

VILLAGE OF PEMBERTON

BYLAW NO. 790, 2015

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 466, 2001

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

AND WHEREAS the Council of the Village of Pemberton deems it desirable to zone lands for Residential Uses;

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

1. CITATION

This Bylaw may be cited for all purposes as “Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment (‘580’ Hillside Lands) Bylaw No. 790, 2015.”

2. Village of Pemberton Zoning Bylaw No. 466, 2001 is amended by addition of the following as Section 302 C:

“302C RESIDENTIAL (AMENITY) ZONE RSA-2

The intent of the RSA-2 Zone is to provide for the purpose of low density single family dwellings, and to provide density incentives earned by provision of certain amenities.

302C.1 Permitted Uses

Single Residential Dwelling
Home Occupation ^(a)
Accessory Suite ^(b)
Bed and Breakfast ^(c)
Accessory Uses

^(a) Home Occupation shall be subject to the requirements of Section 207.

^(b) Accessory Suite shall be subject to the requirements of Section 210 (1) and (3).

^(c) Bed and Breakfast shall be subject to the requirements of Section 224.

302C.2 Lot Sizes

(a) The minimum lot sizes as a base density are as follows:

Single Residential Dwelling	20,000 m ²
Bed and Breakfast	20,000 m ²

(b) The minimum lot sizes where the requirements identified in Section 302.C(c) have been fulfilled are as follows:

Single Residential Dwelling	1,400 m ²
Bed and Breakfast	1,400 m ²

(c) The densities may be increased from the requirements identified in Section 302C.2(a) to the requirements identified in Section 302C.2(b) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot, payable either:

- i) in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

302C.3 Buildings and Structures

- (a) No more than two dwellings (which includes an accessory suite) may be located on a parcel.
- (b) No more than two accessory buildings or structures are permitted on a parcel.

302C.4 Building Heights

Refer to the regulations contained in Section 302.2, which shall apply.

302C.5 Setbacks

Refer to the regulations contained in Section 302.3, which shall apply.

302C.6 Lot Coverage

The lot coverage of all buildings on a lot shall not exceed 40%.

302C.7 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

302C.8 Screening and Landscaping

Screening and landscaping shall be provided in accordance with the regulations in Division 400.

302C.9 Signage

Signage should be limited to that permitted pursuant to Section 207(7) – Home Occupation.

302B.10 Watercourse Setbacks

Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

3. Village of Pemberton Zoning Bylaw No. 466, 2001 is amended by addition of the following as Section 303B:

303B RESIDENTIAL TOWNHOUSE (AMENITY) ZONE RTA-2

The intent of the RTA-2 Zone is to provide for the purpose of moderate density townhouse or single family development, and to provide density incentives earned by provision of certain amenities.

303B.1 Permitted Uses

Townhouse
Single Residential Dwelling ^(a)
Home Occupation ^(b)
Accessory Uses

(a) Single Residential Dwellings within this zone shall be subject to all the requirements of Section 302.

(b) Home Occupation shall be subject to the requirements of Section 207.

303B.2 Lot Sizes

(a) The minimum lot sizes as a base density are as follows:

Single Residential Dwelling	20,000 m ²
Townhouse	20,000 m ² per unit

(b) The minimum unit size for a Townhouse is 300 m².

(c) Where the requirements identified in Section 303B.2(e) are fulfilled, the permitted density of a Single Residential use may be increased to the following:

Minimum Lot Size	700 m ² ^(a)
Minimum Lot Width 1	18 m ^(b)
Maximum Floor Space Ratio	0.50

(d) Where the requirements identified in Section 303B.2(e) are fulfilled, the permitted density of a Townhouse use may be increased in accordance with the regulations contained within Section 303.3 of the RT-1 Zone.

- (e) The densities may be increased from the requirements identified in Section 303A.2(a) and 303A.2(b) to the requirements identified in Section 303A.2(c) and Section 303A.2(d) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot or \$6110.00 per townhouse unit, payable either:
 - i) in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
 - ii) in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

303B.3 Buildings and Structures

- (a) No more than two dwellings including an accessory suite may be located on a parcel.
- (b) No more than two accessory buildings or structures are permitted on a parcel.

303B.4 Building Height and Setbacks

- (a) Single Residential Dwellings refer to regulations contained in Section 302.2 and 302.3, which shall apply.
- (b) Townhouse refer to regulations contained in Section 303.2 and 303.3, which shall apply.

303B.5 Lot Coverage

The lot coverage of all buildings on a lot shall not exceed 40%.

303B.6 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

303B.7 Screening and Landscaping

Screening and landscaping shall be provided in accordance with the regulations in Division 400.

303B.8 Signage

Signage should be limited to that permitted pursuant to Section 207(7) – Home Occupation.

303B.9 Watercourse Setbacks

Any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans Canada.

4. Schedule A – Zoning Districts Map of Zoning Bylaw 466, 2001 is amended by re-zoning the lands shown shaded on Schedule 1 of this Bylaw from SLRD Electoral Area C Zoning: Rural 1 – Rural Residential sub zone (RR1_{Res}) to Village of Pemberton Residential (Amenity) Zone 2 (RSA-2) and Residential Townhouse (Amenity) Zone 2 (RTA-2).

READ A FIRST TIME this 7th day of July, 2015.

READ A SECOND TIME this 17th day of November, 2015.

NOTICE OF PUBLIC HEARING for Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 was published in the **Pique Newsmagazine** on November 26th, 2015 and December 3rd, 2015, and in the **Whistler Question** on December 1st, 2015.

PUBLIC HEARING HELD this 8th day of December, 2015.

READ A THIRD TIME this 15th day of December, 2015.

APPROVED BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE PURSUANT TO SECTION 52 of the *Transportation Act* this 22nd day of December, 2015.

ADOPTED this 19th day of January, 2016.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Schedule A

Village of Pemberton Zoning Bylaw No. 466, 2001,
Amendment ('580' Hillside Lands) Bylaw No. 790, 2015
"Subject Lands"

