

**VILLAGE OF PEMBERTON  
- PUBLIC HEARING MINUTES-**

**Minutes** of the **Public Hearing** of Council of the Village of Pemberton held on Tuesday, November 5, 2019 at 7:00 p.m. in Council Chambers, 7400 Prospect Street.

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**IN ATTENDANCE:**

Mayor Mike Richman  
Councillor Ted Craddock  
Councillor Ryan Zant  
Councillor Amica Antonelli  
Councillor Leah Noble

**STAFF IN ATTENDANCE:**

Nikki Gilmore, Chief Administrative Officer  
Sheena Fraser, Manager of Corporate & Legislative Services  
Lisa Pedrini, Manager of Development Services  
Cameron Chalmers, Contract Planner  
Joanna Rees, Planner  
Elysia Harvey, Legislative Assistant

**MEMBERS OF PUBLIC:**

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**MEDIA:**

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**1. CALL TO ORDER and OPENING STATEMENTS**

At 7:00 p.m. Mayor Mike Richman called the Public Hearing to order and read the following Opening Statement for the Village of Pemberton Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019 and Zoning Bylaw (Sunstone Lot 1) Amendment Bylaw No. 869, 2019:

Good Evening. My name is Mike Richman and as Mayor of the Village of Pemberton I will be chairing these Public Hearings.

Cameron Chalmers, Contract Planner, will make a brief presentation on the Official Community Plan and Zoning Amendment Bylaws and Sheena Fraser, Manager of Corporate & Legislative Services, will record your comments for the minutes which will form part of the public record on this matter.

Also in attendance are Councillor Ryan Zant, Councillor Leah Noble, Councillor Ted Craddock, and Councillor Amica Antonelli.

This Public Hearing is convened pursuant to Section 465 of the Local Government Act to allow the public to make representations to Council respecting matters contained in the proposed Village of Pemberton Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019 and Village of Pemberton Zoning Bylaw (Sunstone Lot 1) Amendment Bylaw No. 869, 2019.

Tonight we will be holding two Public Hearings concurrently for Village of Pemberton Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019, and Village of Pemberton Zoning Bylaw (Sunstone Lot 1) Amendment Bylaw No. 869, 2019.

Notification of this Public Hearing was advertised in the October 24<sup>th</sup> and 31<sup>st</sup>, 2019, issues of the "Pique Newsmagazine" Newspaper. Notice was also posted at Village of Pemberton Offices, the Village Notice Board located at the Post Office, and on the Village Website, Facebook Page, and eNews. Notices were also mailed to all properties within 100 meters of the subject property.

Every one of you present who believes that your interest in the property is affected by the proposed Bylaws shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed Bylaws.

Each speaker will have up to five (5) minutes to be heard. Once everyone has had a chance to speak, those who wish to speak again may do so if they have new points to present.

None of you will be discouraged or prevented from making your views known. However, it is important that you restrict your remarks to matters contained in the proposed Bylaws.

When speaking please commence your remarks by clearly stating for the public record your **full name and address** and whether or not you are in favour or opposed to the Bylaws.

Members of Council may, if they so wish, ask questions following a presentation. However, the main function of Council Members at this Public Hearing is to listen rather than to debate the merits of the proposed Bylaws. This Public Hearing is not a question and answer period it is an opportunity for the public's views to be heard.

Please refrain from applause or other expressions.

After this Public Hearing has concluded, Council will further consider these Bylaws at the Regular Council Meeting to be convened on Tuesday, November 19<sup>th</sup>, 2019, at 9:00 am in Council Chambers, located at the Village Office.

May I remind you that tonight is your final opportunity for input on the proposed Bylaws.

I would now like to open the Public Hearing for the Village of Pemberton Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019 and Village of

Pemberton Zoning Bylaw (Sunstone Lot 1) Amendment Bylaw No. 869, 2019 and ask Mr. Chalmers to introduce the Bylaws.

**2. PRESENTATION OF VILLAGE OF PEMBERTON OFFICIAL COMMUNITY PLAN (SUNSTONE LOT 1) AMENDMENT BYLAW NO. 868, 2019, AND ZONING BYLAW (SUNSTONE LOT 1) AMENDMENT BYLAW NO. 869, 2019**

Cameron Chalmers, Contract Planner with the Village, presented background information regarding the proposed Official Community Plan and Zoning amendment Bylaws.

Mr. Chalmers highlighted the main changes that would result from the proposed Bylaws, including extension of the current Road E in the Sunstone Development and establishment of a new RSA-3 Zone which would accommodate additional large lots within the Sunstone Neighbourhood.

Mr. Chalmers advised that the legislated requirements to provide Public Notice for the Public Hearing and subject Bylaws had been met, including two advertisements in the newspaper and Notices posted on the Village public notice boards, and that the Village had made additional efforts to advertise the Public Hearing through other news outlets including Facebook, eNews, and website.

Councillor Craddock requested clarification that any environmental sensitivities, as noted in the letter from Stewardship Pemberton, of the subject area had been addressed. Mr. Chalmers advised that environmental studies on the habitat in and surrounding the Sunstone Development had been completed and confirmed there were no outstanding issues.

**3. CORRESPONDENCE AND PETITIONS RECEIVED BY THE VILLAGE AS OF 4:30 PM, THURSDAY, OCTOBER 31, 2019.**

None.

**4. ANY OTHER CORRESPONDENCE OR PETITIONS RECEIVED.**

Sheena Fraser, Manager of Corporate & Legislative Services advised that the Village had received three (3) submissions from the public after the deadline, one (1) expressing support of the proposed amendments and two (2) outlining concerns. These submissions were provided to Council prior to the start of the Public Hearing and were also made available for review at the Public Hearing.

**5. MEETING OPEN FOR PUBLIC COMMENT**

Mayor Richman called for submissions from the public:

### **Jagoda Jawad, Village of Pemberton, 1757 Pinewood Drive**

Ms. Jawad spoke in opposition of the Bylaws due to the following concerns:

- Insufficient notice of the Public Hearing specifically to residents of the Plateau neighbourhood;
- Noise and visual disturbance caused by further developing the Sunstone neighbourhood;
- Concern around endangered species habitat of the sharp-tailed snake;
- Road and pedestrian safety concerns on Pemberton Farm Road East caused by trucks and construction contractors.

### **Cam Mclvor, Sunstone Ridge Developments Ltd., 7733 Pemberton Meadows Road**

Mr. Mclvor attended on behalf of Sunstone Ridge Developments in support of the proposed Bylaw amendments and commented on the following:

- Location of the new water reservoir limits any further development of the area after the lands in question;
- Extensive environmental studies have been conducted of the area during the planning phase;
- Road safety is a high priority;
- Sunstone Ridge Developments has donated funding back into the Community through community amenity contributions used for recreation;
- Notice of the Council required, developer-led Public Open House, held earlier this fall, was provided to the Pemberton Plateau Strata for distribution to residents.

**Tammy Mclvor was called upon to speak as she was listed on the speakers list but declined as Mr. Mclvor had covered her points.**

### **Barb Turrin, Village of Pemberton, 1502 White Cap Crescent**

Ms. Turrin indicated she was neither for or against the proposed Bylaws but took the opportunity to provide comments on the Sunstone Ridge Development and the impacts on other residents in the area.

Ms. Turrin noted that retention of forested areas between the two adjacent developments would be of great value in facilitating walkability, accessibility and visual quality of the area.

## **6. CLOSING STATEMENTS**

Mayor Richman called three (3) times for any other submissions and hearing none made the following closing statements:

On behalf of Council and myself I would like to thank all of you who have attended this meeting. Your input and participation in the process is greatly appreciated.

Please note that after the Public Hearing is adjourned, the opportunity for public discussion is ended and Council may not hear from or receive correspondence from interested parties relating to these Bylaws. These Bylaws are now a matter for Council's consideration based upon information received to date and will be considered following the close of the Public Hearing at the next Regular Council Meeting.

This Public Hearing for Village of Pemberton Official Community Plan (Sunstone Lot 1) Amendment Bylaw No. 868, 2019, and Village of Pemberton Zoning Bylaw (Sunstone Lot 1) Amendment Bylaw No. 869, 2019, is now adjourned.

## **7. ADJOURNMENT**

At 7:28 p.m. the Public Hearing was adjourned.

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Sheena Fraser  
Corporate Officer

Mrs Jagoda Kozikowski & Mr. Tarek Jawad  
[REDACTED] Pinewood Drive  
Pemberton, BC  
V0N 2L3

Phone: [REDACTED]

November 4, 2019

RE: Official Community Plan Amendment Bylaw No.868, 2019 & Zoning Amendment Bylaw No.869, 2019

This letter is in regards to the OCP and zoning amendment for the Sunstone Development. Overall we do not support the proposal to amend the OCP and bylaw to allow further development into the Mackenzie Ridge hillside and we feel that this public hearing was not communicated adequately with the Plateau neighborhood. Correspondence should have been sent to residents in the Plateau and a sign should have been installed at the entrance to the Sunstone development off Pemberton Farm Road. Due to this inadequacy I think it would be fair to postpone the 3<sup>rd</sup> hearing until adequate correspondence with the Plateau occurs and signage is installed at the site for several weeks.

Below are some key concerns that express why this amendment should not be passed:

Infrastructure such as a sidewalk along Pemberton Farm Road needs to be constructed prior to any further development. Current traffic of large construction trucks and contractors speeding on the road is continuous and very hazardous for kids, bikers and pedestrians using the road. We have not seen any plans to construct a sidewalk for the safety of the neighborhood.

The constant, non-stop construction noise from various heavy machinery and blasting from the Sunstone Development affects the Plateau community immensely and has a negative impact to families living in the neighborhood. The development is already a major eye sore and extending it further into the hillside will greatly affect the aesthetic value of the Plateau community.

The Mackenzie Ridge is an environmentally sensitive area. The endangered, federally red-listed sharp-tailed snake has been found in the development proposal area. In 2013, plans were meant to be submitted to the VOP and Stewardship Pemberton by Sunstone that discusses mitigation efforts to reduce snake population mortalities. What has the Sunstone Developer done to date to ensure that minimal impacts are made to the Sharp-tailed snake population on the Mackenzie hillside? Is there a mitigation plan in place or procedures to ensure that minimal disturbance is made to this red-listed species? Further increasing the size of the development will have greater impacts to the very fragile sharp-tailed snake population in the area, putting it in danger of local extirpation. Also, this development already will have a major impact on the local bear population and will increase human-bear conflicts. There has already been an increase in bears destroyed in the area due to human-garbage conflict. Why is it worth

increasing the size of this development further up the hillside at the cost of the health of our local environment and the wildlife in this area?

There are not enough amenities in the community of Pemberton to support the current families that are already living here. For instance the elementary school is at max capacity and as a result has many issues. There are 3 grade mix classes, which results in major learning conflict in children and many parents are voicing their concerns about the standards of the school in Pemberton due to over capacity. Further extension of development should not happen until adequate amenities are in place in Pemberton so that parents aren't forced to constantly drive to Whistler for adequate schools and indoor sport facilities. This is not a sustainable model for a community.

Furthermore, I would like to ask how is adding 9 estate size lots in an environmentally sensitive area with a red-listed species in the area really benefiting the community of Pemberton? Is it worth developing in this area and possibility extirpating a specie only to add more large, very expensive estate lots that do not help the rental/housing crisis in the area?. This extension of the development is not needed for the community, it is not sustainable and does not meet the current OCP goals and objectives. There is no point to an OCP if it can be willingly changed to accommodate the needs of large developers.

I hope that the Village of Pemberton takes these concerns into consideration and realizes that this extension of development is not yet needed in the area. There needs to be better planning put forth before more and more houses is continuing to being built. Let's instead shift our focus on creating a better, more sustainable community first, before allowing large developers continue to take environmentally sensitive land without any benefit put back into the community.

Thank you for your time and consideration on this matter

Regards

Mr. & Mrs. Jawad  
Plateau Residents

**From:** [Lisa Pedrini](#)  
**To:** [Sheena Fraser](#)  
**Cc:** [Nikki Gilmore](#)  
**Subject:** FW: Sunstone  
**Date:** Tuesday, November 5, 2019 1:00:37 PM

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[Letter of Support](#) below.

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**From:** Lance Lundy [mailto:lance@wrec.com]  
**Sent:** November-05-19 12:55 PM  
**To:** Lisa Pedrini <lpedrini@pemberton.ca>  
**Subject:** Sunstone

Hi Lisa:

I am unable to attend the council meeting this evening but wanted to drop a short note to state my support for this change in zoning for Sunstone. In my opinion, they are doing an excellent job and it reflects extremely well on the entire community. The addition of 9 estate lots as well as the subdivision extension will be another positive for our community and I'm in total support of it for them.

Kind regards,

**Lance Lundy**

The Whistler Real Estate Co.  
604-905-2811 (direct)  
604-905-9975 (cell)  
1-800-667-2993 (toll free)  
[lance@wrec.com](mailto:lance@wrec.com)  
[www.WhistlerRealEstateOnline.com](http://www.WhistlerRealEstateOnline.com)



## Stewardship Pemberton Society

November 5<sup>th</sup>, 2019

Re: Proposed Official Community Plan and Zoning Amendment (Sunstone Lot 1) Bylaws No. 868 and No 869, 2019.

To Whom It May Concern,

I am writing on behalf of Stewardship Pemberton Society (SPS) in regard to the proposed Official Community Plan (OCP) (Sunstone Lot 1) Amendment Bylaw No. 868, 2019 and Zoning (Sunstone Lot 1) Amendment Bylaw No 869, 2019 and would like to highlight the following questions/concerns:

The purpose of the application to amend OCP Bylaw No. 654, 2011 is to facilitate future subdivision to "...create nine (9) new estate lots...". Will these new lots require additional park space to be designated (i.e., 5%)?

The October 8<sup>th</sup>, 2019 Report to Council states that "*The intent of that designation is to compel additional land use study and community engagement before the approval of future phases of Sunstone Ridge beyond the lands already zoned for development. Staff anticipate that, at some time in the future, a special study process will be triggered by the owners and a comprehensive land use analysis and planning process will commence*". This OCP amendment request appears to be for moving forward with servicing and, instead of the developer being responsible for the 'special study process', the onus will be placed on the landowners once the lots are serviced. How will future landowners be legislated to complete a 'special study process'? It appears if the 'special study processes' is not triggered at the subdivision/OCP level you may not be able to do it on the landowner level. Is there local, provincial or federal legislation that supports this?

The proposed Bylaw 868, 2019 states: *Amend Map K - Environmentally Sensitive Areas to designate the "subject lands" identified in Schedule A of this bylaw as Development Permit Area No. 1 – Environmental Protection*. SPS requests that the Village of Pemberton ensures the application meets all relevant environmental protection sections of the environmental protection OCP in regards to terrestrial habitats for reptiles and amphibians (i.e., *Altering of land where it is designated DPA No. 1- Environmental Protection; 7.1 Development Permit Area No. 1; 7.1.1 Objectives- Identify, conserve, rehabilitate and protect sensitive habitats and important ecosystems and ensure that when reviewing proposals for future development, resource activities and infrastructure projects the planning will proactively avoid, or if appropriate mitigate sensitive habitat and important ecosystems*).

SPS requests that consideration be made for all new road building activities to incorporate appropriately placed ecopassages for reptile and amphibian migration. This is essentially a dry culvert placed under the roadway. This is a low-cost mitigation strategy to reduce mortality that should be completed during initial servicing phases of subdivision. SPS can assist with fundraising for the culvert costs, if necessary.

In regard to the referral process, were any provincial or federal agencies responsible for species at risk consulted during this process?

The discussion and comment section of the October 8<sup>th</sup> Report to Council states: "*Though the Applicant has provided a tentative plan of subdivision, the Village has not yet formally received a subdivision application*". Surely subdivision applications should be completed prior to passing OCP amendments so that all appropriate documentation can be considered?

Sincerely,

Sarah Jones  
Executive Director  
Stewardship Pemberton Society