

Date: Tuesday, April 30, 2024

To: Elizabeth Tracy, Chief Administrative Officer

From: Colin Brown MCP, Planner II

Subject: OR135 – Official Community Plan and Zoning Amendments, Parkside, 7362 Pemberton Farm Road East

PURPOSE

The purpose of this report is to present to Council for first and second readings of proposed OCP and zoning amendment bylaws for the property located at 7362 Pemberton Farm Road East. The report provides all information relevant to consideration of the bylaw including details of the application, review of planning policies, referral comments, and public feedback related to the proposed land use change.

BACKGROUND

Location

The subject lands are a 2.4-hectare site located at 7362 Pemberton Farm Road East, north of the Pemberton Plateau subdivision and Pemberton Plateau Townhomes. The site is accessed via Pemberton Farm Road East to Sabre Way, a new road dedication located between properties on Pemberton Plateau and Den Duyf Park. The subject lands are legally described as LOT C DISTRICT LOT 211 LILLOOET PLAN EPP40824.



Looking East at Site

Site History

The site was at one time part of the Agricultural Land Reserve (ALR); however, for a time it was used as a rock quarry for BC Rail when a mapping error showed the property outside the ALR. The property (Lot C) was formally excluded from the ALR in 2013. The site is currently vacant and considered brownfield with no significant vegetation, a legacy from the rock quarry. The low-lying areas of the site will be subject to floodplain requirements should development proceed.

The property is designated in the Hillside Special Planning Area in the OCP. Development in this area must follow directions contained within the Hillside Planning Study approved in 2011. The land use framework within the Hillside Study notes that despite the planning work done at the time, development applications for individual parcels within the special planning area require OCP and zoning amendments initiated by the property owners.

The lands are currently zoned RES-1 Resource Management, a designation that allowed the previous use as a rock quarry. Staff propose creating a new comprehensive development zone that will provide an opportunity to customize the regulations to suit the property and the land uses that will be confirmed throughout this process.

Application

The original application to create a new subdivision consisting of 34 residential lots and one commercial lot was presented to Committee of the Whole on April 25, 2023. Residential lots ranged from 300-956 square metres, with the majority under 500 square metres. The corner lot was proposed for commercial use, with conceptual drawings provided for approximately 775 square metres of neighbourhood commercial floor space. Through the committee's discussion it was determined that a neighbourhood study was necessary to better understand how this and other development parcels fit into the long-term vision for the Hillside neighbourhoods. The Committee of the Whole passed the following resolutions:

THAT the Committee of the Whole recommend to Council that staff be directed to review greenspace, commercial, community, recreation, and other land uses in the Hillside area and bring back recommendations for how to consider non-residential land uses in the neighbourhood when new development applications are before Council.

THAT the application be referred back to staff to work with the applicant to explore options for housing diversity to improve the housing affordability such as:

- *Houseplexes – that may include a principal dwelling unit and up to three (3) accessory dwelling units, duplex, triplex and fourplex, or combination thereof with regulations for a maximum four (4) dwelling units on each residential lot;*
- *Provisions for secondary suites, carriage houses, and garden suites, to increase the diversity of housing options;*
- *Addition of co-housing on lots 27 and 28 for up to 16 micro units on each lot.*

Since the April 25th presentation to Committee of the Whole, staff have begun work on the Hillside Neighbourhood Plan. An update was presented to the committee on November 21, 2023, to provide opportunity to discuss some early touch points. The committee provided the following resolution:

THAT the Committee of the Whole recommends to Council that the application for rezoning at 7326 Pemberton Farm Road East continue through the application process and that bylaws be brought forward to Council for consideration at a future date as determined by staff.

Since the initial presentation to Committee of the Whole in April 2023, staff have continued to work with the applicants to improve their proposal. The applicants have submitted a revised site layout and supplemental letters to support the application. Two sets of revised rationale letters, dated January 11, 2024, and April 17, 2024, are attached as **Appendix A**. The final revised site plans are attached as **Appendix B**. The full application with all attachments can be view on the Village website: <https://www.pemberton.ca/departments/development-services/parkside>

The updated application takes into consideration feedback from public information meetings and from the Advisory Land Use Commission, the Village's commitment to support a diversity of housing, and the new provincial initiatives to increase housing supply. The revised layout reflects the integration of several housing types suited to the site conditions. The new layout proposes 33 parent lots that breakdown by the potential housing types as follows:

Housing Type	Number of Lots
Triplex	3
Duplex	22
Single Family or Houseplex	6
Co-Housing	1
Commercial Mixed Use	1
Total Lots	33

The new information proposes houseplex and co-housing, housing types that are new to Pemberton.

Houseplex – can be defined as a multi-unit building designed like a large house that is compatible with a typical residential neighbourhood. The design would allow for up to four (4) dwelling units on a lot which, in the right context, could be strata titled to provide home ownership options at lower price points than other housing and property types. The four units could also be owned by a single family with the additional units rented as mortgage helpers and flexible to accommodate multi-generational family needs.

Co-housing – buildings are designed with 10 to 16 micro-suites together with common areas, kitchens, living room, laundry, and social spaces. Residents have increased opportunity for social time with their housemates, with some ability for independent living in their units.

The housing mix is a key change from the original application. The addition of gentle density increases, “missing middle” housing types (Triplex, Houseplex, Co-Housing) bring in diversity at an appropriate scale for this property.

Appendix A provides further details on the proposed housing types, including sample images of what these buildings could look like. The samples are provided for illustration only and are not considered final. Exterior design elements, such as façade, colours, roof style, parking, and landscaping can be considered and accomplished through a statutory building scheme, which is

a private agreement from the developer that binds future owners to follow certain design guidelines.

The revised site plans in **Appendix B** show the proposed sequence of subdivisions that are recommended to achieve the housing mix and expected to give the development the best chance for success. The first subdivision would create 33 parent lots that would contain each proposed building. The second drawing shows the potential final layout if all lots are further subdivided using the density benefits provisions in the proposed bylaw. The last drawing shows street cross-sections that align with the site layout. Variances from requirements in the Village of Pemberton Subdivision and Development Control Bylaw No. 677, 2011, will be required. The variance request will come forward for consideration at a later date, when a land-based development permit application is brought to Council.

Bylaws

The subject lands are a former rock quarry with a portion located in the floodplain, presenting some significant geotechnical challenges with respect to the siting of properties and future buildings. The proposed zoning would create a comprehensive development zone to accommodate the mix of uses including neighbourhood-scale commercial uses on the corner lot adjacent to Den Duyf Park and Pemberton Farm Road East with the possibility of a mixed-use commercial-residential building at that location. The remainder of the development is proposed to be a mix of residential lots.

Staff have drafted, in consultation with the applicants, amending OCP and zoning bylaws that capture the intent of the application and the recommendations for the best use of the property. The proposed zoning regulations also align with the recent legislation requiring local governments to implement small scale and multi unit housing (SSMUH) in place of typical single-family detached homes. Zoning that allows up to four dwelling units on a lot match the Village Housing Accelerator Fund initiative for gentle and infill density increases in what would have previously been single-family neighborhoods.

OCP Amendment Bylaw No. 965, 2024

Official Community Plan Amendment Bylaw No. 965, 2024 will allow the proposed development to comply with the existing OCP. In the Hillside Special Planning Area, individual developments are required to amend the OCP and establish applicable OCP designations prior to development. The proposed amendment is provided in its entirety in **Appendix C**. The recommendations are for a text amendment to land use designation “Neighbourhood Commercial” to include residential uses for the possibility of a mixed-use building in areas with this designation. OCP Map “B” would be amended to designate the subject lands “Neighbourhood Commercial” and “Residential” as shown on the map.



Zoning Amendment Bylaw No. 966, 2024

With OCP designations in place, the recommended amendments to Village of Pemberton Zoning Bylaw No. 832, 2018 follow and are presented in **Appendix D**.

The zoning amendment implements policies suggested in the new provincial policy manuals that were published to support Bill 44 Housing Statutes in December 2023. Included in the draft bylaw are provisions to create one mixed-use lot that will accommodate neighbourhood-scale commercial uses with the possibility of residential units above. The remainder of the property will allow for 32 residential lots with the flexibility to construct up to four dwelling units per lot, which could be made up from single-detached dwellings, duplex, triplex, houseplex, or combinations with secondary suite or detached accessory dwelling units (ADUs). Co-housing is proposed for a larger lot.

Tools in the *Local Government Act* permit the addition of gentle density through further subdivision of lots when certain criteria are met. Including these provisions will add flexibility for a property owner to build up to four units for their own family needs or to be used as mortgage helpers to bridge affordability issues. Alternatively, a builder could further subdivide the property along party walls to create smaller lots and more affordable housing types with strata ownership.

Community Amenity Contributions

The Village adopted Community Amenity Contribution Policy DEV-009 on September 1, 2020, which outlines a framework for defining, establishing, and securing community amenity contributions (CACs) through the rezoning process. The policy applies to all rezoning applications for residential or mixed-use development that propose an increase in density, development opportunity, or any other zoning change that will increase the land value of land subject to the application.

Preliminary negotiations have occurred between staff and the applicants. The proximity to Den Duyf Park offers several options for amenities to add to the site for the benefit of the community. The applicants' CAC proposal is included in the supplemental letter in **Appendix A**. The financial summary includes latecomer fees plus costs and park dedication related to construction of the Friendship Trail along Pemberton Farm Road East.

The community amenity contributions are monetary and are based on the 33 parent parcels to be created at the initial subdivision. A cash-in-lieu contribution of \$10,000 per parent parcel is the base amount with an additional \$5,000 built into zoning as a density benefit to top up the contribution when the land is further subdivided. The current offer proposes CACs to be due at the time of subdivision instead of rezoning to mitigate risks from high interest rates. CACs will be secure through a development agreement as a prior-to obligation before adoption of the bylaws.

Servicing / Off-site Improvements

The proponent has contemplated delivering the project as either a bare land strata subdivision or a fee simple land title act subdivision. The proposed bylaws as written would support either option. Servicing to the property would come from Village of Pemberton water and sanitary systems. Capacity for water and sanitary will be modelled by ISL, the Village's engineering

consultant. Proposed storm water management will also be assessed by ISL with input from the Pemberton Valley Diking District.

Off-site improvements will be determined via a review of the Village's Subdivision and Development Control Bylaw and will be secured through a servicing agreement. Development cost charges may also be applicable.

DISCUSSION & COMMENTS

The following review and discussion provide a summary of the development process to date followed by final staff comments and a recommendation to Council to proceed with the proposed OCP and Zoning amendment bylaws that are attached in **Appendix C and Appendix D**, respectively.

Plan and Policy Review

Regional Growth Strategy

Last updated in 2019, the Squamish Lillooet Regional District (SLRD) Regional Growth Strategy (RGS) envisions a region comprised of diverse, distinct, and livable communities. To achieve this vision, the RGS establishes 11 goals that guide growth management challenges. The most relevant goals are noted below:

Goal 1 takes a long-term view that values the quality of life for future generations and promotes the efficient use of land and population densities. By focusing developments into a small footprint, sustainable communities or nodes promote accessibility of services, public spaces, and amenities.

Goal 3 aspires to provide an adequate supply of quality affordable housing that serves employees, seniors, and people in need. The RGS maintains a stated target of 15% of affordable housing in perpetuity.

Official Community Plan

Regional Context Statement

The OCP must be consistent with the RGS policies and includes a context statement that describes how the Village meets each goal. With respect to Goals 1 and 3 mentioned previously, the Village OCP directs growth into urban areas contained within an urban growth boundary with the objective of preventing development in non-settlement areas and encouraging smart growth. The context statement supports regional initiatives for affordable housing and encourages a range of housing forms.

The regional context statement includes direction for specific properties. The subject property for this application is identified as Parcel #7, and comes with the following statement:

Parcel #7 – Lot 1, Plan KAP87819, DL 211

This rocky knoll is currently within the Agricultural Land Reserve, yet at one time was a BC Rail quarry and (due to an early mapping error) outside the ALR. The development of the rocky knoll will increase the density in the neighbourhood and may provide a small opportunity for a neighbourhood commercial store, thus reducing vehicle trips.

Policies and Directions

General OCP policies address important topic areas related to growth and development within Village boundaries. Highlights are presented below with discussion following the policy review.

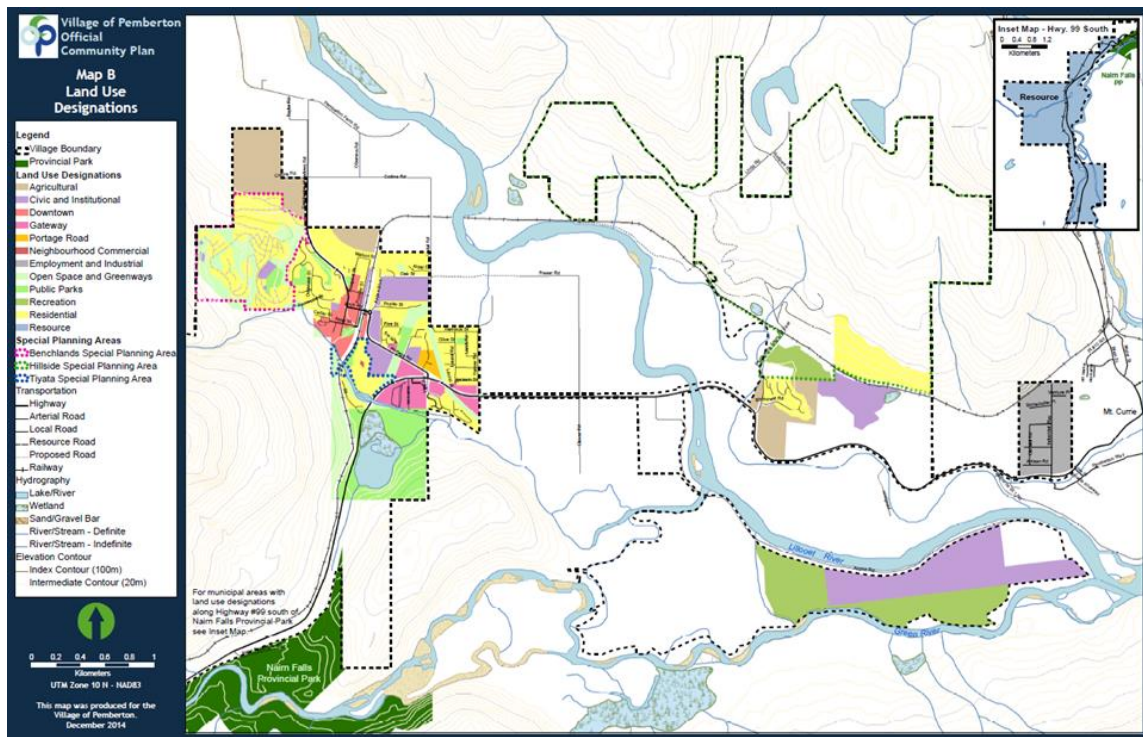
Policy 5.1 contains statements regarding growth management and community priorities that build off the RGS goals of concentrating development using smart growth principles and the desire to create well-designed, compact neighbourhoods. Growth is encouraged within existing communities; new growth areas should be considered when it is demonstrated that the proposed development is needed. Policies maintain that downtown is to be preserved as the dominant commercial node, and social and cultural focal point of the Pemberton area.

Other policies that address growth include the provision of quality parks, trails, and open spaces ideally within a 5–10-minute walk from residents and businesses. Parks and facilities accommodate leisure and educational needs of residents of all ages and abilities.

Policy 5.9 contains policies regarding the provision of livable, affordable, and secure housing stock. Directions include development of rental housing and support of a variety of affordable options to suit the needs of the community.

Land Use Designation

Land use designations implement the land use plan in the OCP by regulating the types and scale of land uses. Lands within the Village boundary are designated according to OCP Map B.

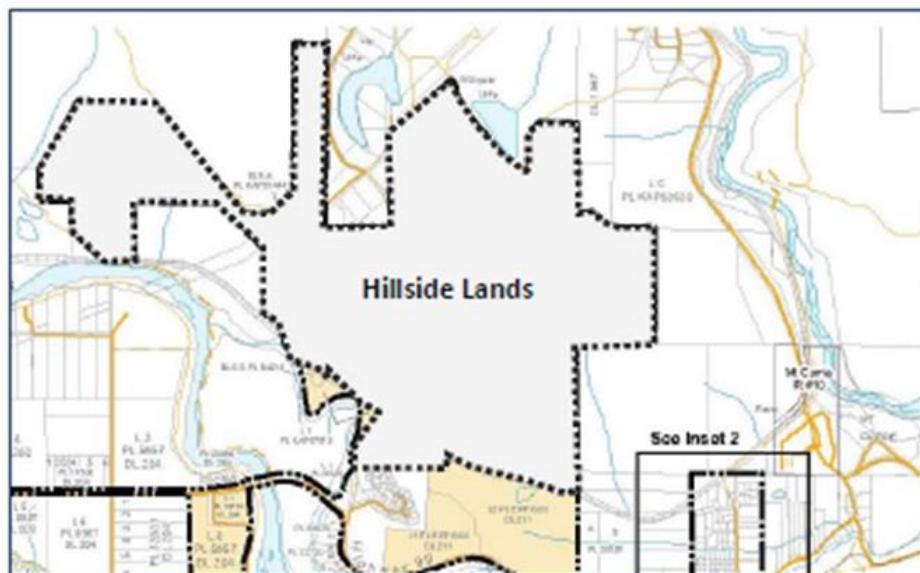


The subject property was brought into the Village through a boundary extension process completed after the adoption of the 2011 OCP. Therefore, this project does not have a land use designation. The lands are within the Hillside Special Planning Area, identified in the OCP, which also contains Den Duyf Park, the Ridge, and Sunstone development lands. A more comprehensive overview of the subject lands is contained within the Hillside Planning Study, approved by Council in 2011.

Any development proposed shall consider the directions contained within the Hillside Planning Study as it provides additional information related to the character of the lands and site constraints (environment, archaeological and cultural sites, slope stability, agriculture, wildfire protection, and visual impacts), development potential, community amenities, connectivity, servicing and phasing.

Hillside Planning Study

This report provided background information for the boundary extension and the OCP amendments that occurred in 2011. It recognized that future considerations would be required including site specific OCP amendments that apply to new development. The land use framework gave direction on site constraints (natural environment, archaeological and cultural sites, geotechnical considerations and slope stability, Agricultural Land Reserve, wildfire protection, visual impacts, recreational trails, rock climbing and bouldering) and development potential. The Hillside Lands cover a large area, shown in the map below. The subject property for this application makes up a small portion in the southwest corner.



The Development Potential section notes that the Hillside Lands are anticipated to be a satellite neighbourhood, separated from the main community of Pemberton that surrounds the downtown. The opportunity is to create a well-designed compact neighbourhood that integrates the existing parcels in that area. The challenge is to create a level of density that supports non-residential uses.

Community Climate Action Plan

The Community Climate Action Plan (CCAP), adopted in 2022, includes several policies related to development. Building construction is primarily addressed through building permits and later in the process. Strategies to “Shift Beyond the Car” are applicable for this application that build upon RGS and OCP directions on building compact communities. Shift 1.1 calls to optimize land use policies and bylaws for compact growth. The policy includes direction to use density bonusing in hillside and infill locations to encourage compact developments, with the rationale being that added densities will better support future transit, a commercial node, and protect more green space.

Policy Shift 2 prioritizes walking, cycling, and zero emission mobility options. This policy is relevant when considering how the new development fits in the network around Den Duyf Park.

Age-Friendly Housing Action Plan

Completed in 2019, the Housing Action Plan uses the age-friendly lens that seeks to create an inclusive community that has a full range of affordable housing type. The goals are to:

- prioritize affordable housing;
- encourage housing design to meet changing household needs and allow seniors to age-in-place;
- focus on addressing housing needs for low to moderate income households; and
- foster collaborative partnerships to address housing issues and related social infrastructure

The Housing Plan contains 16 strategic directions, many of which look to build partnerships and advocate on housing issues with community groups or to other levels of government. Strategic directions relevant to this application include the following:

- #9 Consider measures to support and incentivize purpose-built rental housing.
- #10 Amend zoning regulations to facilitate the development of more secondary suites where suitable as a means of increasing the rental stock.
- #12 Support innovative housing forms, such as pocket neighbourhoods or co-housing to increase housing choice and ensure older residents can age-in-place.
- #13 Consider the use of covenants or housing agreements to secure affordable rental and affordable homeownership housing.

Housing Needs Report

The Village last completed a Housing Needs Report (HNR) in June 2023, which set a total housing needs target of 847+ new housing units by 2028. The report highlights core housing needs in some specific areas.

- A Flexible Housing Stock – responds to a highly mobile population with as much as 20% moving within a given year. This may be reflective of seasonal workers who are willing to move frequently to keep pace with certain seasonal activities, and also may be indicative of a need for some shorter term housing options for workers who need to live in Pemberton for a short period of time (e.g. from a season up to two years).
- More Rental and Non-Market Options – responds to a growing prevalence of housing precarity, couch surfing, and the need for secure rental housing that are attainable for more people. The Village can explore the creation of more rental housing options in both the primary and secondary rental markets.

- High Cost of Homeownership – the HNR notes that homeownership is cost-prohibitive in Pemberton and that engagement findings indicate a need for people living and growing up in Pemberton to find a home. Addressing this need may include long-term options like small lot developments and the availability of smaller units available for more affordable prices.

Engagement

Referrals and Responses

Referral letters were sent to Lílwat Nation and several agencies as per Council's resolution of December 13, 2022:

THAT Council has considered the obligations under Section 475 of the Local Government Act with respect to the Official Community Plan and Zoning Amendment application by Riverside (Pemberton) Nominee Ltd. on property located at 7362 Pemberton Farm Road East, LOT C DISTRICT LOT 211 LILLOOET DISTRICT PLAN EPP40824, PID 030-164-532 and requests that the applicant organize, advertise, and host at least one (1) additional public information meeting at a venue considered widely accessible prior to consideration of First and Second reading of the forthcoming OCP amending bylaw.

AND THAT Council has considered Section 475 of the Local Government Act and directs staff to consult with the following organizations before consideration of First and Second Reading to the forthcoming OCP amending bylaw:

- *Lil'wat Nation*
- *Squamish-Lillooet Regional District (SLRD)*
- *Agricultural Land Commission*
- *Ministry of Transportation and Infrastructure*
- *Pemberton Valley Dyking District*
- *Pemberton Valley Trails Association*
- *School District No. 48 – Sea to Sky*
- *School District No. 93 - Consular Scholaire Francophone de la BC*
- *Pemberton and District Chamber of Commerce*
- *TELUS*
- *BC Hydro*

Summaries of responses are below with the complete letters attached as **Appendix E**.

Lílwat Nation

The Village of Pemberton lies within the traditional territory of the Lílwat Nation. The lands have been used and occupied by the Lílwat since time immemorial.

Referral #1

In the response letter dated, February 7, 2023, the Lílwat Nation asserts its inherent aboriginal title to its entire traditional territory, sovereignty over its traditional territory, and a right to self-determination. Lílwat Nation's aboriginal rights, including title, are protected under s. 35 of the Constitution Act, 1982.

This application was reviewed by the Lílwat Nation Lands and Resources Referral Committee. The committee tabled the referral and asked that this referral be amalgamated with the VOP OCP Referral and that the Referral Committee will not comment on an amendment to the Village of Pemberton OCP while the review and update of the OCP is in progress. The letter requests notice if any new information were to arise that may warrant additional opportunity to provide comments.

Referral #2

Since the initial referral to Lílwat Nation and the subsequent response from the referral committee, new information has come to light. The applicants have updated the site plans for the proposed development. The Village has also announced the decision to pause the OCP Review project to allow for engagement and relationship building with Lílwat Nation. New applications continue to be received by the Village that propose developments throughout the Village, all of which require processing in a timely manner. Given this new information, a new referral was sent to the Nation requesting further comment with respect to this application.

The Lands and Resources Referral Committee reviewed the second referral on March 13, 2024, and revised their response with no objections with the revised application. The committee indicated their appreciation that this development will not be visible from Highway 99. The formal response letter dated March 19, 2024, is included in **Appendix E**.

Squamish Lillooet Regional District (SLRD)

A letter from the SLRD, dated February 8, 2023, included several comments. In the letter, the SLRD notes the relationship between the subject lands and the recreation site and the importance of the transition to the residential subdivision. Other comments question the lack of affordable housing options in the proposal.

Staff Comment: Since receipt of the response from the SLRD, staff have continued to work with the applicants to improve the development proposal for this property. The applicants have responded by expanding the housing mix to include more “missing middle” housing types, a proposed co-housing concept, and the possibility of a mixed-use building that combines commercial uses with rental apartments. Staff consider that with these improvements, the proposed bylaws will permit flexibility and some more affordable housing options.

Ministry of Transportation and Infrastructure (MOTI)

The response from MOTI indicated no immediate objections to the development proceeding. Section 52(3) of the *Transportation Act* requires that a copy of the proposed zoning bylaw be sent to MOTI for review and approval after Third Reading.

Pemberton Valley Dyking District (PVDD)

PVDD provided a response letter with no immediate concerns. Some guidelines were shared to be followed if this development proceeds to the construction stage.

School District 48 Sea to Sky

School District 48 responded to the referral request on January 6, 2023 with no comments.

Agricultural Land Commission (ALC)

The regional planner for the ALC responded noting that the affected properties are outside the ALR and adjacent to a gravel pit, there is no objection to the proposal.

BC Hydro

BC Hydro responded with several comments that are applicable at the building permit and construction stages. They have no objection in principle for the development application.

Village of Pemberton (VOP) – Internal Referrals

In addition to the external referrals that are summarized above, the application was circulated for internal comments from VOP Departments. Comments received noted the potential for some affordable housing options in this location, the desire to improve the aesthetics of a neighbourhood with this level of density, and the environmental benefits to providing walkable service amenities in this area.

Applicant Response

All referral responses were forwarded to the applicant who responded to the various issues that were raised. Where applicable, the applicants will work with the PVDD, BC Hydro, and other agencies as required throughout the development process. Some comments are more specific to the land uses and the options that could be considered for affordable housing and other issues. The applicants have had continued dialogue with Village staff to address the issues raised.

Public Meetings

The applicants have held two public information meetings providing the community opportunities to learn more about the proposed development, ask questions, and provide comments. The first public meeting was held on November 1, 2022, at Sunstone Golf Course, with approximately 35 in attendance including the hosts. The second meeting was held on February 28, 2023, at the Pemberton and District Community Centre, with 21 in attendance (hosts and Village staff excluded).

Comment Summary

The applicants have provided a summary of comments collected at the two public information meetings. Comments are arranged by topic and are summarized below. A full record, including responses from the applicants, is provided as **Appendix F**.

Comments were arranged by topic with categories for Housing, Layout and Design, Commercial Uses, Parking, and Community Amenities. Housing comments were a mix of support for density noting the need for affordable options and concerns over the increase in traffic. Comments on Layout and Design included support for more park and open spaces, and possible connections to Den Duyf Park. Some support was included for the idea of commercial space and some amenities like a daycare. Parking space was noted with concerns over residents using garages as storage and not wishing to have cars overflowing into the street. Community Amenities

should focus on the ongoing development of Den Duyf Park and ensuring that new additions support the families that are in the area.

Advisory Land Use Committee

The Advisory Land Use Commission (ALUC) met on April 13, 2023. The application, engagement to date, and applicant responses were presented, and the commission asked to discuss and provide a recommendation. ALUC members discussed many topic areas in the application and in the referrals, including the housing mix, parking and snow storage, infrastructure capacity, and the need for long term rental units over short term vacation rentals.

The ALUC provided the following recommendation:

THAT the Advisory Land Use Commission recommends that Council support proposed rezoning application OR#135 – Parkside, subject to the following recommendations:

- *Council considers the appropriate balance between adding density while considering parking requirements while ensuring adequate parking supply*
- *Consider a 15% affordable housing minimum*
- *Council considers additional housing options such as suites in Duplexes, Lock-off suites, and Co-housing, and requiring mandatory suites or a minimum number of dwelling units*
- *Council considers housing types that support increased quality of life*
- *Requiring affordable housing tools such as the use of covenant to restrict short-term rentals in this area, or considering covenants to restrict rentals to local employees and retirees*
- *Ensuring that parking supply is sufficient for the proposed commercial uses and future development of the rec site and residents*
- *Ensuring that neighborhood commercial serves the community that is around it, and remains small-scale*

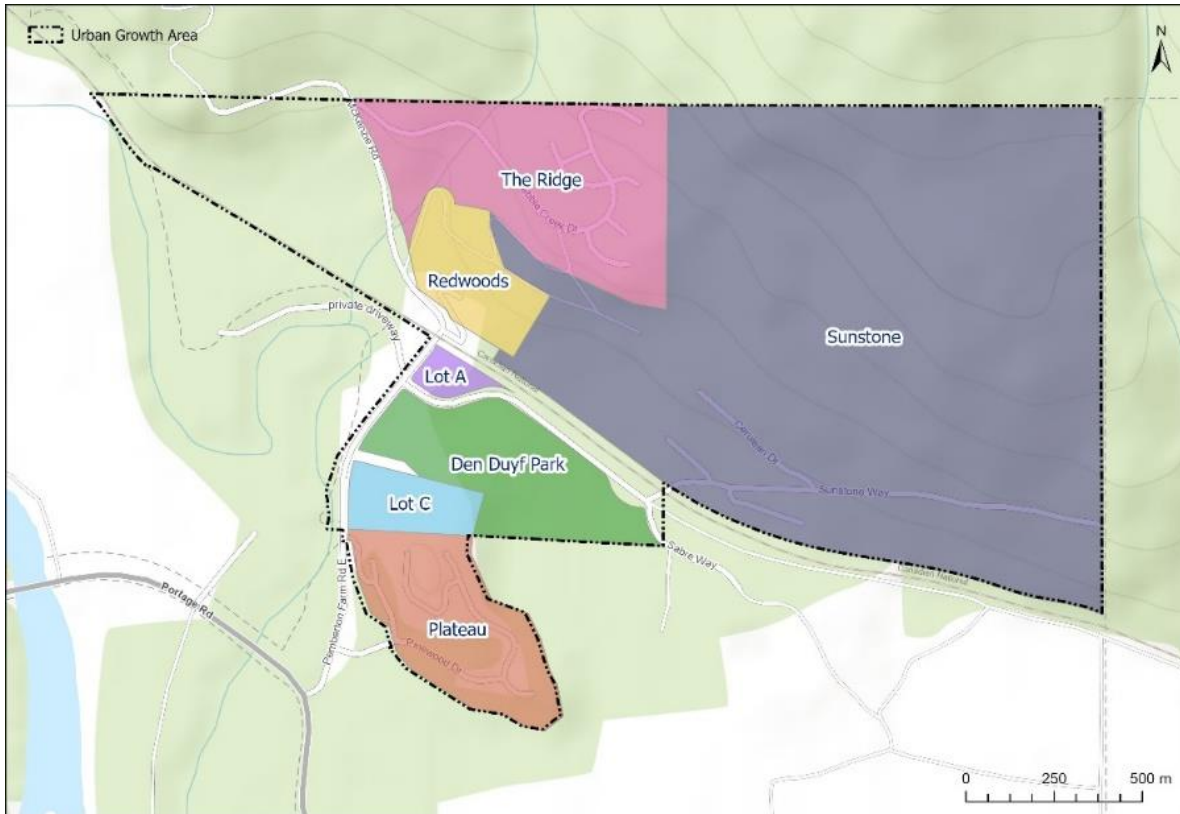
Discussion

The proposal is generally consistent with the goals and objectives of the Official Community Plan and the other plans and policies, with some exceptions. The location of the property that abuts Den Duyf Park will play an important role in the success of the hillside area with respect to a compact community. The existing developments (The Plateau, The Ridge, Sunstone) are low density subdivisions that will struggle to achieve the number of residents to support neighbourhood amenities. Strategic priority of higher densities in the area closest to the rec site is of utmost importance. Housing more people within walking distance of Den Duyf Park as the node or central point of this community will provide a better chance for some small commercial uses to succeed and a better chance to eventually have more services, like transit.

The application supports the concept of infill with the development of a brownfield site and will connect with existing infrastructure. Many of the plans, policies, and comments reviewed in this report support this type of development at this location. Comments received through referrals and the public meetings highlight the need to consider housing options beyond single-family homes. Alternatives from suites to smaller lots were among the responses.

There is an opportunity to further the development of the area with greater support and investment in the Den Duyf Park rec site. Additional densities will increase the population within walking distance of the rec site and establish the node as the central place for the hillside area.

The map (below) shows the Hillside Neighbourhood, contained within the current Urban Growth Boundary, comprising the Plateau, Sunstone, The Ridge, and other parcels that surround Den Duyf Park.



In response to the feedback received, Village staff have maintained dialogue with the applicants, discussing the possibilities for the proposed development. The housing mix has been revisited to consider houseplexes that could contain up to 4 dwelling units on a lot. Co-housing, a complex of up to 16 micro units, has been added to the site plan on a larger lot next to the proposed mixed-use corner lot. The new housing mix is a substantial upgrade over the original proposal and will contribute to addressing housing needs.

The staff recommendation reflects the goal of creating a complete and compact community in the Hillside area. The results of the engagement for this application support added density above what was originally proposed. Housing direction points to diversifying the housing mix with opportunity to add missing middle housing types. Neighbourhood commercial uses are proposed for the corner lot and should support the immediate community.

The housing mix is appropriate for this property with gentle density increases that work with the challenges of the former quarry and in context with other proposed developments in the Hillside Neighbourhood. As noted by the applicants, townhouses are not the best solution for this parcel due to the site conditions. Townhouses are better suited for other properties, including those proposed in the Redwoods development application nearby.

Concerns expressed by the public during the information meetings and by the ALUC need to be considered with some difficult decisions to densify housing and the implications of having more people in the area. Traffic and parking may be a concern; the question is, should parking take precedence over housing that includes some more affordable options? Staff consider that the lot sizes and particularly lot widths, as proposed, are sufficient to accommodate the parking that will be needed for the proposed development. Some relief may be necessary to accommodate parking when there are three or four dwelling units on a lot. For example, reduced landscaping may be a necessary tradeoff to ensure the housing need is met.

Staff recommend that zoning allow for up to four units on a lot, with additional flexibility of varying lot sizes to achieve different objectives at subdivision. These could include a houseplex with four strata-titled units on one lot, or a combination of lots that could be developed as duplexes or triplexes with flexibility to adjust lot lines to align with *BC Building Code* and other regulatory requirements. The property owner could keep up to three ADUs in a rental pool with the flexibility to adapt the dwelling units to accommodate family needs.

The latest update to the site plan and housing mix greatly improves the proposed development's capacity to meet housing needs. The draft zoning amendment bylaw considers the new provincial legislation and anticipates upcoming changes related to the Village's Housing Accelerator Fund initiative for infill housing and gentle density increases that would propose up to four dwelling units on each lot in typical single-family neighbourhoods throughout the Village.

The applicant's offer of community amenity contributions (CACs) is in line with Village policy and effectively manages the financial burden and risks that factor into development in Pemberton. Development financing is a challenge with high interest rates influencing the viability of projects. CACs to be paid at the time of subdivision instead of rezoning reduces the gap between costs and revenues for the developer and reduces the impact of high interest rates. This removes some of the risk and increases the likelihood that the project gets built. Staff see this as an effective means to secure amenities without placing undue burden on the developer, ensuring that the much-needed housing is viable.

Alignment with Housing Needs

Combined, the proposed housing mix has the potential to address each of the core needs identified in the HNR. Flexible housing is addressed through the co-housing rental model that may be appealing to construction workers and seasonal staff or single persons and couples who welcome a communal style of living. Rental housing options will be available through houseplexes and up to four dwelling units on lots that could become inventory to secondary renters. The possibility of apartments above commercial uses and strata-titled units could provide more affordable homeownership options than a neighbourhood with typical single-family detached homes.

Staff Summary and Recommendations

This report is a culmination of a substantial process with several iterations and discussions between Village staff and the applicants. Considering the contents of this report and the improvements made to the application throughout the process, staff are satisfied that the proposed bylaw amendments will have an overall positive impact for Pemberton.

The housing mix addresses several housing needs and will target important segments of the population. The proposal does not include any non-market housing, reflecting the location that is away from most amenities and not well-suited to support non-market units. Moreover, adding non-market housing in the wrong place will affect the financial viability of the development that proposes significant housing options that have the potential to be more affordable than what is currently in Pemberton's housing market.

The density of the site has been discussed at length throughout the application process. Site conditions are a factor in the suitability of the site for townhouses or higher density housing types. Staff judge that the proposed zoning, permitted land uses, and density balance the site conditions with the need to have some increased density near Den Duyf Park. This area is tracking to be an important node in Pemberton that could support additional recreational, commercial, and institutional land uses in the future. Additional density of residents living within walking distance of Den Duyf Park will support the non-residential uses and will add to the potential viability of public transit and other amenities in the future.

Parking is a significant issue that has come up repeatedly during public engagement for this and other larger development proposals. The compact nature of the Parkside development concentrates density with housing as the priority. The bylaws are drafted to allow for sufficient parking space without the oversupply of parking becoming a barrier to the development of much needed housing.

Green space is another factor that is balanced when compared to the provision of housing and parking as the other significant impact on site layout of individual lots. While the compact nature of the development means less green space on each property, the proximity of Den Duyf Park and access to Mosquito Lake, Mackenzie Basin, and beyond, allow for higher concentrations of housing with recreation and access to nature nearby.

The proposed bylaws encapsulate the staff recommendations based on the development application and the ongoing discussion with the applicants to establish new housing at this important location. Staff judge that with consideration of all the tradeoffs that go into a new development, this proposal is in the interest of the Village of Pemberton and its residents.

COMMUNICATIONS

Official Community Plan and Zoning Bylaw amendments require specific communications as per the *Local Government Act* and Village of Pemberton Development Procedures Bylaw No. 887, 2020.

A development information sign was placed on the property to notify the public of the application in process and to direct the public to the website where all information can be reviewed.

Notices for the public information meetings followed requirements set out in the Development Procedures Bylaw that requires letters to be mailed or delivered to owners and occupiers of properties within 100 metres of the subject property.

Should this application proceed to a public hearing, further notices will be distributed as per s.466 of the *Local Government Act*. Advertising will be required in the local newspaper.

LEGAL CONSIDERATIONS

The processing of an OCP amendment and zoning bylaw amendment is regulated in Part 14 of the *Local Government Act*, the *Community Charter*, the Village's Development Procedures Bylaw No. 887, 2020, and other statutes and bylaws.

BUDGET & STAFFING

There are no impacts to the budget or staff hours. Most activities related to this application fall under normal operating budgets for each department.

INTERDEPARTMENTAL IMPACT

No impacts are anticipated outside of the normal procedure for new developments that may include connection to services, development and building permits, and other matters.

COMMUNITY CLIMATE ACTION PLAN

Pemberton Council adopted the Community Climate Action Plan (CCAP) in 2022, which contains several policies related to development. Building construction is mostly addressed through building permits and later in the process. Strategies to "Shift Beyond the Car" are applicable for this application that build upon RGS and OCP directions on building compact communities. Shift 1.1 calls to optimize land use policies and bylaws for compact growth. The policy includes direction to use density bonusing in hillside and infill locations to encourage compact developments, the rationale being that added densities will better support future transit, a commercial node, and protect more green space.

Policy Shift 2 prioritizes walking, cycling, and zero emission mobility options. This policy is relevant when considering how the new development fits in the network around Den Duyf Park.

STRATEGIC PRIORITIES

The proposed Parkside development, if approved, will deliver new housing in Pemberton, including new housing types that align with the province's guidelines. Staff think the housing mix works well with the site conditions and will add to the overall growth and development of a node at Den Duyf Park. This development would represent a significant step towards achieving the strategic objective to support diversity of housing development that meets with housing needs.

IMPACT ON THE REGION

New housing development will impact to the region as a whole and in particular to our neighbouring jurisdictions such as Lílwat Nation, SLRD Electoral Area C, Pemberton Valley Dyking District, Sea to Sky School District 48, and others. On December 13, 2022, Council approved referrals seeking comments from the neighbouring jurisdictions as required under S.475 of the *Local Government Act*. Comments that were received are discussed earlier in this report and attached as **Appendix B**.

ALTERNATIVE OPTIONS

Option One (recommended):

THAT Council gives first and second readings to Official Community Plan Amendment Bylaw No. 965, 2024 (Parkside 7362 Pemberton Farm Road East).

THAT Council gives first and second readings to Zoning Amendment Bylaw No. 966, 2024 (Parkside 7362 Pemberton Farm Road);

AND THAT Council sets Tuesday, May 28, 2024, at 5:00pm as the date and time of the public hearing for Official Community Plan Amendment Bylaw No. 965, 2024 (Parkside 7362 Pemberton Farm Road East) to be held in Village of Pemberton Council Chambers or in accordance with Council Procedure Bylaw No. 788, 2015;

AND THAT Council consider adoption only upon completion of a development agreement between the Applicant and the Village of Pemberton that secures community amenity contributions and other prior-to obligations.

Option Two:

THAT the proposed Official Community Plan and Zoning Amendment Bylaws be referred back to staff to address the following concerns:

- a. (to be determined by Council)

RECOMMENDATIONS

THAT Council gives first and second readings to Official Community Plan Official Community Plan Amendment Bylaw No. 965, 2024 (Parkside 7362 Pemberton Farm Road East).

THAT Council gives first and second readings to Zoning Amendment Bylaw No. 966, 2024 (Parkside 7362 Pemberton Farm Road);

AND THAT Council sets Tuesday, May 28, 2024, at 5:00pm as the date and time of the public hearing for Official Community Plan Amendment Bylaw No. 965, 2024 (Parkside 7362 Pemberton Farm Road East) to be held in Village of Pemberton Council Chambers or by electronic means in accordance with Council Procedure Bylaw No. 788, 2015;

AND THAT Council consider adoption only upon completion of a development agreement between the Applicant and the Village of Pemberton that secures community amenity contributions and other prior-to obligations.

ATTACHMENTS:

Appendix A: Application Supplemental Package

Appendix B: Site Plans

Appendix C: Draft Official Community Plan Amendment No. 965, 2024 (Parkside 7362 Pemberton Farm Road East)

Appendix D: Draft Village of Pemberton Zoning Bylaw Amendment No. 966, 2024 (Parkside
7362 Pemberton Farm Road East)

Appendix E: Referral Response Letters

Appendix F: Public Information Meeting Comments

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CAO approval:	Elizabeth Tracy, Chief Administrative Officer