

**THE VILLAGE OF PEMBERTON
BYLAW NO. 635, 2009**

Being a bylaw to amend the Village of Pemberton Official Community Plan Designation Bylaw No. 435, 1999

WHEREAS the Council may amend its Official Community Plan from time to time;

AND WHEREAS the Council of the Village of Pemberton deems it desirable to amend the Official Community Plan to accommodate a new neighbourhood that would contain a mix of land uses and housing densities and an open space and trail network in close proximity to the Town Centre;

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

1. This Bylaw may be cited for all purposes as “Official Community Plan Amendment Bylaw No. 635, 2009.”
2. Village of Pemberton Official Community Plan Designation Bylaw No. 435, 1999 is amended by incorporating Schedule 1 of this Bylaw as Schedule D to Bylaw No. 435, 1999.
3. Village of Pemberton Official Community Plan Designation Bylaw No. 435, 1999 is amended by re-designating the lands shown outlined in a solid black line on Schedule 2 of this Bylaw from **Highway Frontage Commercial (HC)** to **Gateway / Tiyata Special Planning Area** on Schedule “A” of Village of Pemberton Official Community Plan Designation Bylaw No. 435, 1999.

READ A FIRST TIME this 19th day of May, 2009.

READ A SECOND TIME this 19th day of May, 2009.

PUBLIC HEARING HELD this 2nd day of June, 2009.

PUBLIC HEARING RECONVENED this 7th day of July, 2009.

PUBLIC HEARING RECONVENED A SECOND TIME this 21st day of July, 2009

READ A THIRD TIME this 21st day of July, 2009.

THIRD READING RESCINDED this 9 day of February, 2010.

PUBLIC HEARING ON AMENDED BYLAW HELD this 9 day of February, 2010.

AMENDED BYLAW READ A THIRD TIME this 9 day of February, 2010.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 30 day of March, 2010.

Mayor

Corporate Officer

Schedule D

Official Community Plan Designation Bylaw 435, 1999

Special Planning Area (Gateway Park / Tiyata Neighbourhood)

1.0 Background

The **Gateway Park / Tiyata Neighbourhood** (Neighbourhood) is located within the heart of the Village of Pemberton. The lands subject to this ***Special Planning Area*** fall within the CN Rail line, Signal Hill Elementary School, Highway 99, and Pemberton Creek. A small portion of the lands lies west of Pemberton Creek.

The lands comprise a 8.9 hectare, vacant site and other than the presence of the creek, the lands exhibit no significant physical features. The relatively flat site has floodplain and debris flow issues related to the Lillooet River and Pemberton Creek, respectively.

The Neighbourhood has been designated as a ***Special Planning Area*** because of the significant opportunity to plan and design a new neighbourhood within the Village in a comprehensive manner respecting Smart Growth and sustainability principles. The project presents a unique opportunity as a significant and considerable tract of land within the centre of the community without fragmented ownership.

2.0 Neighbourhood Vision

The vision for the **Gateway Park / Tiyata Neighbourhood** is to create a sustainable development that offers various housing types catering to people with a range of incomes and ages. The residents will have easy access to places of work, shopping, and community amenities.

3.0 Land Use Framework

The **Gateway Park / Tiyata Neighbourhood** will be developed generally in accordance with the Site Plan included as *Figure 1*. The Site Plan contains residential, commercial, office, and recreational land uses. The residential densities for the entire development are approximately 13 units per acre and are linked internally and externally by a trail and sidewalk network. The development's mixed land uses, proximity to downtown and pedestrian network ensures that it will be a "walkable" neighbourhood,

The Neighbourhood will have two main community gathering points; one within the commercial / residential precinct in the centre of the neighbourhood and the other at a public park located along Pemberton Creek.

Apartment style residential units and the commercial / office areas will be concentrated along the main road that bisects the neighbourhood. For those uses adjacent to the CN Rail right of way, noise abatement measures and setbacks will be integrated into the buildings and site design.

Lower density single family and duplex lots will primarily be developed along Pemberton Creek. These lots will respect provincial requirements for riparian setbacks.

For the purposes of enhancing affordable housing opportunities within the community the development will include the transfer of a 0.53 ha. parcel of land fronting Highway 99 to the Village. The site has the opportunity to provide approximately 20-30 small housing units.

The Neighbourhood will consist of the following components:

- a total of approximately 296 dwelling units consisting of small lot single family dwellings (approximately 370 square meter) lots, townhouses, apartment units, and live-work units (note that accessory residential units are not included in this calculation if permitted in the future within the RS2 zone);
- 2694.5 square meters of commercial / office floor space;
- greater than 5% of the site for park land, including a community garden; and
- a connecting trail network

4.0 Circulation Systems

The Neighbourhood will be served by a new collector road accessed from Portage Road. A roundabout is located in the middle of the Neighbourhood and is one of its unifying elements. The collector road connecting the Neighbourhood with Highway 99 is contemplated in the Plan, but it will be a one way road enabling residents to exit the Neighbourhood in a southbound direction.

The trail network will feature a trail along the dike and under the BC Hydro transmission lines connecting the neighbourhood to the Community Centre on Portage Road. Internal trails will also be provided linking various parts of the neighbourhood.

The Plan for the Neighbourhood has accommodated the possibility for a future vehicular and pedestrian crossing of the rail line by protecting a road right of way, however such a crossing will not materialize without the permission of the rail operations. .

5.0 Infrastructure and Services

The Neighbourhood will be serviced with municipal water and sewer in accordance with Village standards. Storm water will apply best practices in reducing the amount of flow that enters Pemberton Creek.

The upgrading of any off-site infrastructure to service the neighbourhood will be the subject of further technical studies.

Any street lighting shall be dark sky friendly.

6.0 Flood Protection and Riparian Setbacks

The **Gateway Park / Tiyata Neighbourhood** is situated on the valley bottom and therefore lies within the Pemberton Creek alluvial fan and the Lillooet River floodplain. Flood hazard investigations have recommended an upgrade of the dike system adjacent to the subject properties in order to adequately protect the neighbourhood. In addition, all habitable space within any building will need to be constructed to the established flood control elevations.

The project is subject the Riparian Areas Regulation. An assessment has been completed by a certified environmental professional whereby the Streamside Protection and Enhancement Area (SPEA) has been delineated as 15 metres. Although the proposed building envelopes will not be within the 15 meter setback, development parcels may be within the delineated Streamside Protection and Enhancement Area.

7.0 Community Amenities

As noted previously, the **Gateway Park / Tiyata Neighbourhood** will contain a number of elements that the overall community will benefit from including:

- parkland dedications in excess of the 5% requirement;
- neighbourhood park improvements;
- neighbourhood trail construction, including a dike trail;
- school bus drop off and access improvements;
- a pedestrian bridge crossing linking the dike trail and the Creekside townhouse site;
- a community garden; and
- transfer of land for affordable housing.

Community amenities will ultimately be secured by entering into agreements with the Developer prior to the adoption of zoning amendment bylaws. Given that the Developer will be providing this array of improvements which will be recognized as on-site commitments for community amenities.

8.0 Sustainability Initiatives

The **Gateway Park / Tiyata Neighbourhood** has been designed with a number of features that respect to accommodate a number of sustainability principles including:

- central community meeting areas both passive and active in scope;
- community garden for growing food and building community;
- a trail connecting the neighbourhood with Signal Hill Elementary School;
- a healthy mix of land use and sufficient density levels to better accommodate transit;

- a variety and choice of housing opportunities; and
- a walkable neighbourhood with a variety of pedestrian options.

There are a number of other sustainability opportunities that will be secured through the development approval process including:

- opportunities for employment (long term);
- diversity of tenures;
- attractive streetscape;
- universal access;
- commitment to ongoing community participation;
- green building best practices such as grey water reuse, water reduction appliances, the stormwater management, heat island reduction, permeable pavement, solar exposure; and
- flexibility in unit design to allow people to age in place.

9.0 Development Permit Areas

The development of the single family small lot subdivision, and the residential multi family sites, commercial, and mixed use sites shall be subject to Development Permit approval. The Development Permit Guidelines that apply for the single family small lot subdivision are contained within the RS-2 Zone of the Zoning Bylaw, and the Development Permit Guidelines for the residential multi family sites, commercial, and mixed use sites are contained within the Official Community Plan.

10.0 Implementation

The following measures will be pursued by the Village as part of the approval process as a means of implementing the Plan:

- create a comprehensive zoning package for the subject properties that reflects the policy direction contained herein; and
- enter into restrictive covenants and/or agreements with the Developer regarding the delivery of commitments to servicing and community amenities.;

Figure 1: Site Plan

SCHEDULE "2"

Official Community Plan Amendment Bylaw No. 635, 2009

Map Amendments to Schedule "A"

Re-designate from **Highway Frontage Commercial (HC)** to
Gateway / Tiyata Special Planning Area

