

Date: Tuesday, May 14, 2024

To: Elizabeth Tracy, Chief Administrative Officer

From: Cameron Chalmers, RPP, MCIP, Consulting Planner

Subject: Public Hearing to Official Community Plan Amending Bylaw (Nkwúkwma Sub Area Plan) No 956, 2024

PURPOSE

The purpose of this report is to provide Council with background and information for public hearing of the proposed Official Community Plan Amendment (Nkwúkwma Sub Area Plan) Bylaw No. 956, 2024 attached as **Appendix A**.

BACKGROUND

On April 30, 2024 Council received the staff report attached as **Appendix B**, and after consideration passed the following resolutions:

Resolution No. 1598-11

THAT Council gives first and second readings to Official Community Plan Amendment (Nkwúkwma Sub Area Plan) Bylaw No. 956, 2024.

Resolution No. 1598-12

THAT Council schedules a public hearing for Tuesday May 14, 2024, at 5:00pm at the Village of Pemberton Council Chambers 7400 Prospect Street, with respect to Official Community Plan Amendment (Nkwúkwma Sub Area Plan) Bylaw No. 956, 2024.

Resolution No. 1598-13

THAT Council provides notice pursuant to sections 464(3) and 467 of the *Local Government Act* with respect to Zoning Amendment Bylaw No. 957, 2024 (Nkwúkwma Neighbourhood).

Resolution No. 1598-14

THAT, prior to the adoption of Zoning Amendment Bylaw No. 957, 2024 (Nkwúkwma Neighbourhood), the owner is required to enter into a land development agreement, generally in accordance with the term sheet attached to the April 30, 2024 staff report, to the satisfaction of the Village of Pemberton;

AND THAT the mayor and chief administrative officer are authorized to sign the land development agreement on behalf of the Village provided it generally conforms with the term sheet attached to the April 30, 2024 staff report.

Most relevant to the public hearing is that Council granted first and second reading to the bylaws and established the date, time, and location of the public hearing.

The staff report attached as **Appendix B** includes the information Council considered in advancing the OCP amending bylaw. The appendix of the staff report, containing the OCP amending bylaw presented to Council on April 30th, has been removed to avoid duplication of the bylaw presented in Appendix A of this report.

The public hearing was advertised in accordance with the *Local Government Act* and the Village of Pemberton development procedures bylaw. A copy of the notice is attached as **Appendix C**.

PROPOSED BYLAW

Official Community Plan Amendment (Nkwúkwma Sub Area Plan) Bylaw No. 956, 2024

The proposed OCP amending bylaw is attached as **Appendix A**. If approved, the bylaw will introduce the Nkwúkwma Sub Area Plan, which will serve as a policy framework for the long-term development of the lands. The sub area plan also includes a new set of development permit area guidelines that create site specific guidelines for the alteration of the site and construction of buildings. The amendment will also remove the current Benchlands specific OCP policies created when the lands were designated as a residential neighbourhood in 2011.

DISCUSSION & COMMENTS

Having complied with the statutory process to consider amendment to an Official Community Plan bylaw, and for the reasons presented in the April 30 report, staff are comfortable proceeding with the public hearing.

NEXT STEPS

Following the close of the public hearing, Council will consider third reading and adoption of the OCP amending bylaw.

COMMUNICATIONS

Notice of the public hearing has been advertised in accordance with the *Local Government Act* and Village bylaws.

LEGAL CONSIDERATIONS

There are no specific or unusual legal considerations in this bylaw process.

IMPACT ON BUDGET & STAFFING

This item has no impact on budget or staffing as the applicants have funded the process.

INTERDEPARTMENTAL IMPACT & APPROVAL

All Village departments have been consulted or were integral in the preparation of the bylaws.

COMMUNITY CLIMATE ACTION PLAN

The proposed development is a model of housing development in small communities and has considered climate action in its principals, design, mobility features, building approaches and resiliency.

- Shift Beyond the Car - Shift
- Organizational Leadership - Leadership

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

Adjacent jurisdictions have been involved or consulted through the referrals process. Of note, the applicant team includes a subsidiary of Lílwat Nation as an owner/developer.

Attachments:

Appendix A: Official Community Plan Amendment (Nkwúkwma Sub Area Plan) Bylaw No. 956, 2024

Appendix B April 30, 2024 Staff Report to Council

Appendix C: Copy of public notice

Submitted by:	Cameron Chalmers, RPP, MCIP, Consulting Planner
Manager Approval by:	Scott McRae, Manager of Development Services
CAO Approval by:	Elizabeth Tracy, Chief Administrative Officer