the OCP but also aligned with needs of the community and adds value to the neighbourhood at large.

Respectfully,


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Description – Lil’wat - Pemberton Mixed Use site

This rezoning application follows up on numerous discussions and high-level planning concepts that have been raised over several years. The Developer’s intent is to apply for a rezoning of the currently zoned C-2 / C-4 lands to be able to develop the lands in a manner consistent with the character, goals and objectives as set out by the Village of Pemberton OCP and applicable planning studies. The objective is to create a CD zoning or an amended C-2 zoning that would permit development to occur in a manner to better respond to the site, the needs of the community and the current policies and practices associated with a multi-family, mixed use neighbourhood. The approach reflects the principles, objectives and strategies that have been under consideration and previously discussed with Village Staff.

The developer would like an updated strategy that employs a more comprehensive approach that would permit a moderate density of development and building typology on the property to create a more diverse offering in unit type while still adhering to best practices for development.

It is the understanding of the client that some of what we have proposed could be accommodated on a portion of the site ;however, the owner wishes to pursue a CD zoning to advance a more refined development strategy which would add density, and concentrate the development footprint in building / massing in a way that best suits the context of the site and offers more variety in residential development. The intent is to identify a portion or portions of the site that suit and can support a higher density building type with lower density and common areas in other areas on site. We understand that through the rezoning process, we will set out to establish the preferred land use, and that we will manage the architecture, civil engineering and landscape design through a development permit process.

Rationale for The Rezoning of the Highway Works Yard

The Lil’wat Capital Assets LP site is substantial in size and represents a unique opportunity for a large, comprehensively designed infill development in a central location in the community. Recent developments in the community to date have tried to fill a need for single-family housing in the community; however, this has occurred in “green field” locations several kilometers from the Village proper. The central location of the development makes it one of the prime development opportunities in the community, given its walkability and transit friendly proximity to community facilities, schools and parks. The property has been under-utilized for several years, housing commercial and ventures. It is recognized that other locations around the community have done much of the heavy lifting on providing single-family (SF) and multi-family (MF) housing options at earlier stages of Pemberton’s growth. Options for other mixed use developments were available but generally smaller in scope and have been delivered in a more sporadic fashion. The vision for additional development opportunities existed but had not been pursued with enough vigor to execute in the manner required to satisfy the demand in the market.

In recent years Pemberton development opportunities became more desirable due availability of land, type of products available and price point. Sunstone and other sites such as The Ridge, the Benchlands, Pemberton Plateau, Tiyata and even the Industrial Park etc. all become viable options for those looking to live and work in the community. See the attached **Context Map: Figure A**.

The plan is really much more comprehensive due in part to the relationship to adjacent lands and uses that have been advanced over several years. The neighbourhood in which the Lil’wat Capital Assets LP site is set has been well considered, along with other development schemes. The OCP and Sub Regional Land Use Planning Studies have all acknowledged the potential of the Highways Works Yard Site. Further community developments in the area include the consideration of a new K-12 Francophone School, Sea to Sky affordable housing project and an associated smaller commercial node, all of which indicate a maturing of the community and recognition of logical

and functional infrastructure and amenities that support the growing residential population in the area. See the attached **Neighbourhood Map: Figure B.**

The Village's Gateway area is well positioned to develop further and support the expanding needs of the neighbourhood and the travelling public. Although commercial development in the Gateway has not overly encouraged in the immediate area to any great degree, in order to maintain the Downtown as the Village's main commercial core, the potential in the area would suggest some level of commercial development could be supported and likely desired. Smart growth guidelines would suggest this would be well considered as significant consideration for the reduction of unnecessary vehicle trips and become a valuable neighbourhood addition and regional node given the relationship to adjacent Hwy 99. The ultimate objective being having multiple neighbourhoods each having their own personality, character tailored to the needs and circumstances of their location and where practical and function support the needs of the larger regional population. See **Subdivision and Zoning Plan: Figure C.**

The rationale for the creation of a CD zoning will be to provide the developer with an ability to be nimble with the build out of the development. The CD zoning is intended to allow for a variation of buildings / unit types and sizes that provide some alternatives for those looking to reside in the community. Lil'wat Capital Assets LP has the ability to provide a multitude of housing options that can span a range of price points, with sizes and configuration to appeal to a broader spectrum of community members, including the Village's target markets of seniors, families with young children, and local employees. We see this as an opportunity to provide variation in the marketplace with product types that are configured to suit the terrain as well as offering amenities to the development that are practical, functional and aesthetically well suited to the site.

The CD zoning strategy allows for a managed approach to the site under consideration. The rezoning and subsequent DP process will allow staff and consultant team to refine and resolve a layout that best meets the objectives and design guidelines for the Community. The intent of the approach is to also offer a variation in building types, amenities, commercial facilities and unit sizes that are desirable, and add value to the subdivision and community at large. Ultimately a comfortable carry capacity can be determined for the site that still preserves the character of surrounding neighbourhoods but also improves upon walkability, parks and trail connections, and servicing through a more comprehensive approach.

The preference for the rezoning at this time is to permit the developers to proceed with plan that assures them and the stakeholders, staff and council of a preferred strategy for the development of the site which represents a rational approach that exemplifies the best practices in a timely manner that is still nimble enough to adapt to changing economic, financial and building conditions.

Subject Lands

The lands currently subject to this zoning bylaw amendment application are legally described as LOT 7, D.L. 203, LILLOOET DISTRICT, PLAN 7619, and shown in **Survey - Figure D**

	Area
Zoning C-2-Lot 7, DL 203. LD Plan 7619	1.5 ha
Zoning C-4-Lot 7, DL 203. LD Plan 7619	1.8 ha
TOTAL	3.3 ha

The northern most portion of the site is occupied by the chamber of commerce information building and some related auxiliary pieces of infrastructure associated with tourism. The remainder of the subject lands are currently vacant, except for existing infrastructure related to the old highways works yard (shed / storage). The portion of the site to the south is fenced with a combination of gravel and asphalt. Direct access is off Vine Rd. no direct off highway 99 nor is there any desire to have direct access to the Highway. A Statutory Right of Way exists on the property to allow access from Vine Rd. across the site to the adjacent property to the immediate west of our site. It is expected that this R.O.W. will be maintained and designed into the overall site plan.

The highway services have since been relocated and associated uses have not been present on site for some time. The Lil'wat Capital Assets LP has hired Cascade Environmental Consultants to investigate the site, brought in Kontur Geotechnical to review the soils / hydrological issues and hired Webster Engineering for civil considerations. It is anticipated that Bunt and Associates will review the Transit / Transportation items. It is our understanding that the subject property is not impacted by the contamination and a Site Profile confirming the status of the land, has been included in the appendix of this submission.

Official Community Plan Land Use Designations

The Village's statutory land use designations are contained within the Official Community Plan Bylaw (No. 654, 2011), as amended. The OCP contains many policies, strategies and actions specific to Community Planning Directions considering growth management; small town character; community facilities and life-long learning; recreation; infrastructure; transportation; a healthy and diverse economy; agriculture; livable, affordable and secure housing; the natural environment; and collaborative local decision making. The development plan as part of this submission has recognized and reflected these policy directions, including the designations below:

Map # (As per VoP OCP document)

A - Urban Growth Boundary designation

"The UGB encompasses and designates lands suitable for future urban-type development patterns".

B - Gateway

· means uses along provincial Highway No. 99 which provides a welcoming entry to Pemberton as well as automobile convenient services to visitors and residents. Uses that would be developed in this corridor include residential, accommodation, civic functions, service stations, restaurants and ancillary commercial uses.

C - Development Permit for Gateway

DPA#7 – Gateway Development

- Create a strong sense of arrival to the Pemberton community through natural, landscaped and built gateway elements.
- Provide visual and physical cohesiveness that draws interest to the community.
- Present services and accommodations targeted to the travelling public that create an attractive community identity and character.
- Guidelines
 - o Open Spaces – Development should be designed to incorporate open space for the purposes of outdoor seating, socializing and passive recreation of residents or the travelling public. The open areas can also provide a vegetated buffer between the highway and other land uses as well as for sound attenuation.
 - o Siting - The development should be visible yet attractive from the highway; outdoor storage should not be visible from neighbouring properties, Highway 99 or other public roads.
 - o Landscaping –The development shall be landscaped as to provide an attractive entry from Highway 99 and other public roads, specifically:
 - Incorporate landscaped areas within parking lots to break up large paved areas. The landscaping can also be used in the winter for snow storage areas.
 - Provide a landscaped buffer between land uses
 - Limit the use of fencing when not visible to public streets. Chain link fencing is not recommended.
 - Provide irrigation for all landscaped yards and open areas (excluding areas undisturbed in their natural state).

- Circulation and Parking – Vehicular circulation, parking and servicing is an important consideration in the functioning and accessibility of a development, whereby:
 - Access to service bays, loading docks and garbage/recycling dumpsters should not be directly visible from public view. Access should be achievable during all weather conditions.
 - Enhance parking areas with landscaping in the front yard setback
 - Provide short term parking and unloading areas for accommodation uses.
 - Screen parking areas and car staging (drive-throughs) to public view with landscaping and buildings.

- Storage Containers – The installation of storage containers should:
 - be approved for a maximum of twenty-four (24) months, with automatic administrative renewal for a subsequent twenty-four (24) months provided the container is in compliance with the Development Permit and Zoning requirements. Any significant issues with a renewal of a Development Permit for the container may be referred by the applicant or staff to Council for a final decision on the renewal of the permit. Subsequent extensions beyond the twenty-four (24) months (with the twenty-four (24) month renewal) will require Council’s consideration and approval;
 - be located to minimize the visual impact to adjacent properties, parks, streets and public rights-of-way;
 - have an exterior finish to match or compliment the exterior finish of other buildings on the subject property, except if the container is not visible from adjacent properties and public right of ways or is located inside a building;
 - be placed on an orderly manner, well maintained and kept clean, including the removal of oxidation (rust) and graffiti; and
 - be free of logos and any advertising.
 - a development permit shall not be required if the container is to be used as a temporary storage structure on a construction site holding and active valid building permit provided they are removed within thirty business day of the issuance of an Occupancy Permit.

F-1 – Community Facilities

- Probably best to continue to acknowledge and provide community services already established

G - Proposed Open Space & Greenways and Proposed Public Parks

- Subject site is adjacent to existing common and open space / community garden areas / public park

H - Proposed Trails

Subject site is adjacent existing trail network and will offer connections to that network at appropriate locations.

I – Servicing

- Subject site is serviced by existing Village Water / Sanitary / Sewer

J – Transportation

- Subject site is adjacent major BC highway and at cross roads to secondary arterial road network, site is also adjacent existing sidewalks and public transportation

K - Development Permit for Environmental Protection (DPA#1) and Riparian Areas

For the purpose of the protection of the natural environment in accordance with the Local Government Act;
- Riparian Areas comprise a 30-meter strip of land on each side of the stream, measured from the High Water Mark (HWM). For a stream in a ravine narrower than 60 meters (excluding the HWM stream width), the riparian area is measured from the high-water mark to a point 30 meters beyond the top of the ravine bank. For a stream in a ravine 60 meters wide or wider (excluding the high-water stream width), the riparian area is measured from the high-water mark to a point 10 meters beyond the top of the ravine bank. No riparian areas have been identified on the subject property

L – Land Constraints

Identify and protect people and buildings, structures and other development from natural hazardous conditions, notably flooding, unstable slopes and wildland fire; and mitigate or rehabilitate hazardous conditions where possible. Floodplain - the subject lands are within the designated flood plain.

M - Fire Protection Boundary designation

- Subject site is within existing Fire Protection Service Area

N - Regional Context Statement – Village Designation

1. Focus Development into Compact, Complete, Sustainable Communities - The Village has followed the RGS Strategic Directions whereby the OCP directs growth to the Urban Areas, prevents development in Non-Settlement Areas and encourages Smart Growth. The consistency of the Village's land use designation maps (notably Map A – Urban Growth Boundary and Map B – Land Use Designations) are addressed in Section

2. Improve Transportation Linkages and Options - The OCP is consistent with RGS goal and objectives supporting transportation linkages, notably:

- Encourages compact mixed-use developments;
- Supports the provision of regional transit service;
- Supports improved safety and reliability of the regional road network, working with the Ministry of Transportation and Infrastructure;
- Encourages the continued development of trails and bike routes;
- Participates in a coordinated approach to improve regional air service;
- Supports region-wide 911 and cell phone

3. Support a Range of Affordable Housing – The Village's OCP is supportive of the RGS's strategic approach to affordable housing, notably:

- Supports regional initiatives for affordable housing;
- Encourages a range of housing forms;
- Supports the participation of community organizations and individual initiatives in the development of affordable housing initiatives;
- Supports working cooperatively to explore creative mechanisms to encourage affordable housing; and
- Continues to assist in the facilitation of low-cost housing options for seniors.

4. Achieve a Sustainable Economy – The OCP is consistent with the directions relating to supporting a vibrant economy, specifically it:

- Supports the development of regional initiatives and partnerships to strategically enhance various sectors of the economy;
- Will strengthen the multimodal transportation system;

- Will work to enhance the awareness of the region for business investment;
- Recognizes that an agricultural plan for the Pemberton Valley will provide for new agricultural investment and the protection of the ALR; and
- Recognizes the importance of a regional Independent Power Plant development strategy.

5. Protect Natural Ecosystem Functioning – The OCP’s land use document recognizes the importance of minimizing possible environmental impacts, supporting ecological restoration and enhancement, and protecting habitat and wildlife and specifically:

- Supports consolidating ecological and biodiversity data in the region;
- Promotes Best Management Practices to limit environmental impacts;
- Recognizes the importance of water quality and conservation;
- Supports the Sea to Sky Air Quality Management Plan;
- Supports the SLRD Solid Waste Management Plan;
- Supports initiatives to eliminate noxious weeds;
- Recognizes the importance of community stewardship and support for the Bear Smart program;
- Moves towards the implementing initiatives to reduce greenhouse gas emissions; and
- Considers other positive initiatives to preserve and protect the natural environment moving towards sustainable means.

6. Encourage the Sustainable Use of Parks and Natural Areas – The Village also recognizes the value of these open spaces within the OCP, notably:

- Supports the retention and provincial operation of provincial parks (Nairn Provincial Park);
- Support for the ongoing management and coordination of greens spaces and natural areas outside Village boundaries;
- Recognizes the importance of regional open space connectivity while respecting wildlife corridors, growth boundaries and wildfire interface areas;
- Supports the Sea to Sky Trail and Trans Canada Trail initiatives;
- Supports the preparation of a recreation opportunities and facility inventory as part of a Recreation Master Plan; and
- Supports community-initiated stewardship projects.

7. Create Healthy and Safe Communities – The OCP considers health and safety as it relates to the quality of life in a community, neighbourhood design and land use. The following RGS strategies are supported in the OCP:

- Promotes multi-jurisdictional approach to public health and wellness;
- Supports the Winds of Change initiative;
- Encourages the development of a compact and walkable community that embraces the Smart Growth Principles;
- Commits to emergency planning on a regional basis;
- Supports community-initiated projects to improve the community’s wellbeing;
- Pursues initiatives to improve the quality of life and security for the community; and
- Provides for infrastructure, trails and greenways that link regionally.

8. Enhance Relations with Aboriginal Communities – The OCP encourages dialogue and collaboration with the Lil’wat Nation and further the plan:

- Supports the collaboration with First Nations on joint interests;
- Apply various consultation tools in discussions with First Nations on the Official Community Plan, subsequent amendments and other land use considerations.

9. Improve Collaboration Amongst Jurisdictions – The Village is supportive of inclusive, coordinated, and transparent decision making that provides mutual respect and ongoing and early communication. The protocol measures and approach identified by the SLRD, specifically:

- Supports ongoing communications and coordination in the region;
- Encourages the use of various innovative and effective approaches to assist with the resolution of regional issues.

Concept Plan Directions, Policies, Strategies and Actions

The Development Concept Plan for the subject site is not bounded by a formal set of guidelines but loosely formed around larger community directives;

- Growth Is Managed with Community Priorities
- Local Buildings & Open Spaces Complement Pemberton's Small Town Character
- Community Facilities Shall Be within Our Fiscal Means and Accommodate Resident's Needs for Lifelong Learning and Leisure
- Pemberton Offers a Diverse Recreational Experience Through a System of Parks, Trails and Open Spaces
- Infrastructure Accommodates the Needs of the Village and New Growth Areas
- A Range of Transportation Options are Promoted and Accommodated
- There is Recognition and Support for a Healthy and Diverse Economy
- Agriculture and Related Businesses are Retained and Encouraged
- Pemberton offers a Stock of Livable, Affordable and Secure Housing
- The Natural Environment is Preserved and Protected
- Local Decision Making is Collaborative and Open

The Development permit guidelines noted above (DPA #7-Gateway Development) speak to more specific priorities. Preliminary discussions with Village officials have been positive to date with support for the redevelopment of the site. The general focus has been suggested to concentrate on;

- Mix of housing types, rental and market
- Highway frontage to be welcoming and pedestrian oriented
- form and character to reflect community guidelines
- Housing product to reflect changing community dynamics and client group requirements
- Density is not a huge issue
- Parking obligations to reflect community character IE large vehicles and surface parking
- Provide common parking and trail connection to existing open space network
- Commercial space to reflect local interests
- Landmark corner feature can be significant element for client group and community
- Ensure traffic pattern supports adjacent site to the west
- Ensure pedestrian experience is animated and pleasurable
- pedestrian oriented neighbourhood centre
- be a vibrant and safe neighbourhood, sustainable initiatives related to housing, transportation, environmental management, urban design and fire hazard mitigation.

Current Zoning - Subdivision and Zoning Plan – Figure C

- **Commercial, Tourism (C-2)** The Tourism Commercial (C-2) Zone is to accommodate tourist and tourism accommodation related uses.

-Permitted Principal Uses

- Arts and Culture
- Child Care Centre (Amendment Bylaw No. 889, 2020; Adopted October 20, 2020)
- Civic
- Convenience Store
- Drive Through Business (subject to Conditions of Use)

- (f) Food Truck
- (g) Gasoline Station
- (h) Hostel
- (i) Hotel
- (j) Motel
- (k) Office, Business
- (l) Personal Service
- (m) Restaurant
- (n) Retail, Recreation and Leisure

- Permitted Accessory Uses

- (a) Accessory Retail
- (b) Accessory Residential Dwelling
- (c) Home Occupation

- Conditions of Use

(a) Drive Through Business: The Drive Through Business Use is only permitted on lands legally described as Lot A, Plan KAP74508, DL 203, LLD, at the time of adoption of this Bylaw.

- Density Regulations

- (a) Maximum Density: 1.5 FAR

Commercial, Service (C-4)- The Service Commercial (C-4) Zone accommodates the use of land, buildings and structures for Commercial service uses.

- Permitted Principal Uses

- (a) Automotive Service Shop
- (b) Child Care Centre (Amendment Bylaw No. 889, 2020; Adopted October 20, 2020)
- (c) Food Truck
- (d) Garden Centre
- (e) Gasoline Station

- Permitted Accessory Uses

- (a) Accessory Retail
- (b) Accessory Residential Dwelling
- (c) Home Occupation

- Density Regulations

- (a) Maximum Density: 0.5 FAR

Housing Needs

The OCP is required to ensure that there are sufficient lands designated within municipal boundaries for future housing needs. At the time of the OCP's adoption, Pemberton would need approximately 130-260 new residential units during the next five years (2014-2019) at an annual growth rate of approximately 1-2%. BC Stats have more recently projected Pemberton's annual growth rate between 2016-2019 was approximately 2.25% which would require closer to 300 units. It appears that the projections were consistent with local demand and the new residential supply.

Local real estate reporting (WREC January 2021) indicates that even with the pandemic the housing market in Pemberton is stronger than ever. In 2020 the total value of transactions in the valley exceeded 135 million dollars (increase by 40%). The reports indicate that the most popular unit was single family despite the limited number of new listings (resulting in values increasing 22% largely due to the strength of the single-family market). The report states that "demand and price appreciation can be attributed to increased public awareness of the area, low interest rates, Covid factors similar to those influencing Whistler, and value as compared to Whistler for workers in the local economy". The report indicates "strong interest in Tiyata, and Sunstone and for any new condo/townhouse developments offered. Pemberton will continue to see increasing demand for real estate."

The Village completed the Age-Friendly (Seniors) Housing Needs Assessment in 2019. The report indicates that in April 2019, "provincial regulations now require local governments to complete housing needs assessments for their communities by April 2022 and every five years thereafter. As a basis for determining current and projected housing needs, local governments are required to collect approximately 50 kinds of data" considering population, income, significant economic sectors and available and anticipated housing units. The reports are also required to identify the number of housing units required to meet current housing and anticipated housing needs for at least the next five years by housing type, key areas of local need, the number and percentage of households in core housing needs and extreme core needs and provide a standardized summary.

Age-Friendly (Seniors) Housing Needs Assessment defines affordable housing as: "housing that a single person or household can afford to rent or purchase without spending more than 30% of their before tax income. For homeowners, these costs include mortgage payments, strata fees, mortgage and home insurance, as well as utilities. For renters, costs include rent and some utilities. The 30% measurement is a common standard for defining affordability nationally and provincially".

The Village of Pemberton has identified that the implementation of the Affordable Housing Plan as a top strategic action in 2020-21. In March 2020 Council endorsed the 2020-2021 Affordable Housing Work Program, which identifies policy development and other opportunities for the delivery of needed housing. The first initiative is the completion of a Housing Options Study that will report to "Council describing a range of housing options, with an accounting of possible impacts and an analysis of the community tolerances for each housing type" (source Affordable Housing Work Program March 10, 2020). The Options Report has been prepared and includes the following:

- accessory dwelling units/carriage,
- lock off suites in townhomes,
- tiny homes
- duplexes,
- suites in duplexes,
- 3-4 plexes and
- low rise apartments.

The municipality is now turning to updating the OCP, based on affordable housing needs.

The rezoning proposal introduces multiple unit sizes for Studio, 1-Bedroom, 2-bedroom, and possibly 3-bedroom suites in apartments and 3-bedroom townhomes. The owner will also consider other housing options that may be feasible or desired depending on economics and market demand.

Agricultural Land Reserve

The subject lands are not within the designated Agricultural Land Reserve.

Lil'wat Traditional Territory and Reconciliation

In 2010, the Village of Pemberton and Lil'wat Nation signed a Protocol Agreement that "recognizes and acknowledges that the Lil'wat Nation asserts aboriginal title to all lands within its traditional territory", and that by "building a Government-to-Government relationships [this] will create a level of certainty for our respective communities and jurisdictions and ensure an important dialogue to improve the quality of life for all residents". A key component of the Protocol Agreement is coordinated land use planning and management. It is our understanding that, as part of the Nation's engagement on the update to the Village's OCP, that this Protocol Agreement will be updated, serving to advance reconciliation by having the Village acknowledge the truth, the history, and the continuation of Lil'wat's aboriginal title and rights throughout its unceded Territory.

The Village's Official Community Plan further encourages dialogue and collaboration with the Lil'wat Nation supporting joint interests. The Lil'wat Capital Assets LP site has and will be integrating Indigenous land use approaches into its principles, design and development.

Economic Impact

The proposed development activities include the land purchase, civil servicing and the construction of the commercial space and multifamily homes. These activities will create direct employment in the project as well as indirect employment for area businesses. The creation of employment will aid in the economic rejuvenation in the Sea to Sky region, as the Lil'wat Nation and surrounding areas work towards economic recovery from the pandemic.

The initial phase will also likely have off-site infrastructure improvements that will not only facilitate the new housing but also introduce employment for local and regional residents of the Sea to Sky. In particular, the new development will provide employment for local construction trades while boosting the retail and the service sector. The development will also increase the property tax base and improve local services, including but not limited to roads, storm water drainage, water service, new open space connections, trails, Fire Smart protection and community amenity contributions.

Climate Action

In 2022, the Village adopted a Community Climate Action Plan. The proposed Lil'wat Capital Assets LP site development is well aligned with many of the "big moves" and strategies discussed in the Action Plan. , LPThe "big moves" consider:

Transportation - A complete zero-emission transportation system connects our communities and regions.

- Shift beyond the Car
- Electrify Passenger Transportation
- Decarbonize Commercial Transportation

Buildings - Our community's buildings are highly energy efficient and powered, heated and cooled with 100% renewable energy

- Step Code Ratings for all New Buildings
- Decarbonize Existing Buildings

Waste - Our community diverts 95+% of its organics from land fill and captures at least 75% of the landfill gas, with maximum value possible • Close the loop on waste

In considering the new development, many of the climate actions are considered in the design of the site, in particular:

- Close proximity (walkable) to Downtown
- Ground oriented multifamily buildings

- Use of renewable resources
- Beautiful and positive buildings that deliver high quality living and work spaces for inhabitants
- Prioritize people over cars
- Energy efficient buildings and infrastructure
- Efficient use of existing spaces (flexible zoning)
- Community gardens
- Active transportation
- Proximity to Village enables occupants to reduce the need to own a vehicle
- Increase access to alternate modes of transportation
- Safe comfortable and convenient bike routes
- Comprehensive bike paths separate from roads
- Prioritizing pedestrian connections
- Remote working/flexible design

Development Proposal

The proposal is grounded in the desire to proceed with a plan that assures them and the stakeholders, staff and council of a preferred strategy for the development of the site, which represents a strategic approach that exemplifies the best practices in a timely manner that is still nimble enough to adapt to changing economic, financial and building conditions. There was an extensive review of the existing conditions with many detailed assessments of opportunities and constraints posed by the site.

Development Concept Plan

The objective of a comprehensive development plan on the site that reflects the best practices of the community; Design Guidelines, Policies, Strategic directions etc. is to ensure that the phases establish an appropriate development consistent with Village and owner expectations. The owner's desire is to amend the zoning to create a new plan with additional density across the entire site and a consistency in uses in a manner that better reflects and aligns with the long-term community goals and objectives.

Land Planning - Base information

In June of 2021 Lil'wat Capital Assets LP hired a team of development partners to prepare a concept plan and rezoning application for the subject site. The team currently consists of;

- Murdoch + Company Ltd (Planning, Architecture & Landscape)
- Terra Social Purpose Real Estate (Development Management)
- Kontour Geotechnical (Geotechnical / Hydrological Consultants)
- Bunt and Associates (Traffic)
- Webster Engineering (Civil)
- Cascade Environmental Resource Group (Environment)
- Rollo And Associates (Market research)
- Lil'wat Nation / Arrowstone (Archaeological)

The consulting team then proceeded to undertake a detailed review of the site, which included an updated analysis of: aerial photos, topography, landforms, slopes and aspects. This data was then combined with the geotechnical hazard information, environmental sensitivity, archaeological findings, and current site conditions to create a preferred concept plan.

Geotechnical

The complete report is attached in the Appendix and has been used to inform the Development constraints map and FCL levels proposed. The summary notes include;

- As discussed above, subsurface soils are generally consisted interbedded loose to compact silty sand to sand with trace silt overlying soft to firm organic silt by compact to dense sand and trace silt. Liquefaction is soils units B, D and E during a major earthquake ever is considered possible. Grade increases and building loads may result in consolidation of the subsurface soils with related post construction settlement. It is considered that a raft type foundation or strip and pad footings tied together in two directions be used building foundations. For proposed multi story structures (ie greater than three levels a raft type foundation is recommended to mitigate possible punching failures during the design earthquake. A geotechnical setback from Pemberton creek maybe required to addition to environmental setbacks to mitigate soil movements towards the creek during the design earthquake. Mitigative measures such as stone columns or ground improvement methods maybe used to reduce the geotechnical setback."

The following sections provide additional recommendations;

- Flood Construction level*
- Temporary slopes and dewatering*
- Site prep and preloading*
- Seismic Considerations*
- Foundation design*
- Slab on Grade*
- Backfill*
- Perimeter Drainage*

Environmental

The complete report is attached in the Appendix and has been used to inform the Development constraints map. The conclusion includes;

Based on the information gained through records research, interviews, and site observations, this Stage 1 Preliminary Site Investigation, in compliance with the guidelines established by the B.C. Environmental Management Act, the Canadian Standards Association (2001) and described by the Canada Mortgage and Housing Corporation (1994), has revealed no evidence of actual or potential contamination on the subject site.

Cascade recommends that the following housekeeping issues be addressed:

- Recommend excavation of all patches of hydraulic fluid leaks occurring on gravel surfaces*
- Recommend secondary spill containment for any barrels containing hydrocarbons or other harmful chemicals*

Archaeology

TBD

Market Assessment

TBD

Opportunities and Constraints

Opportunities and Constraints Plan incorporates all the technical findings from the existing site conditions. The information contained within the Site Constraints Plan provided the basis for Development which effectively identifies those area that have good development potential,

constrained development potential requires remediation. See the attached **Opportunities and Constraints Plan: Figure E**

Development Plan

The Development Potential Plan provided the basis for the preparation of the Preferred Development Plan. See the **Development Potential Plan - Figure F**. The following figures provide the evidence of our technical review and provide us with the background for our preferred scheme. The supporting documents verify that a comprehensive approach can be undertaken on the subject to design a concept with the appropriate carrying capacity to address many of the missing pieces so desired in the community. It is not expected that the development concept provides all the residential and mixed-use commercial solutions but focusses on a few that are best suited to the circumstances of this particular site and its position within the community.

- **Figure G: Preferred Development Plan**

Residential use

The project includes a suggested mix of unit and housing types across the site and has shown in the attached table below;

- **Figure H: Development Statistics**

Commercial Use

The permitted uses outlined in the current zoning for C-2 appear to be quite generous and appropriate for the highway frontage. It is expected that those same uses be carried forward into the CD zone being contemplated. The uses outlined in zone C-4 are generally perceived to be too industrial and therefore not applicable. The curating of some of the high-profile commercial spaces is strongly suggested to provide the necessary mix of uses that would help support the immediate occupants, provide the necessary animation to the commercial level and create the vibrancy expected for such an important location. **See the attached 3D modeling and massing – Figure I**

Parks and Open Space / Trail Connections

At this time the proposed internal trail network has not yet been established as it is the intent to work with the Village and trail interests to provide appropriate recreation and commuting trails that link up existing trails and open space in the community. The community has also noted a desire to have commuting pedestrian and bike trails (Valley Trail type) throughout the community to provide separation between vehicles and bikes/pedestrians. These separated trails can be established with input from the Village and community trail users through the planning process.

Archaeological / Indigenous Planning principles

The Lil'wat Nation Land Use Plan outlines Management Direction for Land Development activities in the Traditional Territory as outlined below (Lil'wat Land Use Plan, p53 accessed at <https://lilwat.ca/wp-content/uploads/2015/03/LLUP-Phase-1-August-2006-FINAL.pdf>)

8.6.2 Management Direction for Land Development

Management Direction	Strategy
<i>Undertake land development that minimizes environmental disturbance.</i>	<i>Ensure that all Lil'wat Nation development is sustainable, and adheres to such concepts as Smart Growth and low impact design.</i>
	<i>Oppose land development that leads to sprawl, inefficient use of land, and dependency on motor vehicles.</i>
	<i>Seek to develop communities that focus on mixed use, pedestrian-oriented, and attractive designs.</i>
	<i>Plant native vegetation in land developments</i>
<i>Undertake culturally appropriate land developments</i>	<i>Locate developments away from culturally sensitive sites</i>
	<i>Ensure barriers to cultural sites are not created as a result of new development.</i>

Engineering report

TBD

Traffic Impact Assessment

TBD

Phasing

TBD

Community Amenity Contributions

It is understood that the Village of Pemberton has a Community Amenity Contribution Policy in order to capitalize on the opportunity to gain public facilities, services and amenities through voluntary contributions from the proponents in the rezoning process. The proponents look forward to negotiating an community amenity agreement that ensures a balance between much needed community amenities and the financial capability of our project to contribute.

Firesmart / Wildfire Management

It is understood that the Village has a Wildfire Management Plan. The applicant will rely on direction from Village professionals with regard to any additional investigations or requirements during site development and/or protection of the neighborhood. Fire Smart Guidelines have become a standardized guideline in most communities and we expect to align our planning with any new or forthcoming strategies that the community desires
See attached **Figure J - Wildfire Management Plan**

Summary

Please see the attached package of figures illustrating the development concept drawings, complimenting documents of site assessment, and preliminary engineering briefs. I trust that this is acceptable for your preliminary review and look forward to discussing further once you have had a chance to review and digest the information provided.

Figures and Appendices

Figures

- Figure A: Context Map
- Figure B: Neighbourhood Map
- Figure C: Subdivision & Zoning Plan
- Figure D: Survey Plan
- Figure E: Opportunities and Constraints
- Figure F: Development Potential Plan
- Figure G: Preferred Development Concept
- Figure H: Development Statistics
- Figure I: 3D Modeling and Massing
- Figure J: Wild Fire Management Plan

Appendices

- Appendix A: Rezoning Application Document
- Appendix B: Environmental Report
- Appendix C: Geotechnical Report
- Appendix D: Civil Engineering Drawings
- Appendix E: Land Economics

SUBJECT PROPERTY

Civic Address: 7374 Highway 99, Pemberton, BC
 Legal: LOT 7, D.L. 203, LILLOOET DISTRICT, PLAN 7619

Folio:
 P.I.D.: 009-963-006
 Zoning: COMMERCIAL- TOURISM (C-2), COMMERCIAL SERVICE (C-4)

TOTAL SITE AREA: 358109.5 sq.ft. 33269.46 m2

Project Directory

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 PO Box 602 (e)
 Mount Currie, BC, V0N 2K0 Contact: Kerry Mehaffey

Development Consultant
 Terra Housing (T) 604-736-8416
 2750 Rupert St. (e)
 Vancouver, BC, V5M 3T7 Contact: Kelly Lin

Architect & Landscape Architect
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 PO Box 1394, #106- 4319 Main Street (e) murdoch@telus.net
 Whistler, BC V0N 1B0 Contact: Brent Murdoch

Surveyor:
 Doug Bush Survey Services (T) 604-932-3314
 Unit #18, 1370 Alpha Lake Road (e)
 Whistler BC V8E 0H9 Contact: Doug Bush

Civil Engineer:
 Webster Engineering Ltd. (T) 604-983-0458
 #212-828 Harbourside Dr (e)
 North Vancouver, BC V7P 3R9 Contact: John Tynan

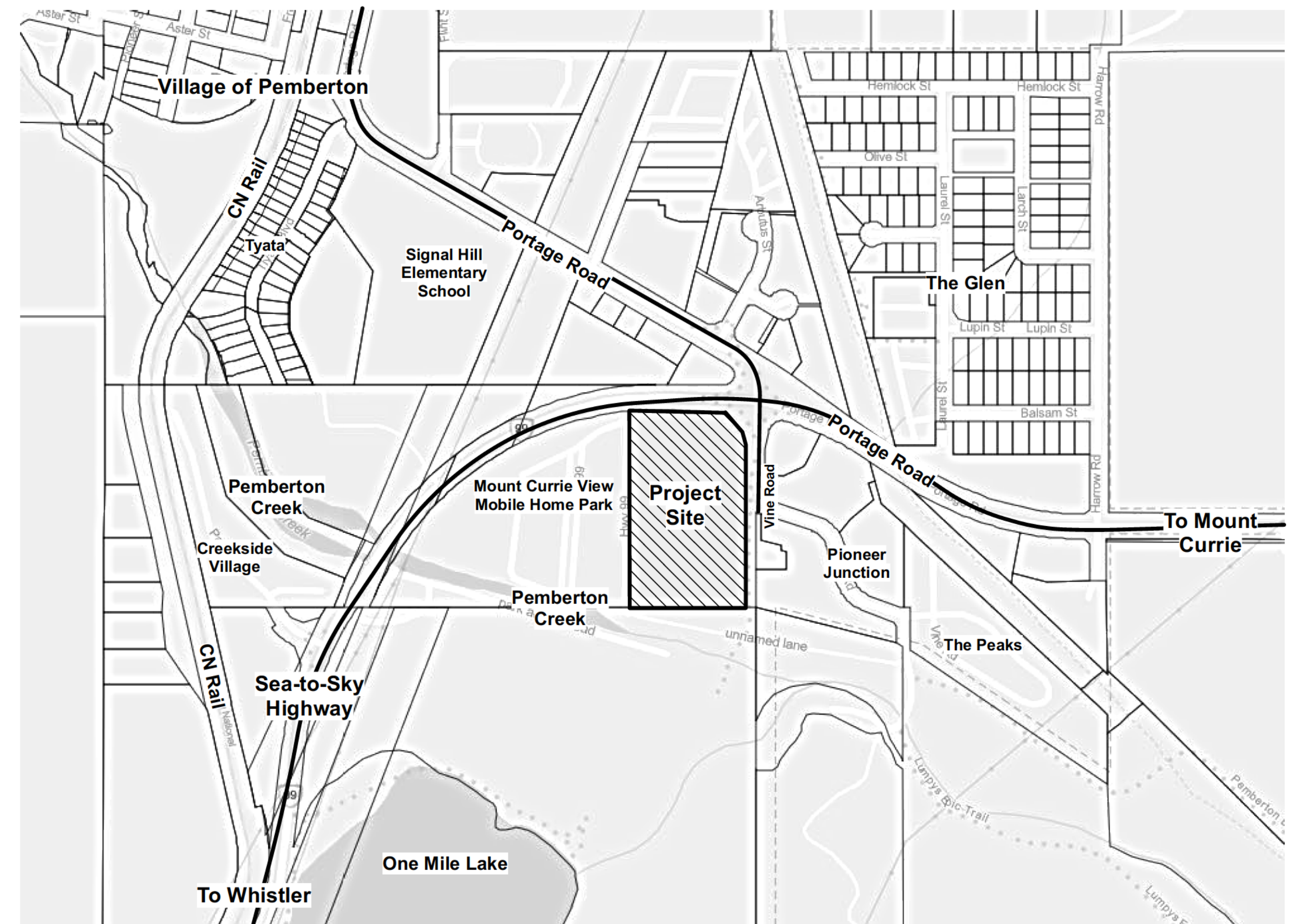
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 Squamish, BC, V8B 0S8 Contact: Evan Sykes

Land Economics
 GP Rollo & Associates (T) 604-275-4848
 #280-11780 Hammersmith Way (e)
 Richmond, BC, V7A 5E9 Contact: Paul Rollo

Drawing List

- A-0.0 Cover Page / Key Plan
- FIG. A Context Plan
- FIG. B Neighbourhood Plan
- FIG. C Subdivision Plan
- FIG. D Survey Plan
- FIG. E Opportunities & Constraints
- FIG. F Development Potential Plan
- FIG. G Preferred Development Plan
- FIG. H Development Statistics
- FIG. I 3D Modelling and Massing
- FIG. J Wildfire Management



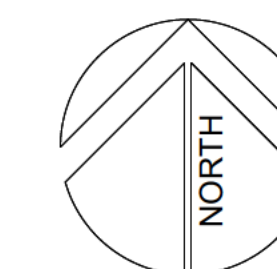
site location & context



existing site - air photo overlay

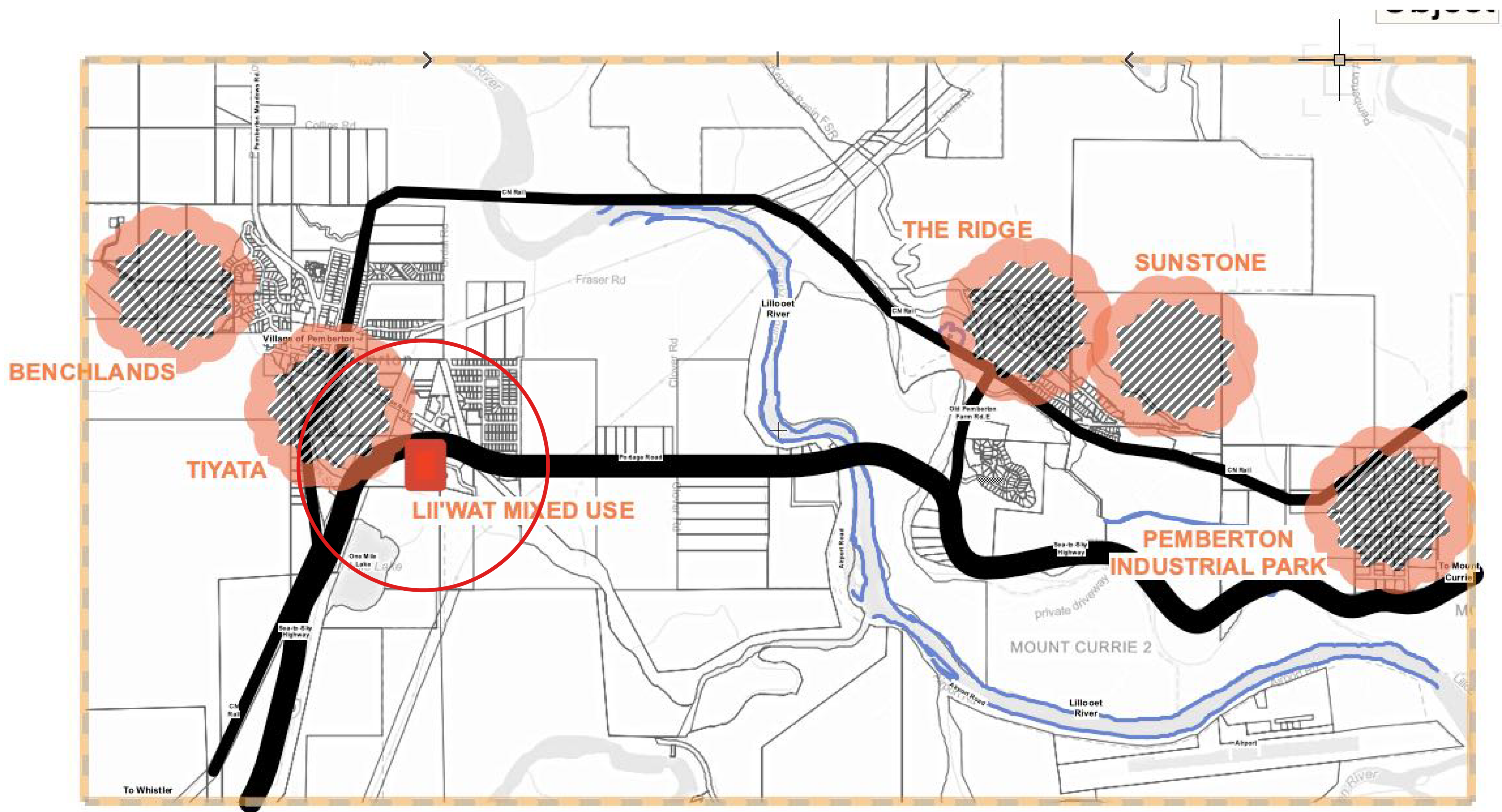
Lil'Wat Capital Assets LLP

7374 Highway 99, Pemberton, BC
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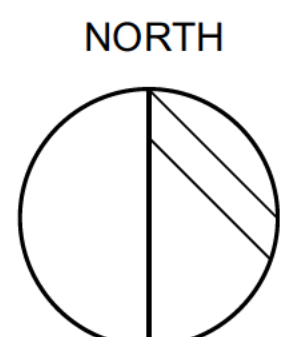


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Issued For: _____ Date: _____
 ISSUED FOR REZONING APRIL 25, 2023
 ISSUED FOR REVIEW AUGUST 22, 2023
 ISSUED FOR REVIEW DECEMBER 5, 2024



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Sheet Title:
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 Project
LII'WAT DEVELOPMENT
 7374 Highway 99, Pemberton BC

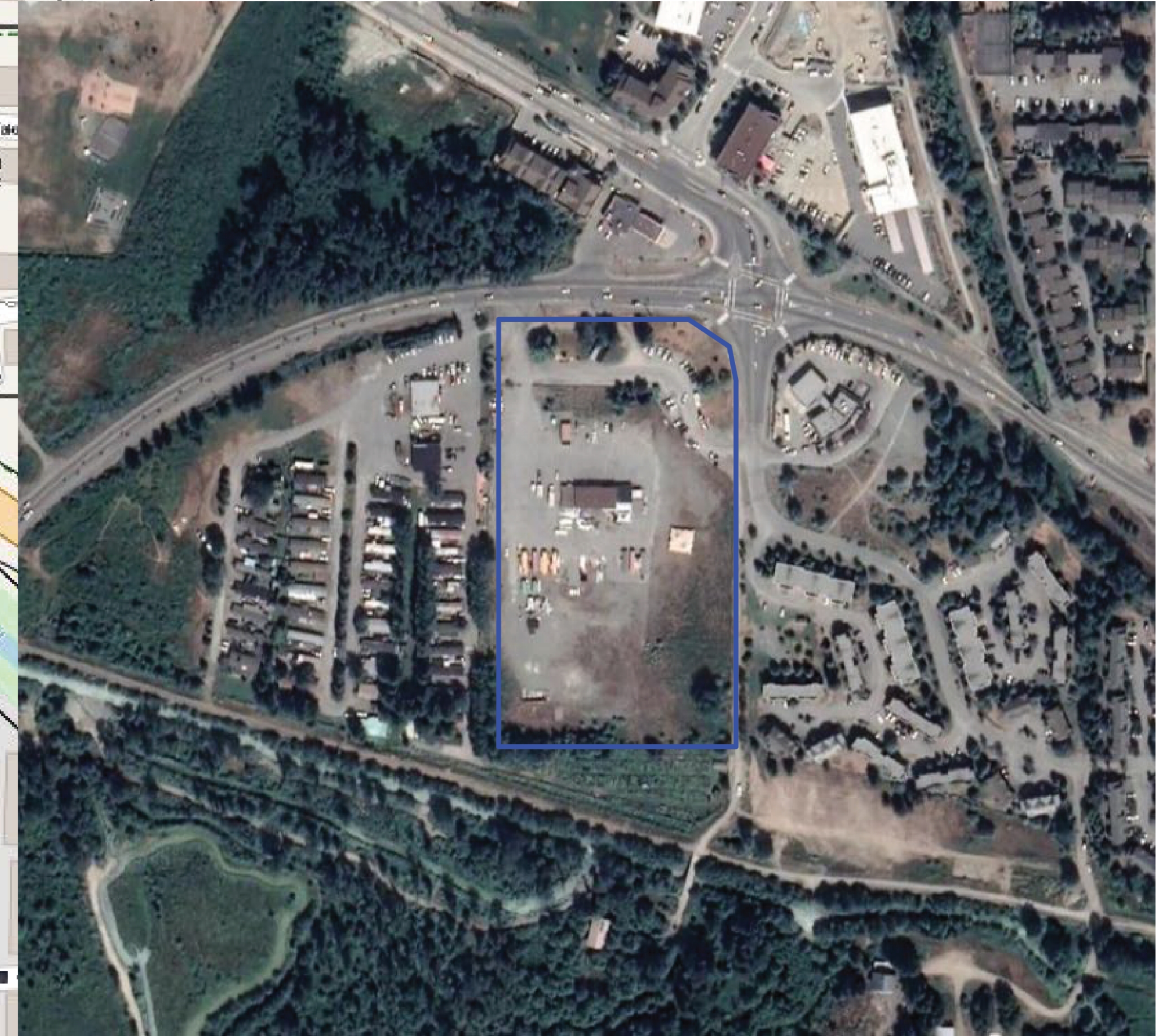
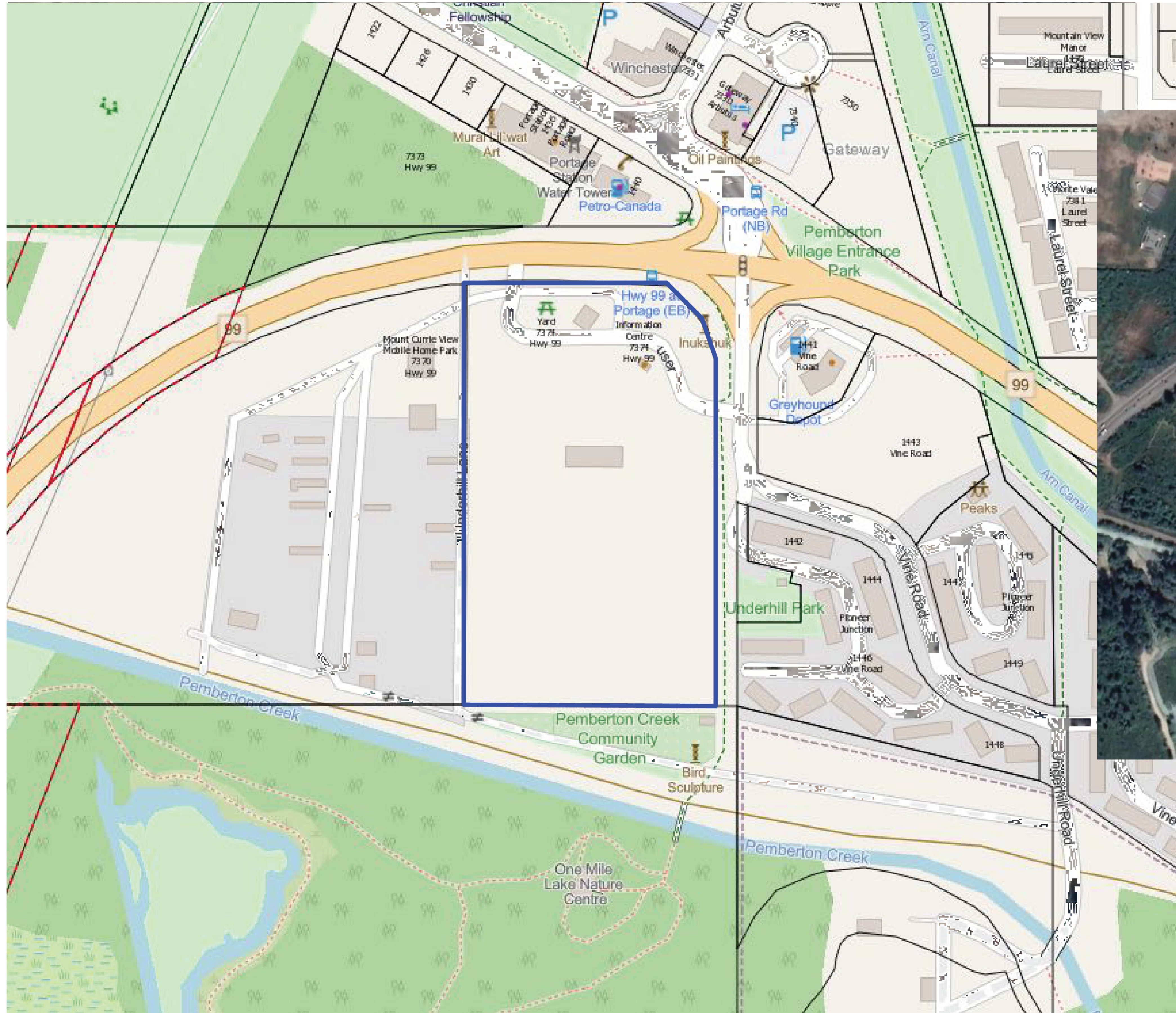
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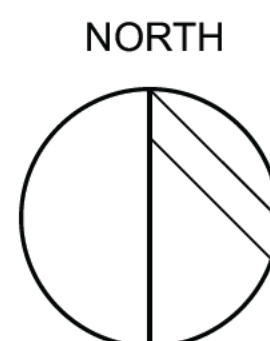
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FIG. A

CONTEXT PLAN



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Sheet Title:
NEIGHBOURHOOD PLAN
 Project
LIL'WAT DEVELOPMENT
 7374 Highway 99, Pemberton BC

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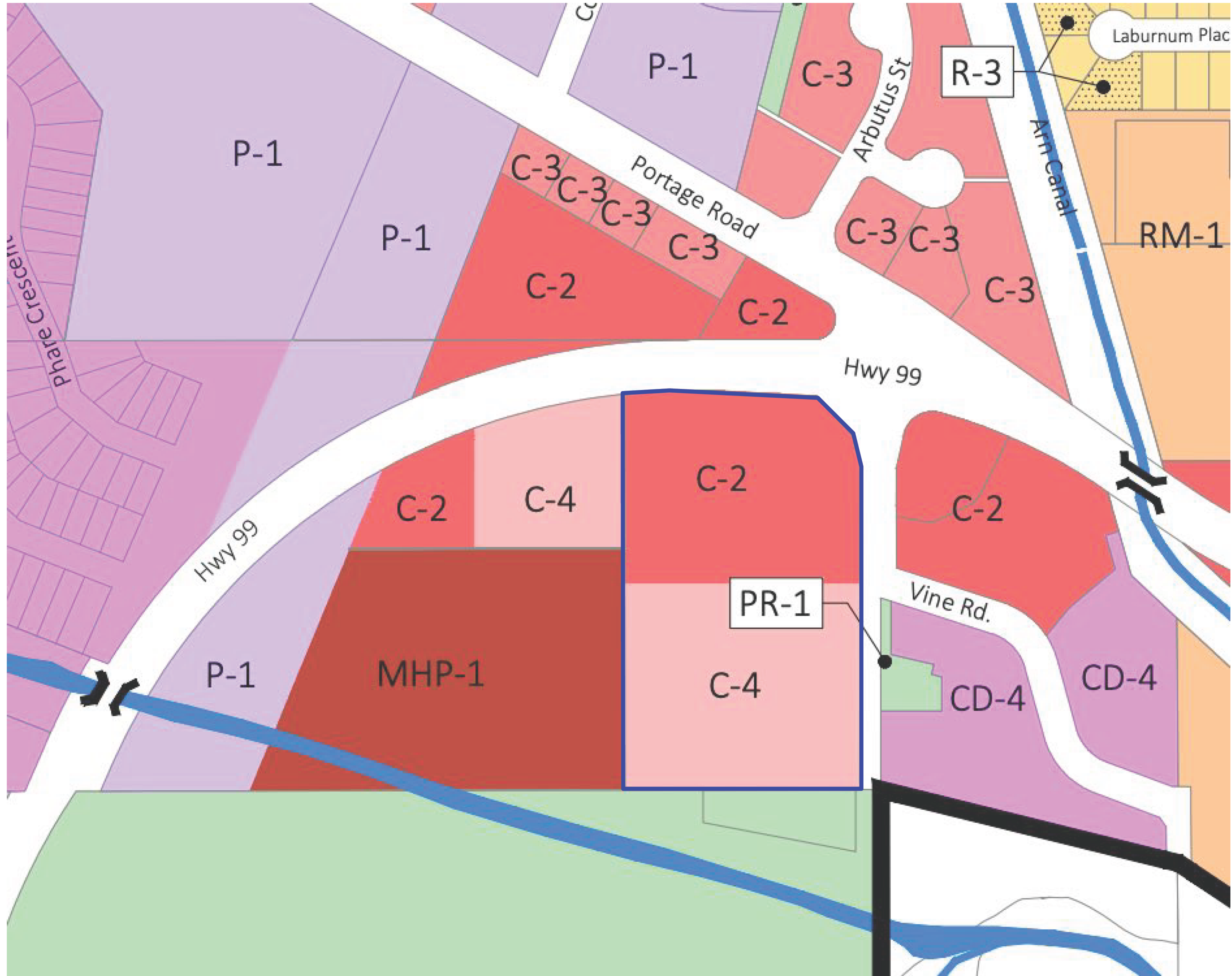
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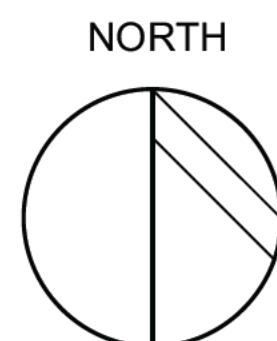
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FIG.B

NEIGHBOURHOOD PLAN



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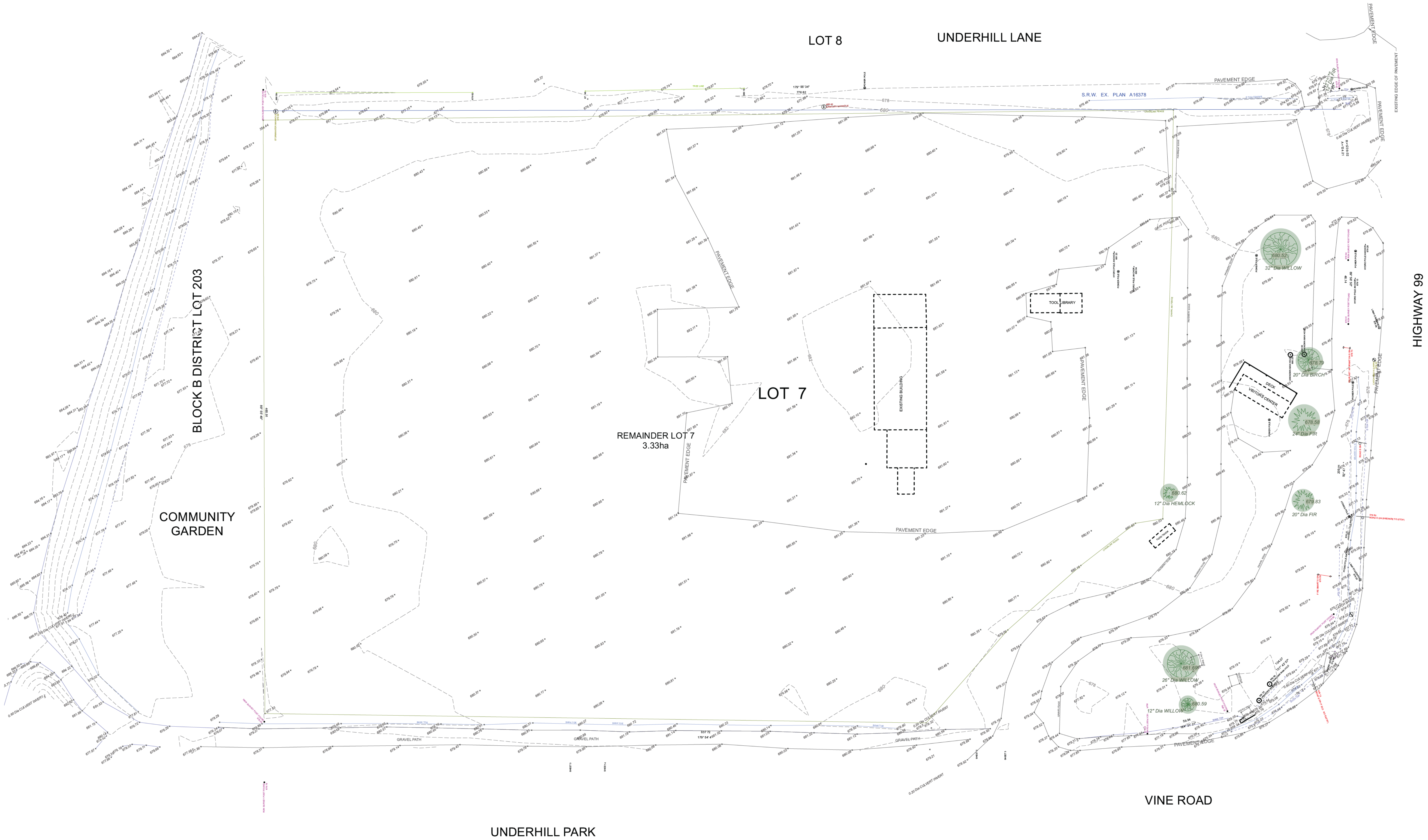
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Sheet Title:
SUBDIVISION & ZONING PLAN
 Project
LIL'WAT DEVELOPMENT
 7374 Highway 99, Pemberton BC

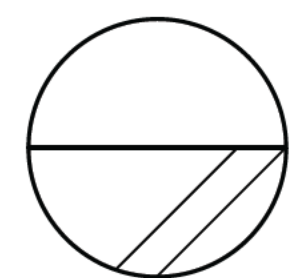
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	FIG. C
SUBDIVISION & ZONING PLAN	



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SURVEY PLAN
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LIL'WAT DEVELOPMENT
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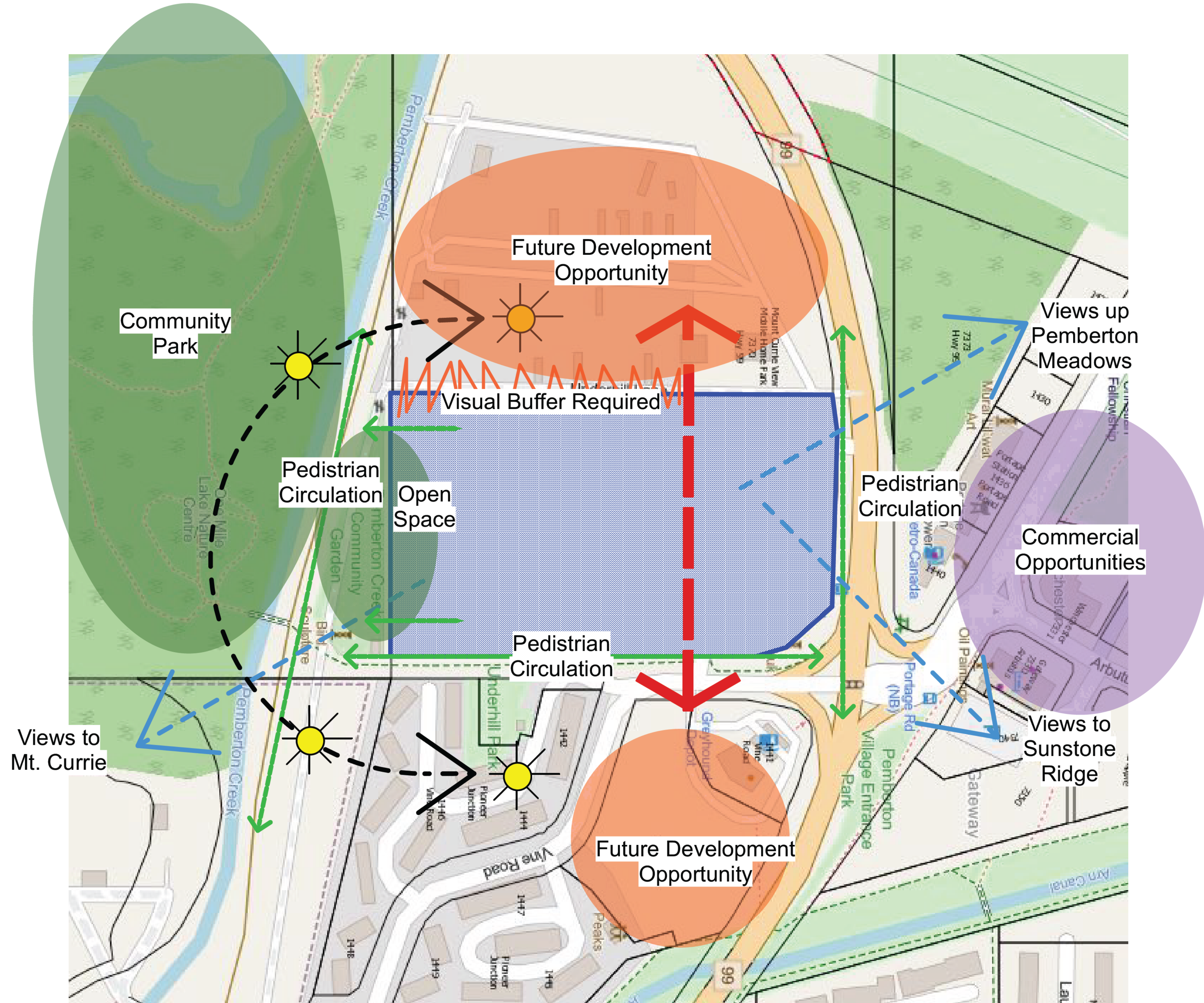
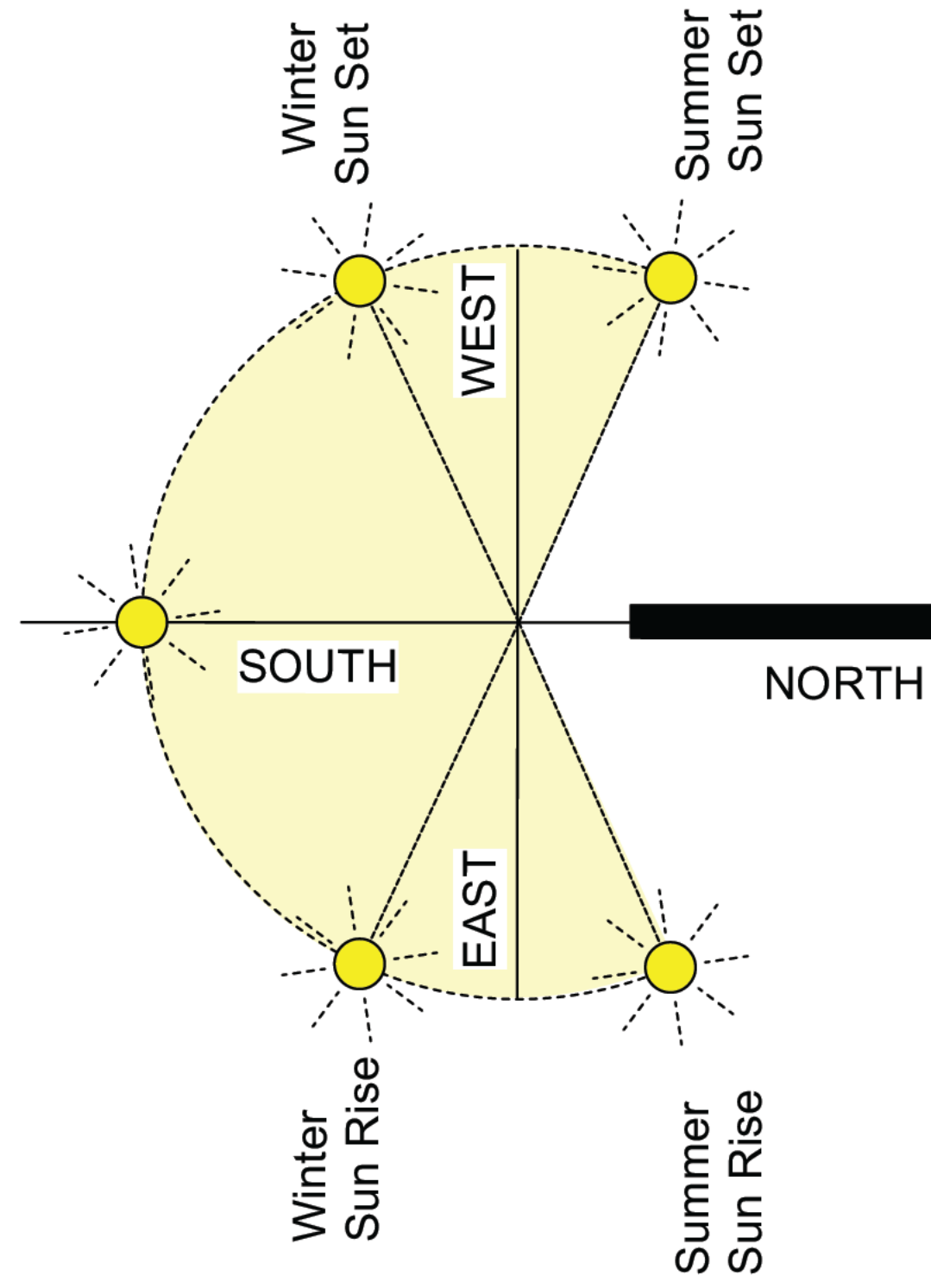
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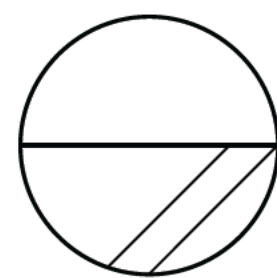
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FIG. D
 SURVEY PLAN

Sun Exposure



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LIL'WAT DEVELOPMENT
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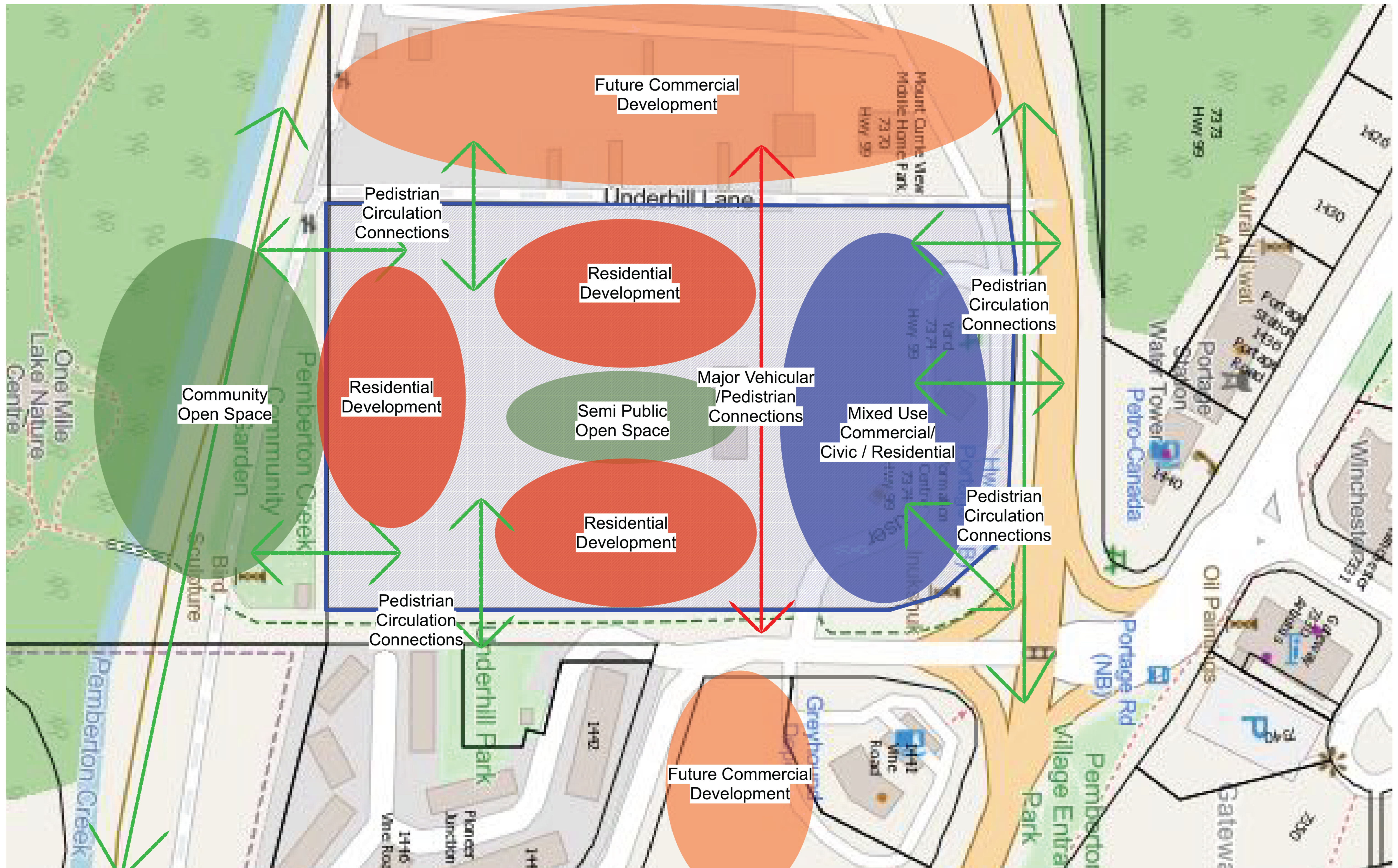
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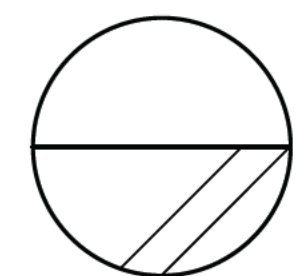
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FIG. E



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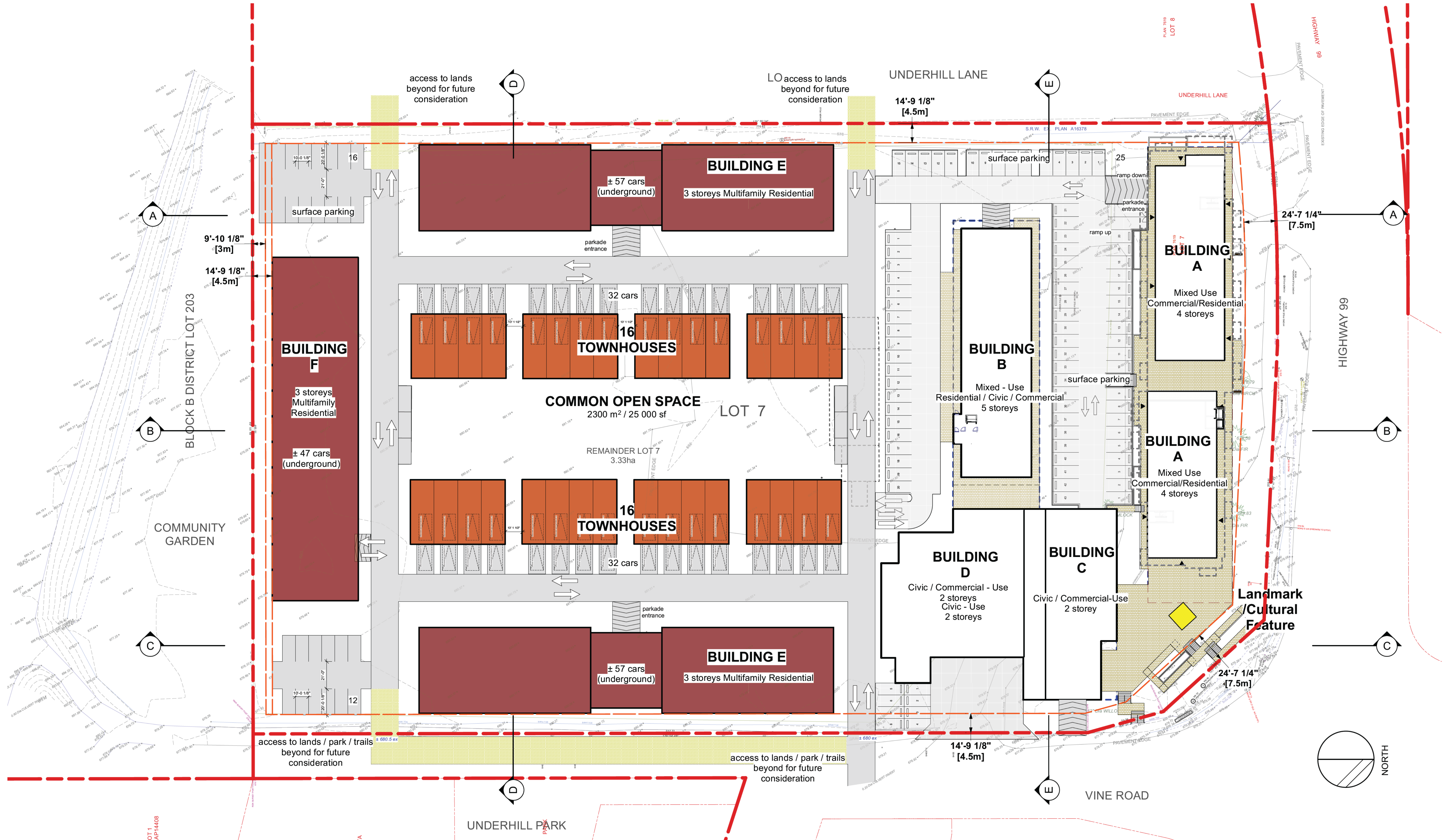
Sheet Title:
DEVELOPMENT POTENTIAL PLAN
 Project
LIL'WAT DEVELOPMENT
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FIG. F



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PREFERRED DEVELOPMENT CONCEPT
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LIL'WAT DEVELOPMENT
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FIG. G

Preferred Development Option B- Lilwat Mixed Use, Pemberton, BC

05-Dec-24

Current Zoning	Development Stats	Current Density	Proposed Density	Parking Requirement	Parking Provided
C-2	1.5 HA (15,000 m2)		22,500 m2 (1.5 FAR)		
	1.5 FAR	22,500 m2 (1.5 FAR)			
C-4	1.83 HA (18,300m2)		27,450 m2 (1.5 FAR)		
	.5 FAR	9,150 m2 (0.5 FAR)			
Proposed DP Application Option					
BLDG A - Apartment/Condo	Mixed Use -4 story Res. Over Comm.	60 Units	4821.57 m2 (51900.66 sf)	60 stalls (1 stall / unit)	60 stalls
		Comm. / Retail Space	1278.97 m2 (13,767.26 sf)	51 stalls (4 stalls / 100m2)	51 stalls
BLDG B - Apartment/Condo	Mixed Use - 5 Story Res. Over Comm. / Civic / Instit.	52 Units	5045.41 m2 (54,310.12 sf)	52 units (1 stall/unit)	39 stalls
		Comm. / Civic / Institutional	959.0 m2 (10,322.93 sf)	28 stalls (3 stalls /100m2)	35 stalls
BLDG C - Civic Use	Civic Use - 2 Story Wood Frame over U/G	Civic Use	610 m2 (6,566.0 sf)	18 stalls (3 stalls /100m2)	14 stalls
		Civic Use	550 m2 (5,920.0 sf)	17 stalls (3 stalls /100m2)	14 stalls
BLDG D - Civic Use	Civic Use - 2 Story Wood Frame over U/G	Civic Use	1,113 m2 (11,980.0 sf) (291 m2 Office)	6 stalls (2 stalls / 100m2)	4 stalls
		Civic Use	358 m2 (3,853.0 sf)	4 stalls	4 stalls
BLDG E - Apartment (Afford. Hsg	Apartment-3 story Wood Frame over U/G	142 Units @ 67.5 m2	9,600 m2	142 stalls (1 stall/unit)	142 stalls
BLDG F - Apartment (Afford. Hsg	Apartment-3 story Wood Frame over U/G	68 Units @ 67.5 m2	4,800 m2	68 stalls (1 stall/unit)	68 stalls
BLDGS - Townhouses	Townhouse-3 story Wood Frame	32 Units @ 273 m2 (incl garage	8,736 m2	64 stalls (2 stalls / unit)	64
Visitor Parking @ .25 / Unit		341 Units		85 Visitor Stalls	85 Visitor Stalls
TOTAL			37,831.95 m2 (407,663.61 sf)	592 Parking Stalls	580 Parking Stalls

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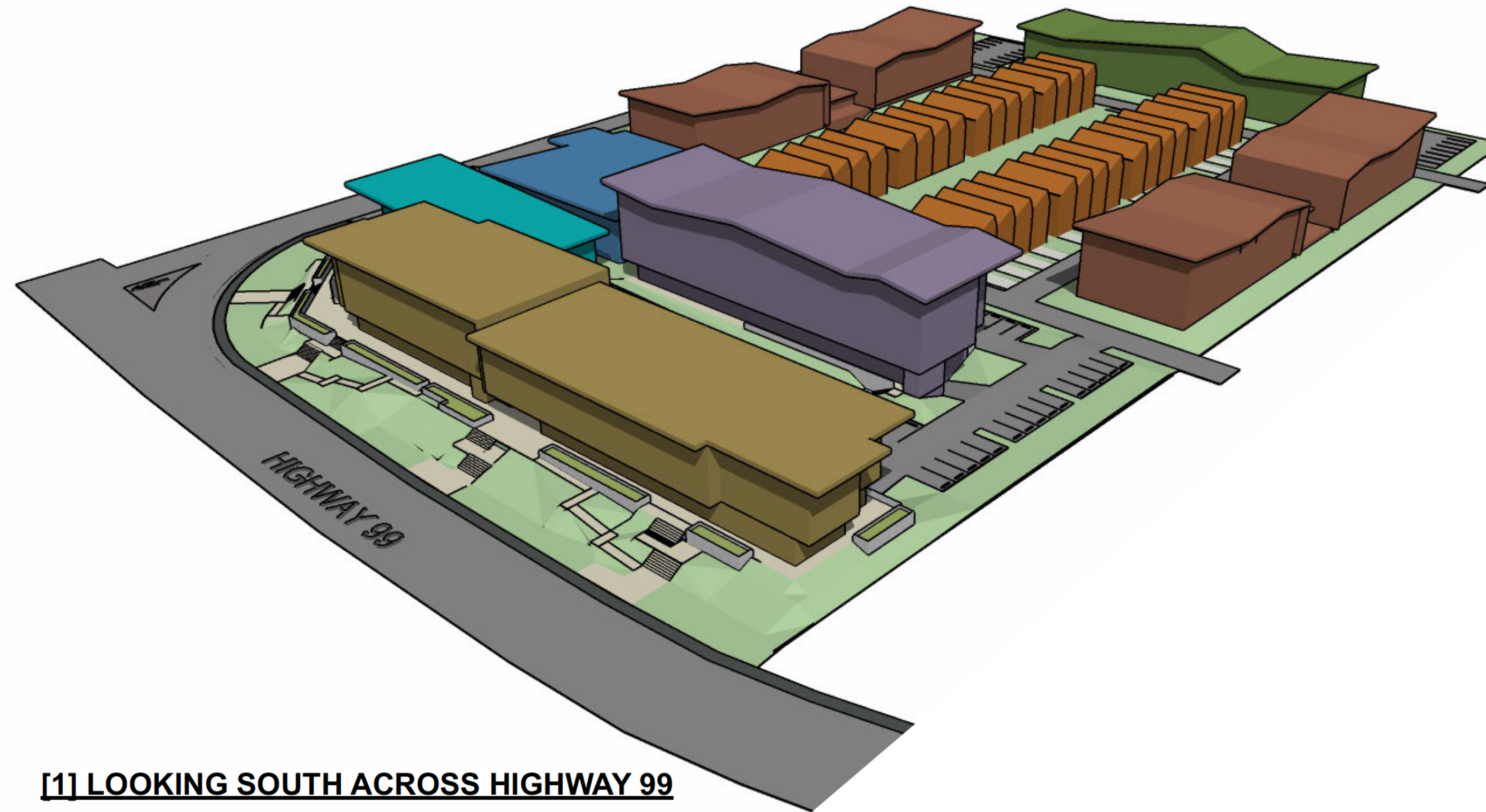
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DEVELOPMENT STATISTICS
 Project
LIL'WAT DEVELOPMENT
 7374 Highway 99, Pemberton BC

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FIG. H



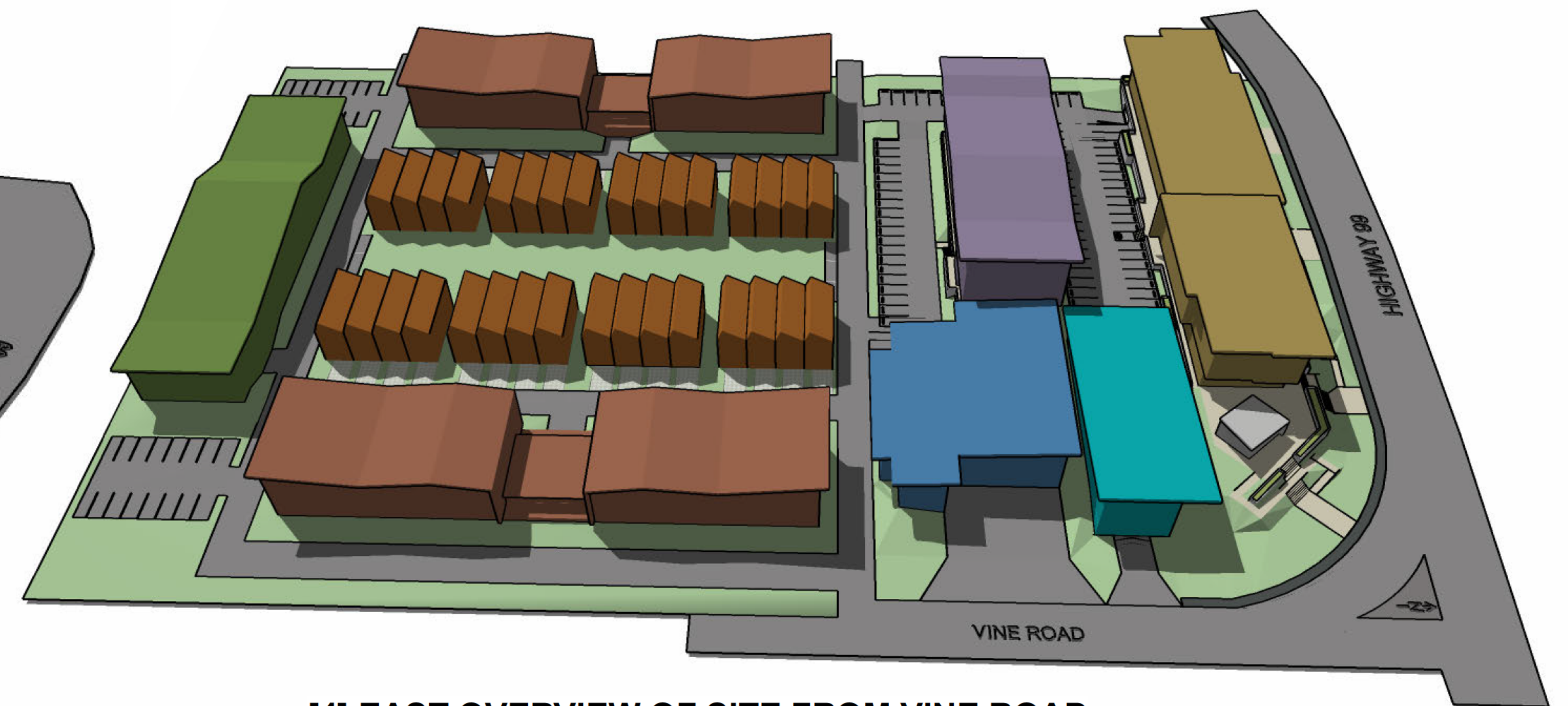
[1] LOOKING SOUTH ACROSS HIGHWAY 99



[2] LOOKING NORTH-EAST TOWARDS HIGHWAY 99



[3] VINE RD. & 99 LOOKING SOUTH-WEST



[4] EAST OVERVIEW OF SITE FROM VINE ROAD

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3D MODELLING AND MASSING
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LIL'WAT DEVELOPMENT
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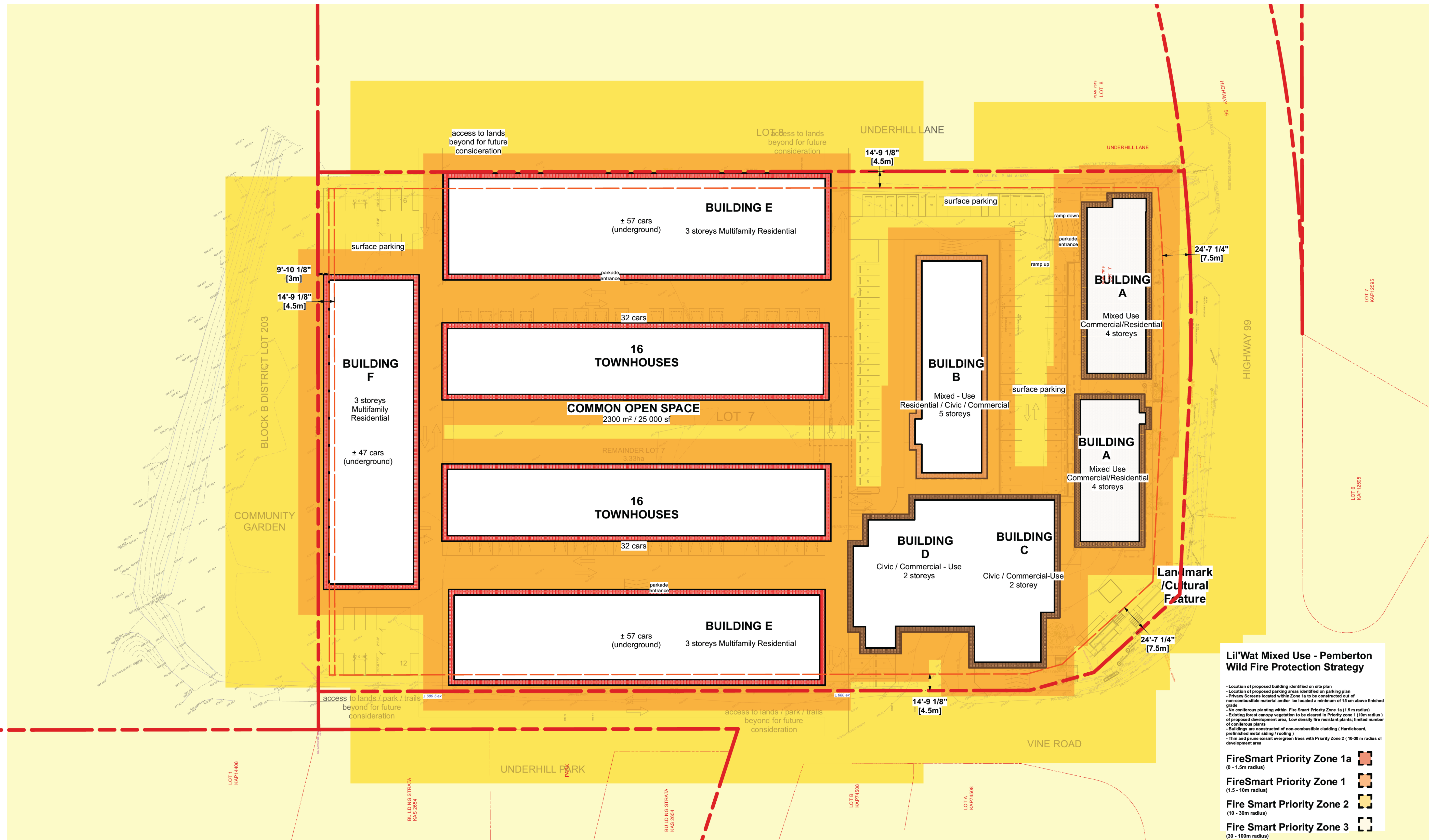
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FIG. I

3D MODELLING AND MASSING

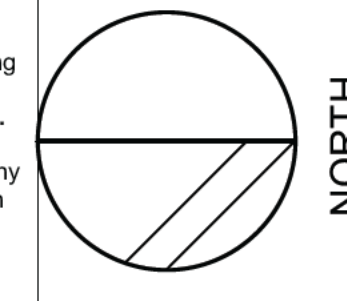


Lil'wat Mixed Use - Pemberton Wild Fire Protection Strategy

- Location of proposed building identified on site plan
- Location of proposed parking areas identified on parking plan
- Privacy Screens located within Zone 1a to be constructed out of non-combustible material and/or be located a minimum of 15m above finished grade
- No continuous planting within Fire Smart Priority Zone 1a (1.5m radius)
- Existing forest canopy vegetation to be cleared in Priority zone 1 (10m radius) of proposed development area, Low density fire resistant plants; limited number of coniferous plants
- Buildings are constructed of non-combustible cladding (Hardieboard, unfinished metal siding / roofing)
- Thin and prune existing evergreen trees with Priority Zone 2 (10-30m radius of development area)

- FireSmart Priority Zone 1a** (0 - 1.5m radius)
- FireSmart Priority Zone 1** (1.5 - 10m radius)
- Fire Smart Priority Zone 2** (10 - 30m radius)
- Fire Smart Priority Zone 3** (30 - 100m radius)

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Issued for Civil Review	April 28, 2022
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Issued For:	Date:

Sheet Title:
WILDFIRE MANAGEMENT PLAN
 Project
LIL'WAT DEVELOPMENT
 7374 Highway 99, Pemberton BC

Sealed By:

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Drawn By: Scale:

BM/JL 1" = 40'0"

Project No: Sheet No:

FIG.J