

Exhibit "C"

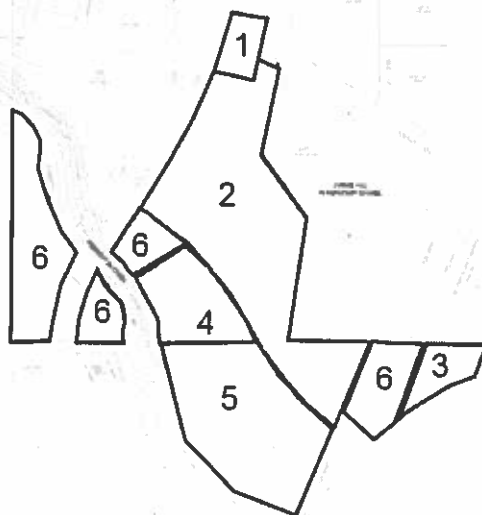
**Extract of Consolidated Zoning Bylaw No. 832 (as amended) and Official Community
Plan Amendment (Tiyata at Pemberton) Bylaw No. 734**

18.5 CD-5: Comprehensive Development Zone 5 (Tiyata at Pemberton)

(Amendment Bylaw No. 841, 2018; Adopted October 16, 2018)

The intent of the CD-5 Zone is to recognize a comprehensively planned area called Tiyata at Pemberton which includes a variety of types of housing, a limited amount of commercial and office floor space, active and passive park land, and a trail network. Covenants have been registered on the lands to further guide the development of the area.

The regulations in the tables in this section apply to land in the Comprehensive Development 5 (Tiyata at Pemberton) Zone, as indicated by the column headings. For purposes of regulation, the area within the boundary of the CD-5 Zone is divided into six (6) separate areas labelled as Area 1 through Area 6 inclusive while the location of each separate area is identified below. Each area boundary within the CD-5 Zone shall be considered a *zone* boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this section. Minor adjustments to the establishment of the area boundaries will be permitted based upon more detailed site investigations that will be undertaken during the subdivision approval stage.



18.5.1. Permitted Uses of Land, Buildings and Structures

(a) The following *uses, buildings and structures* and no others shall be permitted within the CD-5 (Tiyata at Pemberton) Zone:

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
i. Principal Uses of Land, Buildings and Structures						
Single Family Dwelling		•		•	•	
Duplex Residential Dwelling		•		•	•	
Townhouse / Stacked Townhouse			•			
Apartment (subject to Conditions of Use)	•		•			
Business and Professional Office	•					
Personal Service Establishment	•					
Park	•	•	•	•	•	•
Assembly	•					
ii. Accessory Uses of Land, Buildings and Structures						
Uses Accessory to Principal Uses	•	•	•	•	•	•
Home Occupation Use		•	•	•	•	

18.5.2. Density of Permitted Uses, Buildings and Structures

- (a) All uses, buildings and structures in the CD-5 (Tiyata at Pemberton) Zone shall comply with the following regulations regarding size, siting, density, and lot size.

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
I. Maximum Lot Coverage						
Single Family Dwelling		50%		50%	50%	
Duplex Residential		50%		50%	50%	
Townhouse			40%			
Apartment	50%		50%			
Commercial	50%					
Assembly	50%					
II. Maximum Floor Area Ratio (FAR)						
Single Family Dwelling		GFA of 238 m ² or FAR of 0.5 whichever is less		GFA of 238 m ² or FAR of 0.5 whichever is less	GFA of 238 m ² or FAR of 0.5 whichever is less	
Duplex Residential		GFA of 280 m ² or FAR of 0.5 whichever is less		GFA of 280 m ² or FAR of 0.5 whichever is less	GFA of 280 m ² or FAR of 0.5 whichever is less	
Townhouse / Stacked Townhouse			0.75			
Apartment Dwelling			1.5			
Commercial	1.5					
Assembly	1.5					
III. Maximum Unit Size						
Single Family Dwelling		GFA of 275 m ² or FAR of 0.5 whichever is less		GFA of 275 m ² or FAR of 0.5 whichever is less	GFA of 275 m ² or FAR of 0.5 whichever is less	
Duplex Residential (Total both units)		GFA of 325 m ² or FAR of 0.5 whichever is less		GFA of 375 m ² or FAR of 0.5 whichever is less	GFA of 375 m ² or FAR of 0.5 whichever is less	
Townhouse / Stacked Townhouse			150 m ²			
Apartment	95 m ²		95 m ²			

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
iv. Maximum Number of Dwelling Units	12	80	60	20	50	
v. Maximum Amount of Commercial Floor Area	2,230 m ²		5% GFA			
vi. Maximum Building Height (meters / storeys)						
Single Family <i>Dwelling</i>		9 m		9 m	9 m	
Duplex Residential		9 m		9 m	9 m	
<i>Townhouse / Stacked Townhouse</i>			12 m / 3 storeys			
<i>Apartment</i>	17 m / 4 storeys		17 m / 4 storeys			
Commercial, See 18.5.3. (b) ii.	17 m / 4 storeys					
<i>Assembly</i>	17 m / 4 storeys					
vii. Minimum Building Setbacks (m)						
Front	6	6	6	6	6	
Rear	7.5	7.5	7.5	7.5	7.5	
Side, See 18.5.2. (b) v. & vi.	3.0	1.6	3.0	1.6	1.6	
viii. Minimum Lot Size (m²)						
Single Family <i>Dwelling</i>		350		350	350	
Corner Lot		375		375	375	
Duplex Residential		465		465	465	
ix. Maximum Lot Size (m²)						
Single Family <i>Dwelling</i>		465		465	465	
Duplex Residential		558		558	558	
x. Accessory Buildings						
<i>Maximum Floor Area</i>	10 m ²	10 m ²	10 m ²	10 m ²	10 m ²	10 m ²
<i>Maximum Height</i>	2.7 m	2.7 m	2.7 m	2.7 m	2.7 m	2.7 m
<i>Minimum Front Yard Setbacks</i>	6 m	6 m	6 m	6 m	6 m	6 m
<i>Minimum Rear Yard Setbacks</i>	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m
<i>Minimum Side Yard Setbacks</i>	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m	18.5

(b) **Conditions of Use:** All uses, buildings and structures in the CD-5 (Tiyata at Pemberton) Zone must comply with the following additional Conditions of Use:

- i. An *apartment* use shall be located above a ground storey commercial or assembly use and shall comply with the regulations contained within this Bylaw;

- ii. For the purpose of this section, a commercial use includes a building that is occupied with a business and professional office or personal service establishment and may contain residential uses above the ground storey subject to the provisions of this Zone;
- iii. any portion of the garage for a single family dwelling and townhouse/stacked townhouse that exceeds thirty-seven (37) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings;
- iv. any portion of the garage for a duplex residential dwelling that exceeds forty-five (45) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings;
- v. The side yard setback of a single family dwelling may be reduced to 1.2 m whereby a certified professional confirms that snow will not shed from the roof of the dwelling onto adjacent properties;
- vi. The side yard setback of the garage may be reduced to 0.6 m whereby a certified professional confirms that snow will not shed from the garage roof onto adjacent properties.

18.5.3. Off-Street Parking and Loading

- (a) Off-street parking and loading shall be provided in accordance with the requirements of this Bylaw.
- (b) Notwithstanding Section 18.5.4(a) the off-street parking requirements for the following uses shall be as follows:
 - i. *Townhouse / Stacked Townhouse*: two (2) spaces per unit, plus an additional 0.25 space per unit for Visitor Parking;
 - ii. *Apartment*: 1.25 space per unit plus an additional 0.25 space per unit for Visitor Parking;
 - iii. *Commercial Use*: one (1) space per 37 square meters of *gross floor area*;
 - iv. *Business and Professional Office Use*: one (1) space per 37 square meters of *gross floor area*.

18.5.4. Definitions

- (a) For the purpose of the CD-5 (Tiyata at Pemberton) zone, the following definitions shall apply:
 - i. *Apartment* shall mean three or more individual dwelling units on a lot where each dwelling unit has its principal access from an entrance or hallway common to at least two other dwelling units on the same storey.

PART 19: Repeal

The Village of Pemberton Zoning Bylaw, 466, 2001, and all its amendments, and all previous zoning Bylaws are hereby repealed upon adoption of this Bylaw.

READ A FIRST TIME THIS 12th day of June, 2018.

READ A SECOND THIS 12th day of June, 2018.

NOTICE OF PUBLIC HEARING for Village of Pemberton Zoning Bylaw No. 832, 2018 PUBLISHED IN THE PIQUE NEWSMAGAZINE on this 14th day of June, 2018 and on this 21st day of June, 2018.

PUBLIC HEARING HELD THIS 26th day of June, 2018.

READ A THIRD TIME AS AMENDED THIS 10th day of July, 2018.

APPROVED BY THE MINISTER OF TRANSPORTATION PURSUANT TO SECTION 52 of the *Transportation Act* this 20th day of July, 2018.

ADOPTED THIS 24th day of July, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

THE CORPORATION OF THE VILLAGE OF PEMBERTON

BYLAW NO. 734, 2013

Being a bylaw to amend the Village of Pemberton Official Community Plan Designation Bylaw No. 654, 2011

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 and an open space and trail network in close proximity to the downtown;

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

1. CITATION

This Bylaw may be cited for all purposes as "Official Community Plan Amendment (Tiyata at Pemberton) Bylaw No. 734, 2013."

2. Village of Pemberton Official Community Plan Designation Bylaw No. 654, 2011 is amended by:

- (a) Delete in the Table of Contents: "*D Gateway Tiyata Special Planning Area*";
- (b) Delete "*Schedule D Gateway Tiyata Special Planning Area*" in its entirety;
- (c) Delete the following sentence in Section 1.2:
"...This includes approximately 180 residential units (which are for the most part multifamily), and two large development sites being: the Benchlands and Tiyata/BCR Properties, respectively comprising 550-650 and 300 mixed density units."

And replace the sentence with:

"...This includes approximately 180 residential units (which are for the most part multifamily), and two large development sites being: the Benchlands and Tiyata/BCR Properties, respectively comprising 550-650 and 170 mixed density residential units."

- (d) Delete the following paragraph in Section 6.0:

Gateway Tiyata Special Planning Area means development as recognized within Schedule D which forms part of this OCP. Note where the land use and park designations within Maps B and G vary with Schedule D, the OCP designations shall prevail.

And replace with:

Tiyata Special Planning Area means development as recognized within Section 6.1. The land use and park designations are provided in Map N.

- (e) Inserting the illustrations provided in Schedule 1 and 2 of this Bylaw into a new Map N "Special Planning Areas";
- (f) Inserting as "Section 6.1 Special Planning Area (Tiyata at Pemberton)", as attached as Schedule 3 of this Bylaw;

READ A FIRST TIME this 9th day of July, 2013.

READ A SECOND TIME this 9th day of July, 2013.

NOTICE OF PUBLIC HEARING FOR VILLAGE OF PEMBERTON OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW (TIYATA AT PEMBERTON) NO. 734, 2013 WAS PUBLISHED IN THE WHISTLER QUESTION ON July 11th, 2013 AND July 18th, 2013.

PUBLIC HEARING HELD this 23rd day of July, 2013.

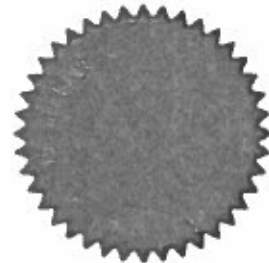
READ A THIRD TIME this 23rd day of July, 2013.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 23rd day of July, 2013.

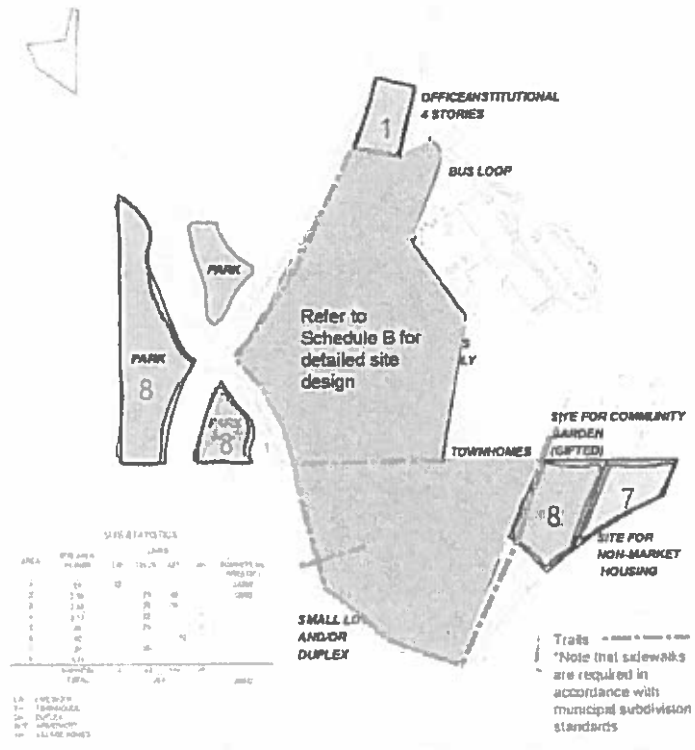
Mayor

Sheena Tash

Corporate Officer



Schedule 1
Official Community Plan Amendment (Tiyata at Pemberton) No. 734, 2013



SITE STATISTICS

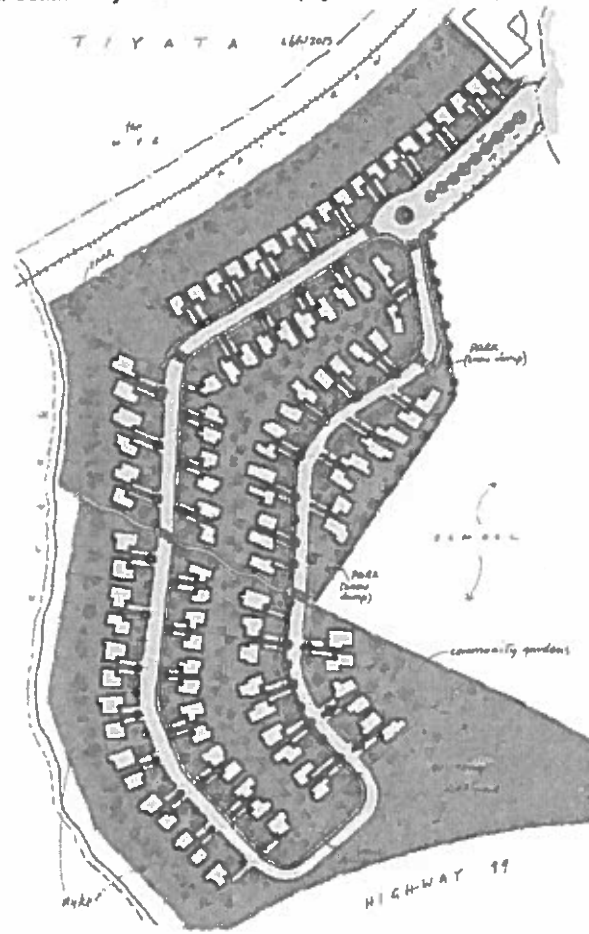
AREA	AREA sq. ft.	AREA sq. ft.	AREA sq. ft.	AREA sq. ft.	AREA sq. ft.	AREA sq. ft.	AREA sq. ft.
1	10	10	10	10	10	10	10
2	10	10	10	10	10	10	10
3	10	10	10	10	10	10	10
4	10	10	10	10	10	10	10
5	10	10	10	10	10	10	10
6	10	10	10	10	10	10	10
7	10	10	10	10	10	10	10
8	10	10	10	10	10	10	10
9	10	10	10	10	10	10	10
10	10	10	10	10	10	10	10

1.0 = 10000
 1.1 = 10000
 1.2 = 10000
 1.3 = 10000
 1.4 = 10000

SIGNAL HILL
 BCR PROPERTIES
 SIGNAL HILL HOMES

SITE PLAN
 Project No.: 144308090
 144304039

Schedule 2
Official Community Plan Amendment (Tiyata at Pemberton) No. 734, 2013



Special Planning Area (Tiyata)

1.0 Background

The Tiyata at Pemberton (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 an 8.9 hectare, vacant site and other than the presence of the creek, the lands exhibit no significant physical features. The relatively flat site is within the Lillooet River flood plain and the Pemberton Creek flood protection area.

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 Tiyata at Pemberton Neighbourhood is to create a sustainable development that offers compact housing catering to 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 Tiyata at Pemberton Neighbourhood will be developed generally in accordance with the Site Plan included as *Figure 1*. The Site Plan contains residential, office, and recreational land uses. The residential densities for the entire development comprise between 140-175 units which linked internally and externally by a trail and sidewalk network. The development's residential 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 school/community garden in the centre of the neighbourhood and the other at a public park located along Pemberton Creek.

The commercial / office use will be at the main entrance providing a transition between downtown and 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. The lower density single family and duplex lots with parkland and trail corridors will comprise the remainder of the development. 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 106-138 dwelling units consisting of small lot single family and duplex dwelling lots;
- 2230 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 local road accessed from Portage Road. Only emergency access will be provided to Highway 99. 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 Tiyata at Pemberton 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 Tiyata at Pemberton 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 drop off improvements;
- a pedestrian bridge crossing linking the dike trail and the Creekside townhouse site;
- a community garden; and
- transfer of land for affordable housing.

8.0 Sustainability Initiatives

The Tiyata at Pemberton 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 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.