

Date: November 19, 2019

To: Nikki Gilmore, Chief Administrative Officer

From: Joanna Rees, Planner

Subject: Official Community Plan (Pemberton Secondary School) Amendment Bylaw No. 872, 2019
Zoning (Pemberton Secondary School) Amendment Bylaw No. 873, 2019

PURPOSE

The purpose of this report is for Council to concurrently consider First and Second Readings to Official Community Plan (Pemberton Secondary School) Amendment Bylaw No. 872, 2019 (**Appendix A**) and Zoning (Pemberton Secondary School) Amendment Bylaw No. 873, 2019 (**Appendix B**) in addition to the scheduling of a Public Hearing.

The Bylaws have been prepared in response to an application by Sea to Sky School District No. 48 to amend the Official Community Plan Bylaw No. 654, 2011, Map B – Land Use by re-designating a 1,001 square metre portion of Lot 1, DL 165 & 203, LLD, Plan KAP56732 from ‘Civic and Institutional’ to ‘Residential’ and to amend Zoning Bylaw No. 832, 2018, Schedule A – Zoning Map to rezone the subject property from ‘Public (P-1)’ to ‘Residential -1 (R-1)’.

BACKGROUND

The amendments together would enable the applicant to apply for subdivision and would result in the creation of a new single-family residential lot on Poplar Street that Sea to Sky School District No. 48 would develop. A new program run out of Pemberton Secondary School (PSS) would give students the opportunity to gain hands-on learning experience in multiple trades such as design, construction and landscaping before being involved in the sales, marketing and staging of the new home as valuable real-life skill development. The School District has proposed that the new home will either be sold on the private market or serve as staff housing for teachers (a ‘teacherage’).

It should be noted that as the proposed Zoning Amendment Bylaw is considering land that is within 800 metres of a controlled access highway (Portage Road), sign off from the Ministry of Transportation and Infrastructure (MOTI) is required.

Lot Shape

The legal description of the lands is Lot 1, DL 165 & 203, LLD, Plan KAP56732 and the civic address is 1400 Oak Street. The total area of the property is 7.86 ha. The subject lands have an irregular flag shape configuration. This configuration is due to a previous road dedication existing on the subject lands which originally provided access to the lot from Poplar Street. The original lot configuration is demonstrated in Figure 1 below prior to the existence of Aspen Boulevard.

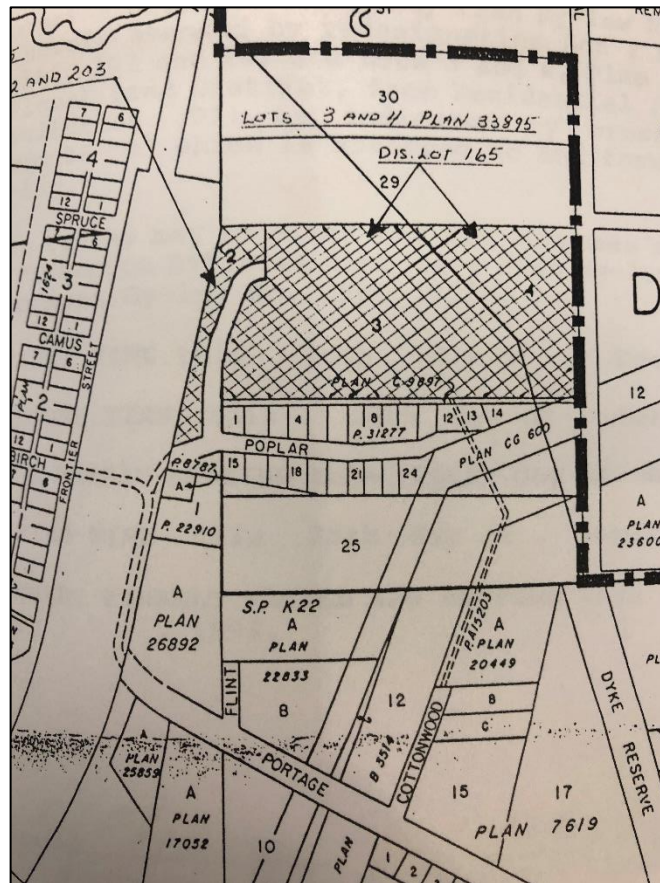


Figure 1: Original lot configuration shown in hatching from Bylaw No. 329, 1992 to amend the Zoning Bylaw to permit the secondary school.

Exchange of Lands Bylaw No. 344, 1993, passed on October 26, 1993, provided for an exchange of land to accommodate the relocation of a section of a public road that served as access to what is now the high school lands. This resulted in the existing road to be stopped and closed and the creation of Aspen Boulevard.

Site Description

The subject lands are depicted in **Appendix C**. The subject land is flat and currently naturally vegetated, as shown in Figure 2 below.



Figure 2: Subject lands, view from the corner of Poplar and Aspen Street.

Pemberton Secondary School is located centrally on the subject lands and is accessed from Oak Street. There is an existing three (3) metre utility right of way easement along the south property line, demonstrated in Figure 3 below.

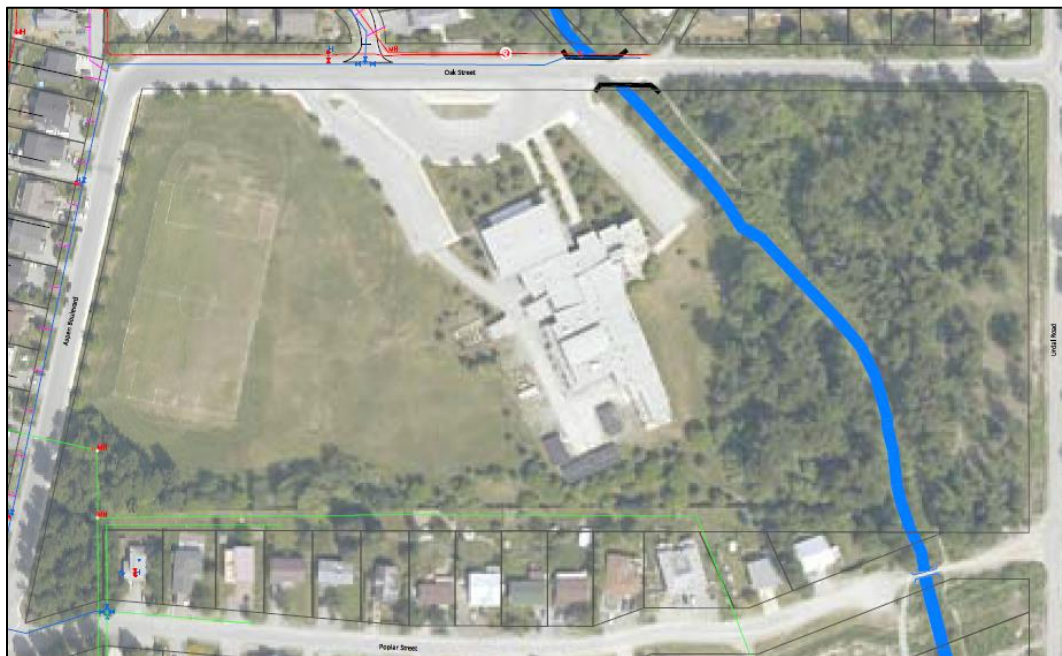


Figure 3: Utility ROW, indicated in green, located on the subject property

Surrounding land uses are characterized by residential uses. Institutional uses including Pemberton Health Centre and Pemberton Lions Villa are located further south of the subject lands. An aerial photo of the subject lands, with the area proposed to be re-designated and rezoned is indicated with red cross hatching in Figure 4 below.

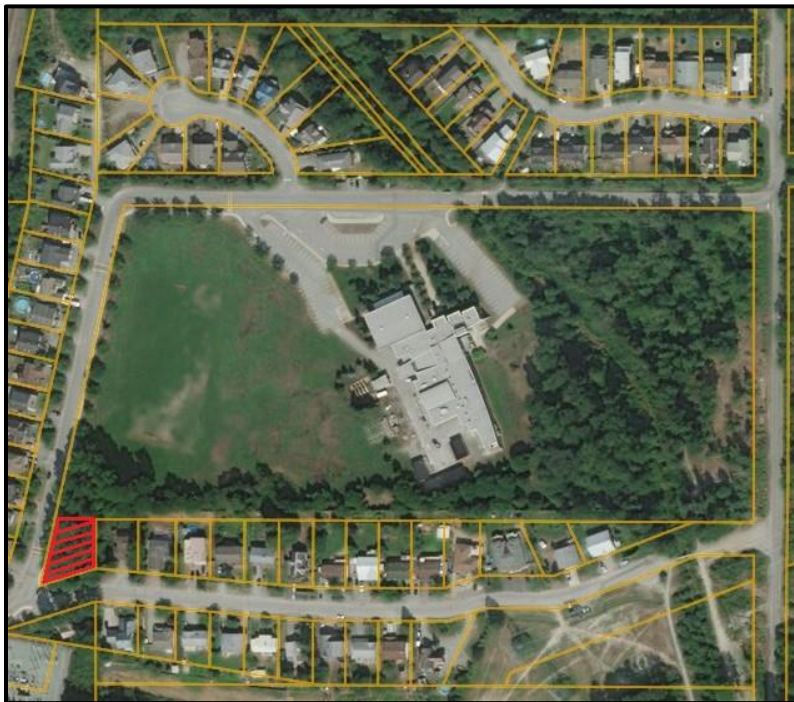


Figure 4: Aerial photo of subject lands, the area to be re-designated and rezoned is indicated in red.

Early and Ongoing Consultation

In accordance with Section 475 of the *Local Government Act*, a report regarding the Official Community Plan Amendment Early and Ongoing Consultation was presented to Council at the Regular Council Meeting No. 1499, held on October 8th 2019. The following motion was passed:

Moved/Seconded

THAT Council has considered the obligations under Section 475 of the *Local Government Act* with respect to the Official Community Plan amendment application by Sea to Sky School District No. 48 on a portion of Lot 1, DL 165 & 203, LLD, Plan KAP56732 and requests that the Applicant organize, advertise, and host at least one (1) public information meeting 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*
- *Ministry of Transportation and Infrastructure*
- *CN Rail*
- *Pemberton Valley Dyking District*
- *Pemberton Valley Trails Association*
- *School District No. 93 – Consular Scholaire Francophone de la BC*

- *Pemberton and District Chamber of Commerce*
- *TELUS*
- *BC Hydro*

CARRIED

Advisory Land Use Commission (ALUC)

The proposal was presented to the Village Advisory Land Use Commission for consideration at the meeting held on October 28th 2019 and the following recommendation was passed:

Moved/Seconded

THAT *the Advisory Land Use Planning Commission recommend to Council that the application for Official Community Plan amendment and rezoning for a portion of Lot 1, DL 165 & 203, LLD, Plan KAP56732 be supported.*

CARRIED

Developer Lead Public Information Meeting

A developer lead Public Information Meeting was hosted at Pemberton Secondary School (PSS) on Monday, November 18th at 6:00pm. The Public Information Meeting was advertised in the Pique Newsmagazine (published November 7th & November 14th), an email was sent to parents and guardians of students at PSS and at Signal Hill Elementary School (SHE), notice was provided on the School District Website (<https://sd48seatosky.org/>) and notices were hand delivered to residents on Poplar, Willow, Aspen and Alder Street. The comments collected from the Public Information Meeting will be verbally presented by Staff at the Council Meeting.

DISCUSSION & COMMENTS

The proposal is generally consistent with the goals and objectives of the Official Community Plan (OCP). Accordingly, the proposed re-designation and rezoning aligns with the general OCP directives. Specifically, Section 5.1.1 Growth Policies, states that growth should *make efficient use of land that is deemed appropriate for development through embracing applicable smart growth policies*, this includes the encouragement of growth within existing communities. Additionally, Section 4.0 Greenhouse Gas Emissions Reduction Targets states that *85% of all residences shall be within 1,000 metres of the downtown core*.

This proposal will provide one (1) additional single-family home that will be in close proximity to the downtown core and public institutions encouraging active transportation and therefore contributing to reduced greenhouse gas emissions. Furthermore, the addition of a residential lot at the corner of Poplar and Aspen Street will be in character with the surrounding residential neighborhood.

The proposed zoning of the severed lot is Residential 1 (R-1), which allows for a minimum parcel size of 700 m² and a minimum lot width of 18 m. The proposed new lot, Lot 1, will measure 1,001 m² and the lot width is 25.3 m and therefore meets the minimum parcel size and minimum lot width requirements.

Community Amenity Contributions

Typically, the Village of Pemberton would anticipate a voluntary contribution toward community amenities when making a discretionary decision on whether or not to support an amendment to the Village's Official Community Plan and Zoning Bylaw. Under the Village's current Community Amenity Policy, adopted in 2007, the expectation for a voluntary contribution of \$9,165 per single family lot only applies to proponents of rezoning applications which include a residential component of more than three (3) units. Community Amenity Contributions help to address the burden that residential development imposes on demand for public facilities, services and amenities by contributing to a fund for their provision, improvement and expansion.

REFERRAL COMMENTS

Internal Comments

Building: No objections. Architectural drawings will be reviewed at the building permit stage.

Corporate and Legislative Services: No objections.

Engineering Consultant (ISL):

- From the topographic survey provided it appears that some of the existing drainage ditches encroach slightly onto the private parcel. These should be reshaped and reconstructed to be fully within the road right-of-way (ROW). A 3.0m x 3.0m corner cut at the most southwesterly corner of the property (at the intersection of Aspen and Poplar) to provide adequate space for future improvements if needed such as intersection improvements, drainage conditions and to maintain sight lines.
- Driveway access is from Poplar and as far east as possible but not within the existing utility ROW.
- That all significant vegetation including any trees be removed from the utility ROW; the entirety of the ROW should be accessible to the Village of Pemberton to allow for future maintenance and/or replacement of the sanitary infrastructure if needed.

Fire Department: No objections.

Operations: Storm water and snow storage should be considered at time of design along with water and sanitary. The existing ditch line should remain.

External Comments

All external responses received are attached as **Appendix D**.

BC Hydro - Properties Transmission review	No objections.
BC Hydro - Design NSC - Distribution review	No comments received
CN Rail	No objection; see Appendix D
Lil'wat Nation	No objections

Ministry of Transportation and Infrastructure

Preliminary Approval is granted for one year pursuant to section 52(3)(a) of the Transportation Act

Pemberton and District Chamber of Commerce

No comments received

Pemberton Valley Dyking District

No objections

Pemberton Valley Trails Association

No comments received

School District No. 93 – Consular Scholaire

No comments received

Francophone de la BC

Squamish-Lillooet Regional District

No comments received

TELUS

No comments received

Given the lack of concerns from referral agencies and the community benefit of potential employee housing and student development, Staff are supportive of this application. If Council is prepared to give the Bylaws First and Second Reading, the next step in the bylaw consideration process would be for Council to set a date and time for a Public Hearing as outlined in the recommendations to this report.

COMMUNICATIONS

This report and request for Council consideration of First and Second Reading does not require communication beyond appearing on a Regular Agenda of Council.

Subject to Section 465 of the *Local Government Act (LGA)*, a Public Hearing must be held for both the OCP and the Zoning Amendment Bylaws, after First Reading of the Bylaws and before Third Reading. Notice of the Public Hearing will be given as per Section 466 of the *LGA*. Staff recommends a concurrent Public Hearing to both Bylaws.

Should Council send the proposed bylaws to Public Hearing, the Hearing will be advertised in accordance with Section 465 of the *Local Government Act* and section 6.0 of Development Procedures Bylaw No. 725, 2013. Notice to the Public will be issued by way of an advertisement in two (2) consecutive issues of the Pique Newsmagazine, not less than three (3) days prior and not more than ten (10) days before the Public Hearing. Additionally, notice of the Hearing will be mailed or otherwise delivered at least ten (10) days before the Public Hearing to owners (as shown on the assessment roll at the date of the First Reading of the Bylaw) and to any tenants in occupation of all parcels within 100m of the subject lands.

LEGAL CONSIDERATIONS

The processing of an OCP Amendment and Rezoning application is regulated by various sections contained in Part 26 of the *Local Government Act* and by the Village's Development Procedures Bylaw 725, 2013, as amended from time to time.

IMPACT ON BUDGET & STAFFING

The research and preparation of the report and bylaws is a component of the daily work undertaken by the Development Services Department. All costs associated with the processing of this application, including Staff time, are recoverable from the applicant's fees as per the Village of Pemberton Development Procedures Bylaw 725, 2013, as amended from time to time.

INTERDEPARTMENTAL IMPACT & APPROVAL

The Amending Bylaws were referred to all internal departments for comment, but there are no interdepartmental impacts or approvals required respecting the processing of this application as it is a function of the Development Services Department.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are no impacts on the region or neighbouring jurisdictions.

ALTERNATIVE OPTIONS

Option One: THAT Council gives First and Second to the Official Community Plan (Pemberton Secondary School) Amendment Bylaw No. 872, 2019 and Zoning (Pemberton Secondary School) Amendment Bylaw No. 873, 2019 and that a Public Hearing be scheduled.

(Recommended by Staff)

Option Two: THAT Council refer Official Community Plan (Pemberton Secondary School) Amendment Bylaw No. 872, 2019 and Zoning (Pemberton Secondary School) Amendment Bylaw No. 873, 2019 to Staff for additional consideration of the following matters:

- (To be added by Council)

Option Three: THAT Council refuse Official Community Plan (Pemberton Secondary School) Amendment Bylaw No. 872, 2019 and Zoning (Pemberton Secondary School) Amendment Bylaw No. 873, 2019.

POTENTIAL GOVERNANCE CONSIDERATIONS

This application supports three Strategy Priorities:

Strategic Priority Two: Good Governance
Strategic Priority Three: Excellence in Service
Strategic Priority Four: Social Responsibility

RECOMMENDATIONS

Recommendation One:

THAT Official Community Plan (Pemberton Secondary School) Amendment Bylaw No. 872, 2019 be given First and Second Reading;

Recommendation Two:

THAT Zoning (Pemberton Secondary School) Amendment Bylaw No. 873, 2019 be given First and Second Reading;

Recommendation Three:

THAT Council convene a concurrent Public Hearing for Bylaws No. 872 and 873 on Tuesday, December 10th at 7 pm at the Village of Pemberton Council Chambers.

ATTACHMENTS:

Appendix A: Official Community Plan (Pemberton Secondary School) Amendment Bylaw No.872, 2019

Appendix B: Zoning (Pemberton Secondary School) Amendment Bylaw No.873, 2019

Appendix C: Subject Property Map

Appendix D: External Referral Responses

Prepared or Submitted by:	Joanna Rees, Planner
Manager Approval:	Lisa Pedrini, Manager of Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer