

**VILLAGE OF PEMBERTON  
-REGULAR COUNCIL MEETING AGENDA-**

**Agenda** for the **Regular Meeting** of Council of the Village of Pemberton to be held Tuesday, February 2, 2016, at 7:00 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1417.

*“This meeting is being recorded on audio tape for minute-taking purposes as authorized by the Village of Pemberton Audio recording of Meetings Policy dated September 14, 2010.”*

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<b>Item of Business</b>	<b>Page No.</b>
<b>1. CALL TO ORDER</b>	
<b>2. APPROVAL OF AGENDA</b>	
<b>Recommendation:</b> THAT the Agenda be approved as presented.	
<b>3. RISE WITH REPORT FROM IN CAMERA (CLOSED)</b>	
<b>4. ADOPTION OF MINUTES</b>	
<b>a) Regular Council Meeting No. 1416 – Tuesday, January 19, 2016</b>	<b>4</b>
<b>Recommendation:</b> THAT the minutes of Regular Council Meeting No. 1416 held Tuesday, January 19, 2016, be adopted as circulated.	
<b>5. BUSINESS ARISING</b>	
<b>6. COMMITTEE MINUTES - FOR INFORMATION</b>	
<b>7. DELEGATIONS</b>	
<b>8. REPORTS</b>	
<b>a) Office of the CAO</b>	
<b>i. UBCM - Strategic Wildfire Protection Initiative - Grant Application</b>	<b>11</b>
<b>Recommendation:</b> THAT Council support the activities proposed in the 2016 SWPI CWPP Update Funding Application;	
<b>AND THAT</b> Council support a contribution of \$9,730 in accordance with the grant's 50% matching requirement;	
<b>AND THAT</b> Council direct Staff to provide overall grant management for the Strategic Wildfire Prevention Initiative, 2016 Community Wildfire Protection Plan (CWPP) Update.	
<b>b) Operations &amp; Development Services</b>	
<b>i. SLRD Solid Waste &amp; Resource Management Plan</b>	<b>74</b>
<b>Recommendation:</b> THAT SLRD Solid Waste and Resource Management Plan – Ban on Waste-to-Energy (Incineration) Options report be received for information;	
<b>AND THAT</b> the Village of Pemberton support the amendments to the SLRD Solid Waste and Resource Management Plan that formally include the Waste-to-	

Energy/incineration/thermal treatment ban that resulted from resolutions passed by from the Resort Municipality of Whistler and District of Squamish in late 2015.

ii. **Short Term Vacation Rentals – Enforcement** 86

**Recommendation: THAT** Council provide direction with respect to ongoing monitoring of short term vacation rentals.

**Recommendation: THAT** Council direct staff to consider the issue of short term/nightly rentals as part of the Zoning Bylaw review and update, proposed in the 2016 budget.

c) **Fire Department**

i. **Fire Department 2015 Year End Report** 109

**Recommendation: THAT** the 2015 Annual Fire Services Report be received for information.

d) **Mayor**

e) **Councillors**

9. **BYLAWS**

a) **First, Second and Third Reading**

i. **Village of Pemberton Parks & Public Spaces Use Bylaw No. 797, 2016** 115

**Recommendation: THAT** Council consider giving First, Second and Third Readings to the Parks and Public Spaces Use Bylaw No. 797, 2016

ii. **Village of Pemberton Business Licence Amendment Bylaw No. 798, 2016** 131

**Recommendation: THAT** Council consider giving First, Second and Third reading to Business Licence Amendment (Fine Schedule) Bylaw No.798, 2016.

10. **CORRESPONDENCE**

a) **For Information**

i. **Ms. Marnie Simon, President of the Pemberton Arts and Culture Council, January 26, 2016, regarding appreciation for the Community Initiative and Opportunity Fund** 136

**Recommendation: THAT** Council receive the correspondence from Ms. Simon for information.

b) **For Action**

i. **Minister of State Naomi Yamamoto, Office of the Minister of State for Emergency Preparedness, January 11, 2016, regarding discussion of the Emergency Program Act** 137

**Recommendation: THAT** Council provide direction to staff.

- ii. **Ms. Brenda McLeod, dated January 15, 2016, regarding outside boundary water rates** 163

**Recommendation: THAT** the correspondence from Ms. McLeod be referred to staff for review and follow up.
- iii. **Mayor Darrell Mussatto, City of North Vancouver, January 19, 2016, regarding B.C. Building Act Implementation** 168

**Recommendation: THAT** Council provide direction to staff.
- iv. **Sea to Sky Invasive Species Council, dated January 27, 2016, requesting annual funding, in the amount of \$1500, to support the work of the Council and requesting that the Village of Pemberton join the fee-for service Field Program and provide funding, in the amount of \$3,000, for inventory, control and monitoring of invasive plants within the Village boundaries.** 172

**Recommendation: THAT** the request for funding be referred to staff for inclusion in the 2016 budget deliberations.
- v. **Heather Quamme, Counselor, Pemberton Secondary School, dated January 27, 2016, requesting information regarding the Village of Pemberton Bursary and confirmation of continued support.** 202

**Recommendation: THAT** the correspondence be received and referred to Staff for follow up;

**AND THAT** Council provide direction as to whether it supports the continuation of the Village of Pemberton Bursary, in the amount of \$2000, to be awarded to a 2016 graduating student from Pemberton Secondary School.

**Recommendation: THAT** a member of Council be appointed to sit on the 2016 Village of Pemberton Bursary Committee.

**11. DECISION ON LATE BUSINESS**

**12. LATE BUSINESS**

**13. NOTICE OF MOTION**

**14. QUESTION PERIOD**

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**15. ADJOURNMENT**

**VILLAGE OF PEMBERTON  
-REGULAR COUNCIL MEETING MINUTES-**

**Minutes of the Regular Meeting** of Council of the Village of Pemberton held on Tuesday, January 19, 2016 at 5:30 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1416.

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**IN ATTENDANCE:** Mayor Mike Richman  
Councillor Ted Craddock  
Councillor Jennie Helmer  
Councillor James Linklater  
Councillor Karen Ross

**STAFF IN ATTENDANCE:** Nikki Gilmore, Chief Administrative Officer  
Sheena Fraser, Manager of Corporate & Legislative Services  
Tim Harris, Manager of Operations & Development Services  
Lena Martin, Manager of Finance & Administration  
Lisa Pedrini, Planner  
Paige MacWilliam, Legislative Assistant

**Public:** 10

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**1. CALL TO ORDER**

At 5:30 p.m. Mayor Richman called the meeting to order.

**2. APPROVAL OF AGENDA**

Moved/Seconded  
**THAT** the Agenda be approved as presented.  
**CARRIED**

**3. RISE WITH REPORT FROM IN CAMERA (CLOSED)**

Council did not rise with report from In Camera.

**4. ADOPTION OF MINUTES**

**a) Regular Council Meeting No. 1414 –Tuesday, December 15, 2015**

Moved/Seconded  
**THAT** the minutes of Regular Council Meeting No. 1414 held Tuesday, December 15, 2015, be adopted as circulated.  
**CARRIED**

**b) Special Council Meeting No. 1415 – Wednesday, December 30, 2015**

Moved/Seconded  
**THAT** the minutes of Special Council Meeting No. 1415 held Wednesday, December 30, 2015, be adopted as circulated.  
**CARRIED**

## **5. BUSINESS ARISING**

There was no business arising.

## **6. COMMITTEE MINUTES – FOR INFORMATION**

There were no minutes to be received.

## **7. DELEGATIONS**

### **a) Ms. Anna Helmer, President, Pemberton Farmers Institute – Commercial Events on Agricultural Land Reserve Properties**

Ms. Helmer, President of the Pemberton Farmers Institute, spoke regarding the proliferation of commercial weddings being hosted on farmland and the Ministry of Agriculture's proposed bylaw standards pertaining to agri-tourism on Agricultural Land Reserve (ALR) properties. Ms. Helmer stated that the ALR was created to ensure that farming is the only economically viable use of farmland and the agriculture industry is a valuable economic driver, although the price of land in Pemberton is limiting the expansion of production.

Non-farm use events are currently allowed on ALR land, although the application process is onerous. Ms. Helmer's objects to changing the application requirements to facilitate more non-farm use on ALR as this will increase the value of farmland because it will become more valuable as a wedding venue and, in addition, weddings detracts from farming activities that improve the quality of the soil for future production.

Discussion took place regarding the impact of non-farm uses on the value of farmland, using the home-plate model to limit the impact of non-farm uses while allowing farmers to capture additional revenues and the level of enforcement of non-farm use on ALR.

### **b) Mr. Garth Phare, President of Pemberton & District Chamber of Commerce, & Ms. Andrea Vanloon, Director of Pemberton & District Chamber of Commerce and Pemberton Commercial Events Committee – Commercial Events on Agricultural Land Reserve Properties**

Mr. Phare, President of the Pemberton & District Chamber of Commerce, provided an overview of the organizations involvement in undertaking an economic impact study into weddings in the Pemberton Valley, which found that weddings generate \$5 million in annual revenue, and establishing a committee on commercial events in the Agriculture Land Reserve (ALR).

Ms. Vanloon, Director of the Pemberton & District Chamber of Commerce & Pemberton Commercial Events Committee Chair, spoke about the work of the committee and its desire to keep farmland in the ALR while still allowing for some commercial events on farmland with limitations on frequency.

Discussion took place regarding limiting the potential loss of ALR land, creating mechanisms to limit the number of non-farm use events to ensure that farming remains the primary use of the land, the increasing demand for event venues, using the home-plate model to limit the impact of non-farm use and current non-conforming use of ALR land.

## 8. REPORTS

### a) Corporate & Legislative Services

#### i. Agri-tourism & Farm Retail Sales in the Agricultural Land Reserve Discussion Paper & Proposed Minister's Bylaw Standard

Moved

**THAT** the Ministry of Agriculture be encouraged to strengthen the ALR, increase government oversight in response to accessory farm use and that the wording in the proposed bylaw standards be changed from "minimize or reduce risk to farmland" to "no risk and no loss of farmland."

**MOTION FAILED FOR LACK OF A SECONDER**

Moved

**THAT** correspondence be sent to the Ministry of Agriculture requesting that consideration be given to including commercial events in the Tier 1 permitted agri-tourism activity and be permitted on the portion of land not under production.

**MOTION FAILED FOR LACK OF A SECONDER**

Moved/Seconded

**THAT** correspondence be sent to the Ministry of Agriculture requesting that commercial events be permitted as agri-tourism activity on Agricultural Land Reserve on a limited basis and as a secondary industry to agriculture production.

**MOTION FAILED**

Moved/Seconded

**THAT** the opinions of individual Councillors with respect to the Discussion Paper & Proposed Minister's Bylaw Standards be provided to Staff and forwarded by correspondence to the Ministry of Agriculture for consideration.

**CARRIED**

**OPPOSED: Councillor Ross**

### b) Finance & Administration

#### i. Cellular Phone Policy Update

Moved/Seconded

**THAT** the Councillor Computer Purchase Policy be amended to allow for the purchase of a computer and/or a Smart phone or blackberry.

**CARRIED**

**a) Mayor**

Mayor Richman reported on the following:

- Informed of potential transit disruption due to labour dispute, information will be posted on the Village website and on the BC Transit website
- Reminded Business licences dues are due by January 31, after that the rate doubles
- Announced that Winterfest will take place on January 22-23, 2016
- Acknowledged Ministry of Transportation and Infrastructure for installing flashing yellow lights by the Community Centre on Portage Road

Moved/Seconded

**THAT** correspondence be sent to Ministry of Transportation and Infrastructure to extend appreciation for the installation of the flashing yellow light at the Pemberton Community Centre crosswalk on Portage Road.

**CARRIED**

- Reminded of the Report from COP21 Paris the UN Climate Conference event with guest speaker Elizabeth May on January 21 in Whistler
- Announced plan to attend a Community to Community Forum in Lillooet on Friday, January 22
- Announced plan to attend the final Federation of Canadian Municipalities hosted Community Infrastructure Partnership Program meeting with Lil'wat Nation
- Reminded that the Pemberton & District Chamber of Commerce will be hosting their Annual General Meeting and luncheon on January 28
- Encouraged attendance at the Squamish Lil'wat Cultural Centre exhibit on the residential school experience opening February 3
- Announced that a Rutherford Whitewater Park committee has been established to consider the administration of the facility, which will include representation from the Village
- Announced that Vancouver Coastal Health will be hosting a Coastal Community of Care Initiatives Forum on February 18 at the Seymour Golf Course
- Announced that Russel Mack, SLRD Area C Director, will contribute fund for Community Centre capital repairs utilizing amenity funds

**b) Councillors**

**Councillor Linklater**

Councillor Linklater reported on the following:

- Attended the Pemberton Valley Utilities & Services Committee Meeting on January 12

- Reminded that Winterfest will be deciding where the events will be held tomorrow depending on the weather
- Challenged Council and staff to the Winterfest polar bear swim
- Announced plan to volunteer at the Whistler Blackcomb Foundation's Telus Winter Classic on January 23
- Reminded that BC Transit has committed to providing 24 hour notice if service will be interrupted due to the labour dispute

### **Councillor Ross**

Councillor Ross agreed to participate on the Rutherford Whitewater Park Committee.

### **Councillor Craddock**

Councillor Craddock acknowledged the efforts of Public Works clearing snow from roads and trails.

### **Councillor Helmer**

Councillor Helmer did not have anything to report at this time.

## **9. BYLAWS**

### **a) Fourth and Final Reading**

#### **i. Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015**

Moved/Seconded

**THAT** Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015, be given Fourth and Final Reading.

**CARRIED**

#### **ii. Village of Pemberton Zoning Amendment ('580' Hillside Lands) Bylaw No. 790, 2015**

Moved/Seconded

**THAT** Village of Pemberton Zoning Bylaw No. 466, 2011, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015, be given Fourth and Final Reading.

**CARRIED**

**OPPOSED: Councillor Helmer**



## 10. CORRESPONDENCE

### a) For Information

- i. **Union of British Columbia Municipalities, dated December 17, 2015, regarding approval for the Strategic Wildfire Prevention Initiative FireSmart Grant**
- ii. **Sea to Sky Community Services, dated January, 2016, regarding appreciation for Community Enhancement Fund support for the Christmas Hamper Program**
- iii. **Creative BC, dated January 8, 2016, regarding support of BC's motion picture industry**
- iv. **Sea to Sky Clean Air Society, dated January 12, 2016, regarding appreciation for Community Enhancement Fund support for Pemberton Bike to Work Week 2016**

Moved/Seconded

**THAT** the correspondence from Union of British Columbia Municipalities, Sea to Sky Community Services, Creative BC, and Sea to Sky Clean Air Society be received for information.

**CARRIED**

### b) For Action

No correspondence for action for consideration.

## 11. DECISION ON LATE BUSINESS

There was no late business to be considered.

## 12. LATE BUSINESS

There was no late business

## 13. NOTICE OF MOTION

There was no notice of motion.

## 14. QUESTION PERIOD

**Anna Helmer, 7451 Aspen Drive, Pemberton, BC**

Ms. Helmer asked a question about the time limits on temporary use permits issued by local governments for non-farm use on Agricultural Land Reserve properties.

## 15. AJOURNMENT

Moved/Seconded

**THAT** the January 19, 2016 Regular meeting be adjourned at 7:37 p.m.

**CARRIED**

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer

DRAFT

**Date:** Tuesday, February 2, 2016  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Kim Slater, Communications & Grants Coordinator  
**Subject:** Strategic Wildfire Prevention Initiative, 2016 Community Wildfire Protection Plan (CWPP) Update

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## **PURPOSE**

The purpose of this report is to provide Council with information on an application to the Strategic Wildfire Protective Initiative funding program to update the Village's Community Wildfire Protection Plan, and to seek a resolution in support of a 50% matching contribution of \$9,370 towards the update, and committing to oversee the overall management of the grant.

## **BACKGROUND**

The Strategic Wildfire Prevention Initiative (SWPI) is a suite of funding programs managed through the Provincial Fuel Management Working Group – including the First Nations' Emergency Services Society (FNESS), Ministry of Forests, Lands & Natural Resource Operations (MFLNRO), and the Union of BC Municipalities (UBCM). UBCM administers the fund for developing and updating Community Wildfire Protection Plans (CWPP), an initiative that supports communities in mitigating risk from wildfire in the Wildland Urban Interface (WUI) (the area where structures and forested areas meet).

A CWPP is a document that defines the threat to human life, property and critical infrastructure from wildfires in an identified area, identifies measures necessary to mitigate those threats and outlines a plan of action to implement the measures. CWPPs incorporate key details of the MFLNRO Fire Management Plans and Five Year Fuel Treatment Plan (if available).

The Village's current CWPP is over a decade old (see Appendix A) and was written well before the standards were developed for identifying WUI Threats (the wildfire threat assessment system was developed in 2008, and updated in 2013); therefore it needs updating in terms of threat assessments, fuel typing, and spatial data/maps. The current CWPP also does not address wildfire threat related to the sizeable new area created by the 2011 boundary expansion (an increase of 3,961ha).

The expansion includes the Pemberton Creek Community Watershed, representing substantial values at risk for which wildfire hazard has not been assessed, as well as areas to the south on Highway 99 – the only major egress/access route to and from the south for the Village in the case of emergency. In addition, residential home developments have further extended the WUI since the current CWPP was completed. There are five major residential developments that have been completed or proposed since the 2005 CWPP. One of these, 'Benchlands – Phase 1' extends 30 residential lots into the forest adjacent to a previously identified Extreme Wildland Fire Area, with a further phase in progress. Two other proposed developments on the Hillside are in areas that weren't previously assessed for wildland fire hazard (due to the municipality expansion area).

The mountain pine beetle is a consistently recorded forest health factor since 2005, with large impacts recorded in 2007. Large areas of beetle-impacted timber may exist in the interface of the community that were previously not assessed. These impacts need to be fully assessed in the CWPP Update. There have been forest harvesting activities in the area as well, totalling nearly 360ha since 2005. Depending on the residual slash loads, regeneration success and changes to access, the forest fuel profile in this area has likely changed. Also, the potential increase in access may change treatment area priorities since the 2005 CWPP.

The aforementioned elements, compounded by the increased risk of forest fires related to climate change, constitute a strong rationale for pursuing available funding to update the CWPP. Owing to the requisite specialized skillset, a forest professional would need to be contracted to complete the CWPP Update.

A quote provided by B.A. Blackwell and Associates Ltd., an experienced forestry consultancy based out of North Vancouver, indicates that the total cost of updating the CWPP would be \$19,460, of which 50% (\$9,730) can be sought through the SWPI funding stream. If the application is successful, the Village of Pemberton would contribute the other \$9,370.

### **DISCUSSION & COMMENTS**

Securing this funding will enable the Village to assess the risk of wildfire in our community's WUI and identify and prioritize opportunities for mitigating associated threats. Recommendations will likely include fuel management treatments, public education, and best practices for landowners and developers.

Updating this plan helps fulfill the expectations associated with our forthcoming FireSmart Community Recognition Status, which the Village will be pursuing as a part of its commitment in receiving the FireSmart Grant; recently obtained through another SWPI funding stream.

Eligibility to apply to this grant program includes our possession of a CWPP, and a resolution from Council supporting the proposed activities, committing to manage the grant in accordance with UBCM's requirements. All grant deliverables must be met and funds spent 12 months from when the funding is approved, which would most likely be February 31, 2017.

### **COMMUNICATIONS**

There are no communications requirements related to applying to the SWPI CWPP Update Funding Program. If our application is successful, an RFP would need to be developed and issued to contract a consultant to complete the CWPP Update.

### **LEGAL CONSIDERATIONS**

There are no legal, legislative or regulatory considerations at this time. Should we receive the funding, updating the CWPP would help to mitigate risk related to wildfire, and may subsequently reduce potential legal action. Eventually, undertaking FireSmart activities recommended through the updated CWPP aligns with Fire Prevention Bylaw No. 744, 2013, the purpose of which is to provide for "the protection of life and property of the citizens of Pemberton from fire hazards (Fire Prevention Bylaw No. 744, 2013, pg. 6)."

### **IMPACT ON BUDGET & STAFFING**

The cost of applying for the SWPI CWPP Update Grant is approximately \$500 for technical expertise from B.A. Blackwell for developing the application in accordance with the grant requirements:

*Applications for CWPP Updates must be submitted in consultation with the Fuel Management Specialist or Liaison and must include a rationale for updating an existing CWPP, along with a map of the proposed CWPP Update area indicating specifically where development, environmental or other factors have changed (Program Application Guide, Pg. 2, <http://fness.bc.ca/wp-content/uploads/2015/07/SWPI-2016-CWPP-Program-Application-Guide.pdf.pdf>)*

A 50% matching component is a requirement of this grant, which would require a contribution of \$9,730 from the Village. This project, with corresponding budget figure, has been included in the 2016 Budget Deliberations for consideration.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts at this time.

### **ALTERNATIVE OPTIONS**

There are no alternative options for consideration at this time.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

This initiative is consistent with Strategic Priority No. Three: Excellence in Service – by delivering the highest quality level municipal services within the scope of our resources.

### **RECOMMENDATIONS**

**THAT** Council support the activities proposed in the 2016 SWPI CWPP Update Funding Application;

**AND THAT** Council support a contribution of \$9,730 in accordance with the grant's 50% matching requirement;

**AND THAT** Council direct Staff to provide overall grant management for the Strategic Wildfire Prevention Initiative, 2016 Community Wildfire Protection Plan (CWPP) Update .

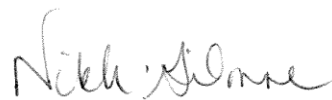
### **Attachments:**

Appendix A - Community Wildfire Protection Plan (CWPP)



Kim Slater, Communications & Grants Coordinator

### **CHIEF ADMINISTRATIVE OFFICER REVIEW AND MANAGER**



Nikki Gilmore, Chief Administrative Officer

# Village of Pemberton Community Wildfire Protection Plan

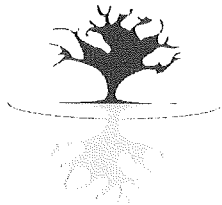


MAY 2005

***Prepared by:***



**Davies Wildfire Management Inc.**  
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**Diamond Head Consulting Ltd.**  
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*GIS Support*  
**Timberline Forest Inventory  
Consultants**  
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**Acknowledgements**

The author wishes to acknowledge the following people:

Mayor Warner – Mayor, Village of Pemberton  
Councilor Doucet – Councilor, Village of Pemberton

Without their foresight, and their concern for the residents of the Pemberton Valley, the Village of Pemberton would not have pursued funding for a Community Wildfire Protection Plan.

## **Executive Summary**

The Village of Pemberton (VoP) is almost completely surrounded by forest and is located within a climatic subzone that has been historically influenced by regular wildfires. Urban development has been steadily increasing into the surrounding forests. This combination has resulted in an increased interface fire risk. The VoP embarked upon a Community Wildfire Protection Plan (CWPP) in order to address this interface fire risk. The main goal of the CWPP was to make Pemberton the first FireSmart community in the Sea to Sky corridor and to move the municipality towards becoming a provincial model for other communities.

The development of the CWPP involved five tasks:

1. Wildfire threat hazard mapping
2. Recommend and prioritize fuel treatments
3. Review bylaws/community plans/development permits
4. Recommend public education programs
5. Recommend a Fuels Management Pilot Project

The mapping exercise analysed and compiled such information as:

- Fire behavior potential
  - Fire intensity;
  - Rate of spread; and
  - Crown fraction burned
- Structural and natural features at risk
- Suppression constraints
  - Proximity to Roads
  - Proximity to Water Sources
  - Steepness of Terrain

Background information was provided for the VoP in the areas of: the fire environment, natural fire regimes, fire behavior components, wildfire types and fuel treatment options.

The wildfire threat mapping resulted in many areas of the Pemberton Valley being rated as either 'Extreme' or 'Very High' for wildfire threat. Several areas within the VoP boundaries received these rating as well. Areas within the VoP boundary with an 'Extreme' rating were divided into polygons and a field visit made to each polygon. During this visit a fuel hazard rating was compiled and recommendations for abatement were made. Of the seven 'Extreme' polygons within the VoP boundary, four polygons were found to be of low or negligible hazard. This was due to outdated forest cover data (i.e. the areas had been converted to urban developments). The other three were of a rating level that



required fuels treatment. Recommendations were made for abatement of the fuel hazard.

A review of the official community plan was conducted and over 15 recommendations were made to move the community towards FireSmart development. A review of the bylaws and policies resulted in three bylaws being recommended.

Several public education methods were recommended. These methods included school visits, the dissemination of printed material through the mail, public presentations on the CWPP and fuels management, and public field trips to local sites where fuels modifications have occurred.

Two options were analysed for potential Fuels Management Pilot Projects (FMPP). The first was a landscape shaded fuel break southwest of One Mile Lake. This option would consist of thinning, pruning and burning a large section of the hillside to provide a firebreak in the case of a fire approaching the community from the south. The second option was to investigate fuels treatments within the VoP boundaries according to the hazard mapping results. Locations adjacent to the CN Rail line and Pemberton Creek were chosen as appropriate sites. This second option was determined to be the most cost effective use of funds and the best option for a demonstration site to enhance public education in the field of fuels management.

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## **Introduction**

The Village of Pemberton (VoP) is located approximately 160 kms north of Vancouver and 35 kms north of Whistler. The town, with a population of approximately 2500 people, is nestled at the base of Mt. Currie. Several outlying developments, and First Nation reserves, are also located in the Pemberton Valley.

Pemberton has been a steadily growing community for the last decade. However, since the announcement of the 2010 Olympic Games in Whistler, construction in Pemberton has increased dramatically. Pemberton is almost completely surrounded by forest and is located within a climatic subzone that has been historically influenced by regular wildfires. Development is pushing further into these surrounding forests as people seek to surround themselves with the natural setting that makes living in Pemberton so appealing.

The natural disturbance patterns and ecological processes that evolved to maintain the integrity of our ecosystems have been dramatically altered by human activity over the last century. Urban developments, resource harvesting, agriculture, range use, wildfire suppression, and the introduction of non-native species are among some of the influences that have changed the natural succession of many ecosystems. As a result, biological and physical stresses have begun to emerge across the province including fuel build up, forest disease and insect outbreaks.

The ecological communities found adjacent to the VoP, and throughout the Pemberton Valley have evolved and adapted to optimize their survival under the influence of periodic wildfires. Fire exclusion over the past century has resulted in unnaturally high accumulations of ground and crown fuels and the slow encroachment of forests into historically open forest communities. These instabilities have lead to significant increases in wildfire threat in the wildland-urban interface.

The municipality recognizes that there is a long term, significant risk of wildfire to the community that must be properly addressed. The development of a Community Wildfire Protection Plan is a move towards reducing the existing threat of a wildfire to development within the Pemberton Valley.

## **Objectives**

This Community Wildfire Protection Plan was developed to address the threat of wildfire in the wildland-urban interface zone in the Pemberton Valley. The overall objective of this project is to provide recommendations and tools to reduce the long-term wildfire hazard in the valley. Specifically, the objectives are:

- Produce a Wildfire Threat Hazard Map for the Pemberton Valley;
- Identify and prioritize high risk areas within the VoP;
- Provide recommendations for reducing wildfire risk through fuels modification and suppression preparedness;
- An analysis and assessment of the benefits/effectiveness of a landscape shaded fuel break;
- Suggestions for FireSmart bylaw development, education programs, and demonstration projects; and
- Recommendations for a Fuels Management Pilot Project

The main goal of the CWPP will be to: **Make Pemberton the first FireSmart community in the Sea to Sky corridor**, and to move the municipality towards becoming a provincial model for other communities in the areas of:

- Hazard and risk reduction;
- FireSmart bylaws and covenants;
- FireSmart subdivision development; and
- FireSmart public education programs.

The Pemberton Valley Interface Steering Team was established at the beginning of January 2005. The ultimate goal of the team is to ensure the constant, efficient and cost-effective movement of the municipality towards a FireSafe community.

## **Methodology**

The development of the CWPP is divided into five tasks:

1. Wildfire threat hazard mapping
2. Recommend and prioritize fuel treatments
3. Review bylaws/community plans/development permits
4. Recommend public education program
5. Recommend a Fuels Management Pilot Project

## **Wildfire Threat Hazard Mapping**

A GIS based wildfire threat ranking system was developed that spatially quantified and analyzed the relationships between critical factors affecting wildfire risk. The model is built upon the standards that have been established in the "Wildfire Threat Rating System" and the FireSmart program.

The analysis will provide Pemberton council with a decision making tool that spatially identifies the severity of wildfire risk and allows council to analyze and explore the implications of different management activities in relation to wildfire risk.

The model incorporates three critical factors that contribute to wildfire risk (with subcomponents):

- Fire behavior potential
  - Fire intensity;
  - Rate of spread; and
  - Crown fraction burned
- Structural and natural features at risk
- Suppression constraints
  - Proximity to Roads
  - Proximity to Water Sources
  - Steepness of Terrain

The wildfire hazard of each of the three components is calculated by overlaying the relevant contributing factors. The final wildfire hazard rating is calculated through overlaying and adding together the ratings of the three primary components. This final weighting is used to identify high-risk areas and subsequent wildfire management zones. Strategies are then developed to reduce the wildfire threat by analyzing the three components individually.

## **Review bylaws/community plans/development permits**

A comprehensive review was performed of the Official Community Plan, all community bylaws and the development permit application process, for any contents that were not in compliance with FireSmart guidelines. Recommendations were made to bring these documents into compliance with the FireSmart manual.

## **Public education Program**

In order for the public to understand the threat of fire to the town, they must be aware of the role of fire in their local ecosystem. Explaining the fire history of the valley will help illustrate how fuels have changed with time and land and resource management, and from where the resultant fire and fuel hazard threat originates. Once the public has a basic understanding of fire risk and fuel hazard the need for, and benefits of FireSmart planning will be more publicly acceptable.

## **Recommendations for Fuels Management Pilot Project**

The CWPP proposal stated that consideration should be given to pursuing a provincially funded Fuels Management Pilot Project (FMPP).

The first option was to assess the development of a landscape level shaded fuel break to the south of Pemberton. The Rutherford Creek area has been heavily damaged by the Mountain Pine Beetle (*Dendroctonus ponderosae*) and contains hundreds of hectares of dead trees. The trees provide ample fuel for a fire and will also act as potential ignition sources for lightning strikes. A wildfire within this region would have the potential to move towards Pemberton (the predominant wind direction is from the south, towards the community), potentially throwing embers into the community or the surrounding forests. The strategic placement of a landscape-level, shaded fuel break to the south of Pemberton would offer some protection to the community.

A shaded fuel break is a strategically located wide block, or strip, on which the vegetation cover has been permanently changed to one of a lower fuel volume, decreased continuity or reduced flammability. A shaded fuel break can be created through altering surface fuels, increasing the height to live crown, and opening the canopy by removing trees. The primary goal of a fuel break is to alter the behavior of a fire entering the fuel-altered zone. It can also act as an anchor point from which to attack a wildfire.

Orthophotos and forest cover maps were used to review potential locations for a fuel break south of the village. The hillside south of Pemberton and west of One Mile Lake Park contains small patches of forest stands surrounded by numerous rock outcrops. The abundance of rock outcrops in this area already provides an excellent fuel break. However, by utilizing these existing outcrops, and by increasing their size through altering the stand structure and fuel loading of the adjacent stands, a large fuel break could be constructed. Additionally, a local logging contractor harvested some small blocks in this area that have altered the stand structure and may prove to act as a crown fuel break. The resultant surface fuel loading of these harvest blocks were assessed for fuel hazard level.

A walkthrough of the proposed area was performed with pictures and notes being taken on the existing stand structure and surface fuel loading. This information

was used to assess the feasibility of an appropriate location for a fuel break and the treatments required to ensure an adequate fuelbreak is created.

Upon completion of the above field assessment, a second option for a FMPP was considered. This option was to perform fuels mitigation in the Pemberton interface. Over the years, urban development has steadily moved into the adjacent forested landscape. This urban sprawl has occurred without regard for wildfire risk and has resulted in an increased wildfire risk.

The preliminary location for this treatment was the interface zone extending from the intersection of Pemberton Creek with Hwy 99 up to the corner of the new Benchlands development. A field inspection of the area was undertaken and basic stand structure and fuel loading data was collected. This data was used to determine the feasibility and effect of undertaking a FMPP in this area.

## **The Fire Environment**

### **Climate and BGC Classification**

The Pemberton Valley is located in the Coast-Interior Transition Zone where the cool, wet maritime climate of the coast meets the warm, dry climate of the interior. The valley possesses forest attributes (tree and vegetation species) from both coastal and interior forest ecosystems. The dominant ecosystems in the valley tend towards the drier/warmer maritime and submaritime subzones of the Coastal Western Hemlock Zone (CWHms1, CWHds1) and the wetter/milder subzone of the Interior Douglas-fir Zone (IDFww1).

The CWHds1 experiences warm dry summers and moist, cool winters with moderate snowfall. The CWHms1 typically has relatively dry summers with moist, cool winters. The IDFww1 has warm dry summers and cool, relatively moist winters. The location of Pemberton Valley on the leeward side of the coastal mountains generally results in a realization of the drier/warmer characteristics of these subzones. This drier climate has resulted in the 'dry-forest' ecosystems present in the valley. It is the ecological attributes and climate associated with these dry forest ecosystems that present a threat to Pemberton, specifically the historical fire regime associated with dry ecosystems.

### **Fire Regimes**

All ecosystems are influenced by periodic disturbances that vary in size, severity and frequency. Common disturbances include: wildfire; windthrow; ice and freeze damage; water; landslides; insect and disease outbreaks; as well as human caused events such as logging. These disturbances influence the successional progress of an ecosystem. Historically, agents of disturbance were viewed as a threat to the integrity of the forest resource and, as such, it was standard policy to suppress all wildfire and to eliminate forest pests.



Many of these ecosystems are now becoming degraded by the loss of organisms and early seral-stage vegetation communities. Additionally, many fire dependent ecosystems are developing biological and physical instabilities such as hazardous fuel accumulation and pest outbreaks. Only recently have we gained a better understanding of the integral role that disturbance agents play to maintain spatial and temporal diversity in our ecosystems.

Wildfire is often the most dramatic disturbance type and has the ability to immediately and significantly alter the physical and biological characteristics of an ecosystem. It can change the structure and species composition of a forest, remove some or the entire forest floor organic layer, and alter the chemical properties of the soil. In ecosystems where natural wildfires are frequent, they help to prepare seed beds, recycle nutrients, alter plant succession, maintain a diversity of seral stages across the landscape, control insect and disease outbreaks as well as reduce fuel accumulations. Many of the native plant species found in fire-dominated ecosystems depend on fire for their existence.

All biogeoclimatic subzones have been separated into five natural disturbance types (NDT) according to the Forest Practices Code Biodiversity Guidebook: These NDTs are classified based on the size and frequency of natural disturbances that occur in those ecosystems and are somewhat interchangeable with the fire regime term.

- NDT 1 Ecosystems with rare stand-initiating events
- NDT 2 Ecosystems with infrequent stand-initiating events
- NDT 3 Ecosystems with frequent stand-initiating events
- NDT 4 Ecosystems with frequent stand-maintaining fires
- NDT 5 Alpine Tundra and Sub-alpine Parkland ecosystems

The subzones in the Pemberton Valley are classified as NDT 3 and 4.

A fire regime refers to the patterns of fire that occur over long periods of time, and the successive effects that these fires have on the ecosystem. It is a function of the frequency of fire occurrence, fire intensity and the amount of fuel consumed. Historically, the forests around Pemberton would have experienced two types of fire regimes:

- Fire Regime III: a mixed severity fire every 35 - 100+ years (less than 75% of the dominant overstory vegetation replaced);
- Fire Regime IV: a stand initiating (or stand replacing) fire every 35 – 100+ years (greater than 75% of the dominant overstory vegetation replaced)

Fire regime III would have occurred on the southern and western aspects and Fire Regime IV on the northern and eastern aspects.

The forests currently found in the valley have been dramatically altered by fire suppression, grazing and logging (Taylor, Baxter and Hawkes 2004). Forests have become denser and more uniform with a greater abundance of younger trees established in the understory (Arno 1988). Additionally, fire exclusion has resulted in a buildup of surface and ladder fuels and has contributed to the establishment of invasive species (Steele et al. 1986, McIver et al. 2001). These changes in the forest structure have increased the probability of large, high intensity stand initiating fires (Weatherspoon and Sinner 1996).

Prior to European settlement, some of the forests found on the south and west aspects in the valley area were characterized by moderately open stands of mature and old Douglas-fir, with gaps occupied by grassland communities (Feeney 1998). Frequent, low intensity ground fires, occurring every 35 to 100 years, helped maintain these conditions (Feensy 1998, Stone et al. 1999, Wright 1978). Wildfire would burn through the understory of these stands, killing regeneration, burning surface fuels, and lifting the crowns of the overstory by scorching the lower branches. Large stand initiating crown fires did occur, however, they were less frequent, occurring every 150-200 years.

Large specimens of Douglas-fir (*Pseudotsuga menziesii* [Mirb.] Franco) and ponderosa pine (*Pinus ponderosa* Dougl. Ex Laws.) have thick basal bark (up to 30 cm on some trees) that would have provided them with protection from these frequent low intensity fires. These fires were of a small to moderate size with short flame-lengths and low intensity and severity. Such fires essentially kept the landscape in a 'fire-proof' condition: moderately open stands of large, old, fire-resistant stands of Douglas-fir and ponderosa.

The second fire regime experienced in the area (frequent stand-initiating fires) resulted in whole forest stands being wiped out every 100 to 150 years by a large-scale wildfire. These areas would grow back over time as an even aged forest, accumulating high fuel loads between fire intervals, creating a 'fire susceptible' landscape. This heavy fuel loading contributed to high intensity and high severity fires that consumed the majority of the forest. These fires would be similar to the fires we typically see on the news today: intense crown fires that consume large areas. Prior to European settlement, these two fire regimes went on in perpetuity, influencing the forest ecosystems that adapted to growing in this area.

Since European settlement (typically taken to be pre-1896), fire frequency has been reduced through fire suppression and the First Nations reservation system, resulting in significant changes in stand structure conditions. Specifically, increases have occurred in surface fuel loading, stand density, and in the number of shade-tolerant species. The resultant effect has been the movement of previously open, grassy ('fireproof') stands of old Douglas-fir and ponderosa pine veterans toward a dense, closed canopy ('fire susceptible') stand structure. Wildfires that burn through these stands are similar to that produced in a stand-

initiating fire regime: consuming the majority of the stand (and associated human development).

In March 2002, a study of historic fire regimes was performed for the Birkenhead-Gates Landscape Units, 20 minutes north of Pemberton. Field sampling and analysis of fire-scarred trees along two transects produced mean fire frequencies of 5.8 and 6.9 years with a mean fire return interval ranging from 1 to 31 years. Essentially, on average, this landscape unit experienced a low intensity fire every 6-7 years. While no fire history study has been done in the Pemberton valley, and the ecosystems are slightly different, it is likely that southern aspects had a return fire frequency between 0 and 35 years while all other aspects had a return frequency between 35-100+ years. That is to say, these ecosystems are significantly departed from their natural fire regime.

Recently, research on departure from fire regimes has focused on the present 'condition class' of ecosystems. Condition classes are defined as a function of the degree of departure from historical fire regimes resulting in alterations of key ecosystem components such as species composition, structural stage, stand age, and canopy closure.

Definitions for each condition class are outlined in Table 1.

Condition class	Attributes	Example management options
Condition Class 1	<ul style="list-style-type: none"> <li>• Fire regimes are within or near an historical range.</li> <li>• The risk of losing key ecosystem components is low.</li> <li>• Fire frequencies have departed from historical frequencies by no more than one return interval.</li> <li>• Vegetation attributes (species composition and structure) are intact and functioning within an historical range.</li> </ul>	Where appropriate, these areas can be maintained within the historical fire regime by treatments such as fire use.
Condition Class 2	<ul style="list-style-type: none"> <li>• Fire regimes have been moderately altered from their historical range.</li> <li>• The risk of losing key ecosystem components has increased to moderate.</li> <li>• Fire frequencies have departed (either increased or decreased) from historical frequencies by more than one return interval. This results in moderate changes to one or more of the following: fire size, frequency, intensity, severity, or landscape patterns.</li> <li>• Vegetation attributes have been moderately altered from their historical range.</li> </ul>	Where appropriate, these areas may need moderate levels of restoration treatments, such as fire use and hand or mechanical treatments, to be restored to the historical fire regime.
Condition Class 3	<ul style="list-style-type: none"> <li>• Fire regimes have been significantly altered from their historical range.</li> <li>• The risk of losing key ecosystem components is high.</li> <li>• Fire frequencies have departed from historical frequencies by multiple return intervals. This results in dramatic changes to one or more of the following: fire size, frequency, intensity, severity, or landscape patterns.</li> <li>• Vegetation attributes have been significantly altered from their historical range.</li> </ul>	Where appropriate, these areas may need high levels of restoration treatments, such as hand or mechanical treatments. These treatments may be necessary before fire is used to restore the historical fire regime.

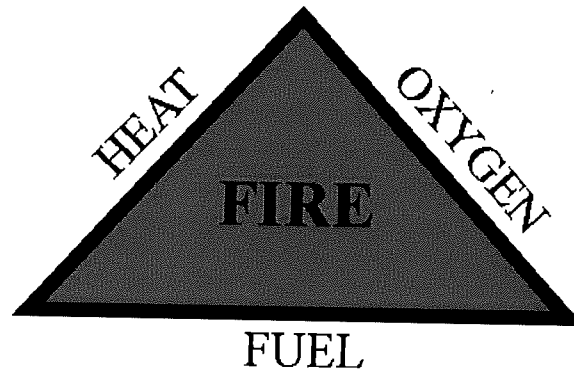
Table 1. Condition class definitions, attributes and potential management options.

The majority of the Pemberton Valley is likely in condition class three, with inclusions of condition class 2. As mentioned, the valley would likely have experienced fire every 0-35 years on the southern slopes and 35-100 years on all other aspects. No landscape evidence exists that a wildfire of historical significance has occurred in the Pemberton valley within the last 100 years. For condition class 3 ecosystems (southern aspects), three or more intervals may have passed since the last fire. This is evident by the high density of the stands growing on the southern aspects of the valley. These stands have unnaturally

high fuel loading and, as such, any fire that starts on these slopes has the potential to develop into a large-scale, catastrophic wildfire.

### The Fire Triangle

In order for combustion (fire) to occur, three components are required: fuel, oxygen, and heat. These three components form what is often referred to as the 'fire triangle' and is illustrated in figure 1.



$$\text{OXYGEN} + \text{HEAT} + \text{FUEL} = \text{FIRE}$$

Figure 1. The fire triangle and its three components.

Since all three components are required for a fire to occur, it follows that the removal of one component (side) of the triangle will result in the extinguishment of the fire. This is the basis of fire suppression and fire prevention. Fuels management focuses on the fuel side of the fire triangle. By removing, converting or modifying forest fuels, a manager can greatly reduce the risk of a wildfire, or modify fire behavior in the occurrence of a wildfire.

### The Fire Behavior Triangle

Similar to the fire triangle, fire behavior can be broken down into three components: fuels, weather and topography. These three components form what is often referred to as the 'fire behavior triangle' and is illustrated in figure 2.

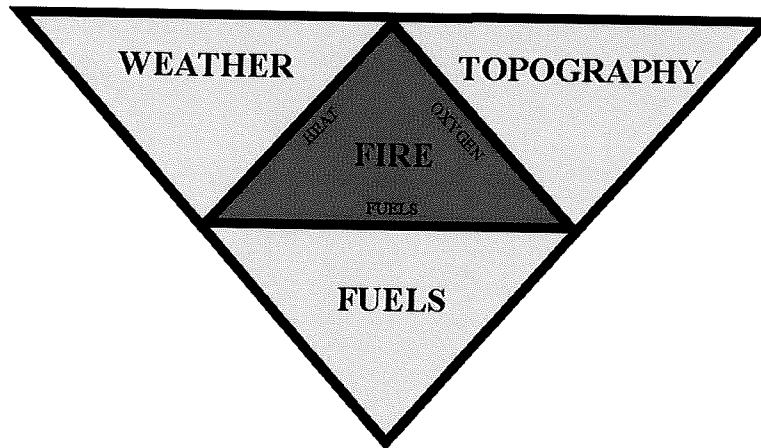


Figure 2. The fire behavior triangle and its components superimposed with the fire triangle.

Of these three components, managers can only alter the fuel component of the triangle. Fuels have several attributes that contribute to fire behavior including: porosity, size, quantity and fuel moisture. Fire behavior increases as fuel bed porosity and fuel quantity increases, and fuel size and moisture decreases. Therefore, managers are able to alter fire behavior by decreasing the quantity of fuel loadings, increasing the compactness of the fuel layer, and increasing fuel moisture.

### Wildfire Types

There are three general types of fires: subsurface, surface, and crown. Subsurface fires burn beneath the forest floor in the organic layer of a soil. Subsurface fires usually require lengthy mop-up operations as the embers are insulated and sometimes undetected below ground. These fires can re-emerge months later.

Surface fires are considered to occur within the first two meters of the forest floor. Surface fires, while being easier to suppress, can result in greater soil heating and volatilizing of nutrients. The heating of the soil can also create hydrophobic layers that contribute to surface erosion (Russel et al. 2004).

Crown fires occupy the canopy layers of the stand. Crown fires are the most difficult and dangerous to suppress. They have the highest intensity levels

(energy output), the greatest immediate and long-term ecological effects and pose the greatest threat to structures (Russel et al. 2004).

Fuels management, and subsequent treatments, usually involves reducing the potential occurrence for a crown fire and the potential intensity of a surface fire. In order to achieve a decreased fire risk, priorities usually involve reducing surface and ladder fuels and increasing the height to the bottom of the live canopy (Agee et al. 2000; vanWagtendonk 1996). Understanding how fire burns and how fire behavior is affected allows managers to choose the right treatment option to achieve fuel hazard mitigation objectives.

### **Fuel Treatment Options**

All resource management activities in fire-dependent ecosystems should aim to strategically restore the natural mosaic of seral stages across the landscape. Ideally these conditions would be achieved over time through the reintroduction of frequent low-intensity surface fires. However, this treatment is difficult to implement within the wildland-urban interface zone. Therefore, the majority of stand objectives are conventionally accomplished through mechanical fuel treatments including thinning, pruning and surface fuel removal.

While there is no fuel treatment that can produce a 'fireproof' forest stand, it is feasible to move stands toward a more 'firesafe' condition by altering species composition, stand structure and the characteristics of the fuel loads such that a crown fire is unlikely to occur (Agee 1996). Figure 3 shows a stand that has undergone thinning and a prescribed fire treatment.

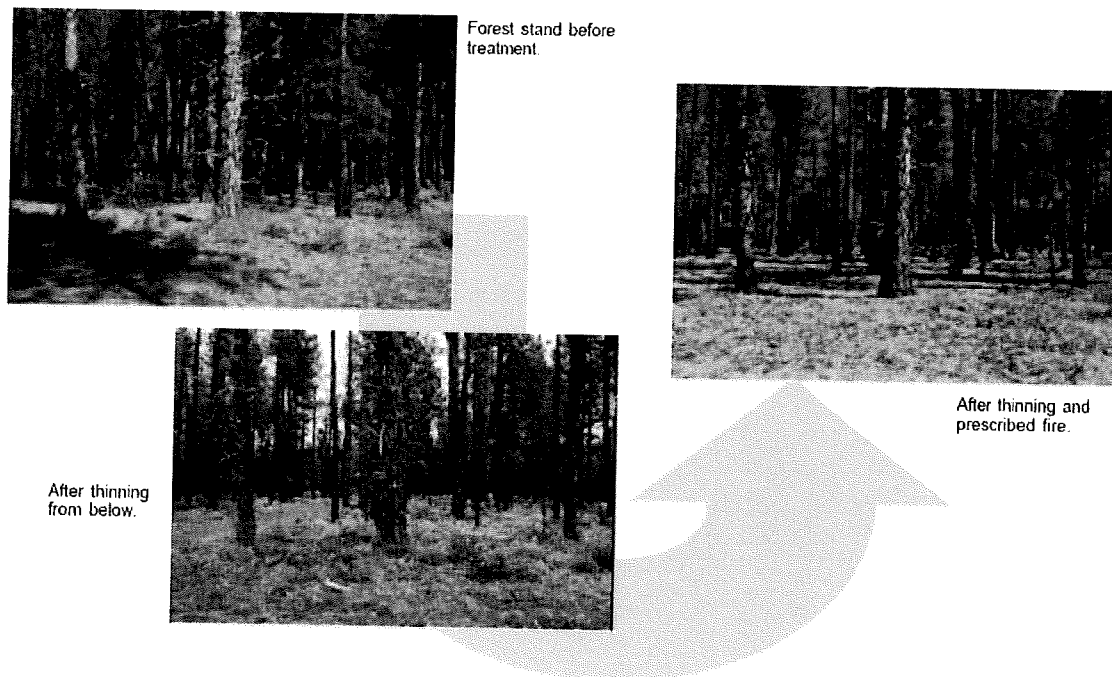


Figure 3. An example of a stand that has had thinning and prescribed fire treatment.

Performing treatments within the interface zone presents several problems. Residents are usually accustomed to, and desire, an unaltered forested landscape adjacent to their homes and, therefore, disapprove of changing the stand structure and habitat values adjacent to their homes. Although the presence of development means that some valuable forest attributes have already been compromised (Brown 2000) altering stand attributes through treatments requires an informative public education program outlining the benefits of fuel treatments. Fuel treatment objectives should incorporate ecologic, economic, and social values while reducing fire hazard and the risk to development.

Prescriptions for fuel treatments should be objective driven. Reasonable objectives involve reducing the potential for a crown fire, not the elimination of a crown fire. Crown fire occurrence and severity is best minimized by: reducing surface fuels; increasing the height to the canopy base; reducing canopy bulk density; and reducing the continuity of the forest canopy (Russel 2004). Managers must understand how different stand management treatments affect certain attributes on the landscape, and how these treatments can be used to alter fire behavior while achieving specific objectives.

The following is a discussion of commonly used fuel treatment options that could be considered within interface areas.



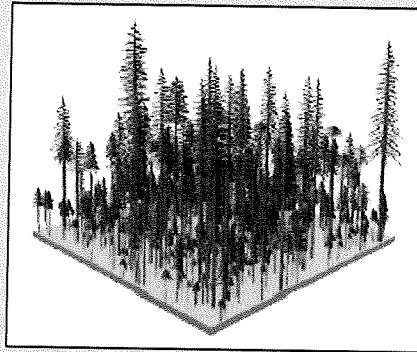
## Stand Thinning

Thinning, often called 'thinning from below' or 'low-thinning' is the removal of small trees from beneath the canopy or from within the canopy. These smaller trees act as ladder fuels as they provide a fuel source that carries a surface fire to the crowns. Thinning is often used to reduce the risk of fire spreading into the canopy through the removal of these smaller trees and to reduce crown fire potential by reducing crown fuel availability. These two methods are illustrated in figure 4.

### Types of Fuel Treatments

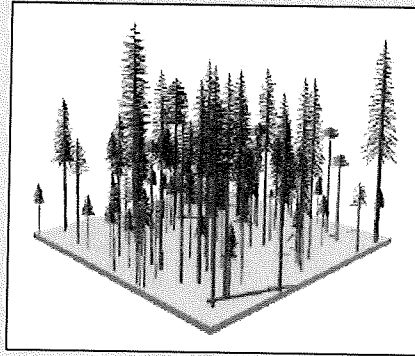
Fuel treatments are classed into two main types: crown-fuel reduction and ladder-fuel reduction. In both categories, hazard is reduced only if ground fuels are treated also. These fuels include existing underbrush and dead wood as well as down wood and slash created by the thinning. Both graphics show a 1-acre plot. Treatment goals typically include a residual basal area target and often a constraint that no trees larger than a specified diameter will be harvested.

“Basal area” is the total cross-section area of all live trees in a given area, usually expressed in square feet per acre. It is calculated by measuring diameters of individual tree trunks, figuring their cross-section area, and then calculating the total per acre. In practice, foresters use established formulas that calculate basal area from sample plots.

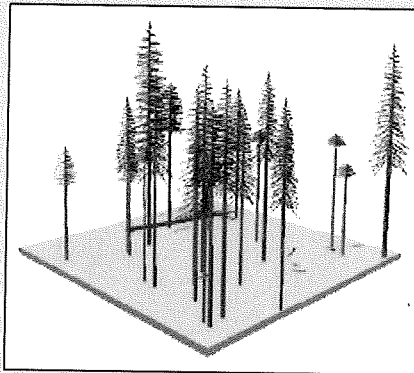


*Untreated stand.*

**Crown-fuel-reduction treatment.** Stands are thinned across all tree sizes, small and large, with emphasis on removing small trees (70 percent of the basal area removed is trees less than 14.5 inches diameter at breast height (d.b.h.)). Goals are to create canopy gaps, reduce total material in tree crowns, create thrifty vigorous stands, reduce competition-related mortality, and lower fire hazard. This example shows a treatment with 125 square feet per acre residual basal area.



**Ladder-fuel-reduction treatment.** Stands are thinned from below to remove small-diameter trees and underbrush, breaking fuel “ladders” that allow ground fires to move into the crowns. Goals are to reduce ladder fuels, the risk of torching (fire reaching individual tree crowns), and the density of tree crowns so if fire does reach them, it will be unlikely to carry through the whole stand as a crown fire. This example shows a treatment with 80 square feet per acre residual basal area.



*Graphics by Glenn Christensen. Stand Visualization System developed by Robert J. McGaughey, PNW Research Station.*

Figure 4. An illustration of thinning for crown and ladder fuel reduction.

The specific tree height, diameter and species to be thinned are dictated by the objectives to be achieved and the present and target stand conditions. In general, thinning should reduce the stand density enough that a crown fire cannot spread from crown to crown. In addition to removing ladder fuels, thinning reduces crown bulk density; improves the health of the stand; increases the growth rate of residual trees; and may increase the growth of understory vegetation, which can retain moisture longer into the summer (Brown 2000).

Thinning operations, without the treatment of residual ground material, can increase the overall fire risk (Waldrop et al. 2004, Agee 1996). Thinning can also increase fire risk by increasing the growth of grass or by opening up a stand to the effects of the sun and wind (van Wagendonk 1996, Weatherspoon 1996). Ideally thinning operations are combined with prescribed fire to best replicate the ecological effects of fire. If not done properly, mechanical thinning can also cause soil degradation through compaction and exposing the soils to the elements. To avoid these detrimental effects, thinning operations should be prescribed carefully according to strict stand-specific and ecologically based objectives.

### Pruning

Live or dead branches on a tree bole act as a 'ladder' to carry flames from the ground to the canopy. Pruning involves removing these branches, which eliminates this ladder effect. Pruning of the shrub layers in a forest may also be required where there is a dense or tall shrub component. Figure 5 shows a stand that has not been pruned, and a stand that has been thinned and pruned with the residual material being removed or chipped.



Figure 5. An untreated stand (left) and a thinned pruned and chipped stand (right).

The process of pruning also increases the crown base height (CBH): the height from the ground to the base of the canopy. A high CBH reduces the potential for a crown fire, as a greater surface flame length is needed to reach the canopy. Flame length is a function of ambient air temperature, wind speed, fuel moisture,

slope and fuel loading. An understanding of how these components interact will allow managers to determine pruning height requirements.

It is important to maintain an adequate crown base height to minimize crown fire initiation (Russel et al. 2004). Although topography cannot be altered, pruning higher on steeper slopes will aid in increasing CBH beyond potential flame lengths associated with the fuel loading and slope. Residual pruning material contributes to fuel loading and may produce a large enough flame length, under low moisture conditions and extreme weather conditions, to start a canopy fire. Therefore, residual material should be removed as part of the stand treatment. Prescribed fire is one of the most common methods to abate surface fuel hazard.

### Prescribed burning

Prescribed fire is one of the most practical and natural methods of reducing surface fuels. It produces fire resilient stands and restores sites from the adverse effects of fire exclusion (Ingalsbee 2004). There are numerous natural and social reasons prescribed fire is not utilized more commonly. The re-introduction of fire, after almost a century of fire exclusion on the landscape, is often problematic because fuel loadings are unnaturally high (Agee and Huff 1986, Swezy and Agee 1990).

Prescribed fire affects potential fire behavior by reducing surface fuel loading and continuity, eliminating ladder fuels, and raising live crown base height by scorching the lower branches of the crowns. The effect is to reduce fire intensity and crown fire initiation. Prescribed burning is an art and a science. It requires extensive planning and science-based monitoring and the operation requires an experienced burn boss and skilled crew. The possibility of an escape must be realized, and planned for, and resources and trained personnel must be prepared to suppress the burn at the discretion of the burn boss.

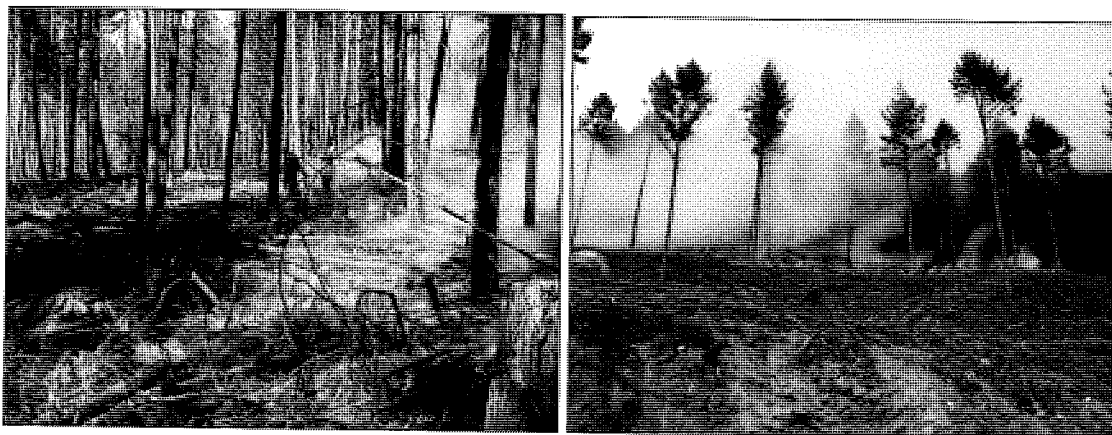


Figure 6. Two prescribed burns north of Pemberton, BC in the spring of 2004.

Performing prescribed burns within the wildland interface is not rare, but requires more preparation, public confidence, and is often more expensive. There may be opportunities within the interface to safely implement prescribed burning. However this requires that public confidence is high, and a well-trained and experienced crew is available. If prescribed burning is found to be a potential interface treatment option, a small prescribed burning pilot project should first be undertaken to assess the social and ecological benefits of prescribed fire.

#### Residual Material Removal (chipping, mastication, mulching, etc.)

Chipping fuels is the most common method used to remove residual treatment material and involves placing woody debris through a mechanical chipper. The chipper reduces the wood into small pieces and spreads them throughout the site. The ecological effects of these treatments differ with size, composition and location of the remaining fuel load. Thick layers of chips can result in reduced levels of oxygen at the forest floor level, which inhibits decomposition. Moreover, when decomposition does occur, the microorganisms responsible for decomposition require large amounts of nitrogen, thereby reducing nitrogen availability for the plant community. For forest ecosystems with very thin forest floors consisting of predominantly needle litter, the build up of wood chips dramatically alters the composition of the forest floor and should be restricted to areas where other options (such as pile and burning) are limited.

#### Pile and Burning

Pile and burning is another treatment method that can be employed in the interface zone and can mimic some of the ecological benefits of fire. Woody debris is piled in locations where it is safe to burn and is burnt under safe weather conditions. Burning piles requires planning and an understanding of fire behavior. An experienced burn boss, or fire suppression personnel, should examine potential site locations, and an experienced crew should perform the piling and burning. Some critical factors to consider when piling and burning are adjacent fuel sources, site degradation through soil sterility and the social impacts of smoke management

In areas with poor access and steep slopes, the removal of post-treatment residual material to a roadside chipper is very labour intensive and, therefore, very costly. Piling and burning may prove to be cheaper in these areas and would be worthwhile exploring as a viable option.



Figure 7. Burning piles from thinning and pruning activities.

### Surface fire fuel breaks

Once an area has been treated to minimize the potential for a crown fire, there is still the potential for a low intensity surface fire. In the summertime, after grasses cure, they are easily ignitable and have high spread rates. Although these fuels tend to burn out quickly, they provide resident heat to ignite larger fuels. There is a risk of a surface fire spreading into, or in from, adjacent properties not under control of the local government. In these areas, strategic surface firebreaks can be created to help stop the spread of potential ground fires.

Ground firebreaks are continuous areas of exposed mineral soil that are wide enough to stop the spread of a low intensity surface fire. These breaks can be created in parks to establish new trails for recreation. These trails should be developed wide enough to support an ATV to facilitate access for suppression. If these trails are not used frequently, grasses will naturally re-establish on the trail surface and as such may required ongoing maintenance.



Figure 8. An example of a trail that is acting as a surface fire break.

#### Spatial distribution of treatment areas

FireSmart recommends treatments around structures in three 'priority zones'. Treatments in these zones involve fuel removal, fuel reduction, and fuel conversion. Detailed goals and treatments can be found in the FireSmart manual in Chapter 3. Priority zones are based on distance from the structure, and the slope below the structure, and are defined as:

- *Priority Zone 1* (within 10m from structures): Remove fuel and convert vegetation to fire resistance species to produce an environment that does not support combustion.
- *Priority Zone 2* (10-30m from structures): Increase fuel modified area by reducing flammable vegetation through thinning and pruning and produce an environment that will only support low-intensity surface fires
- *Priority Zone 3* (30-100m+ from structures): Eliminate the potential for a high-intensity crown fire through thinning and pruning, thereby slowing a fires approach towards structures.

The area within 30 meters of the structures (priority zones 1 and 2) should be treated heavily enough to create a defensible space between the structures and the adjacent stand. Treatments in priority zone 3 should not be as intensive as those in adjacent to the structures but should still reduce the potential for a crown fire under 90th percentile weather conditions.

The slope of the terrain has a strong influence on fire behavior. The rate of spread (ROS) of a fire doubles for every 30% increase in slope up to 60%. The recommend treatment zone distances around structures should be adjusted accordingly. Steeper slope should be treated to a further distance, thinning should be to a lower density and pruning height should be higher. The distance and extent of treatment should be determined by a fire behavior specialist and clearly described in the fuels reduction prescription.

In addition, treatments should not be implemented uniformly, but should mimic natural stand structure by producing canopy gaps to help break up the canopy fuel mass. The shape, size and distribution of these gaps should be strategically placed to help slow the spread towards the structures or other adjacent hazardous fuels.

#### Treatment Maintenance Schedules

Forest stands are dynamic systems; as they change through time so does the potential fire behavior. Changes to potential fire behavior will be dependent on the changes to the fuel loading within the surface, ladder and crown fuel layers. As loading in these layers increases, treatments will need to be undertaken to reduce potential fire behavior. Contributions to loading will involve cladoptosis, infill of regeneration, vigor of the shrub complex and individual tree death or whole stand break-up due to biotic an abiotic forces.

The exact maintenance schedule necessary will be stand-specific. In dry ecosystem types within the wildland-urban interface it is better re-assess the hazard early. This is especially true for new fuel reduction programs. Maintenance treatments may be required every 7-10 years. Re-assessing every 5 or 6 years would allow managers to plan fuel treatment budget requirements for several years ahead.

As urban development continues, fire risk will also need to be re-assessed. As new developments move into the forested environment, treatment priorities and fire risks outlined in this report will change. FireSmart community planning and design should be undertaken as a requirement of the development permit process. Subsequent recommended fuel reduction treatments should be financed by the developer (to the satisfaction of the local bylaw office) and should be required by a local government bylaw. Upon completion of the development the site should be re-assessed to determine where it falls into the maintenance schedule and priority list.



## Discussion and Analysis

### **Wildfire Threat Analysis**

A wildfire threat analysis was performed for the Pemberton valley according to the methodology section. Outputs from the GIS mapping exercise resulted in many areas within the valley being labeled as 'extreme' for wildfire threat. Only a few polygons within the village boundary received this rating. This differentiation is important as the VoP can not perform fuels management on lands outside of their jurisdiction. However, the map will allow the VoP to demonstrate liability on the part of those land managers with property adjacent to the municipality's lands. Additionally, the map will demonstrate those areas of proposed future development and within the proposed municipal boundary expansion that require fuels management work.

As can be seen on the VoP Fuel Hazard map, seven polygons were identified within the VoP boundary as having an 'extreme' rating for wildfire threat. These polygons were visited in the field and a fuels hazard assessment performed as per the form in Appendix A. Two of these polygons (5 and 6) were found to have a negligible fuel hazard due to the fuel type (stands of pure Cottonwood) and the rating was purely a result of the proximity of structures. These stands should be maintained in a deciduous condition and fuels treatments should not be undertaken unless coniferous trees eventually dominate the stand.

Table 2 shows the overall fuel hazard rating for these polygons.

Polygon #	1	2	3	4	5	6	7
Overall Fuel Hazard Rating	<b>50.8 (mod)</b>	<b>48.8 (mod)</b>	<b>52 (mod)</b>	<b>47 (mod)</b>	n/a	<b>39.5 (low)</b>	<b>44 (low)</b>

Table 2. Overall Fuel Hazard Rating for Extreme Polygons in the VoP

Similarly, polygon 7 has seen heavy development and most of the forested area has been removed. The forested area that still exists is either deciduous or a coniferous young forest. The only recommendation for this polygon is to maintain the buffer that exists between the homes and the stand edge.

Polygons 5 and 6 have been developed and most of the forest removed. The remaining stands are deciduous in nature and require no treatment at this time. The coniferous component of these stands should be monitored through time. As these stands convert from deciduous to coniferous, they should be re-assessed for fuel hazard.

Polygons 1, 2 and 3 are rated as extreme due to the potential fire behavior and interface risk. These polygons are recommended for fuels treatments and are covered in the Fuels Management Pilot Project section (Option Two: Pemberton Creek Interface Fuels Treatment).

Polygon 4 is also rated as extreme due to the potential fire behavior and the interface risk. This area should undergo some fuels modification concurrent with the construction of the proposed Benchlands development. Recommendations for this polygon should be covered in the report accompanying the Fuels Management Pilot Project.

### **Review of Official Community Plan**

The VoP Official Community Plan (OCP) (Bylaw No. 435, 1999) was reviewed for content that was contradictory to FireSmart and for sections where FireSmart guidelines should be implemented. The following sections were found to be of concern and appropriate recommendations have been provided.

#### **2.2.1 Fundamentals of the Vision**

A) *Manage growth in a sensitive manner:* This section makes no reference to addressing the wildfire risk that will be associated with future growth. To ensure this occurs, wildfire risk and fuel hazard abatement must be taken into account. As urban development continues into the wildland, the risk of wildfire increases and should be addressed.

*Recommendation:* Ensure all future developments are done in compliance with FireSmart and consider the recommendations of this report. Proposed developments should undertake a *Pre-Development Fire Risk Assessment and Fuels Management Strategy* performed by an experienced wildfire management specialist and addressing site specific recommendations that promote a FireSmart community.

B & C) *Protect the Environment:* Portions of the natural environment mentioned in this section pose a fire hazard to the community. This section should take into account this hazard and reflect the mutually inclusive objectives of maintaining the natural environment and protecting homes by reducing the fuel hazard and associated fire risk. The protection of this natural environment should also include returning this environment back to its historical 'firesafe' state through fuels management.

*Recommendation:* The VoP should take an active interest in all forest management activities adjacent to their community. They should work with tenure holders and the Regional District to ensure all activities on these lands are done in a manner that addresses the wildfire risk, or at the very least, does not increase the fuel hazard or fire risk to the community.

D) *Improve Greater Opportunities for Recreation:* Any trails constructed in the wildland pose an ignition threat due to increased human activity within forested or grassy areas. However, if constructed appropriately, these trails can also provide easy access for fire suppression crews and resources and act as surface fire fuel breaks. The planning and design of wildland trails should take these points into consideration.

*Recommendation:* Any park or recreational plans or development should involve a wildfire management specialist. Park plans that encourage trail construction should attempt to have these trails double as surface fire breaks and access routes for fire suppression crews.

E) *Provide Municipal Services in a Cost-effective Manner:* Flood proofing is mentioned as a potential threat to the community but wildfire is not. Fire 'proofing' should be included as a provided service.

*Recommendation:* The VoP should promote this service by ensuring all future developments are in compliance with FireSmart guidelines and the recommendations of this report. This service can be provided by requiring development and construction companies to perform a *Pre-Development Fire Risk Assessment and Fuels Management Strategy* prior to development.

The recommended contents of a *Pre-Development Fire Risk Assessment and Fuels Management Strategy* are contained in Appendix C.

### 3.1.1. Residential Development

*Policy NO. 2:* All future neighborhood plans should address the potential future fire risk and fuel hazard. They should contain site specific FireSmart recommendations made by an experienced wildfire management specialist. These should be accounted for during the design and planning of the development. Priority Zones as per FireSmart should be mandatory for each lot and the development in general.

*Policy NO. 22:* The envisioned trail system should be multi-functional: These trails should be designed as surface fuel breaks in addition to being transportation corridors. Based on their location, the dimensions of some of these trails should take into account vehicle dimensions to aid in vehicular access for fire suppression purposes.

### 3.2 Municipal Services Policies

The Pemberton Fire Rescue Department should be annually trained in S-100; the WCB Basic Fire Suppression course developed by the Protection Branch. Additionally, wildland fire specific equipment, such as pulaskis and shovels, should be provided to the fire department.

*Policy NO. 40:* The CN Rail line that runs through Pemberton is a potential ignition source. The VoP should seek funding assistance from CN Rail to abate the fuel hazard that exists adjacent to the railway, thereby reducing the liability of an ignition to CN.

*Policy NO. 43:* Road standards should be in compliance with those found in the FireSmart manual.

### 3.4 Environmental/Natural Hazard Policies

*Policy NO 51* – Interface fire threat should be added to the list of natural hazards that will be “carefully reviewed to prevent the creation of risk to site-users and to the general public.” All development applications should be submitted with a *Pre-Development Fire Risk Assessment and Fuels Management Strategy* performed by an experienced wildfire management specialist. Additionally, this report should include site-specific FireSmart recommendations and be in compliance with the recommendations of this report.

### 4.2 Development Permit Exemption

Regardless of an exemption from acquiring a development permit, all future development should be in compliance with FireSmart guidelines and the recommendations of this report.

### 4.3 Development Permit Area 1

3 & 4: Vegetation to be used in landscaping should be in compliance with FireSmart. Vegetation should be of a fire resistant variety. If such vegetation can not be utilized, then increased spacing should occur between the vegetation to reduce fuel continuity between plants and trees. No plants should be located against structures. Bark Mulch

should not be used. The future growth of plants should be taken into account when choosing plant species and planting locations. Plants should not overtop structures or grow into contact with structures.

- 6: All building materials should be FireSmart compliant. Cedar shake roofs should not be allowed. Metal roofs should be promoted. Wood siding should not be allowed unless it is of a fire resistant variety as per the FireSmart manual.
- 10: Tree retention should be addressed in the aforementioned required "Pre-Development Fire Risk Assessment and Fuel Management Strategy" report. Retained trees should be pruned to a height that is appropriate for the site. Tree retention species should favour those that are fire resistant as per the FireSmart manual. The long term growth of planted trees should be taken into account when locating them for planting. They should not overtop structures or potentially grown into contact with structures.

#### 4.4 Development Permit Area 2

- 5: Building materials should be compliant with FireSmart guidelines. Fire resistant materials should be utilized. Cedar shake roofs should not be allowed. Metal roofs should be promoted. Wood siding should not be allowed unless it is of a fire resistant variety as per the FireSmart manual.

#### 4.5 Development Permit Area 3

- 3 & 4: Cedar shake roofs should not be allowed. Metal roofs should be promoted. Wood siding should not be allowed unless it is of a fire resistant variety as per the FireSmart manual.
- 8-10: Vegetation to be used in landscaping should be in compliance with FireSmart. Vegetation should be of a fire resistant variety. If such vegetation can not be utilized, then increased spacing should occur between the vegetation to reduce fuel continuity between plants and trees. No plants should be located against structures. Bark Mulch should be avoided.

A general recommendation for the OCP is to ensure all future local land use plans and ordinances provide for the maintenance of defensible space and fuel management on municipal and private property.

## Review of Bylaws and Guides

The Village of Pemberton Zoning Bylaws (NO. 466, 2001) were reviewed with the resulting recommendations.

*Division 300:* A bylaw should be introduced that addresses the distance of outbuildings and propane tanks from homes. Out buildings can be used as garages, tool sheds, wood shed, and storage structures. All these uses can pose a threat to the main housing structure and to fire suppression personnel. For example, a wood shed, hay barn or a shed full of other combustible materials would be a safety hazard for fire suppression personnel. When the distance from the main housing structure to outbuildings is increased, the safety buffer improves. Additionally, the potential of a shed on fire igniting a home through radiant heat is decreased through an increase in distance between the structures.

*Proposed bylaw:* All outbuildings and propane tanks are to be located at least 10m from a home where feasible. Propane tanks should be installed with some method of reducing vegetation from becoming established within 3m of the tank (i.e. concrete slab).

*Division 400 (specifically 404 & 406):* The vegetation proposed for screening purposed in these bylaws should be in compliant with FireSmart recommended vegetation. These bylaws should be changed to reflect the need for fire resistant vegetation.

*Proposed bylaw:* No landscaping vegetation shall be planted within 10m of a home unless it is of a fire resistant variety as specified in the FireSmart Manual, or some other scientifically backed literature. Landscaping should take into account the future growth pattern of plantings and not locate vegetation where it will potentially overtop structures or grow in contact with structures. Vegetation within 10-100m of home should be thinned and pruned as per FireSmart guidelines and in consultation with a wildfire management specialist or a *Pre-Development Fire Risk Assessment and Fuel Management Strategy*.

*Division 500:* For subdivision streets where shoulder street parking will be a permitted, the remaining road distance between vehicles parked on the shoulders should be adequate to allow the access of emergency vehicles and evacuation of residential traffic. FireSmart recommends a minimum road width of 7.3m and gravel shoulder widths of 1.2m. Where shoulder parking will occur, shoulder widths should be increased to 2.74m.

*Proposed bylaw: All future road widths are to be in compliance with FireSmart dimensions.*

## **Public Education**

In order to undertake fuels management, particularly within the interface, it is important to have public support. This can best be achieved by educating the public on the subject. An informative public education program could also result in private land owners performing fuels management on their properties. Public education can be a lengthy and time consuming process and should begin immediately. The following are suggestions for disseminating information to the residents of the Pemberton Valley.

### **Public Education Material**

The Protection Branch prints a FireSmart manual that outlines the basics of the FireSmart program and how homeowners can FireSafe their home and property. The VoP, SLRD, and Pemberton Fire Department have these manuals readily available at their respective offices. However, distributing these manuals at higher profile locations would reach a wider public audience. Such locations would be the local service stations, grocery stores, insurance agents, restaurants and outdoor shops.

These manuals could be distributed with the annual property tax assessments. For this methodology, a more concise summary of FireSmart, written on standard letter size paper, may be more cost effective to distribute. This inclusion would summarize the major points of FireSmart only. This distribution methodology would also be useful for providing an information package to residents on the proposed pilot project and interface treatment work and scheduling.

The official web page of the Village of Pemberton should be updated to include a Wildfire Management link. This link would provide general information to the public about FireSmart, the proposed interface treatments, and other pertinent wildfire information.

Further public education material could be drawn from the contents of this report. For example, portions of the Fire Environment and Fuels Treatments sections could be summarized and made available to the public. Similarly, the Work Cited section of this report could be made public for those looking for more scientific literature.

### **Public presentations**

Upon the completion of the CWPP, a public presentation should be planned. A summary of the findings and recommendations should be provided to the public. This summary should include: the location of required interface treatments, a

planned schedule if known; and details regarding the proposed landscape fuel break.

The Fuels Management Pilot Project announcement should be followed by a public announcement and presentation. The presentation should outline the area proposed for treatment, the treatment to be undertaken, the objectives to be achieved, and the potential work schedule.

Annual FireSmart public presentations or workshops should occur prior to each fire season. Information on how to FireSafe homes and properties delivered during these sessions would help maintain the importance of fire abatement at the forefront of the public's mind.

The local schools should be approached on potential education ventures. Classroom presentations by local Protection staff would be beneficial as would field trips to existing prescribed burn treatments in the D'arcy area. School field trips could occur to the FMPP site during and after completion of the project.

Additionally, classes could embark on a contest to develop wildfire awareness in the valley.

### **Staff training**

The Pemberton Fire Rescue Department (PFD) is a very well respected, and well trained, service within the community. Most of the volunteers have taken the WCB required S-100: Basic Fire Suppression course. Annual funding should be provided to ensure this training continues. Additionally, interagency training between the local Protection Fire Zone and the PFD should be considered. Increased cooperation between these two agencies will result in better municipal fire protection. Joint field training sessions involving mock fire scenarios would be a useful undertaking for both these agencies.

If the VoP has any public works employees, they would benefit from S-100 training. These employees could be an additional resource to the PFD during the shoulder season when Protection staff are unavailable.

A review of equipment belonging to the PFD necessary for interface fires should be conducted to determine if any shortfalls exist. If this equipment must be purchased, budget allocation should be provided to the PFD to ensure the municipality has the best possible fire service. Alternatively, the PFD may be able to access the necessary equipment from the Protection Branch through an 'off-season-loan' agreement.



## Fuels Management Pilot Projects

### Option One: Landscape shaded fuel break

The area proposed for the location of the potential landscape fuel break on the west side of Hwy 99 was delineated into three fuel polygons (A-C) and the associated fuel hazard assessed during a field visit.

#### Polygon A - Colluvial openings/Tree cohorts/Harvested blocks

This area contains a collection of colluvial openings, barren rock outcrops, and small harvested blocks. Excepting the harvest blocks, little to no surface woody fuel exists in this area, making it unlikely a surface fire would spread across the bench along the ground. Cohorts of trees exist between colluvial openings and generally consist of Fd veterans and intermediate mixed species layer (Fd, Cw, Hw, and deciduous). Figure 9 contains examples of this polygon.



Figure 9. A harvest block (left) and a cohort of trees in Area A.

The low of surface fuel within these colluvial openings means that a surface fire would not be able to spread to the cohorts of trees that exist between these openings. Hence, ignition of these cohorts would have to be through a direct lightning strike or from spotting from adjacent stands. While some cohorts may possess enough crown bulk density to sustain a crown fire, the distance between cohorts and the lack of surface fuel would not allow a crown fire to persist, resulting in the overstory fire burning out. Therefore, the main concern in area A would be the fire moving across the colluvial slope by spotting between cohorts.

The harvest blocks contain sufficient fuel to sustain a ground fire, but inadequate crown fuels to sustain a crown fire; only intermittent torching would be possible within these harvest openings and it would be limited to the perimeter of the harvest blocks. In effect, the surface fuel hazard of these harvest blocks is isolated and a reduced threat.

Treating fuels in Area A would consist of removing the suppressed layer in all cohorts, and possibly the intermediate layer in some of the cohorts. The objective would be to reduce crown fuel and the potential for a sustained crown fire. Residual material could be piled and burnt. The surface fuels in the harvest blocks could also be piled and burnt. The use of prescribed fire within these areas may also be possible, and would help increase vegetation diversity. Care would be required not to remove too much forest floor during burning. No overstory manipulation is likely required in the harvest block. Most of the merchantable wood in this polygon has been removed; the balance being uneconomical to do so.

### **Polygon B – Stand of Young Fd & Dead/Dying Fd/PI**

This area is a slope containing a young forest of Fd with low surface fuel loading. While the stand has entered the self-pruning stage, most trees have yet to lose their dead lower branches and, therefore, ladder fuels are abundant within this stand. Additionally, a Cw suppressed/intermediate understory beneath the main canopy provides further ladder fuels. Figure 10 shows examples of stands within this polygon.



Figure 10. A young Fd stand (left) and a dead/dying Fd/PI stand in Area B.

Although the crown base height is high, the stand possesses adequate crown bulk density for a crown fire to exist and spread through the stand. Several S6 streams intersect this slope, producing minor linear riparian areas of higher RH and fuel moisture content. The area is bound by the BC Hydro transmission lines downslope to the east and area A upslope to the west.

With the occurrence of drier site series to the north in this polygon, the stand type changes to a Fd/PI stand and forest health issues are evident. The young Fd has been attacked by spruce budworm and most of the leaders and top branches are defoliated. Much of the PI is dead or dying due to the incidence of mountain pine beetle. This overstory mortality has produced a stand with ample gaps. These

gaps have regenerated to dense thickets of Fd with low crowns which act as ladder fuels to the canopy.

As the overstory continues to die and fall apart, the increased insolation to the forest floor will aid in the development of the suppressed layer. Eventually, the dead standing will fall and contribute to a high surface fuel loading beneath a suppressed layer possessing ample ladder fuels. The resultant fuel hazard will be very high and both costly and difficult to mitigate.

This area should be treated with a thinning from below. Dead or dying PI should be felled. Fd trees that have been attacked by the budworm should be individually assessed as to whether they will recover from the attack and contribute to future fibre flow. Those deemed to be hazardous should be felled. A prescribed burn should be undertaken to reduce the resultant treatment materials and to rejuvenate the shrub/herb layer, which is currently non-existent. An increased shrub complex, as a result of prescribed burning, will provide valuable winter deer browse.

Some merchantable wood, as well as firewood, exist within this polygon and should be utilized as such.

### **Polygon C – Mature forest**

This area exists between the transmission lines and the railway/highway. It is a mature forest of Fd, Hw, and Cw with inclusions of deciduous in the gaps. The area possesses moist areas with larger Fd and abundant Cw and drier sites with smaller and shorter Fd. Surface fuel loading is low to moderate and there is evidence of past logging throughout the polygon. Crown base height is high and crown bulk density is sufficient to support a crown fire that would spread. Retained dead branches on the overstory trees, a suppressed layer of Cw and a shrub layer provide ladder fuels to the crown. Figure 11 shows examples of stands in this unit.



Figure 11. A moist site with Fd/Cw (left) and a drier site with small Fd in Area C.

This area should be treated with a low thinning and could undergo a prescribed burn. Some merchantable wood, and firewood, exists within this polygon and should be removed prior to burning. All processing of trees should occur within the block to ensure adequate surface fuel is left to carry a prescribed burn.

Given that these areas are in the vicinity of the transmission lines and that ions in smoke may result in electrical arcing, the BC Transmission Corporation will need to be contacted regarding the proposed treatment of this block.

All of these areas have been included in the requested area for a Community Forest Agreement (CFA) for the VoP and Mt. Currie First Nations. The removal of merchantable wood prior to receiving this designation will have impacts on future fibre flow and, therefore, future revenue to the CFA. This issue will need to be dealt with prior to writing the site plans for these treatments.

All three polygons, once treated with prescribed burning, would provide deer winter range habitat with increased browse. Deer winter range habitat is rare on the landscape due to its general occurrence along the valley bottom, and the related conflicting urban development preference for valley bottom land. This resultant effect of treatment may allow for funding through the Habitat Conservation Trust Fund.

### **Option Two: Pemberton Creek Interface Fuels Treatment**

The second option for a fuels management pilot project was to engage in an interface treatment. From preliminary hazard mapping, and due to a desire for the public to see the effect of interface treatments, concern was raised as to the interface risk that existed along the Pemberton Creek from where it intercepted Hwy 99 for the full extent of urban development upstream.

The area from the CN railway to the fire hall has a wide road surrounded by deciduous trees that provides some protection from fire. However, from the SLRD office and up to the proposed Pemberton Benchlands development boundary, the road is much narrower. Although, it provides some protection, in conjunction with Pemberton Creek, the protection is much less than that further downstream. Additionally, the Benchlands will be completely surrounded by coniferous forests and will be at risk of a wildfire.

A field visit was performed to determine the feasibility of performing fuels modification adjacent to the Pemberton Creek interface area with the intent to extend this treatment further upstream concurrently with the Benchlands development.

This interface area was divided into four polygons (A-D) with each polygon requiring a different treatment regime.

### **Polygon A - Coniferous Interface**

This area is primarily north of Pemberton Creek and west (upstream) of the fire hall with minor inclusions east (downstream) of the fire hall and east of the CN railway. The majority of the polygon is a mature forest type consisting of cedar, Douglas-fir, hemlock of varying composition with minor pine on the dry ridges. Generally, the intermediate and suppressed layers are well developed (cedar/hemlock) with a poorly developed vegetation complex. The polygon also contains small pockets of pole sapling immature forest, particularly in colluvial areas. Slopes vary from flat to 40%. Surface fuel loading is generally low to moderate with patches of heavy accumulations. This polygon also contains industrial waste and organic biomass that presents a fuel hazard. Figure 12 shows the stand type located within this polygon.



Figure 12. Examples of Polygon A - Coniferous Interface.

**Recommendation:** This polygon should be thinned and pruned according to FireSmart Guidelines, while taking into account site ecology and potential fire behavior. All residual materials from treatment should be treated in situ or removed from the site.

### **Polygon B - Deciduous Interface**

This polygon is restricted to the Pemberton Creek riparian area on the north side of the creek and the east side of the CN tracks. The species composition is cottonwood and alder with a minor coniferous component (Douglas-fir, hemlock, cedar). The understory contains cedar and hemlock with a poorly developed vegetation complex. The slope is flat to 30%. Surface fuel is generally low. Figure 13 shows this deciduous interface stand type.



Figure 13. Examples of Polygon B - Deciduous Interface.

Recommendations: Two options exist for this site. The first option is to leave the site as is. The coniferous composition of the polygon is low as is the surface fuel loading. Minor pruning of the conifers may be worthwhile but thinning is likely not necessary. The second option is to thin this polygon to a stand structure similar to that adjacent to the hospital and ambulance station. This would improve the visuals of the area and potentially discourage the squatting and other activities that occur in this polygon (as seen in the above right photo) and, therefore, the threat of accidental ignition.

### **Polygon C - Mature forest with trail network**

This polygon occurs upslope (west) of the CN tracks and south of Pemberton Creek downstream from the RCMP office. The area contains mature forest dominated by Douglas-fir, hemlock and cedar of varying composition percentages. The suppressed and intermediate layers are moderately to heavily developed along the trails and the timber edge of the CN railway. The drier sites contain lower density cohorts of shorter trees with denser regeneration and suppressed layers. The overall vegetation complex is generally poorly developed except in stand gaps. Slopes are 10-40%+. Surface fuel levels vary from low to moderate. Figure 14 shows polygon C.



Figure 14. Examples of Polygon C - Mature forest with trail network.

**Recommendation:** The trail in this area should be upgraded to occupy the full extent of the road bed upon which it is located. All suppressed trees and regeneration should be thinned and the residual material removed from the site. Any branches overhanging the trail should be pruned to at least two meters above the road bed. The area upslope of the trail should be thinned and pruned for 5-10m from the edge of the road bed. All residual materials should be removed from the site or some consideration given to pile and burning.

The area between the railroad tracks and the town homes has similar characteristics and could be thinned and pruned. However, the present vegetation offers a visual and sound buffer to the residents. Additionally, the railroad right of way upslope acts as a fire break for any fire that might start adjacent to the homes and move upslope. Before treating this area, careful consultation with the residents should be undertaken. The VoP should work in conjunction with CN Rail to ensure that all combustible material is removed within several meters of the tracks.

#### **Polygon D - Mature forest, non-trailed**

This area exists south of Pemberton Creek and extends upstream (west) from the RCMP office. It is a mature forest containing a Douglas-fir, hemlock, and cedar overstory with well developed suppressed and intermediate layers and a poorly developed vegetation complex. There are inclusions of dense hemlock and cedar regeneration. The canopy base height is over 3m and the slopes are flat to >45%. The surface fuel loading is low to moderate for fine woody debris (<7.5cm) and moderate for coarse woody debris (>7.5cm). Figure 15 contains examples of this polygon.



Figure 15. Examples of Polygon D - Mature forest, non-trailed.

Recommendation: This area has a favourable aspect (north/east), a high crown base height, and high RH. Presently, it is not necessary to treat this polygon. However, if the area is encompassed in the anticipated Community Forest, it should be treated concurrently with forest operations according to wildfire management objectives.

### **Interface Fuels Treatments**

The treatments in the interface should attempt to follow FireSmart guidelines and be ecologically based. Additionally, this treated area should serve to provide a buffer zone in which fire behavior will be reduced and easier to control, and therefore provide an anchor point for fire suppression.

### **Pilot Project Recommendations**

It is recommended that the Interface Fuels Treatment option be chosen as the pilot project. Given the limited amount of funding available through a Fuels Management Pilot Project program, the need to protect homes at risk, and the desire for the pilot project to be easily viewable to the public this is a much more viable option over the landscape fuel break.

While the landscape fuel break should be undertaken, it is an option that would be worthwhile to pursue in conjunction with the BC Transmission Corporation, CN Rail, and possibly concurrently with forest operations. The area has been identified as potential Community Forest and the foreseen objectives of the Community Forest would involve wildfire protection.



The following steps will be required in order to begin Interface Fuels Treatments:

- 1) Obtain the necessary notice from the MoF of Pilot Project Status and determine how the funding will be allocated
- 2) Inform the public in general, and specifically those owning property adjacent to the treatment sites, of the desire to treat the areas
- 3) Hold a public information session to explain the rationale behind fuels treatment and the chosen locations of these treatments
- 4) Any area not on municipal property will require permission from the land manager/agency prior to treatment
- 5) Develop site specific prescriptions for each treatment area using fire behavior modeling software
- 6) Inform the public of the forthcoming work and the scheduling
- 7) Conduct the treatment operations according to the prescriptions and in compliance with the Wildfire Act and its associated regulations

## **Conclusions and Recommendations**

This report makes the following recommendations to reduce the threat of a wildfire to the VoP:

- Fuels hazard abatement should occur immediately in those interface polygons of the VoP with 'Extreme' ratings.
- The OCP should be updated to reflect the potential wildfire hazard and consideration given to those recommendations contained in the report
- A Pre-Development Fire Risk Assessment and Fuels Management Strategy should occur for all future developments in the Pemberton Valley
- All recommended bylaws should be brought before council for their input
- Public education in the areas of Wildfire Awareness should be undertaken through the distribution of printed materials and through public presentation
- Local schools should be approached to develop contests for promoting Wildfire Awareness in the Pemberton Valley
- Annual training of the Pemberton Fire Department (PFD) should include S100: Basic Fire Suppression as well as Interface Suppression Training
- The PFD should perform an equipment analysis and be provided a budget for any equipment that would improve their efficacy at suppressing interface fires
- In addition to the current Fuels Management Pilot Project, the VoP should embark on an aggressive program to secure additional funding, or in-kind contributions, to continue with interface fuels hazard abatement work.

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**Appendix A**

**Fuel Hazard Assessment Form**

## Fuel Hazard Assessment Form

This fuel assessment methodology was originally developed for the City of Kelowna to assess fuel hazard in the interface. The procedure and form was adopted to assess the fuel types within the Pemberton Valley. The quantified data included in form is relevant to the City of Kelowna project and was not used for the VoP project. It has only been included to illustrate the differences between the ratings. Instead, ocular assessments and personal experience was used to differentiate between various rating levels. Further field work that is disallowed by the CWPP funding would be required to develop relevant fuel loading classes for the Pemberton Valley.

The objective of this assessment form is to provide a standardized fuel hazard ranking system that accounts for the risk of potential fire behavior and the potential consequences to structures. It is meant to provide some guidance for determining where fuel treatments will effectively reduce wildfire threat and to prioritize these areas for treatment. It is ONLY a guide.

This assessment methodology was developed for use within the urban/wildland interface. The risks associated with ignition have been excluded as they are relatively consistent due to the high density of roads, trails, and developments. For some fuel types, treatments will reduce the fire behavior potential or wildfire risk. Therefore, prior to completing this form, the assessor should determine if the area is a candidate for fuel treatments. The area is not likely a candidate for treatment if:

- Deciduous species make up greater than 90% of stand volume
- Crown closure is less than 15% with low surface fuel accumulations

Additionally, if the area has sensitive ecological features, such as critical wildlife habitat or riparian attributes, a qualified professional should be consulted.

The Fuel Hazard Assessment form was designed to account for both risk and consequence in interface situations. Fire behavior is dependent on fuel characteristics and availability, and therefore the fuel loading accounts for 75% of the overall weighting. The fuel loading is divided into fuel characteristics that influence rate of spread, crown fire potential and fire intensity. In addition, factors that influence how fire will behave have been incorporated.

The remaining 25% of the overall weighting accounts for the structures that are at risk in the interface. This is accounted for by assessing the density of structures, their position with respect to the fuels, and the effectiveness of any fuel breaks around the structures. The following table summarizes the weighting of the five indicator categories:



Indicator	Contribution %
Spread Rate Index	25
Crowning Potential Index	25
Fire Intensity Index	10
Fire Behavior Modifiers	15
Structures at Risk	25

The weightings of each of the five indicator categories are calculated from a number of site characteristics. For each table, add the weights of the individual variables together to produce a weighting for the category. The five category weightings are then added together to determine the final ranking.

### Spread Rate

The Spread Rate is a measure of the relative rate of spread or reaction intensity of a surface fire. It is based on the quantity and horizontal continuity of surface fuels.

Variable	Nil	Low	Medium	High	Very high
Thickness of flammable litter layer (cm)	None 0	<1 1	1 to <3 3	3 to <5 4	>=5 5
Fine woody ground fuel1 (Kg/m2)	0 0	< 0.5 2	0.5 to <1.0 5	1.0 to <1.5 8	>=1.5 10
Understory ground cover of flammable shrubs (%)	None 0	<10 1	10 to <25 3	25 to <50 4	>=50 5
Understory ground cover of grasses (%)	None 0	<10 1	10 to <25 3	25 to <50 4	>=50 5
<b>Total Spread Rate Index</b>					

1 – Sound wood <7.5cm in diameter. See appendix A for photo examples.

### Crowning Potential

The Crowning Potential measures the probability of fire reaching, and burning through, the tree canopy. It is based on the quantity and continuity of ladder fuels and flammable crown mass.

Variable	Nil	Low	Medium	High	Very high
Ladder fuels (St/ha)	None <b>0</b>	<25 <b>2</b>	25 to <100 <b>5</b>	100 to <300 <b>8</b>	>=300 <b>10</b>
Crown mass (St/ha)	<50 st/ha <b>0</b>	50 <250 <b>3</b>	250-<500 <b>8</b>	500-<750 <b>12</b>	>=750 <b>15</b>
<b>Total Crowning Potential Index</b>					_____

1 – (St/ha of coniferous trees reaching from the ground fuel to within 2 meters of the crown canopy)

2 – St/ha of codom/dom coniferous trees

### Fire Intensity

The Fire Intensity is a measure of how hot and intense a fire will burn and how much biomass it will consume.

Variable	Nil	Low	Medium	High	Very high
Thickness of duff layer excluding litter (cm)	None <b>0</b>	<5 <b>1</b>	5 to <10 <b>3</b>	10 to <15 <b>4</b>	>=15 <b>5</b>
Medium and large ground fuel1 (Kg/m2)	0 <b>0</b>	<1 <b>1</b>	1 to <2 <b>3</b>	2 to <3 <b>4</b>	>= 3 <b>5</b>
<b>Total Fire Intensity Index</b>					_____

1 – All fuels > 7.5cm including rotten wood and stumps. Measured in Kg/m2.

### Fire Behavior Modifiers

The Fire Behavior Modifiers account for topographical features, including slope and aspect, as well as the continuity of fuels into adjacent areas.

Variable	Nil	Low	Medium	High	Very high
Slope (%)	0 to 15 <b>1</b>	15 to 30 <b>2</b>	30 to 45 <b>3</b>	45 to 60 <b>4</b>	>60 <b>5</b>
Size of continuous fuel area* (ha)	<1 <b>1</b>	1 to 5 <b>2</b>	5 to 25 <b>3</b>	25 to 100 <b>4</b>	>100 <b>5</b>
Aspect	North <b>1</b>	East <b>2</b>	Flat <b>3</b>	West <b>4</b>	South <b>5</b>
<b>Total Fire Behavior Modifiers</b>					_____

\*Continuous fuel area enclosed by fuel breaks that are large enough (>30m) to contain a crown fire.

### Wildfire Behavior Ranking

A measure of the Wildfire Behavior Potential is accounted for by adding together the Spread Rate, the Crowning Potential, the Fire Intensity and Fire Behavior Modifiers. This is a measure of the Risk associated with a fire occurrence and can be classified in the following categories:

Wildfire Behavior Ranking (Risk)
<30 – Low
30-35 – Moderate
35-40 – High
> 40 – Very High

### Structures at Risk

Structures at Risk is a measure of the density of structures adjacent to the fuels and includes their relative slope position and the size of defensible space present. This portion of the assessment should be completed if there are structures within a 100-meter distance.

Variable	Nil	Low	Medium	High	Very high
Structures at risk density (#/ha)	None <b>0</b>	Single Structure (1/ha) <b>5</b>	Moderate Density (2-5/ha) <b>10</b>	High Density (>5/ha) <b>15</b>	Industrial/ Commercial/ Utilities <b>20</b>
Slope position of structure	No Structures <b>0</b>	Down slope <b>1</b>	Adjacent or flat slope <b>3</b>		Uphill or Crest <b>5</b>
<b>Structures at Risk Subtotal</b>					<u>        </u>

The structures at risk subtotal should be multiplied by the following to account for the presence of fuel breaks. This includes areas located between the fuels and the structures that do not contain any combustible materials such as roads, water bodies or rock.

Size of fuel break	Structures at Risk Multiplier
<10 meters	1.0
10 – 30 m	0.8
30 – 70 m	0.5
70-100 m	0.3
>100 m	0
<b>Structures at Risk Total</b>	<u>        </u>

### Fuel Hazard Ranking

The overall Fuel Hazard Ranking is calculated by adding together the Wildfire Behavior Ranking and the Structures at Risk Ranking. This is a measure of both the Risk and Consequences of a wildfire occurring. The overall ranking is classified as per the following categories:

Overall Fuel Hazard Ranking (Risk and Consequence)
<45 – Low
45-54 – Moderate
55-59 – High
>59 - Very High

**Appendix B**

**Fuel Hazard Rating for Extreme Polygons in the VoP**

**Wildfire Behavior Rating for Extreme Polygons in the VoP**

<b>Polygon #</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5*</b>	<b>6</b>	<b>7</b>
Spread Rate	9	9	14	13	n/a	13	16
Crowning Potential	14	13	11	5	n/a	5	2
Fire Intensity	6	4	4	2	n/a	2	4
Fire Behavior Modifiers	9	10	8	7	n/a	5	6
Overall Wildfire Behavior Ranking	<b>38 (High)</b>	<b>36 (High)</b>	<b>37 (High)</b>	<b>27 (Low)</b>	n/a	<b>25 (Low)</b>	<b>28 (Low)</b>

\*Majority of polygon had been converted to structures

**Structures at Risk Rating for Extreme Polygons in the VoP**

<b>Polygon #</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
Structures at Risk	16	16	15	20	n/a	18	20
Fuel Break Modifier	.8	.8	1.0	1.0	n/a	.8	.8
Structures at Risk Total	<b>12.8</b>	<b>12.8</b>	<b>15</b>	<b>20</b>	n/a	<b>14.5</b>	<b>16</b>

**Overall Fuel Hazard Rating for Extreme Polygons in the VoP**

<b>Polygon #</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
Overall Fuel Hazard Rating	<b>50.8 (mod)</b>	<b>48.8 (mod)</b>	<b>52 (mod)</b>	<b>47 (mod)</b>	n/a	<b>39.5 (low)</b>	<b>44 (low)</b>

**Appendix C**

**Pre-Development Fire Risk Assessment and Fuels Management Strategy  
Contents**



**Suggested contents for a 'Pre-Development Fire Risk Assessment and Fuels Management Strategy'**

Fire Risk and Fuel Hazard Assessment

Introduction

Study Area Description

Climate and BGC Classification

Natural Disturbance Regime

Fire Environment Background

Fire Components

Fire Behavior

Wildfire Types

Fuel Treatment Techniques

Stand thinning

Pruning

Prescribed burning

Residual material Removal

Pile and Burning

Surface fire fuel breaks

Treatment maintenance

FireSmart Community Design Recommendations

Introduction/Background

Vegetation Management

Priority Zone Recommendations

Priority Zone 1-Fuel Free

Priority Zone 2-Fuel Reduction

Priority Zone 3-Fuel Reduction and Conversion

Buildings and Construction

Roofs

Chimneys

Siding

Windows and Door Glazing; Eaves, Vents and Openings

Balcony, Decks and Porches

Access Management

Roadway Standards

Fire Service Access Standards

Water Supply

Utilities-Electric and Gas

Additional Recommendations

Muster Stations

Home Sprinkler Systems

Community Planning and Design Review

Construction Operations

Post-Development Fire Hazard Review

**Date:** February 2, 2016

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Lisa Pedrini, Village Planner

**Subject:** SLRD Solid Waste and Resource Management Plan – Ban on Waste-to-Energy (Incineration) Options

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### **PURPOSE**

The purpose of this report is to present Council further information regarding the Resort Municipality of Whistler's (RMOW) request for amendments to the Squamish-Lillooet Regional District (SLRD) Solid Waste and Resource Management Plan (SWRMP).

### **BACKGROUND**

At the November 17, 2015 Regular Council Meeting No. 1411, a report with an update on the SLRD Draft Solid Waste and Resource Management Plan process and recommendations on the Draft SWRMP was presented to Council and the following resolutions were passed:

*Moved/Seconded*

***THAT*** the SLRD Draft Solid Waste and Resource Management Plan report be received for information;

***AND THAT*** the Village informs the SLRD that it supports the Vision and Strategies contained in the Stage 2 Report (SLRD Draft Solid Waste and Resource Management Plan) in principle.

**CARRIED**

*Moved/Seconded*

***THAT*** any decision on an initiative contained in the Plan that identifies the Village of Pemberton with the responsibility for implementing, including budget, public consultation, operations and management, be referred to the Village of Pemberton for approval.

**CARRIED**

On December 9<sup>th</sup>, 2015 the Village of Pemberton, along with the Districts of Lillooet and Squamish, received correspondence from the SLRD informing that the RMOW did not support the inclusion of waste-to-energy (incineration) options for the disposal of residential mixed municipal waste in the Draft SWRMP and that the RMOW was requesting changes to the SWRMP to eliminate support for waste-to-energy facilities both within and outside the Region (see letter attached as Appendix A). The SLRD requested comments from each municipality with respect to the amendments as soon as possible so that the Plan could be considered by the SLRD Board early in the new year. At the Regular Council

Meeting No. 1414, held December 15, 2015, the request was considered by Council and the following resolution was passed:

*Moved/Seconded*

**THAT** the correspondence from the Squamish-Lillooet Regional District regarding the Solid Waste and Resource Management Plan be referred to Planning Staff for review and comment.

**CARRIED**

On the same date, the District of Squamish (DoS) at their Regular Council meeting held December 15, 2015, passed the following resolution:

*Moved/Seconded*

**THAT** Council support the Resort Municipality of Whistler recommended changes regarding the Squamish-Lillooet Regional District Solid Waste and Resource Management Plan:

**WHEREAS** the SLRD has asked for comments from Council on the draft Solid Waste & Resource Management Plan (SWRMP);

**WHEREAS** the draft SLRD SWRMP includes an option to explore waste incineration;

**WHEREAS** incineration is defined as any thermal treatment of waste such as mass burn, pyrolysis, gasification or others that is used on mixed waste at non-biological temperature and pressure for the creation of heat, gas or other forms of energy and ash or slag;

**WHEREAS** the use of waste incineration as a disposal option is:

- Contrary to the principles of zero waste and sustainability,
- Known to emit more GHGs than recycling/compost and landfill options,
- Known to be more harmful to human and environmental health than recycling/composting and landfill options,
- Creates fewer jobs than recycling/compost and landfill options, and,
- Directly competes for staff and financial resources with zero waste alternatives;

**THEREFORE BE IT RESOLVED THAT** Council direct staff to recommend changes to the draft plan that eliminate the option for waste incineration (also known as waste to energy) of mixed municipal waste.

**CARRIED**

## **DISCUSSION AND COMMENTS**

Waste-to-energy (WtE) is described by Wikipedia as “the process of generating energy in the form of electricity and/or heat from the primary treatment of waste”<sup>1</sup>. The most common WtE implementation is incineration (the combustion of organic material such as waste) with energy

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<sup>1</sup> <https://en.wikipedia.org/wiki/Waste-to-energy>, accessed January 27, 2016.

recovery. Facilities employing WtE must meet strict emissions standards as the process may emit fine particulate, heavy metals, trace dioxin and acid gas.

Wikipedia states that critics of incineration note that incinerators destroy valuable resources and may reduce the incentives for recycling. However, many large European cities that also have high rates of recycling (up to 70%) also use incineration to treat residual waste and avoid landfilling.

As a result of resolutions passed by both the RMOW and the DoS, amendments to the Resource Recovery Section in the Final Draft SWRMP (along with some other minor edits) were made by the SLRD staff. These amendments were presented to the Solid Waste Management Plan Advisory Committee (Combined North and South Committees) at their final meeting held January 26<sup>th</sup>, 2016 at the SLRD offices.

The particular wording with respect to waste incineration that was added is as follows:

#### “15.1 RESOURCE RECOVERY

Resource recovery technologies involve the extraction and utilization of materials and/or energy from the residual waste stream prior to disposal and can provide an opportunity to maximize the use of the resources embedded in residual waste. Extraction of materials is typically done through mixed waste material recovery facilities (MRFs).

Extraction of energy is typically done through thermal treatment of waste such as mass burn incineration, pyrolysis, or gasification. These technologies were assessed for application to the SLRD’s residual waste stream as part of the planning process.

Specifically, mixed waste processing and waste-to-energy were considered. The assessment determined that: in order for these options to be economically feasible, both mixed waste processing and waste-to-energy require large volumes of waste, much greater than the tonnes available in the SLRD. Consequently, the consultants recommended the SLRD and member municipalities:

- Follow the developments in other regions (e.g. Metro Vancouver and Fraser Valley Regional District) that are exploring resource recovery options,
- Assess new opportunities as they arise or become cost-effective for lower tonnages, and
- Consider out-of-region resource recovery facilities as potential future solutions for managing a portion of the region’s residual waste stream, as long as these options do not compromise local waste diversion initiatives.

During the community consultation phase of the planning processing, the Resort Municipality of Whistler and the District of Squamish both passed resolutions<sup>2</sup> indicating that they do not support the thermal treatment of mixed waste as an option for future management of residual waste. Consequently, the above recommendations related to resource recovery will be pursued under this plan, but mixed waste thermal treatment will be excluded from further consideration. It is anticipated that the SLRD will act as a

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<sup>2</sup> Resolutions from RMOW and DoS are attached to this report as Appendix B.

facilitator in the on-going exploration of resource recovery as a residual waste management option in the future.”

The Committee passed, by unanimous vote, to formally include the WTE/incineration/thermal treatment ban paragraph in Section 15.1 as noted above, and recommended the plan be presented to the SLRD Board for approval. The anticipated timing of this next step will occur at the February 17, 2016 Board meeting. Thereafter, the SLRD will forward the adopted plan to the member municipalities requesting letters of support. Once the letters of support are received, the SLRD will be in a position to send the SWRMP to the Ministry of Environment for final endorsement.

While Staff are not experts in the field of WtE technologies, and therefore not in a knowledgeable position with respect to the pros and cons of WtE technologies, the following points have been provided for consideration:

1. If incineration is considered a ‘primary’ treatment of waste, given the goals of the Draft SWRMP toward the realization of zero waste and sustainability, the plan should strive to prioritize greener options to tackle residual waste, rather than depending on a base option, especially if other options (recycling/compost and landfill) result in lower GHG’s;
2. The Region’s two largest producers of waste have requested the removal of options to use WtE (incineration), and not responding to this request may lead to delays in adopting the SLRD SWRMP (which has taken nearly 2.5 years to complete);
3. There are currently no WtE facilities in the lower mainland, therefore no nearby means to utilize this option in the near future;
4. If nearby WtE facilities are realized in the future and are sufficiently environmentally friendly and financially effective the SLRD and member municipalities may choose to undertake the process to amend the SWRMP to accept their inclusion as an option.

As is, the Staff supports the above-noted amendment and given the timing of the Advisory Committee’s recommendation of support, there is no further action required from the Village of Pemberton until the adopted Plan is referred to the Village with a request for a letter of approval (expected this spring).

### **COMMUNICATIONS**

No communications are required at this time.

### **LEGAL CONSIDERATIONS**

There are no legal, legislative or regulatory considerations at this time.

### **IMPACT ON BUDGET & STAFFING**

Participating in the SLRD SWRMP update as a member of the Southern Plan Advisory Committee is a component of the day to day operations undertaken by the Operations & Development Services Department and the Office of the CAO. The Village was represented by the Village Planner.

Depending on the direction the Village takes and the aspects of the Plan that the Village eventually implements, there will be potential for operational impacts on Operations and Development Services as well as Finance and Administration. Those impacts are unknown at this time, however, staff will bring forward more information when it comes closer to decision-making on which initiatives the Village may be supporting and implementing.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There were no interdepartmental impacts of preparing this report, as this item was undertaken solely by the Operations and Development Services Department.

### **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

The adoption of the SWRMP enables the SLRD and member municipalities to begin implementing actions to move the Region toward its goal of zero waste. Village staff has been participating on the Advisory Committee since the inception of the project, and have been involved in the creation of the plan along with other regional stakeholders.

### **ALTERNATIVE OPTIONS**

There are no alternative options at this time.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

Participating in the SLRD SWRMP Update is consistent with the Strategic Plan Priority Three: Excellence in Service through the continuation of delivering quality municipal services by participating in regional initiatives.

### **RECOMMENDATION**

**THAT** this report be received for information;

**AND THAT** the Village of Pemberton support the amendments to the SLRD Solid Waste and Resource Management Plan that formally include the Waste-to-Energy/incineration/thermal treatment ban that resulted from resolutions passed by from the Resort Municipality of Whistler and District of Squamish in late 2015.

### **Attachments:**

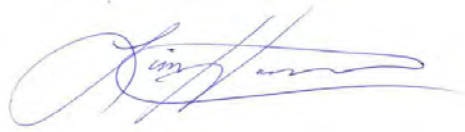
- Appendix A: Letter from SLRD, dated December 9, 2015
- Appendix B: Resolutions from neighbouring municipalities recommending a ban on WTE (incineration) options in the SLRD SWRMP



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Lisa Pedrini,  
Village Planner

**MANAGER OF OPERATIONS AND DEVELOPMENT SERVICES REVIEW**



---

Tim Harris,  
Manager of Operations and Development Services

**CHIEF ADMINISTRATIVE OFFICER REVIEW**



---

Nikki Gilmore,  
Chief Administrative Officer



Appendix A

Box 219, 1350 Aster Street,  
Pemberton, BC V0N 2L0  
Ph. 604-894-6371, 800-298-7753  
F: 604-894-6526  
info@slrd.bc.ca www.slrd.bc.ca

December 9, 2015

**BY EMAIL ONLY**

District of Lillooet  
615 Main Street, PO Box 610  
Lillooet, BC  
V0K 1V0

Attention: Paula Skrzeta, Deputy Clerk [deputyco@lillooetbc.ca](mailto:deputyco@lillooetbc.ca)

Village of Pemberton  
7400 Prospect Street  
Pemberton, BC  
V0N 2L1

Attention: Sheena Fraser, Manager of Corporate & Legislative Services [sfraser@pemberton.ca](mailto:sfraser@pemberton.ca)

District of Squamish  
37955 Second Avenue  
Squamish, BC  
V8B 0A3

Attention: Robin Arthurs, General Manager Corporate Services [rarthurs@squamish.ca](mailto:rarthurs@squamish.ca)

Dear Paula, Sheena and Robin:

**Re: Recommended Changes from the Resort Municipality of Whistler regarding the Squamish-Lillooet Regional District Solid Waste and Resource Management Plan**

At the meeting on November 25, 2015, the SLRD Board passed the following resolution:

**It was moved and seconded:**

THAT the recommended changes from the Resort Municipality of Whistler (RMOW) regarding the Squamish-Lillooet Regional District Solid Waste and Resource Management Plan be received and referred to staff as well as to the other three member municipalities (Squamish, Pemberton and Lillooet) for comment.

**CARRIED**



According, I have attached the letter from the Resort Municipality of Whistler dated November 9, 2015.

As we will be wrapping this up early in the New Year, please provide your comments as soon as possible.

Yours Truly,



Kristen Clark  
Director of Legislative and Corporate Services  
[kclark@slrd.bc.ca](mailto:kclark@slrd.bc.ca)

/Enclosure



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way  
Whistler, BC Canada V0N 1B4  
www.whistler.ca

TEL 604 932 5535  
TF 1 866 932 5535  
FAX 604 935 8109

November 9, 2015

File: 650

Board of Directors  
Squamish-Lillooet Regional District  
PO Box 219  
Pemberton, B.C. V0N 2L0

Dear Board of Directors,

**RE: Solid Waste & Resource Management Plan (SWRMP)**

The Resort Municipality of Whistler Council passed a Notice of Motion regarding the SLRD SWRMP on October 20, 2015 during the Regular Meeting of Municipal Council. On November 3, 2015, Council adopted the motion. Please see the attached Certified Correct Copy of the resolution for your records.

For your information, the recommended changes are:

Section 15 of the draft SWRMP would allow the SLRD to "consider out-of-region waste-to-energy and mixed waste materials recovery facilities (mixed waste MRFs) as potential future solutions for managing a portion of the region's residual waste stream, as long as these options do not compromise local waste diversion initiatives." Based on the Notice of Motion above, we recommend that the option to consider waste-to-energy facilities for the disposal of residual mixed municipal solid waste be eliminated from the update to the SWRMP.

It is recommended that the SWRMP does include statements to the effect that the SLRD and its member municipalities will not send waste to waste incineration facilities nor enter into agreements that support waste incineration facilities, and that the SLRD does not support the development of any waste incineration facilities within its boundaries.

Sincerely,

Joe Paul  
General Manager  
Infrastructure Services  
Resort Municipality of Whistler

JH/cs



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way  
Whistler, BC Canada V0N 1B4  
www.whistler.ca

TEL 604 932 5535  
TF 1 866 932 5535  
FAX 604 935 8109

**CERTIFIED CORRECT COUNCIL RESOLUTION**  
Resort Municipality of Whistler  
Regular Council Meeting of November 3, 2015

Moved by Councillor S. Maxwell  
Seconded by Councillor A. Janyk

**WHEREAS** the SLRD has asked for comments from Council on the draft Solid Waste & Resource Management Plan (SWRMP);

**WHEREAS** the draft SLRD SWRMP includes an option to explore waste incineration;

**WHEREAS** incineration is defined as any thermal treatment of waste such as mass burn, pyrolysis, gasification or others that is used on mixed waste at non-biological temperature and pressure for the creation of heat, gas or other forms of energy and ash or slag;

**WHEREAS** the use of waste incineration as a disposal option is:

- contrary to the principles of zero waste and sustainability,
- known to emit more GHGs than recycling/compost and landfill options,
- known to be more harmful to human and environmental health than recycling/composting and landfill options,
- creates fewer jobs than recycling/compost and landfill options, and,
- directly competes for staff and financial resources with zero waste alternatives;

**THEREFORE BE IT RESOLVED THAT** Council direct staff to recommend changes to the draft plan that eliminate the option for waste incineration (also known as waste to energy) of mixed municipal waste.

CARRIED

These are true resolutions of the Council of  
the Resort Municipality of Whistler from the  
Regular Council Meeting of November 3, 2015.

L. Schimek  
Deputy Corporate Officer

**Resort Municipality of Whistler Motion on Waste Incineration (Carried November 3, 2015)**

[https://www.whistler.ca/sites/default/files/related/municipal-government/minutes/2015-11-03\\_minutes\\_council\\_regular.pdf](https://www.whistler.ca/sites/default/files/related/municipal-government/minutes/2015-11-03_minutes_council_regular.pdf)

Moved by Councillor S. Maxwell  
Seconded by Councillor A. Janyk

**That WHEREAS** the SLRD has asked for comments from Council on the draft Solid Waste & Resource Management Plan (SWRMP);

**WHEREAS** the draft SLRD SWRMP includes an option to explore waste incineration;

**WHEREAS** incineration is defined as any thermal treatment of waste such as mass burn, pyrolysis, gasification or others that is used on mixed waste at MINUTES Regular Council Meeting November 3, 2015. Page 6 non-biological temperature and pressure for the creation of heat, gas or other forms of energy and ash or slag;

**WHEREAS** the use of waste incineration as a disposal option is:

- contrary to the principles of zero waste and sustainability,
- known to emit more GHGs than recycling/compost and landfill options,
- known to be more harmful to human and environmental health than recycling/composting and landfill options,
- creates fewer jobs than recycling/compost and landfill options, and,
- directly competes for staff and financial resources with zero waste alternatives;

**THEREFORE BE IT RESOLVED THAT** Council direct staff to recommend changes to the draft plan that eliminate the option for waste incineration (also known as waste to energy) of mixed municipal waste be adopted.

CARRIED

**District of Squamish Motion on Waste Incineration (Carried December 15, 2015)**

<https://squamish.civicweb.net/filepro/documents/107895?preview=121926>

(1209) K. Clark, SLRD Director of Legislative and Corporate Services, Re: Recommended Changes from the Resort Municipality of Whistler regarding the Squamish-Lillooet Regional District Solid Waste

It was moved by Councillor Blackman-Wulff,  
seconded by Councillor Elliott,

THAT Council support the Resort Municipality of Whistler recommended changes regarding the Squamish-Lillooet Regional District Solid Waste and Resource Management Plan:

WHEREAS the SLRD has asked for comments from Council on the draft Solid Waste & Resource Management Plan (SWRMP);

WHEREAS the draft SLRD SWRMP includes an option to explore waste incineration;

WHEREAS incineration is defined as any thermal treatment of waste such as mass burn, pyrolysis, gasification or others that is used on mixed waste at non-biological temperature and pressure for the creation of heat, gas or other forms of energy and ash or slag;

WHEREAS the use of waste incineration as a disposal option is:

- Contrary to the principles of zero waste and sustainability,
- Known to emit more GHGs than recycling/compost and landfill options,
- Known to be more harmful to human and environmental health than recycling/composting and landfill options,
- Creates fewer jobs than recycling/compost and landfill options, and,
- Directly competes for staff and financial resources with zero waste alternatives;

THEREFORE BE IT RESOLVED THAT Council direct staff to recommend changes to the draft plan that eliminate the option for waste incineration (also known as waste to energy) of mixed municipal waste.

OPPOSED: Councillor Race

CARRIED

**Date:** February 2, 2016

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Tim Harris, Manager of Operations and Development Services  
Sheena Fraser, Manager of Corporate & Legislative Services

**Subject:** Short Term Vacation Rentals – Enforcement Update

## PURPOSE

The purpose of this report is to provide an update to Council with respect to enforcement of the Zoning Bylaw regarding Short Term Vacation Rentals.

## BACKGROUND

At the Regular Council Meeting No. 1413, held December 1st, 2015, Councillor Craddock made a Notice of Motion regarding zoning contraventions related to short term vacation rentals. The Motion was brought forward for consideration at the Regular Council Meeting No. 1414, held Tuesday, December 15, 2015, at which the following resolution was passed:

*Moved/Seconded*

**THAT** Council direct administration to have Bylaw Enforcement attend to the residences in the Village of Pemberton operating as private short term rentals to explain and educate that they are operating in contravention of our Zoning bylaws and must cease operating immediately.

**CARRIED**

## DISCUSSION & COMMENTS

As a result of the direction provided by Council, Staff monitored AirBnB.ca and VRBO.com. These two websites both facilitate short term vacation rentals.

Through a review of both sites, Staff identified thirteen (13) homes within the Village of Pemberton boundaries that were listed. Eight (8) of the thirteen (13) homes listed were located within Strata properties of which two of the Strata properties are zoned RT-1, one is zoned CD-1 and one (1) is zoned RS-1. A listing of the properties is as follows:

<b>Strata Property</b>	<b># of Units</b>	<b>Zoning</b>	<b>Website Listing</b>
The Peaks	1	RT-1	VRBO.com
Pioneer Junction	3	RT-1	VRBO.com & AirBnB.ca
Mountain Trails	1	CD-2	AirBnB.ca
Pemberton Plateau	3*	RS-1	AirBnB.ca

\*Of the three listings at the Plateau one was a single family home and two were accessory suites in a single family home.

There were five (5) homes within the RS-1 Zone listed for short term rental. Two of the listings identified that it was the accessory suite available and two of the listings indicated that the single family accommodation was available while one home had several rooms available. A listing of the properties is below:

Location/Street	# of Properties	Zoning	Website Listing
Aspen Fields/Willow Drive	2*	RS-1	AirBnB.ca & VRBO.com
The Glen/Hemlock	1	RS-1	AirBnB.ca
The Glen/Laburnum	1**	RS-1	AirBnB.ca
Downtown Core/Cedar Lane	1	RS-1	AirBnB.ca

\*One of the properties on Willow Drive has both the main house and the accessory suite listed. The property owner does live in the residence so it is presumed that depending on which unit is rented the family moves to the other space for the duration of the renters stay.

\*\*This property has four separate listings showing different rooms within the home available for nightly rental.

It should be noted that the Log House Inn & B & B and the Greenwood Country Inn both have listings on AirBnB.ca. However, as both properties are zoned for a Bed and Breakfast and the owners hold valid business licences there was no requirement to seek compliance as they meet with the regulations as established in the Zoning and Business Licence Bylaws.

Correspondence was prepared in which property owners were advised that the Village has been monitoring the above noted websites and that the Village of Pemberton Zoning Bylaw No. 466, 2001 does not allow for nightly rentals within these zones. The property owners were further advised that short term rental is considered to be a commercial enterprise and therefore non-compliant with the Zoning bylaw. Property owners were requested to cease this activity immediately.

The Village's Bylaw Enforcement Officer either hand delivered or posted the letter on the front door of the single family home/properties that Village Staff was able to identify by address. The same letter was also sent by Registered Mail to ensure receipt in the event that the property owner was either not at home or the property was being rented to someone other than the owner. In the case of those properties located within Strata, as it was difficult to identify the address of each unit listed, the correspondence was sent to the Strata Council with a request to advise the property owner of the Village's zoning regulations.

At this time, Village Staff have received responses from six (6) property owners and fielded a number of questions that include how compliance could be achieved. Property owners were advised that if they intend on continuing to provide short term accommodations, the only section in the Zoning Bylaw that can accommodate nightly rental is an ancillary use as a Bed and Breakfast. In this regard, it was recommended that application be made for a Bed and Breakfast Business License which would require appropriate inspections to ensure the use meets with the intent of the Zoning Bylaw.

It should be noted that the Village of Pemberton's Zoning Bylaw No 466, 2001 includes *bed and breakfast* as a permitted use in RS-1 zone only. AirbnB/VRBO postings/rentals are not in compliance with the Zoning Bylaw, as in some circumstances entire homes/apartments are being offered for short term rental and as such are not auxiliary uses; although there are *bed and breakfast* provisions that the principal use of the dwelling unit may have two (2) bedrooms used for *bed and breakfast* accommodation provided the dwelling is owner/resident occupied.

Section 224 of the Zoning Bylaw No 466, 2001 states:

**224 • Bed and Breakfast**

- (1) *The principal use of the Dwelling Unit which may have bedrooms used for bed and breakfast accommodation shall remain a family residence;*
- (2) *That family, or a member of it, shall alone be engaged in the operation of the bed and breakfast business, but the operator or operators may hire employees to work on the premises;*
- (3) *Not more than two (2) bedrooms in the Dwelling Unit shall be used for bed and breakfast accommodation within the RS-1 zone;*
- (4) *One off-street parking space shall be provided for each bedroom used as bed and breakfast; and*
- (5) *Signage shall be limited to an area not to exceed 0.4 m<sup>2</sup> for bed and breakfast within the RS-1 zone;*
- (6) *Notwithstanding the maximum number of bedrooms permitted in Section 224(3), bed and breakfast operations that existed at the time of the adoption of this Bylaw may have up to three (3) bedrooms in a Dwelling Unit that is used for bed and breakfast accommodation.*

There are also safety requirements set out in the *BC Building Code*, which are addressed through the building permit process for dwellings utilized as a *bed and breakfast*. This is important, as the *BC Building Code* requires that all suites in residential occupancies shall be separated from adjacent rooms and suites by a fire separation having a fire-resistance rating of not less than 45 minutes, visible exit plans and fire extinguishers, if required by the fire inspector through a business licence application process.

At this time, the Village has received one application for a *bed and breakfast* business license for a property which is located within a strata development that is within the RS-1 zone. This application is currently under review. Another application is anticipated but it is understood that the property owner, whose property is also in the same strata noted above, is awaiting the outcome of the application that is currently in-house before pursuing this option.

Another property owner within the RS-1 zone has advised Staff that they have blocked out all available dates on the listing; however, this cannot be confirmed as AirBnB requires you to contact the owner directly once you have selected your dates at which time you are advised if the property is booked. A review of the AirBnB website and this listing indicates that the property owner continues to operate based on review comments by guests as recent as January, 2016.

Two property owners of homes located within the RS-1 zone advised that they would consider the Bed and Breakfast option and make application for a business licence. One of the property owners has listed an accessory suite for rental and the other lists several rooms within the main house. As of the preparation of this report neither property owner has made application for a business licence and a review of the website indicates the property owners may have removed their listing or they may be booked so the listing no longer shows availability.



The Village did receive a response from the property owners of a unit in The Peaks which is attached as Appendix A for information. Since the time of this initiative another property owner believed to be within The Peaks has now listed a room within their two bedroom unit for nightly rental.

The Village has received no response from the remaining seven property owners who were provided notice either directly or through their Strata Councils. One registered letter was returned unopened. A review of both AirBnB.ca and VRBO.com indicate that four of the properties the Village had no response from appear to be no longer listed but may also be booked and therefore do not show for the dates selected and three of the listings are still active. This review also resulted in finding a new listing of an accessory suite in a home in The Glen; however, Staff has been unable to determine the address or owner of the property as this information is not provided and the photographs of the suite give no clue as to the location within The Glen.

As a result of the work on this initiative it has been determined that many of those properties listed on AirBnB.ca and VRBO.com are also listed on companion sites such as Pemberton Rentals, Craigslist, tripping.ca, homeaway.com, Kijiji.ca, ownerdirect.com, propertytrovit.com, vacationrental.com, rentbyowner.com, EMRvacationrentals.com, stayvacationrentals.com. Village Staff has not done any further investigation or monitoring of these other sites at this time.

### **Zoning Enforcement:**

The Village's Zoning Bylaw is silent on provisions that would restrict short term or vacation rental in the RS-1, RT-1 and CD-1 zones; and short term or vacations rentals are not expressly permitted in any other zone, including the Residential Country Inn (RC-1) Zone or Tourist Commercial (C-2) Zone. Furthermore, there is no definition of short term or vacation rental in the Definitions (Section 104) or regulations related to the duration of stay applicable to the tourist accommodation uses that are permitted. It can be argued that the fact that short term or vacation rentals are not listed as a permitted use in any zone, is that the intent of the Bylaw currently does not permit these uses anywhere within the Village boundaries.

However, as is noted in the correspondence from Ms. Maconachie and Mr. Sullivan, the Bylaw as it is currently written can be broadly interpreted. As a result, if there is a desire to address the legitimacy of short term or nightly rentals in the Village's Zoning Bylaw, it is recommended that this be incorporated as a component for inclusion as part of the Zoning Bylaw Review and Update that is on the work plan for 2016.

### **COMMUNICATIONS**

There was no communications element required as part of this initiative; however, there was an article in The Pique Newsmagazine on December 10, 2015 which is attached as Appendix B for information.

### **LEGAL CONSIDERATIONS**

Should it be determined that the Village continue with pursuing compliance it will have to do so through legal channels which may include court proceedings against non-compliant property owners; however, as identified above, it can be argued that the bylaw could be broadly interpreted. Further work would be required to understand if there is legal precedent that could be followed.

### **IMPACT ON BUDGET & STAFFING**

At this time, approximately thirty-five (35) hours of staff time has been allocated to this initiative which includes research, investigation and monitoring of the websites, identification of properties, preparation and delivery of the correspondence, follow up to all enquiries, meetings with property owners and the preparation of this report.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

This initiative was facilitated by Corporate & Legislative Services and Operations & Development Services.

### **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

This initiative has no impact on the region or neighbouring jurisdictions at this time. Although as a note, the SLRD Planning staff presented a report on this topic at the SLRD Board meeting, held Wednesday, January 27, 2016. The report outlined how other jurisdictions are addressing or attempting to address the issue of short term/vacation rentals. The report is attached for information as Appendix C. At that meeting, the Board resolved to refer the Airbnb staff report to the Electoral Area Directors Committee meeting in February.

### **ALTERNATIVE OPTIONS**

There are no alternative options for consideration at this time.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

Undertaking review of the Village's Zoning Bylaw and monitoring compliance with the regulations as established meets with Strategic Priority No. Two: Good Governance.

### **RECOMMENDATIONS**

**THAT** Council provide direction with respect to ongoing monitoring of short term vacation rentals;

**THAT** Council direct staff to consider the issue of short term/nightly rentals as part of the Zoning Bylaw review and update, proposed in the 2016 budget.

#### **Attachments:**

**Appendix A:** Correspondence from Heather Maconachie and John Sullivan, dated January 5, 2016.

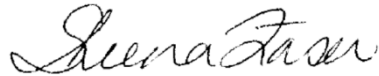
**Appendix B:** Pique Newsmagazine Article, December 10, 2015.

**Appendix C:** SLRD Information Report – AirBnB Issues and Approaches, dated January 27, 2106.



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Tim Harris  
Manager of Operations & Development Services



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Sheena Fraser  
Manager of Corporate & Legislative Services

**CHIEF ADMINISTRATIVE OFFICER REVIEW**



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Nikki Gilmore  
Chief Administrative Officer

January 5, 2016

Tim Harris  
Manager of Operations and Development Services  
PO Box 7400  
Pemberton, B.C.  
V0N 2L0

Via email

**Re: Short Term Rentals – The Peaks**

Dear Mr. Harris:

Thank you for taking the time to meet with me before New Year's to discuss the December 7, 2015 letter sent from the Village to the Peaks strata council regarding our VRBO listing. We did not receive the letter until just before Christmas.

This letter is from myself and my husband, John Sullivan, as we jointly own our townhome in the Peaks. We live in North Vancouver and love visiting Pemberton.

Prior to purchasing the townhome in 2007, we were looking for a vacation home that allowed for short term rentals. My husband and I are both lawyers, and we want to ensure we are conducting ourselves lawfully.

I researched the Village Bylaws. I concluded there was no restriction on short term rentals of any residences in Pemberton. Other municipalities such as Whistler, West Vancouver, the District of North Vancouver, and Vancouver, as well as many others, have bylaws against short term rentals. The Village bylaws are silent on short term rentals, or long term rentals, of any kind of homes. There are bylaws relating to bed and breakfasts, hotels, and motels, but by definition, none apply to short term rentals of a townhome, or any type of home.

Our use of our vacation home and our rental of it as a vacation home falls within the definition of the permitted use relating to RT-1, which is "townhouse". Curiously, the bylaws for any type of residence does not include "residential use" as a permitted use, so the definition of "residential use" does not apply.

Even if it can be argued that the definition of "residential use" applies to townhouses, our use of our townhome as a vacation home, and by our renters as a vacation home, complies with that definition. We (ourselves and our renters) are all using the townhouse for accommodation. There is no distinction in the definition of "residential use" between people who are renting them or not.

Before our purchase, we researched the Bylaws of The Peaks strata corporation and they too have no rental restrictions, short term or long term. We purchased our townhome and have been

renting it out for short term rentals since approximately 2008. The strata council is aware of this as well as our neighbours and friends in the Peaks. We have received only one complaint. It related to a skidoo trailer that was parked slightly longer than our driveway. This was remedied immediately.

With respect, our short term rental has none of the negative impacts noted in the Village's letter. Our townhome comes with 4 parking spots, and puts no extra burden on the Village's infrastructure. It does not reduce the availability of long term rentals as we would not rent it long term as then we wouldn't be able to use it.

Our short term rental of our townhome is in fact a benefit to the Village and its residents. I purchase all the supplies from the local businesses. I employ Coast Mountain Cleaning, a local cleaning company run by a single mother of four. I spend over \$4,000 per year on her services alone. More importantly, the people who rent my townhome tend to be families who want to rent a clean, furnished home with a kitchen. They are largely from out of town, and but for my place, until recently when Village Gateway was built, there was no other similar accommodation. I know from speaking with my guests that they almost all invariably frequent local businesses, such as restaurants, cafes, hired hunting and fishing guides, rented bikes, bought groceries, etc.

In addition, residents of the Peaks have rented our home for visiting families or friends. It is a nice amenity for them to have them close by. We have had a number of families rent so that they can be present for the birth of their grandchild, or be together for weddings and other special occasions.

In summary and with respect, we disagree that the RT-1 bylaw prohibits short term rentals. It is our view that the Village could provide us with a business licence for short term rentals. We would be happy to have our home inspected by the fire department to see if they have any issues.

If you do wish to contact us to discuss this further, you can call me on my cell at [REDACTED] (Heather), or [REDACTED] (John) or email me at: [REDACTED] or write to us at:

[REDACTED]

Thanks again for your consideration of this matter.

Heather Maconachie and John Sullivan

## Appendix B

NEWS » SEA TO SKY

December 10, 2015

## Pemberton to educate Airbnb operators

Listings on short-term rental website contravene local bylaws, Village says

By Braden Dupuis



SHUTTERSTOCK PHOTO

CRACKING DOWN The Village of Pemberton is seeking to educate owners of Airbnb listings in the community.

**I**f you're one of the many homeowners within Village of Pemberton (VOP) boundaries with a listing on short-term rental website Airbnb, you can expect a visit from the local bylaw officer in coming weeks.

At the Dec. 1 council meeting, Coun. Ted Craddock served Notice of Motion to have bylaw enforcement visit local Airbnb listings to "explain and educate that they are operating in contravention of our zoning bylaws and must cease operating immediately."

While the VOP will be examining each Airbnb on a case-by-case basis to consider the specific circumstances of each, there are two key bylaws that they must conform with: the VOP's Zoning Bylaw No. 466, 2011 and its Business License Bylaw No. 751, 2014.

"In offering nightly room stays to transient guests for compensation, Airbnbs are essentially operating as hotels/motels. This use requires appropriate commercial zoning... and a minimum number of parking spaces," reads a statement emailed to Pique from the VOP.

Bed and breakfasts are also subject to different provisions in the VOP zoning bylaw, "notably that the principal use remains a family residence, that the family or a member of it engages in the operation of the B&B, a parking space must be provided, a meal must be served, and no more than two bedrooms in the dwelling unit shall be used for bed and breakfast accommodation," the statement reads.

"At present, many of the known Airbnbs in Pemberton contravene at least one, if not several, of the regulations above."

Also, while unregulated, Airbnbs are technically still businesses, meaning they require a business license to operate, the statement said.

In a follow-up phone call, Pemberton Mayor Mike Richman said the move is mostly about education.

"I think a lot of people don't necessarily understand that there are negative impacts to doing a short-term rental," Richman said, listing adverse effects to the supply of rental housing as just one negative effect.

In its statement, the VOP said the regulations are "in place to protect the desirability and livability of neighbourhoods, minimizing strain on Village infrastructure and associated costs to taxpayers."

The first step is to send letters and inform, but Airbnbs could be shut down if they refuse to comply, Richman said.

"We can revisit and shut down their operation," he said.

In the case of Airbnbs operating on stratified properties, Richman said the VOP will be reaching out to strata councils to ask for their help in getting the message across.

The hope is that Airbnb operators will be understanding.

"We're hoping that once they recognize a little more some of the impacts, that hopefully people will either shut down or come in and try to get a business license or do it above board, so to speak."

Anyone hoping to make their bed and breakfast operation legitimate can visit or call the VOP office, Richman said.

"Currently residential (zoning) does allow for a person to come in and get a business license and operate up to two bedrooms as long as they live there and serve food," Richman said.

"We're trying to level the playing field and make it fair for those that are doing business with a license, with the proper zoning, paying their taxes," he added.

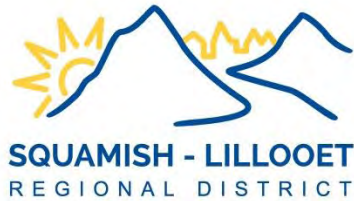
"We want to level that playing field, but we also want to help, so if people are interested, we're there to help them through the process."

Tags: Sea to Sky

READERS ALSO LIKED...

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## INFORMATION REPORT

### Airbnb – Issues and Approaches

**Meeting date:** January 27, 2016

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**To:** SLRD Board

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**PURPOSE:**

The purpose of this report is to provide the SLRD Board with information regarding Airbnb issues and approaches, as per the Board request.

**KEY ISSUES/CONCEPTS:**

Airbnb and other short-term rental accommodation sites enable owners and tenants to list spaces for short-term rentals. As the popularity of such sites grow – Airbnb alone has over 1,500,000 listings in 34,000 cities and 190 countries – communities and local governments are exploring approaches/new regulatory frameworks to address impacts associated with such models.

**RELEVANT POLICIES:**

SLRD Regional Growth Strategy Bylaw No. 1062, 2008  
SLRD Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996  
SLRD Electoral Area A Zoning Bylaw No. 670, 1999  
SLRD Electoral Area B Official Community Plan Bylaw No. 1073, 2008  
SLRD Electoral Area B Zoning Bylaw No. 1300-2014  
SLRD Electoral Area C Official Community Plan Bylaw No. 689, 1999  
SLRD Electoral Area C Zoning Bylaw No. 765, 2002  
SLRD Electoral Area D Official Community Plan Bylaw No. 1135-2015  
SLRD Electoral Area D Zoning Bylaw No. 540, 1994

**BACKGROUND:**

On August 26, 2015 the Board passed the following resolution:

*“THAT the request from Pemberton B&B Association regarding properties listed on Airbnb in Pemberton and the surrounding area be referred to SLRD staff to explore what other communities/local governments are doing to address this issue.”*

SLRD Staff have now had an opportunity to explore this issue.



Airbnb is a website for people to list, find and rent accommodations. Founded in August 2008 and based in San Francisco, California, the company is privately owned and operated by Airbnb, Inc. It has over 1,500,000 listings in 34,000 cities and 190 countries.

The key concern identified by the Pemberton B&B Association in their July 30, 2015 letter is the inequitable environment and uneven playing field. It is felt that *“The playing field is therefore uneven given that most Airbnb properties are undercutting the current accommodation operators’ nightly rate and run their business at a fraction of the operating cost. ...All who participate in Airbnb should be held at the same level of accountability, taxation, and above all to be responsible ambassadors of our community. ...The concerns of the B&B Association are centred around the need for a level playing field with regard to taxation for all accommodation providers, appropriate zoning, the safety and security of guests and property, i.e: lack of insurance, over capacity rentals causing fire risks, and the impact on guest experience.”*.

The Pemberton B&B Association letter also refers to new regulations in Santa Monica, San Francisco, and Quebec. These have been reviewed by staff, with high-level summaries for such approaches offered in the *Analysis Section* below. For the full Pemberton B&B Association Letter, see Appendix A.

Other identified issues associated with Airbnb and other short-term rental accommodation sites include reduced supply and affordability in the rental market/rental housing. This is especially noteworthy in the SLRD, where the most common form of Airbnb rental is not a private or shared room but rather the rental of an entire home or apartment. The result is less of a bed and breakfast concept and more a short-term vacation rental system. This differs from some other areas, though the City of Vancouver, City of Santa Monica, and the City of San Francisco have identified similar trends.

**Current Reality**

Scope of the Issue

The table below illustrates how many properties in the SLRD are listed on Airbnb. Note that these sites are dynamic and the numbers below provide a “snap shot” scope of the issue.\*

Table 1: Airbnb Listing in the SLRD

Electoral Areas A & B	Electoral Area C	Electoral Area D
<ul style="list-style-type: none"> <li>• 7 Entire home/apartment</li> <li>• 0 Private Room</li> <li>• 0 Shared Room</li> </ul>	<ul style="list-style-type: none"> <li>• 29 Entire home/apartment</li> <li>• 8 Private Room</li> <li>• 0 Shared room</li> </ul>	<ul style="list-style-type: none"> <li>• 10 Entire home/apartment</li> <li>• 2 Private room</li> <li>• 0 Shared room</li> </ul>

\* Airbnb search conducted on December 21, 2015 (table shows the number of Airbnb listings in general, not availability); search roughly covered the SLRD Electoral Areas; excluded member municipalities.

A few properties are operating as legitimate bed and breakfasts but most are not (instead a whole house/apartment/suite/bungalow/cabin is being rented).

SLRD Zoning Bylaws

SLRD Zoning Bylaws include *bed and breakfast* as a permitted use in most zones. The SLRD does not require a bed and breakfast to be a part of an association and the SLRD cannot issue business licenses under its enabling legislation. Most Airbnb postings/rentals are not in compliance with SLRD Zoning Bylaws, as entire homes/apartments/cabins are being rented out and as such are not auxiliary uses; B&B provisions require that the bed and breakfast be contained with the single family dwelling, which is owner/resident occupied (see Table 2 below from more information). There are also safety requirements set out in the building code, which are addressed through the building permit process. For instance, a dwelling used as a B&B requires a *change of use permit* (from a single family dwelling to a single family dwelling with a B&B). As part of this process, a floor plan showing which rooms are proposed to be used for the B&B, and any renovations, is required. This is important, as the BC Building Code requires that all suites in residential occupancies shall be separated from adjacent rooms and suites by a fire separation having a fire-resistance rating of not less than 45 minutes; however, “sleeping rooms in boarding and lodging houses where sleeping accommodation is provided for not more than 8 boarders or lodgers need not be separated from the remainder of the floor area as required in Sentence (1) where the sleeping rooms form part of the proprietor’s residence and do not contain cooking facilities.” (Note: the occupant load for dwelling units shall be based on 2 persons per bedroom or sleeping area.) The purpose for the *change of use permit* is to ascertain that not more than 4 bedrooms are being used for B&B use, and that the use complies with zoning (the maximum number of B&B bedrooms may differ under the separate zoning bylaws). Many are offering/providing short-term accommodation without valid building permits.

Table 2: SLRD Zoning Bylaws – Bed and Breakfast Definitions and Provisions

<p><b>Electoral Area A Zoning Bylaw No. 670, 1996 and Electoral Area B Zoning Bylaw No. 1300-2015</b></p>	<p>BED AND BREAKFAST means temporary tourist accommodation which is incidental and subordinate to a single family dwelling intended primarily for the accommodation of the travelling public, and may include limited food services to guests utilizing the accommodation.</p> <p>Bed and Breakfasts 4.10 Where expressly permitted in a zone, bed and breakfasts shall comply with the following regulations:</p> <ul style="list-style-type: none"> <li>.1 the maximum number of let bedrooms shall be 4, serving a maximum of 8 persons in total;</li> <li>.2 the bed and breakfast shall be entirely contained within the single family dwelling;</li> <li>.3 one additional off-street parking space shall be provided for each let room;</li> <li>.4 a maximum of one sign is permitted per parcel advertising a bed and breakfast and shall not exceed 0.2 m<sup>2</sup> in area and, if lit, shall only be illuminated by an external, indirect source;</li> <li>.5 up to one person, in addition to family members residing in the dwelling, may be engaged in the bed and breakfast;</li> </ul>
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	.6 no meal shall be served in the bed and breakfast, other than breakfast, which may only be served to registered overnight guests.
<b>Electoral Area C Zoning Bylaw No. 765, 2002</b>	<p>"bed and breakfast" means auxiliary use of a dwelling as a transient accommodation business for overnight accommodation of travellers providing at least breakfast to those being accommodated;</p> <p>"auxiliary use, building or structure" means a use, building or structure ancillary and subordinate to a principal building or use located on the same parcel;</p> <p>Bed and Breakfast Home is a permitted use in all zones.</p> <p><b>BED AND BREAKFASTS</b></p> <p>4.9 Bed and breakfasts shall be subject to the following regulations:</p> <ul style="list-style-type: none"> <li>(a) only one bed and breakfast operating from one dwelling shall be permitted on a parcel;</li> <li>(b) a bed and breakfast home may contain a maximum of three bedrooms to accommodate a maximum of six guests;</li> <li>(c) a bed and breakfast inn may contain a maximum of five bedrooms to accommodate a maximum of 10 guests;</li> <li>(d) bedrooms used for the bed and breakfast accommodation shall not exceed 28 square metres in area;</li> <li>(e) no external indication shall exist that a building is used for any purpose other than normally associated with a dwelling except for a single sign not exceeding 3500 square centimetres;</li> <li>(f) the bed and breakfast shall be operated by a resident of the parcel;</li> <li>(g) employees of a bed and breakfast are restricted to members of a family residing on the parcel plus one other person; and</li> <li>(h) a dwelling used for bed and breakfast shall be connected to a community sewer system or have on-site sewage disposal facilities in compliance with Health Act regulations;</li> <li>(i) a bed and breakfast inn shall contain a food preparation area where food for the guests is prepared, separate from the domestic kitchen, and for which a permit has been issued by the Vancouver Coastal Health Authority;</li> <li>(j) the operator of a bed and breakfast inn must have the appropriate permits issued by the Vancouver Coastal Health Authority for drinking water, swimming pools and hot tubs.</li> </ul>
<b>Electoral Area D Zoning Bylaw No. 540, 1994</b>	<p><b>BED AND BREAKFAST</b> means an owner-occupied single family dwelling with up to two guest rooms not exceeding 30 square metres each intended primarily for the accommodation of the traveling public, and may include limited food service to the guests;</p> <p><b>DWELLING UNIT</b> means one or more self-contained rooms with separate entrance and not more than one set of cooking facilities, located in a</p>

	building, used or designed to be used for the residential accommodation of one family, but excluding all accommodations used for temporary lodging for visitors or the traveling public other than bed and breakfast operations;
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**ANALYSIS:**

Some identified issues and impacts include:

- Taxation
  - Lack of contribution to tourism marketing and initiatives – not paying hotel taxes, Chamber of Commerce membership, etc.
  - Inequitable business environment for other designated tourist accommodation providers (i.e. B&B, hotels, inns/lodges, campgrounds) which may be commercially zoned and paying higher rentals/taxes in some communities
  - Not contributing appropriately to water and sewer utilities; rates vary for commercial properties, properties with suites, properties with B&Bs, etc.
- Rental Market
  - Reducing supply of rental housing in communities where rentals are already in short supply
  - In some instances (though staff is not aware of any in SLRD), companies are taking over multiple units and subleasing them as short-term vacation rentals, decreasing the housing supply and putting even more pressure on housing and rental prices
- Affordability
  - Driving up rents and the overall increase in housing prices in the region
  - The growing gap between renter and owner - shorter-term rentals are exacerbating this trend, whereby homeowners have more and more financial support/stability and those limited to the rental housing are more and more financially burdened with reduced stability.
- Community/Neighbourhood Character
  - Disruptions to neighbourhoods from traffic flows and noise
  - Decrease in owner- and long term renter-occupancy has the potential to change the character of communities and neighbourhoods
  - Deviation from overall community land use planning objectives as set out in Official Community Plans and Zoning bylaws
- Safety
  - Non-compliance with floodplain regulations or the BC building code and the SLRD Building Bylaw No. 863, 2003, as accommodations may be being provided without proper building permits or adherence to floodplain regulations.
  - Insurance may not be adequate
- Parking
  - may not be compliant with SLRD zoning bylaws
- Water and other utilities/infrastructure usage
  - may not be captured for user-fees

Vacation Rentals vs. Home-Sharing

A recent study conducted by Simon Fraser University\* between January 2015 and June 2015 found 71 per cent of Vancouver Airbnb listings are for entire homes. This has been deemed to be a significant finding, as it means that if the majority of Vancouver Airbnb hosts have entire apartments or houses to spare, then they are not renting them out to full-time tenants. A significant chunk of the rental stock is lost. The study concluded that Airbnb’s popularity could be contributing to the critically low vacancy rate\* in the City of Vancouver, which is, in turn, driving up rents. Although the SLRD has nowhere near the number of Airbnb listing as the City of Vancouver (over 4,000), of the 56 listing 46 are for entire homes/apartments – this is 82 percent of the listings.

\* Karen Sawatzky, a Simon Fraser University graduate student is researching the impact of short-term rental services on Vancouver’s rental housing market. The study findings were featured in numerous newspaper articles, including the Globe and Mail and The Province. More detailed information is available the website here: <https://shorttermconsequences.wordpress.com/2015/06/20/airbnb-listings-in-vancouver-how-many-what-type-where/#Airbnb%20listings%20in%20Vancouver%20and%20Metro%20Vancouver>

\*According to Canada Mortgage and Housing Corporation, a balanced rental vacancy rate is three percent; City of Vancouver rental vacancy rate has dipped to 0.5 percent.

Some cities are making efforts to regulate against vacation rentals while enabling home-share rentals. See City of Santa Monica’s Home-Sharing Ordinance, described below.

Approaches – what other communities/local governments are doing

The following table provides a summary of local government approaches, based on broad research on the topic. A key finding is that few communities, especially in Canada, have developed approaches or regulations with regards to Airbnb and other short-term rental accommodation sites, indicating that this is still very much an emerging issue with very little study/research available to support policy development. The summary table highlights SLRD member municipality approaches as well as cities that are leading efforts in developing new regulatory frameworks.

Table 3: Summary of Local Government Approaches

Local Government	Approaches
Village of Pemberton	<p>The following <i>Notice of Motion</i> was presented and carried at the December 1, 2015 Council Meeting:</p> <p><i>THAT Council direct administration to have Bylaw Enforcement attend to the residences in the Village of Pemberton operating as private short term rentals to explain and educate that they are operating in contravention of our Zoning bylaws and must cease operating immediately.</i></p> <p>Village of Pemberton Bylaw Enforcement is attending to residences and has sent letters to Stratas notifying of non-compliance.</p>

Resort Municipality of Whistler	<p>According to RMoW staff, the issue has been flagged but no policy or specific approaches have been put in place.</p> <p>Like other bylaw infractions, the municipality deals with this issue on a complaint-by-complaint basis, and will issue a letter to homeowners believed to be in contravention requesting a 30-day window for compliance, after which a second letter is issued. If compliance is still not achieved, the RMoW can issue a \$1,000 fine, or in rare cases, council can consider seeking a Supreme Court injunction against the owner.</p>
District of Squamish	<p>According to DoS staff, it is a concern in Squamish although perhaps not yet materialized at considerable levels. It was also noted that there is a very significant lack of rental housing availability, which will be further aggregated if Airbnb takes root in Squamish. And further, staff acknowledged the hot real estate market also means that some of the new unit purchases may be driven by intended conversion to vacation rental.</p> <p>No policies or specific approaches have been put in place.</p>
District of Lillooet	DoL staff is not aware of any issues related to Airbnb at this time.
City of Vancouver	Mukhtar Latif, Vancouver’s chief housing officer, created a working group of city staff in 2015 to gather information about short-term rentals. The team has not completed the research yet. When it is done, the group will report its findings and then decide what recommendations, if any, to bring to council.
City of San Francisco	<p>On October 27th, 2014 Mayor Lee signed San Francisco Ordinance No. 218-14, amending the Administrative and Planning Codes to allow some residential properties to conduct short-term residential rentals without violating the requirements of the City’s Residential Unit Conversion and Demolition Ordinance (Administrative Code Chapter 41A) or the Planning Code. A short-term residential rental is a rental of all or a portion of your residential unit for periods of less than 30 nights. This law became effective on February 1st, 2015, allowing eligible Permanent Residents (owners and tenants) to apply to place their residential unit on the Office of Short-Term Rental’s Short-Term Residential Rental Registry.</p> <p>Restrictions and requirements apply, including registration fees and hotel taxes, maximum number of rental days for un-hosted rentals, and a liability insurance with at least \$500,000 in coverage. See Appendix B for further details.</p>
City of Santa Monica	Santa Monica enacted a Home-Sharing Ordinance effective June 15, 2015, which allows eligible residents (owners and tenants) to continue to earn income through their legal “home-share” business by registering

	<p>with the city’s business license unit, and paying a modest tax assessment. Rentals of entire properties or residential units for 30 consecutive days or less are expressly prohibited and subject to enforcement procedures, including monetary fines and criminal prosecution. Essentially the new law reinforces Santa Monica’s long-standing ban on vacation rentals of residential dwellings, and provides direction for individuals to legally share a portion of their home with visitors and earn income from it. See Appendix B for further details.</p>
City of Portland	<p>On July 30, 2014, the Portland City Council passed Ordinance No. 186736. This ordinance permits short term rentals in residential zones when the rental is also the proprietor's primary residence. Certain conditions are required, such a obtaining a permit and business license. Also, the individual or family who operate the accessory short-term rental must occupy the unit as their primary residence.</p> <p>Beginning July 1, 2014, Airbnb began collecting the 11.5% Transient Lodging Tax on behalf of their hosts. Beginning February 1, 2015, FlipKey and TripAdvisor began collecting the 11.5% Transient Lodging Tax on behalf of their hosts. Airbnb, FlipKey and TripAdvisor are reporting and remitting those funds to the City of Portland Revenue Division.</p>
Province of Quebec	<p>Quebec passed legislation in October 2015 that, once implemented, will require users of sites such as Airbnb to pay the provincial hospitality tax. Quebec is the first province in Canada to regulate short-term rentals.</p> <p>The government hopes to tax Airbnb rentals and have them follow the same regulations that hotels and other forms of accommodation do.</p> <p>Regular users of Airbnb would have to respect the same municipal zoning bylaws and obtain the same government authorization as hotel and bed-and-breakfast operators. Violators would face fines between \$500 and \$100,000, with the amount rising to more than \$200,000 for repeat corporate offenders.</p>

In the October 30, 2015 Pique Newsmagazine article titled *Airbnb popularity is not just a Whistler problem*, Ingrid Jarrett, past chair of the BC Hotel Association, “suggested that the Union of B.C. Municipalities lead the charge for change”.

**REGIONAL IMPACT ANALYSIS:**

Airbnb and other short-term rental accommodation sites are being used by property owners and tenants throughout the SLRD. The listing of spaces for short-term rentals has regional impacts.

**ATTACHMENTS:**

Appendix A: Pemberton B&B Association Letter – July 30, 2015

Appendix B: San Francisco and Santa Monica Approaches – Further Details

Submitted by: C. Daniels, Planner

Endorsed by: K. Needham, Director of Planning and Development

Reviewed by: L. Flynn, Chief Administrative Officer



Pemberton B&B Association – Airbnb Concerns in Pemberton and Area

**From:** The Log House B&B Inn  
**Sent:** July 30, 2015 4:05 PM  
**To:** Lynda Flynn <[LFlynn@slrd.bc.ca](mailto:LFlynn@slrd.bc.ca)>  
**Subject:** Air BnB concerns in Pemberton and area

Dear Ms. Flynn,

I would like to raise a question that has been troubling municipalities from New York to Whistler on how should we be dealing with billion Dollar entities such as Airbnb disenfranchising municipalities and businesses from city centres to resorts ref. The New York Times, "Airbnb Listings Mostly Illegal, New York State Contends" [http://www.nytimes.com/2014/10/16/business/airbnb-listings-mostly-illegal-state-contends.html?\\_r=0](http://www.nytimes.com/2014/10/16/business/airbnb-listings-mostly-illegal-state-contends.html?_r=0)

Currently there are over 100 diverse properties listed under Pemberton, BC, both in the VOP and SLRD, on Airbnb and this rapid growth has the potential to seriously impact existing accommodation industries. As a B&B operator I comply with the regulations and expenses required to run my business on a full time basis; from commercial insurance rates, commercial water rates, taxes, business licence, chamber fees, etc... Properties listed on Airbnb do not.

The playing field is therefore uneven given that most Airbnb properties are undercutting the current accommodation operators' nightly rate and run their business at a fraction of the operating cost.

I believe competition is healthy and sites such as Airbnb are a result of an ever changing market place but I encourage small municipalities and larger regional districts to be aware of this emerging popular trend so we can co-exist in fairness. All who participate in Airbnb should be held at the same level of accountability, taxation, and above all to be responsible ambassadors of our community. An even playing field honours the uniqueness of different places to stay whilst ensuring the community is showcased positively, visitors are protected and honest businesses are not being hurt by an inequitable environment.

Below is another link to an article on Airbnb rentals in Santa Monica and new regulations being set to handle this issue. I believe this is off interest to you with a view to better understanding and hopefully implementing a strategy for Pemberton and area.

**New Regulations To Wipe Out 80% Of Airbnb Rentals In California's Santa Monica**  
<http://www.forbes.com/sites/andrewbender/2015/06/15/new-regulations-to-wipe-out-80-of-airbnb-rentals-in-californias-santa-monica/>

The concerns of the B&B Association are centred around the need for a level playing field with regard to taxation for all accommodation providers, appropriate zoning, the safety and security of guests and property, i.e: lack of insurance, over capacity rentals causing fire risks, and the impact on guest experience.

I would urge you and all members of the SLRD board in conjunction with the municipality council to look at this issue and move forward by considering and/or implementing new guidelines/bylaws/business fees for such properties. Remember, this is also depriving municipalities and Regional districts of much needed revenue from the growth of tourism

## Pemberton B&B Association – Airbnb Concerns in Pemberton and Area

numbers to the region. Actions of other jurisdictions , e.g: Quebec have acted by implementing a permit process that is required for all property rentals under 31 days, San Francisco has enacted regulations including registration fees for accommodation providers, maximum number of rental days is 90, and a minimum liability insurance threshold of \$500K.

Thank you for your attention in this matter.

Donna Hasan  
For on behalf of Pemberton B&B Association

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**The Log House B&B Inn**  
**Pemberton, BC, Canada**

## APPENDIX B: San Francisco and Santa Monica Approaches – Further Details

### **San Francisco – Short-Term Residential Rental Registration – Restrictions and Requirements:**

- *Permanent San Francisco Residents Only* – You must be the Permanent Resident (owner or tenant) of the residential unit that you wish to rent short-term. This means you must live in that specific residential unit for at least 275 nights of any given calendar year. If you are a new resident you must have occupied this specific unit for at least 60 consecutive days prior to your application. If you own a multi-unit building, you may only register the specific residential unit in which you reside.
- *90 Day Rule* - The law limits rentals where the host is not present in the unit to a maximum of 90 days per year. Violators who continue to rent out their apartments beyond the 90 days are subject to a fine up to \$1,000 a day. “Hosted rentals”--rentals where the host is present in the unit--are not subject to this limit.
- *Only Primary Residence May be Rented* - Permanent residents are allowed to rent out their primary residences, but not locations in which they don’t live, or second or vacation homes. And only one residential unit may be registered. This prevents landlords from evicting tenants to create full-time hotels.
- *Registry and Permits* - Hosts are required to register and obtain a permit from the Office of Short Term Rental, and pay a \$50 fee every two years. Such registration must be done in person. Hosts will also need to obtain a city business license. Short-term rentals will be listed and tracked by the city in a registry. The registry listings are available to the public, with the permanent resident names redacted.
- *Insurance Requirements* - Hosts are required to be covered by liability insurance with at least \$500,000 in coverage. Alternatively, they may offer their units for rent through a hosting service that offers at least this much coverage. Airbnb, for example, automatically provides hosts with \$1 million in coverage.
- *Rent Control Laws Must be Followed* - Hosts who are tenants are not allowed to charge their guests more rent than they are paying to their current landlord. Tenants who violate this provision may be fined up to \$1,000 per day and could have their units de-listed.
- *Hotel Taxes Must be Paid* - The 14% San Francisco hotel tax--called the "Transient Occupancy Tax"--must be collected from renters and paid to the city. All hosts must register with the San Francisco Treasurer and Tax Collector and obtain a business registration certificate. Hosts who list their rental through a "qualified website company" need not collect or remit the hotel tax themselves--the rental platform can do it for them. Currently, Airbnb is the only qualified website company that collects and pays such taxes for its hosts. Hosts that don't rent through a qualified website company must collect and remit the hotel tax themselves. Any such host who earns more than \$40,000 per year must obtain a certificate of authority to collect taxes from the Treasurer and Tax Collector and pay the tax monthly; others may pay the tax annually.
- *Hosting Platforms Must Notify Landlords* - The San Francisco ordinance requires hosting platforms such as Airbnb to notify their hosts of the city’s law.
- *Tenants Must Notify Landlords* - The law does not affect lease restrictions against subletting. It also requires tenant to notify their landlords before they engage in short-term rentals of their units. If a lease agreement prohibits subletting, a landlord may evict the

## APPENDIX B: San Francisco and Santa Monica Approaches – Further Details

tenant. However, a tenant must be given 30 days' notice to cure a first violation before an eviction is allowed.

### **Santa Monica – Home-Share versus Vacation Rental**

Santa Monica's recently enacted "Home-Sharing Ordinance" is designed to curb the community impacts of short-term rental services. The new law reinforces Santa Monica's long-standing ban on vacation rentals of residential dwellings, and provides direction for individuals to legally share a portion of their home with visitors and earn income from it.

Single-family neighborhoods and rent-controlled apartment buildings have been particularly vulnerable to this process, prompting City Council to adopt additional safeguards to preserve affordable housing stock and the distinctive character of Santa Monica's neighborhoods. In some cities, entire apartment buildings are being offered only as vacation rentals, essentially turning them into hotels. Thus, the focus has been on differentiating *Vacation Rentals* from *Home-Share* and regulating and enforcing accordingly.

*Vacation Rental: A vacation rental is a rental of any home or apartment to any person for 30 consecutive days or less. The guest enjoys the exclusive private use of the unit. This type of rental is NOT allowed.*

*Home-Share: A home-share is a rental in which the host lives on-site throughout the visitor's 30-day-or-less stay. Guests enjoy non-exclusive, shared use of the host's home. With a business license, this type of rental IS allowed.*

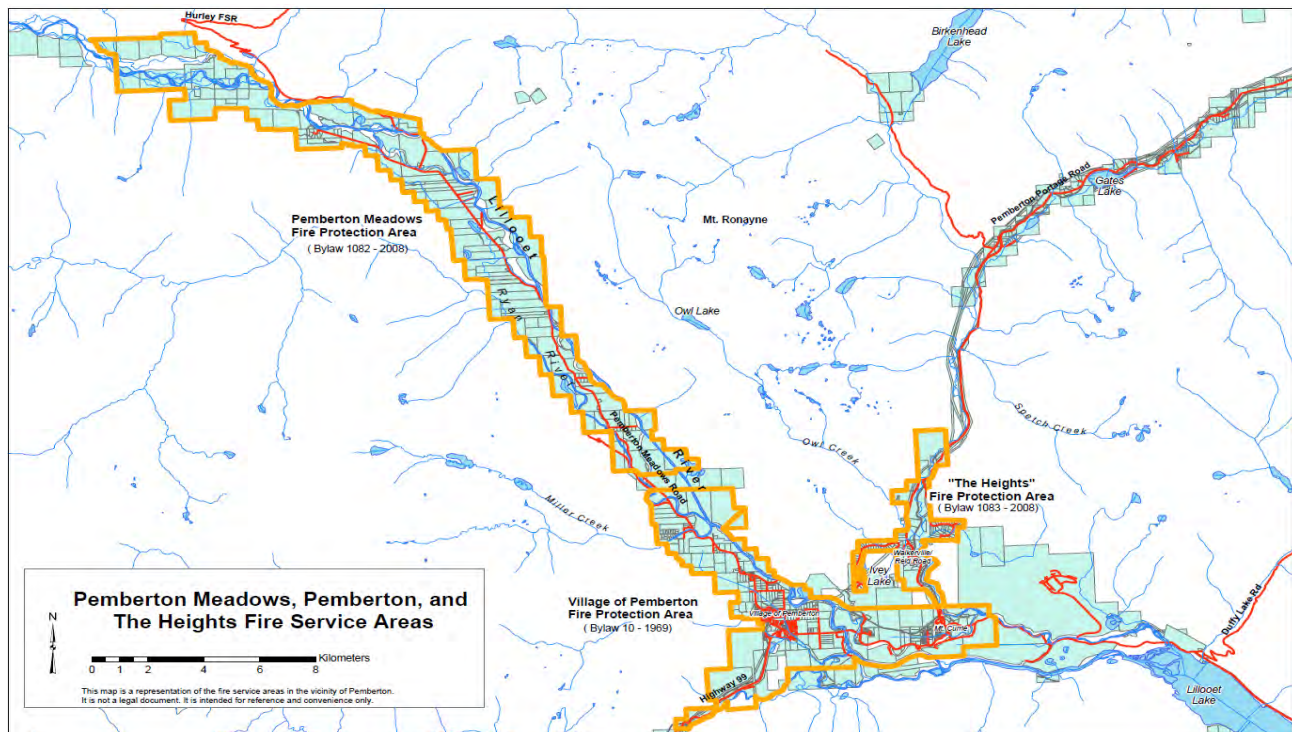
**Date:** February 2, 2016  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Robert Grossman, Fire Chief  
**Subject:** 2015 Annual Fire Services Report

**PURPOSE**

The purpose of this report is provide Council with a summary and an overview of the activities of the Pemberton Fire Rescue Department for 2015.

**BACKGROUND**

The Village of Pemberton Fire Rescue is a volunteer department that provides service to the residents of the Village of Pemberton (Village of Pemberton Bylaw No. 68, 1969). In addition, the existing Fire Service Agreement with the Squamish-Lillooet Regional District (SLRD) establishes that fire protection services are provided to Pemberton Meadows (SLRD Bylaw No.1082, 2008), Pemberton Heights (SLRD Bylaw No. 1083, 2008) and the Pemberton Fire Protection Specified Area as defined within the Agreement.



The Fire Department also provides Road Rescue Service, which involves responding to motor vehicle accidents which can involve extricating patients from the vehicle as well as assisting patients to the Ambulance, as required.

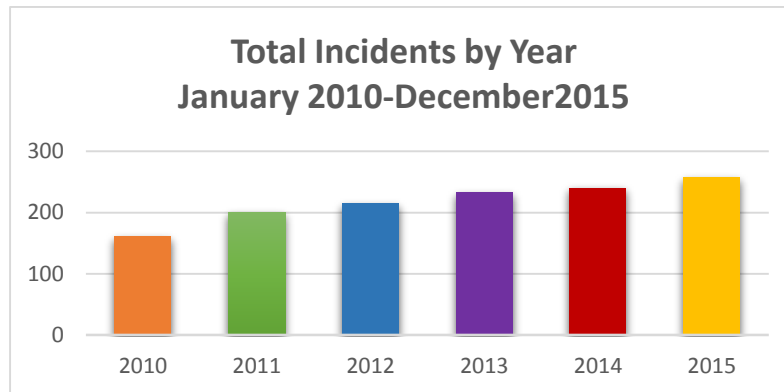
The Fire Chief is supported by volunteer fire fighters - including a Deputy Chief, three Captains, two Lieutenants, fifteen Fire Fighters and five recruits - and the Emergency Services Coordinator.

**DISCUSSION & COMMENTS**

2015 was an active year for Pemberton Fire Rescue and there was a notable increase in call volumes, inspections, training and activities as outlined in this section.

**Call Volumes:**

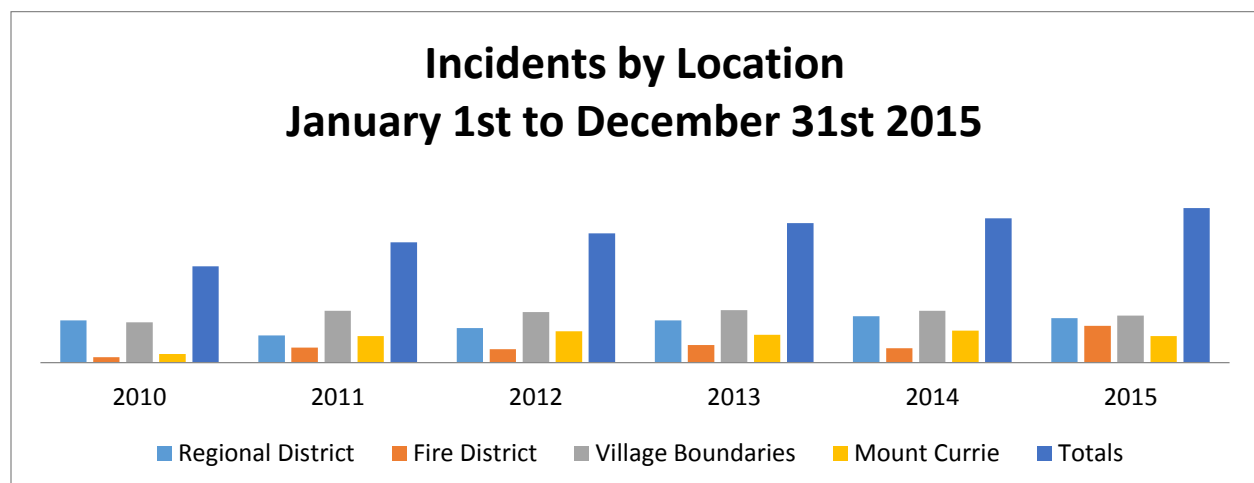
Year	2010	2011	2012	2013	2014	2015
<b>Incidents</b>	161	200	215	232	240	257



**Incident Reports:**

The incidents reported in the table and chart below are broken down into the following jurisdictional areas: Village of Pemberton Boundaries, Mount Currie, Regional District and Fire District, which includes Pemberton Meadows and the Heights as defined in the Fire Service agreement with the SLRD (see map above).

	2010	2011	2012	2013	2014	2015
<b>Regional District</b>	70	45	57	70	77	74
<b>Fire District</b>	9	25	22	29	24	61
<b>Village Boundaries</b>	67	86	84	87	86	78
<b>Mount Currie</b>	14	44	52	46	53	44
<b>Totals</b>	<b>160</b>	<b>200</b>	<b>215</b>	<b>232</b>	<b>240</b>	<b>257</b>



The incidents reported are broken down by type and by year in the table below:

<b>Incidents by Type per Year</b>						
	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Ambulance Assist	29	63	45	46	45	50
Appliance Fire						1
Automatic Alarms	22	31	38	19	30	33
Burn Complaint						15
Carbon Monoxide Detector	1	2		1	1	
Chimney Fire	1	5	10	9	11	9
Electrical Fire					2	2
Fire Unclassified	20	11	16	21	11	3
First Responder	2	3	1	6	18	14
Gas Spill	2	3		6	2	1
Grass	6	6	11	13	19	8
Hazardous Material	1		5	4	2	
Hydro Incidents					2	5
Investigation no Fire					1	
Motor Vehicle Accident	51	30	54	58	56	64
Mutual Aid					1	1
Public Service	15	28	18	24	14	5
Police Assist					1	7
Rescue and Safety	2		2	10	8	2
Rubbish	2	6	4	4	1	2
Smoke in Structure					1	1
Smoke Sighting						15
Structural Fire	6	5	9	9	8	8
Vehicle Fire	1	7	2	2	4	3
Wildland Fire					2	8

**Community Events Involvement:**

In 2015, Pemberton Fire Rescue provided public service assistance and actively participated or supported with following public events: Winterfest, Canada Day, Pemberton Music Festival, Ironman, Nimby50, AugustFest, Shakeout BC and Remembrance Day. Assistance included traffic control, participating in parades and standby for emergency response.

Since 2012, Pemberton Fire Rescue has noted an increase in organized special events in the Pemberton Valley which has resulted in an increase in activity and visitors to the area. This increase appears to be related to activities that have an element of risk. To date special events have not resulted in an impact on first responder availability to the general population; however, the Department is monitoring and working with organizers in advance of an event or activity to ensure that our members and resources are in place and able to effectively provide first responder service.

**Staffing Update:**

2015 saw some staffing changes within the Department as Deputy Chief Kyle Bubbs retired, as well as Fire Fighter Chris Pope and Captain Bryan Pluck. Ben Hansler was promoted to Deputy Chief and recruitment took place to fill the rest of the vacancies and is noted below. Christopher Wells is on leave while he completes his probationary position as a full time Fire Fighter with the New Westminster Fire Department.

Also, in October 2015, Pemberton Fire Rescue hired Rachael Pennington to fill the position of Protective Services Coordinator on a part-time basis. She is a great asset to the smooth running of department operations.

**Recruitment and Training:**

In 2015, Pemberton Fire Rescue recruited seven candidates, two of which have stepped down due to job and/or residence changes. It is anticipated that the remaining five will successfully complete rookie recruitment training by May 2016.

Regular weekly fire training sessions continue to be well attended with more involvement from all Fire Fighters.

The Department is meeting the Office of the Fire Commissionaires playbook training requirements. Twelve members will have completed the National Fire Protection Association 1001 level II training by June of 2016. In October of 2015 these twelve members also completed an NFPA 1006 Auto Extrication Training certification put on at the Pemberton Fire Rescue training facility. Staff will bring forward a report on the playbook requirements for Council's consideration at a later date.

**Fleet Update:**

Pemberton Fire Rescue currently has a fleet of five fire apparatus:

Engine #	Year	Manufacturer Spec	Type	Age in 2016
Ladder 1	1981	International	55' Ladder Truck	35
Engine 12	1983	GMC Hub	2nd line Pumper	33
Engine 1	1996	Hub Freightliner	1st line Pumper	20
Engine 11	2006	Ford F555 4x4 Crew Cab	C.A.F. Unit	10
Recue 1	2011	Ford F555 4x4 Crew Cab	Recue Truck	5

In 2015, Pemberton Fire Service undertook an open bidding process to select a proponent to supply a new triple combination pumper truck to replace Engine 1 as the "front line" truck. In that regard, a loan authorization bylaw was adopted by Council on December 30, 2015, and an order for a new truck has been placed with FirePower Emergency Apparatus. At this time a delivery date has not yet been established.



### **Fire Inspections:**

More and more businesses are compliant at the time of inspection as they recognize the importance of fire prevention through the annual inspections and education information provided during these inspections. While there are still some challenges surrounding compliance with the BC Fire Code, all in all businesses are doing a good job.

In 2015, thirty-five (35) fire inspections were carried out, some of these were annual inspections and some were as a result of new business startups.

Pemberton Fire Rescue also facilitated five (5) inspections as part of the secondary suite statutory declaration program implemented by the Village in 2007.

### **Fire Prevention Bylaw Amendment:**

In 2014, the Village adopted the Fire Prevention Bylaw No. 744, 2014 as an update to the former bylaw which was established in 1983 and very outdated. The new Bylaw also addressed Open Air Burning and established Fireworks Regulations, and established a fine schedule as well as a fee schedule for inspections and other services provided by the Fire Department.

Due to the increase in fire danger as a result of the warm, dry summer that was experienced in 2015, and concerns around safety on construction sites in particular, the Fire Prevention Bylaw was amended to establish requirements for all construction sites that include identification of high risk activities, hours in which activities may proceed, fire watch responsibilities and a listing of fire suppression equipment to be on hand. These regulations differentiate the activities allowed dependent on whether or not the fire danger rating is 'high' or 'extreme'. Fire Prevention Bylaw (Construction Ban) Amendment Bylaw No. 794, 2015 was adopted on September 15, 2015.

Further review of the Fire Prevention Bylaw noted that the fee schedule required updating as fireworks inspections were not included under inspection fees. As a result, Staff is preparing an Amendment Bylaw which will be brought forward in this quarter.

### **Fire Prevention:**

An important part of fire prevention is education and that program continues to grow. Fire prevention education starts at an early age with the goal of it becoming a good habit throughout a person's life. Each year the kindergarten classes tour the Fire Hall and get to see the equipment. Fire Hall tours continue to increase in popularity with visits from the Pemberton Brownies and Guides and the Pemberton Day Care Centre. Tours are usually the first time most children are exposed to fire safety messages. Fire safety information is also distributed to all the students at Signal Hill Elementary School during Fire Prevention Week.

As a result of the adoption of the Fire Prevention Amendment (Construction Ban) Bylaw noted above, the Fire Department will be ensuring that all contractors are aware of the regulations as established and this information is available on the Village website.

In addition, the Village was successful in applying for a \$10,000 Strategic Wildfire Prevention Initiative – FireSmart Grant. Through this initiative in 2016, Pemberton Fire Rescue will support residents to undertake activities to mitigate risk from wildfire in the wildland urban interface (the area where structure and forested areas meet). An application for the Strategic Wildfire Prevention Initiative, to update the Village's Community Wildfire Protection Plan (CWPP) is also on today's agenda, which will further mitigate the wildfire risk to the Community and the Region if the Village is successful in securing the funding.

### **COMMUNICATIONS**

This annual report does not require a communications component.

Pemberton Fire Rescue will continue to work with the Communications Coordinator to raise awareness of operations and fire prevention initiatives, such as Fire Prevention Week and FireSmart.

### **LEGAL CONSIDERATIONS**

There are no legal, legislative or regulatory considerations at this time.

### **IMPACT ON BUDGET & STAFFING**

There are no impacts to the budget for consideration at this time.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts or approvals required.

### **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

The activities of Pemberton Fire Rescue, such as increased fire prevention awareness activities, recruiting additional personnel and acquiring fire rescue equipment, improve upon the current level of service to the Village and those areas within the Fire Service District.

The Village and Squamish-Lillooet Regional District are currently renegotiating the renewal of the Fire Service Agreement to Area C. It is anticipated that this renewal will be completed by December 2016. In addition, the Village was successful in taking part in the Community Infrastructure Partnership Program through the Federation of Canadian Municipalities along with the Lil'Wat Nation who initiated the joint application. It was identified and agreed through participation in this program, that a Fire Service Agreement will be established between our communities as well. It is anticipated that this negotiation will begin midway through 2016.

### **ALTERNATIVE OPTIONS**

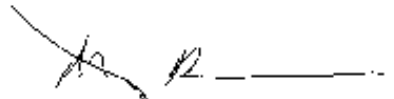
There are no alternative options for consideration as this report is being presented for information.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

The services of the Pemberton Fire Rescue Department and Fire Prevention are in keeping with Strategic Priority Theme Three: Excellence in Service by ensuring that the Village continues to *deliver the highest quality of municipal services within the scope of our resources.*


### **RECOMMENDATIONS**

**THAT** the 2015 Annual Fire Services Report be received for information.



Robert Grossman, Fire Chief

### **CHIEF ADMINISTRATIVE OFFICER REVIEW**



Nikki Gilmore, Chief Administrative Officer

**Date:** February 2, 2016  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Wendy Olsson, Executive Assistant  
**Subject:** Parks and Public Spaces Use Bylaw No. 797, 2016

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### **PURPOSE**

The purpose of this report is to present to Council for consideration a new Park and Public Spaces Use Bylaw No. 797, 2016 which includes an updated fee structure, new definitions and adds the requirement of a fire permit.

### **BACKGROUND**

The initial Parks Use Bylaw No. 650 was passed in 2010. After implementation over a one year period, changes were made and a new bylaw, Village of Pemberton Parks & Public Space Use Bylaw No. 707 was introduced in 2012, to improve the bylaw as a means of enhancing the service provided by the Village to event organizers.

In April 2015, Council received the Downtown Community Barn (the Barn) Community Consultation and Research Study Report. The purpose of the study was to explore options with respect to marketing and utilization of the Barn to ensure the venue is used to its full potential. The study determined that the existing Parks & Public Space Use permit process was the most efficient model to follow with respect to management of the Barn but did make several recommendations for improvement, which included, but were not limited to, reviewing the existing Parks and Public Spaces Use Bylaw No. 707, raising the current permit fees to ensure administrative cost recovery and implementing a venue rental fee for exclusive use and commercial bookings of the Barn to help build financial resiliency for the Barn.

Subsequently, Council adopted the Parks & Public Spaces Use (Fee Structure) Amendment Bylaw No. 791, 2015 adopted on July 21, 2015. The Park and Public Spaces Use (Fee Structure) Amendment Bylaw No. 791, 2015 included a one hundred dollar (\$100) charge per use of the Downtown Barn by Non-Profit groups and a five hundred dollar (\$500) charge per use by Commercial Groups.

It is not uncommon for bylaws of this nature to be reviewed and amended on a yearly basis as a housekeeping measure to ensure it continues to meet the needs of the community and can be easily implemented by staff on behalf of Council.

As such, a draft of a new Parks and Public Spaces Use Bylaw was presented at the Committee of the Whole Meeting No. 142, held Tuesday, January 19, 2016, for consideration and the following resolution was passed:

*Moved/Seconded*

**THAT** the Committee of the Whole direct staff to bring forward for Council's consideration a new Parks and Public Spaces Use bylaw as presented.

**AND THAT** staff monitor the administrative costs associated with Parks and Public Spaces Permit processing and venue rental and report back to Council as part of the 2017 budget deliberations.

**CARRIED**

## **DISCUSSION & COMMENTS**

The outcome of the adoption of the fee structure introduced in Amendment Bylaw No. 791, 2015 was that groups are required to a) pay for use of the Barn and b) pay per use, not per permit. Although the fee structure amendment would not impact the majority of the Barn bookings, Staff identified that it would have a significant financial impact on the Pemberton Farmers Market; the one hundred dollar (\$100) charge per use of the Barn would result in an approximate cost of seventeen hundred dollars (\$1,700) for this seasonal event.

In the interest of mitigating the above-noted concern, the fee structure in the new bylaw includes flat rate venue rental fees for recurring events for Non-Profit organizations. Recurring events are defined as an event that occurs repeatedly with prescribed activities of an identical nature.

For a seasonal use, defined as a consecutive six (6) month term, a flat rate venue rental fee for recurring events is introduced at three hundred dollars (\$300). For an annual use, defined as a calendar year January 1<sup>st</sup> to December 31<sup>st</sup>, a flat rate venue rental fee for recurring events is introduced at six hundred dollars (\$600).

The introduction of a new rate in the fee structure necessitated the addition of a new definition to be included in the establishing Bylaw No. 707, 2012. Staff took the opportunity to undertake a more comprehensive review of Bylaw No. 707, 2012, and identified the need for other minor housekeeping amendments to provide additional clarity for event organizers. These amendments include further updates under Section 2: Definitions, updating the park and public spaces listing to include Village parking lots as well as streets and incorporate the new name for Airport Park, revision of Section 12: Fire and increasing the General Liability Insurance required.

The fee structure was further updated by incorporating a venue rental fee for commercial filming and photography which has been established at one thousand dollars (\$1,000) per use, as well as a rental fee of two hundred dollars (\$200) per block for the use of Village streets and parking lots for commercial events.

The General Liability Insurance amount has been increased from \$2 million dollars to \$5 million dollars per incident as this number is the typical amount required for liability purposes.

It should be noted that venue rental fees have not been established for other parks or public spaces at this time but could be considered at a later date and once the One Mile Lake Master Plan Review and Update has been completed. In the meantime, should the Village receive any requests for use of any area not identified in the fee schedule for commercial or corporate purposes an appropriate rate will be negotiated.

**Other minor amendments:**

**Section 2 – Definitions**, has been updated to include the following added and amended definitions:

**“commercial event”** means an event organized by a business for the purpose of profit or gain. Commercial events include, but are not limited to, providing of a professional service, an industrial undertaking of any nature, commercial filming and any events where tickets are sold for profit. Commercial event organizers must hold a valid Village of Pemberton business licence.

**“highway”** includes every highway within the Village of Pemberton and within the meaning of the *Highway Act*; and every road, street, lane, alley and right-of-way designed or intended for or used by the general public for the passage of vehicles, and every place or passage way to which the public, for the purpose of parking or servicing of vehicles, has access or is invited; and every place or passage way owned or operated by the Village of Pemberton for the purpose of providing off-street parking.

**“not-for-profit event”** means an event organized by a not-for-profit organization, registered society, or person, that does not generate revenue or that generates revenue exclusively to support not-for-profit organization(s) or is generated to sustain the event.

**“recurring event”** means an event that occurs repeatedly with prescribed activities of an identical nature. Examples of recurring events include, but are not limited to, markets, fundraising events for a specific organization and scheduled training or recreation activities.

**Section 12 – Fires**, has been updated by revising 12.2 as follows:

12.2 No person shall make a fire without obtaining a valid Village of Pemberton Fire Permit;

And adding is under Section 12 the following:

12.4 No person shall make a fire that exceeds the size of fire prescribed by the Provincial Government.

These revisions are in alignment with provincial regulations and the Village of Pemberton Fire Prevention Bylaw 744, 2013.

**COMMUNICATIONS**

Upon adoption of Parks & Public Spaces Use Bylaw No. 797, 2016, Staff will send out correspondence to all community groups within the Village notifying them of the changes to the Park and Public Spaces Use Permit fee structure and updating them on the other amendments respecting the Section 2 Definitions and Section 12 Fire.

Additionally, notice will be provided on the Village website and the information will be included in the Village eNews.

### **LEGAL CONSIDERATIONS**

The proposed amendment does not require legal review.

### **IMPACT ON BUDGET & STAFFING**

There are no impacts to the budget or staff hours for consideration. The issuing of Parks and Public Spaces Use Permits is an existing responsibility of the Office of the CAO; a change to fee structure, new definitions and a change to Section 12 Fire will not impact staff time.

It should be noted that the amount of staff time required to process a permit varies on the nature of the event as well as the experience of the organizer. As many of the Parks and Public Spaces users represent repeat business, it is expected that the permit processing time will decrease due to the increasing familiarity with the permit application requirements.

It is also expected that the implementation of the new bylaw, which includes an updated format for the fee schedule and additional definitions, will increase clarity for event organizers.

Staff will monitor the administrative costs associated with Parks and Public Spaces Permit processing and venue rental and report back to Council as part of the 2017 budget deliberations.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

The new bylaw will not impact the existing day to day operations of the Village. The housekeeping improvements to the bylaw will assist staff in providing better service to applicants and improving efficiencies by reducing administrative time.

### **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

An amendment of this bylaw has no impact on other jurisdictions.

### **ALTERNATIVE OPTIONS**

An alternative option for Council's consideration is to keep the Parks and Public Spaces Use Bylaw No.707, 2012 and Parks and Public Spaces Use (Fee Structure Amendment) Bylaw No. 791, 2015 as is however Staff does not recommend this option.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

The review, update and preparation of a new Parks and Public Spaces Use Bylaw falls within Village's Strategic Priority Two of Good Governance whereby the Village is committed to citizen engagement, being an open and accountable government, and fiscal responsibility.

Additionally, the reduction of a potential financial burden to groups applying for permits aligns with the Village's Strategic Priority Four of Social Responsibility, to create a strong and vibrant

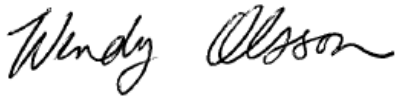
community recognizing the importance and benefits of both healthy and engaged citizens as well as an accessible and well managed natural environment.

**RECOMMENDATIONS**

**THAT** Council consider giving First, Second and Third Readings to the Parks and Public Spaces Use Bylaw No. 797, 2016.

**Attachments:**

Appendix A – Village of Pemberton Parks and Public Spaces Use Bylaw No. 797



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Wendy Olsson  
Executive Assistant

**CHIEF ADMINISTRATIVE OFFICER REVIEW**



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Nikki Gilmore, Chief Administrative Officer

VILLAGE OF PEMBERTON

BYLAW No. 797, 2016

---

A BYLAW TO REGULATE AND GOVERN THE USE OF  
PARKS AND PUBLIC SPACES

---

**WHEREAS** the *Community Charter* Section 8 (3) authorizes Council to regulate public spaces by Bylaw;

**AND WHEREAS** Council for the Village of Pemberton is empowered to make rules and regulations governing the management and use of parks and public spaces acquired or held by the Village for its purpose;

**AND WHEREAS** the general welfare of the community is enhanced by the regulation and use of the Village's parks and public spaces.

**NOW THEREFORE** the Council of the Village of Pemberton, in open meeting assembled, enacts as follows:

1. **Citation**

This Bylaw may be cited for all purposes as "Parks and Public Spaces Use Bylaw No. 797, 2016".

2. **Definitions**

In this Bylaw, the following terms have the following meanings:

**"Application"** means the application for a Park and Public Space Use permit made in the form(s) established and prescribed by the municipality.

**"Beach"** means an area adjacent to the shore of a lake, pond, stream or river normally used for swimming and similar aquatic exercises or for sunbathing;

**"Cycle"** means a device having any number of wheels, which is solely propelled by human power and upon or in which a person may travel;

**"Commercial Event"** means an event organized by a business for the purpose of profit or gain. Commercial events include, but are not limited to, providing of a professional service, an industrial or commercial undertaking of any nature,



commercial filming and any events where tickets are sold for profit. Commercial event organizers must hold a valid Village of Pemberton business licence.

**"Highway"** includes every highway within the Village of Pemberton and within the meaning of the *Highway Act*; and every road, street, lane, alley and right-of-way designed or intended for or used by the general public for the passage of vehicles, and every place or passage way to which the public, for the purpose of parking or servicing of vehicles, has access or is invited; and every place or passage way owned or operated by the Village of Pemberton for the purpose of providing off-street parking.

**"Manager"** means the Chief Administrative Officer and his delegates;

**"Not-for-Profit Event"** means an event organized by a not-for-profit organization, registered society, or person, that does not generate revenue or that generates revenue exclusively to support not-for-profit organization(s) or is generated to sustain the event.

**"Permit"** means the Park and Public Space Use Permit as established and prescribed and issued by the municipality;

**"Person"** means any individual, association, firm, partnership, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law;

**"Public Spaces"** means a park or parkland, public space, highway or any real property or interest therein within the Village held or used for pleasure, recreation and community uses of the public and includes the land held under any lease of the foreshore and land covered by water granted to the Village by Her Majesty the Queen, and including the forest inside the Village boundary, whether or not the land is identified by signage or any other device;

**"Recurring Event"** means an event that occurs repeatedly with prescribed activities of an identical nature. Examples of recurring events include, but are not limited to, markets, fundraising events for a specific organization and scheduled training or recreation activities.

**"Village"** means the Village of Pemberton;

### **3. Application of Bylaw**

The provision of this Bylaw applies to every Park and Public Space within the Village:

- Downtown Barn
- One Mile Lake
- Zurcher Park

- Pioneer Park
- Underhill Park
- Alder Street Park
- Rudy Roszypalek Memorial Park (formerly Airport Park)
- Lot 12 – Pump Track/Skate/BMX Bike
- Frontier Street South (Train Station)
- Frontier Street North (Community Space)
- Tennis Courts (Creekside)
- Village Parking Lots
- Staehli Park
- Village Streets

#### **4. Protection of Plants**

No person shall cut, break, remove or in any way destroy or damage any tree, shrub, plant, turf or flower.

#### **5. Damage to Buildings**

No person shall damage or deface any building, structure, fence, sign, seat, bench or ornament of any kind and, without limiting the foregoing, no person shall place graffiti on walls, fences or elsewhere on or adjacent to a public space.

#### **6. Walls and Fences**

No person shall climb, walk, sit, cycle or skate upon any wall, fence or other structure not intended for that use.

#### **7. Pollution of Public Spaces & Streams**

7.1. No person shall foul or pollute any area of water or land, including a ditch, stream storm drain, lake or pond.

7.2. No person shall access or trample the riparian edge of any stream, pond or lake unless that area is designated as an access point.

7.3. No person shall deposit or dump any garbage, glass, crockery, paper, rubbish, litter, wood, waste or other material whether liquid or solid in or on any public space, except in receptacles provided there for such purpose.

7.4. No person shall dispose of waste generated outside a public space by depositing the waste in a waste receptacle or anywhere else inside or on any public space.

## **8. Protection of Grass**

No person shall cross, travel on, use or walk upon any grassed plot or land where signs have been posted forbidding such use.

## **9. Protection of Animals**

No person shall tease, molest, or injure any animal, bird or fish or throw any substance at or near such creatures in such way as to cause them alarm or possible injury, unless permitted under provincial or federal fishing or wildlife regulations.

## **10. Obstruction of Others**

10.1 No person shall obstruct the free use and enjoyment of a public space by any other person.

10.2 No person shall fish or play ball, or any game, or throw any object or thing so as to molest or interfere with or become a nuisance to the general public.

10.3 No person shall hinder, deter or interrupt any person in the exercise of any of his or her duties in charge of any organized recreation or maintenance authorized by the Village.

## **11. Livestock**

No person shall bring in or ride any horses or livestock, except where horseback riding is permitted in areas specifically designated for that purpose.

## **12. Fires**

12.1. No person shall throw any lighted match, cigar, cigarette or similar thing or any burning substance or dispose of it without first extinguishing it.

12.2 No person shall make a fire without obtaining a valid Village of Pemberton Fire Permit.

12.3 No person shall leave a fire unattended.

12.4 No person shall make a fire that exceeds the size of fire prescribed by the Provincial Government.

### **13. Activities**

No person shall undertake of the following activities except in such areas and at such times specifically allotted or designated for that purpose:

- Playing golf or striking a golf ball;
- Shooting an arrow or practicing archery;
- Flying any glider or motor driven model aircraft;
- Launching any power rocket;
- Landing any hang glider, parachute, paraglider, or human carrying kite.

### **14. Poster**

- 14.1 No person shall post, paint or affix any advertisement, bill, poster, picture, matter or thing on any tree, post, pole, building, structure or thing EXCEPT on kiosks or notice boards specifically designated for that purpose. This section shall not apply to material erected or placed by the Manager for the purpose of conveying information on park or recreation matters or controlling activities within public spaces.
- 14.2 No person shall engage in the distribution or delivery of commercial advertising material unless the person has been issued a Park and Public Space Use Permit by the Village that includes those permissions.

### **15 Vehicles**

- 15.1 No person shall ride, drive or lead any animal or drive or propel any cycle or motor vehicle in such a manner as to disturb the enjoyment of any person, or to cause injury or damage to any person, animal or property.
- 15.2 No person shall operate a motor vehicle except on a roadway
- 15.3 No person shall park or stop a motor vehicle except in an area designated for vehicle parking.

### **16 Dog Restricted Areas**

- 16.1 Persons having the custody, care or control of any dog, other than a certified service dog, shall be permitted to bring or have the dog in any park except the following areas:
- a. The main One Mile Lake Park sand beach area between the 1<sup>st</sup> of May and the 30<sup>th</sup> day of September in each year;
  - b. Waterfowl nesting sites and streams; and
  - c. Inside any building, washroom or concession.

16.2 Persons having the custody, care or control of a certified service dog or other working dog shall be permitted to bring or have the dog in any park, public space or public facility in a public space.

## **17 Competitions and Instructions**

No person shall conduct private instruction or hold a tournament, competition, exhibition, demonstration or series of games with participant member in excess of 10, or for commercial purposes, in any part of a park unless the person has been issued a Park and Public Space Use Permit by the Village that includes those permissions.

## **18 Tents**

No person shall erect any tent, building, shelter or other structure or works or take up any temporary abode, unless the person has been issued a Park and Public Space Use Permit by the Village that includes those permissions.

## **19 Loudspeakers**

No person shall operate or use any amplifying system or loudspeaker unless the person has been issued a Park and Public Space Use Permit by the Village that includes that permission.

## **20 Commercial Operations**

No person or group shall operate a commercial business or utilize any public spaces for a portion of business except as part of a community event, or as authorized by the Village. This includes, but is not limited to, the sale of any refreshment, goods, article or thing or offer any service for a fee in or on any public space. All such operations must conform to all bylaws of the Village and have a valid Business Licence.

## **21 Payment of Fees**

No person shall use any court, green, ground, lawn or facility unless and until such person, if required by the bylaw, has first obtained a Park and Public Spaces Use Permit and paid to the Village any and all applicable fees and charges (Schedule "A") imposed by the Village for such use.

## **22 Powers of the Manager**

The Manager may from time to time do the following in relation to public spaces:

- a. Authorize a public space or any part of it to be closed to free public use and may grant a Park and Public Spaces Use Permit to any person, club or organization upon payment of the applicable fee;

- b. Temporarily close any public space or part of it for the use of the public if, in his opinion, such closure is necessary to prevent or assist in the prevention of a breach of the peace or threat of it, or other violation of the criminal law;
- c. Temporarily close any portion of a public space to public use for the purposes of construction, maintenance, repairs, removal of hazards, filming, a commercial or not-for-profit event or other reasonable cause;
- d. Temporarily close any portion of a public space to public use in the case of emergency or apprehended emergency including fire hazard or health and safety reasons;
- e. Designate areas for climbing, walking, cycling, skating, games, swimming, boating, landing non-motorized soft winged aircraft and other activities of the public;
- f. Designate areas for motorized vehicle travel and vehicle parking and stopping;
- g. Designate areas at which persons may access streams, ponds and lakes;
- h. Designate areas for the protection of grass and grounds;
- i. Designate areas for horseback riding;
- j. Designate areas for overnight camping;
- k. Designate areas for fire pits and barbecues;
- l. Establish kiosks and notice boards for the posting of notices;
- m. Establish a public space or part of a public space as an off leash area for dogs;
- n. Establish public spaces or parts of public spaces and hours where dogs are restricted;
- o. Establish hours for the daily opening and closing of public spaces;
- p. Issue Park and Public Space Use Permits;
- q. Issue Permits for the sale of goods;
- r. Make incidental rules and regulations not inconsistent with this Bylaw; and
- s. Waive public space use fees for not-for-profit groups, school related activities, and other government events based on guidelines established in the Village of Pemberton Community Enhancement Fund grant-in-aid.

## **23 Rules and Regulations**

No person shall violate any provision of this Bylaw or any parks rule, regulation, or notice of the Village or the Manager.

## **24 Parks Officials**

No person shall obstruct or cause to be obstructed, any official employee, agent or contractor of the Village in the exercise of any of his lawful duties.

## **25 Inspection**

Council hereby authorizes its officers, employees and agents to enter at all reasonable times on any public space property to ascertain whether the requirements of this Bylaw are being met and regulations observed.

## **26 Offence**

26.1 Every person who offends against any provision of the Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any provision of this Bylaw, or who does any act or thing which violates this Bylaw, shall be deemed to be guilty of an offence against this Bylaw and shall be liable for any reasonable costs for reparation and to the penalties imposed under the Municipal Ticket Information Bylaw, amendments and replacements thereof.

26.2 Every day that the offence continues is deemed to be a separate offence.

## **27 Captions**

The captions in this Bylaw are inserted for convenience of reference only and they are not intended to limit this Bylaw or assist in its interpretation.

## **28 Interpretations**

References in this Bylaw to the singular include the plural and references to the masculine include the feminine or body corporate, where the context so allows.

**29 REPEAL**

The “Village of Pemberton Park Use Bylaw No. 707, 2012” and “Village of Pemberton Park and Public Spaces Use Permit (Fee Structure Amendment) Bylaw No. 791, 2015” are hereby repealed.

**READ A FIRST TIME** this \_\_\_\_ day of, \_\_\_\_\_ 2016.

**READ A SECOND TIME** this \_\_\_\_ day of, \_\_\_\_\_ 2016.

**READ A THIRD TIME** this \_\_\_\_ day of, 2016.

**ADOPTED** this \_\_\_\_ day of, \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mike Richman  
Mayor

\_\_\_\_\_  
Sheena Fraser  
Corporate Officer



**SCHEDULE A**

**PARK AND PUBLIC SPACE USE PERMIT FEES**

<b>Location</b>	<b>User Category</b>	<b>Permit Fee*</b>	<b>Venue Rental Fee/use*</b>	<b>Security Deposit**</b>	<b>General Liability Insurance required***</b>
Downtown Barn	<b>Non-profit Events:</b>	\$30.00		\$300.00	\$5,000,000.00
	<b>Single Event</b> <i>(may be up to 48 hours as approved by the Manager)</i>				
	<b><u>Use for Recurring Events:</u></b>				
	<b>Seasonal</b> <i>(6 consecutive months)</i>				
	<b>Annual</b> <i>(12 month term: January 1st – December 31st)</i>		\$600.00		
	<b>Commercial &amp; Corporate Events</b>	\$75.00	\$500.00	\$1,000.00	
	<b>Commercial Filming &amp; Photography</b>		\$1,000.00		
Village Streets & Parking Lots ****	<b>Non- Profit</b>	\$30.00	N/A	\$300.00	
	<b>Commercial and Corporate Events</b>	\$75.00	\$200/per block	\$1,000.00	

All other Parks and Public Spaces	<b>Non-profit Events:</b>	\$30.00	N/A	\$300.00	
	<b>Commercial &amp; Corporate Events</b>	\$75.00	Rates to be negotiated based on nature of event	\$1,000.00	

Refunds of the permit and rental fees will be permitted for cancellations up to fourteen (14) days prior to booking date with written notification.

Events cancelled with less than 14 days prior to the event or due solely to inclement weather conditions will not receive a refund.

\*Venue rental fees do not include 5% GST. GST does not apply to permit fees.

\*\* Security deposits will be refunded by cheque within one month, provided no need for repair or site cleanup is found upon post-event inspection.

\*\*\* Village of Pemberton must be named as additional insured. If the organization does not have insurance, Group User Insurance can be obtained through the Village. Note there are some activities are not eligible for the Village's Group User Insurance.

\*\*\*\* A temporary street use permit is required if an event will temporarily obstruct all or a portion of any lane of traffic, parking lane, alley, sidewalk or boulevard.

**Date:** February 2, 2016  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Paige MacWilliam, Legislative Assistant  
**Subject:** Business Licence Amendment Bylaw No. 798, 2016

**PURPOSE**

The purpose of this report is to present to Council the Business Licence Amendment Bylaw No. 798, 2016.

**BACKGROUND**

When the Business Licence Bylaw was last updated in 2014, a fine schedule was included to prescribe the consequences of operating a business without a licence. At that time a fine amount for a first offence for businesses operating without a licence was not specified and “warning” was listed instead:

6.2 - Resident Business without Business Licence:	
1 <sup>st</sup> Offence	Warning
2 <sup>nd</sup> Offence (1 week after 1 <sup>st</sup> offence)	\$150.00
3 <sup>rd</sup> Offence (1 week after 2 <sup>nd</sup> offence)	\$300.00
Subsequent Offences	\$450.00
6.3 - Non-Resident Business without Business Licence:	
1 <sup>st</sup> Offence	Warning
2 <sup>nd</sup> Offence (1 week after 1 <sup>st</sup> offence)	\$150.00
3 <sup>rd</sup> Offence (1 week after 2 <sup>nd</sup> offence)	\$300.00
Subsequent Offences	\$450.00
11.2 – Failure to Display Valid Licence:	
1 <sup>st</sup> Offence	Warning
2 <sup>nd</sup> Offence (1 week after 1 <sup>st</sup> offence)	\$150.00
2 <sup>nd</sup> and Subsequent Offences	\$450.00

As the goal of bylaw enforcement is to gain compliance, it is considered good practice to issue a warning prior to issuing fines for bylaw offences; however, Staff have been advised, as discussed below, that it is necessary to specify the fine amount for a first offence so that if the bylaw contravention persists it is possible to issue progressively increasing fines. As such, Staff propose amending the fine schedule to remove “warning” as the consequence of the first offence and replace it with a \$75.00 fine.

## **DISCUSSION & COMMENTS**

Since the Business Licence was adopted in 2014, the Village subsequently drafted another bylaw with a similar fine schedule that included “warning” as consequence of the first offence of contravening the bylaw. When a legal review of that bylaw was conducted, advice was received that it is necessary to prescribe the fine amount for a first offence so that it is then possible to progressively increase the fines should additional offences occur. If the bylaw does not prescribe the fine amount for a first time offence, it would be necessary to establish a first offence through a conviction in court before it would be possible to impose any additional fines for subsequent offences. This process would be expensive for the Village and time consuming for Staff.

As a result, Staff has prepared a Bylaw Amendment that would see Schedule ‘B’ of Business Licence Bylaw No. 751, 2014 amended to establish a first offence fine of \$75. The rest of the fine structure will remain unchanged.

As with any bylaw enforcement, the Village’s approach is to seek compliance through education and information. In this regard, if a business is operating and not in compliance with the Business Licence Bylaw the Village will first send correspondence outlining the Business Licence requirements and requesting the operator to make application. If Staff determines that the business operator is making no effort to come into compliance fines will be issued as per Schedule ‘B’ of the amending bylaw.

## **LEGAL CONSIDERATIONS**

Upon adoption of this Business Licence Amendment Bylaw, it will be necessary to bring forward a Municipal Ticketing Utilization Amendment Bylaw to enable ticketing based on the amended fee schedule. Section 264 of the *Community Charter* authorizes local government to pass Municipal Ticketing Utilization Bylaws to enable the issuance tickets for bylaw contraventions.

## **IMPACT ON BUDGET, POLICY, STAFFING**

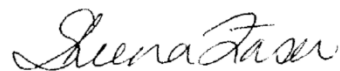
While the goal of bylaw enforcement is to gain compliance, this bylaw will allow fines to be levied on infractions. The funds collected help to cover the costs associated with bylaw enforcement, including public education.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

This initiative will enable the Finance & Administration Department, which is responsible for issuing business licences, to work together with Corporate & Legislative Services to enforce contraventions of the Business Licence Bylaw and will be incorporated into the yearly work plan of both departments.



Lena Martin  
Manager of Finance & Administration



Sheena Fraser  
Manager of Corporate & Legislative Services

### **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

This initiative will not have any impact on other jurisdictions as only those businesses operating within the Village of Pemberton are required to hold a valid business licence.

### **ALTERNATIVE OPTIONS**

There are no alternative options for consideration.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

This initiative is consistent with the Strategic Plan's theme of good governance.

### **RECOMMENDATIONS**

**THAT** Council consider giving Business Licence Amendment (Fine Schedule) Bylaw No.798, 2016 First, Second and Third reading.

### **Attachments:**

**Appendix A** – Business Licence Amendment Bylaw No. 798, 2016.



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Paige MacWilliam  
Legislative Assistant

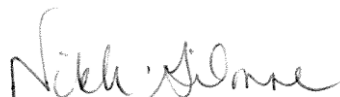
### **MANAGER**



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Sheena Fraser  
Manager of Corporate & Legislative Services

### **CHIEF ADMINISTRATIVE OFFICER REVIEW**



---

Nikki Gilmore  
Chief Administrative Officer

**THE VILLAGE OF PEMBERTON  
BYLAW No. 798, 2016**

**A bylaw to amend Village of Pemberton Business Licence Bylaw No. 751, 2014**

**WHEREAS** pursuant to Section 59 of the *Community Charter*, Council is empowered to regulate in relation to business;

**AND WHEREAS** Council is empowered to provide for granting of business licences, to fix and impose licence fees and regulate certain trades, occupations and businesses in the Village of Pemberton;

**AND WHEREAS** Council may amend its bylaws from time to time when deemed appropriate.

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

**1. CITATION**

This bylaw may be cited for all purposes as the “Village of Pemberton Business Licence Amendment (Fine Schedule) Bylaw No. 798, 2016”.

**2. APPLICATION**

Village of Pemberton Business Licence Bylaw No. 751, 2014, is amended as follows:

Schedule ‘B’ of Bylaw No. 751, 2014, is hereby deleted and replaced with a new Schedule ‘B’ that is attached hereto and forms part of this bylaw

**READ A FIRST TIME** this \_\_\_\_ day of \_\_\_\_\_, 2016.

**READ A SECOND TIME** this \_\_\_\_ day of \_\_\_\_\_, 2016.

**READ A THIRD TIME** this \_\_\_\_ day of \_\_\_\_\_, 2016.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mike Richman  
Mayor

\_\_\_\_\_  
Sheena Fraser  
Chief Administrative Officer

## SCHEDULE 'B'

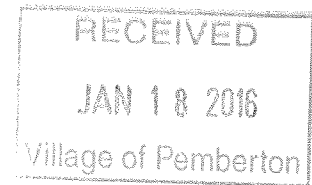
### Fines

6.2 - Resident Business without Business Licence:	
1 <sup>st</sup> Offence	\$75.00
2 <sup>nd</sup> Offence (1 week after 1 <sup>st</sup> offence)	\$150.00
3 <sup>rd</sup> Offence (1 week after 2 <sup>nd</sup> offence)	\$300.00
Subsequent Offences	\$450.00
6.3 - Non-Resident Business without Business Licence:	
1 <sup>st</sup> Offence	\$75.00
2 <sup>nd</sup> Offence (1 week after 1 <sup>st</sup> offence)	\$150.00
3 <sup>rd</sup> Offence (1 week after 2 <sup>nd</sup> offence)	\$300.00
Subsequent Offences	\$450.00
7.1 – Failure to Provide Access	\$150.00
11.2 – Failure to Display Valid Licence:	
1 <sup>st</sup> Offence	\$75.00
2 <sup>nd</sup> Offence (1 week after 1 <sup>st</sup> offence)	\$150.00
13.5 – Carrying on Business while Suspended:	
1 <sup>st</sup> Offence	\$150.00
2 <sup>nd</sup> Offence (1 week after 1 <sup>st</sup> offence)	\$300.00
3 <sup>rd</sup> Offence (1 week after 2 <sup>nd</sup> offence)	\$450.00
14.4 (d) – Mobile Vendor without Business Licence	
1 <sup>st</sup> Offence	\$300.00
2 <sup>nd</sup> and Subsequent Offences	\$450.00



## Pemberton Arts and Culture Council

January 15<sup>th</sup>. 2016-01-15



Mayor and Council  
Village of Pemberton  
7400 Prospect St,  
Pemberton,  
BC V0N 2L1, Canada

### Re Community Initiative and Opportunity Fund – three year long term agreement between Village of Pemberton and the Pemberton Arts and Culture Council

Dear Mayor Richmond,

On behalf of the members and Board of the Pemberton Arts and Culture Council I would like to express our sincere gratitude to you, the council and staff of the Village of Pemberton for granting us funding to support the operations of our organization over the next three years.

We are grateful to now have the ability, through your generous funding, to hire part time, skilled assistance with the coordination of PACC marketing and communication with our members and the public. In addition, the individual will have the skills and experience to assist us with researching and accessing future grant funding.

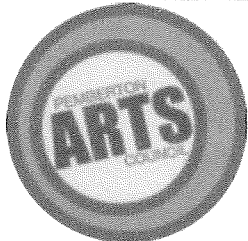
We are actively seeking additional funding to support increased programming and events for 2016 and plan to seek matching funds for the COIF funding from the SLRD to increase the time and scope of our part-time assistants role. The PACC board is committed to our new mandate of inclusivity and the promotion of art and culture and to support the many creative individuals who live in the Pemberton Valley and surrounding communities.

Please extend our thanks to the Council and Staff.

Respectfully,  
Marnie Simon  
President

Pemberton Arts Council

[info@pembertonartscouncil.com](mailto:info@pembertonartscouncil.com)



Creating an environment for the advancement of the arts and culture in our community.

CC. Sheena Fraser Manager of Corporate and Legislative Services





January 11, 2016

Reference: 252888

Dear Union of B.C. Municipalities and Local Governments:

**Re: Discussion of the Emergency Program Act**

As Minister of State for Emergency Preparedness, I am pleased to announce the release of *Prepared and Resilient: A Discussion Paper on the Legislative Framework for Emergency Management in British Columbia*.

This document is intended to support an online consultation and engagement with British Columbians through a dialogue about the current *Emergency Program Act* (the Act), which sets out the key responsibilities and authorities to guide and enable experts at the local and provincial levels in preparing for, responding to and recovering from emergencies and disasters.

It is our intention to review the Act to ensure that it provides a solid legal foundation to meet whatever challenges that may come our way here in this province, be they small scale emergencies contained at the local level or catastrophic events affecting a region or even possibly the entire province.

The Act was first introduced in 1993 and has undergone few changes since. While legislation may not be top of mind when we think about being prepared for an emergency or disaster, it is the key source of responsibilities and authorities required to empower elected officials and emergency management personnel to take the right actions at the right time.

*Prepared and Resilient* describes challenges in the current legislation as well as proposals for possible changes. The challenges and proposals reflect recent changes some Canadian jurisdictions have made to modernize their emergency management laws, as well as the findings and recommendations of two recent reports here in B.C.—the 2014 earthquake preparedness reports of the Auditor General and Henry Renteria.

The input we receive from you and other stakeholders through this consultation will be a key component to informing our government's review of the Act and, ultimately, any decision to move forward with the introduction of possible legislative changes.

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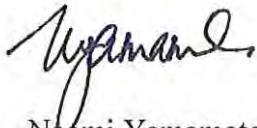
- 2 -

The consultation period begins on January 11, 2016, with the release of the paper, and will continue until February 19, 2016, at 4:00 p.m. Please submit your formal responses to [citizenengagement@gov.bc.ca](mailto:citizenengagement@gov.bc.ca) before the end of the consultation period.

In order to promote that transparency of this review, any submission from your organization, or other stakeholders who have been invited to participate, may be posted on <http://engage.gov.bc.ca/emergencyprogramact/> The web site contains a list of all stakeholders who have received invitations to participate. Please include the name of your organization in your submission. To protect your privacy or the privacy of any other members of your organization, please do not include your personal phone number or e-mail address in your submission.

Emergency management is fundamentally about partnerships. We must all continue to work together to ensure a prepared and resilient B.C. I am therefore looking forward to hearing the feedback and thoughts you and the members of your organization may have for possible improvements to the legislative framework for emergency management in B.C.

Sincerely,



Naomi Yamamoto  
Minister of State



BRITISH  
COLUMBIA

# Prepared and Resilient

*A discussion paper on the legislative framework for  
emergency management in British Columbia*

JANUARY 2016



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## Message from the Minister

As Minister of State for Emergency Preparedness, I am pleased to announce the release of *Prepared and Resilient: A Discussion Paper on the Legislative Framework for Emergency Management in British Columbia*. This document is intended to support a consultation that will engage stakeholders in a dialogue about emergency management legislation in British Columbia.

When we think about being prepared for an emergency or disaster I think it is fair to say that legislation is not top of mind. Nevertheless, we must recognize that the coordination and synergies of emergency management experts in this province—whether at the local or provincial level—starts with understanding and fulfilling key emergency management responsibilities and having the appropriate authority to take the right actions at the right time when faced with an emergency or disaster. That's where legislation comes in: to establish the legal framework for a prepared and resilient British Columbia.

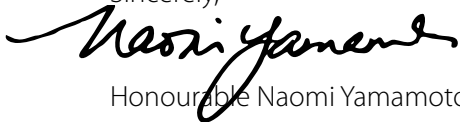
The *Emergency Program Act* is the key piece of legislation for emergency management in British Columbia. The Act, which was introduced in 1993, sets out roles and responsibilities for local authorities and the provincial government in preparing for, responding to and recovering from emergencies and disasters. The Act also sets out the authority for local government or the province to declare a state of emergency and to use emergency powers to protect the health, safety or welfare of people and to limit damage to property.

A key challenge with the Act and its regulations—and a principal reason for this consultation and engagement—is that while best practices in the field of emergency management in B.C. and elsewhere have evolved significantly over the past two decades, the *Emergency Program Act* has remained largely unchanged since its introduction and has never been the subject of a full and open review as proposed herein. The time has therefore come for us to examine the Act to ensure it provides the solid legal foundation we need here in B.C. to meet whatever challenges may come our way, be they small scale emergencies contained at the local level or catastrophic events affecting a region or even possibly the entire province.

This consultation acknowledges recent changes some other Canadian jurisdictions have made to modernize their emergency management laws. The engagement has also been shaped by findings and recommendations of the 2014 earthquake preparedness reports of the Auditor General and Henry Renteria, the former head of California's Office of Emergency Services who consulted with stakeholders on earthquake preparedness issues and priorities.

Ultimately, though, it is the input and feedback that we receive from interested British Columbians on the challenges and proposals outlined herein that will best inform the development of any changes to the law. It is my hope that this consultation will engage British Columbians in a dialogue so that together we can create legislation that supports a prepared and resilient B.C.

Sincerely,



Honourable Naomi Yamamoto  
Minister of State for Emergency Preparedness

## Executive Summary

The Premier's mandate letter to Minister of State for Emergency Preparedness Naomi Yamamoto directs the Minister to lead a review of the *Emergency Program Act* (Act) to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia, providing a report back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016.

This engagement is intended to be a key component of the review of the legislation. It highlights several key challenges in the Act and seeks input from stakeholders on proposals for possible legislative changes so that government may better understand what improvements if any may be needed to ensure the Act is up to date and effective.

The specific examples of challenges presented in this consultation fall into one of the following three discussion areas, with each including proposals for possible changes to the Act for consideration and input of stakeholders:

### **A. Modernizing fundamental concepts and structure of the Act:**

1. Phases of emergency management (prevention, preparedness, response and recovery);
2. Definition of emergency and disaster; and
3. Definition of local authority.

### **B. Clarifying roles and responsibilities:**

4. Emergency Management BC;
5. Provincial emergency planning, response and recovery responsibilities;
6. Ministerial authority to direct emergency planning; and
7. Provincial authority for private sector and non-government agencies.

### **C. Supporting emergency response and recovery:**

8. Shared responsibilities for emergency response;
9. State of Emergency;
10. Evacuation orders; and
11. Employment protection.

Stakeholder input on the identified challenges and discussion questions may be submitted to [citizenengagement@gov.bc.ca](mailto:citizenengagement@gov.bc.ca) by Feb. 19, 2016. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who Minister Yamamoto invited to provide input may be posted to Emergency Management BC's website. Submissions from members of the public posted to the website forum will be reviewed and incorporated into the review process along with the other stakeholder submissions.

# Context of a Review of the *Emergency Program Act*

## OVERVIEW OF THE LEGISLATIVE FRAMEWORK

The *Emergency Program Act* provides the legislative framework for the management of disasters and emergencies within British Columbia. This framework defines responsibilities of local authorities, provincial ministries and crown corporations along with the responsibility for the Province's emergency management program. It requires local authorities, ministries, crown corporations, and government agencies to develop plans and programs to prepare and respond to emergencies and disasters in the Province. It also provides local authorities, the Minister responsible for the Act, and the Lieutenant Governor in Council, with the ability to declare a state of emergency in order to access the extraordinary powers required to co-ordinate emergency responses.

Supporting the *Emergency Program Act* are three regulations made under the authority of the statute:

- ▶ *Emergency Program Management Regulation* identifies duties and responsibilities of provincial ministries and government corporations in relation to specific hazards and generally in the event of an emergency;
- ▶ *Local Authority Emergency Management Regulation* outlines roles and responsibilities of Local Authorities; and
- ▶ *Compensation and Disaster Financial Assistance Regulation* establishes the framework for the provisions of disaster financial assistance.

## WHY REVIEW THE ACT?

The time is ripe to review the *Emergency Program Act* to ensure it is effective in supporting the management of emergencies in British Columbia. The current iteration of the *Emergency Program Act* dates back to 1993 and has been subject to a small number of limited amendments since then. Over the last two decades various events and operational responses have prompted the provincial government and other partners in emergency management to consider and revise operational practices and procedures.

A further factor contributing factor are the 2014 reports of the Office of the Auditor General and Henry Renteria on earthquake preparedness. These reports further highlighted where changes may be necessary to improve the preparedness of British Columbians in relation to the possible occurrence of a catastrophic event.

Finally, the Premier's July 30, 2015 mandate letter to Minister Yamamoto directs the Minister to lead a review of the Act to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia and reporting back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016. This consultation is intended as a key step in achieving a review as envisioned in the mandate letter by engaging stakeholders in a discussion about what improvements if any may be needed to ensure the Act is up to date and effective.

## SCOPE OF REVIEW

This engagement identifies 3 main challenges in the Act and broken out into the following discussion areas:

- A. Modernizing fundamental concepts and structure of the Act**
- B. Clarifying roles and responsibilities**
- C. Supporting emergency response and recovery**

The list of challenges and examples presented for discussion and consideration are focussed on the Act and not the regulations. However, this does not preclude comments and input on any of the regulations as potential changes to the Act could also have implications for matters set out under the regulations.

Finally, the discussions presented here are not intended to be an exhaustive list. It is hoped that the items raised here will generate thought and discussion that will result in a broad range of items for government to consider.

## OVERVIEW OF REVIEW PROCESS

Minister Yamamoto sent letters to key stakeholders on the release date of this engagement to invite them to provide submissions on the challenges and proposals outlined herein. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who received invitations may be posted to Emergency Management BC's website. A list of these stakeholders is also provided on the website.

Other interested stakeholders, including members of the public, may also make submissions.

Any submissions received from individuals or organizations who did not receive invitation letters from Minister Yamamoto will also be reviewed and incorporated into the review process; these submissions will be collected via the EMBC website forum.

Submissions will be received up to Feb. 19, 2016, at 4 p.m. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.



## Challenges and Proposals

### Discussion Area A:

#### Modernizing fundamental concepts and structure of the Act

##### Discussion 1:

##### The phases of emergency management

###### Background:

Emergency management is a universal term for the systems and processes used for preventing or reducing the impacts of disasters on communities. Emergency management is conceptualized in four phases: prevention/mitigation, preparedness, response and recovery.

This phased approach is an internationally recognized standard for defining and understanding different aspects of emergency management and is integral to the systems and processes in BC that local authorities and government use to minimize vulnerability to hazards and for coping with disasters. For example, over the last two decades local authority and government emergency plans, which are a central feature of the *Emergency Program Act*, have come to be understood as plans related to preparedness for, prevention and mitigation of, response to and recovery from an emergency and its effects.

###### Challenge in the current legislative framework:

While the *Emergency Program Act* references aspects of the phased approach to emergency management, it is important that the terms prevention, preparedness, response and recovery are used consistently throughout the legislation. Consideration should be given to structuring the Act

to reflect the distinct subject matter of the phases whereby separate parts are established for each phase, with powers and duties for local authorities and the provincial government set out in each part.

The Act's current name should also better reflect the emergency management focus of the act. The current name reflects the role of the Provincial Emergency Program, which has been superseded by Emergency Management BC. See Discussion Area B, Discussion 4. As well, "emergency program" is not defined and, while the term "program" is used in numerous sections in the Act, it may be unclear in some sections as to what this term means in relation to the phases of emergency management.

A further consideration is the definition of "local authority emergency plan" and "provincial emergency plan". These definitions do not currently emphasize that emergency planning involves all phases of emergency management.

###### Relevant sections in the legislation:

- ▶ Title of the Act
- ▶ Part 1—Definitions and Application
- ▶ Part 2—Administration
- ▶ Part 3—Emergencies, Disasters and Declared Emergencies

**Proposal:**

Consideration should be given to the following potential changes to the Act:

1. Renaming it the *Emergency Management Act*.
2. Restructuring the Act so that it contains parts reflecting the phases of emergency management (i.e. a part dedicated to preparedness, a part dedicated to response etc.)
3. Removing the term “emergency program” and references to “program” or “programs” throughout.
4. Defining an “emergency plan” as a plan under the Act to prepare for, prevent, mitigate against, respond to and recover from an emergency and its effects.

**Discussion 2:  
Definition of “emergency”****Background:**

A definition of an “emergency” is essential to emergency management legislation. In the *Emergency Program Act*, the term “emergency” gives meaning to other important concepts such as emergency plans, emergency programs, emergency measures, and states of emergency.

The current definition of emergency in the Act provides that it is a “present or imminent event or circumstance that is caused by accident, fire, explosion, technical failure or the forces of nature ...”. A “disaster”, on the other hand, is a subset of an emergency. The Act defines a disaster as a calamity that is caused by accident, fire, explosion or technical failure or by the forces of nature and has resulted in serious harm to people or widespread damage to property.

**Challenge in the current  
legislative framework:**

BC’s legislation limits the definition of an emergency to a specific set of causes, which raises a question as to whether some events or circumstances may fall outside the scope of the Act. Similar legislation in other provincial jurisdictions generally uses broader language that puts an emphasis on defining an emergency based on what could or does result from an event, situation, or condition. Many other jurisdictions have also included damage to the environment in the definition of emergency.

**Relevant sections in the legislation:**

- ▶ Section 1 of the *Emergency Program Act*

## Proposal:

1. Consider removing the potential causes in the definition of 'emergency' and clarify that an emergency includes a disaster. The following definitions from other Canadian jurisdictions may be a helpful guide in revising the definition of 'emergency' in BC:
  - Manitoba's *Emergency Measures Act* defines 'emergency' as follows:

*"a present or imminent situation or condition that requires prompt action to prevent or limit (a) the loss of life; or (b) harm or damage to the safety, health or welfare of people; or (c) damage to property or the environment"*
  - Alberta's *Emergency Management Act* defines 'emergency' as follows:

*"an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property"*
  - Ontario's *Emergency Management and Civil Protection Act* defines emergency as follows:

*"a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise"*
2. Consider including damage to the environment in the definition of emergency.

## Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:  
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>
- ▶ Alberta's *Emergency Management Act*:  
<http://www.qp.alberta.ca/documents/Acts/Eo6P8.pdf>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:  
<http://www.ontario.ca/laws/statute/90e09>
- ▶ Nova Scotia's *Emergency Management Act*:  
<http://nslegislature.ca/legc/>

## Discussion 3: Definition of “local authority”

### Background:

Four treaties have been ratified to date under the BC Treaty Process with the Maa-Nulth First Nations, Tsawwassen First Nation, Tla’amin Nation, and Yale First Nation. In addition, a treaty was implemented outside of the treaty process with the Nisga’a in 2000.

All of the modern treaties implemented or ratified provide that Treaty First Nations and the Nisga’a Lisims Government have the “rights, powers, duties and obligations of a local authority under federal and provincial law in respect of emergency preparedness and emergency measures” on Treaty Lands. This includes specific law making authority in relation to emergency preparedness and emergency measures, as well as authority to declare a state of local emergency and exercise the powers of a local authority in accordance with federal and provincial laws in respect of emergency measures.

### Challenge in the current legislative framework:

The *Emergency Program Act* defines a ‘local authority’ as one of the following:

- ▶ A municipality
- ▶ Regional district
- ▶ National park subject to an agreement between the province and the government of Canada

The definition does not currently include Treaty First Nations or the Nisga’a Lisims Government. As the Treaty First Nations have the status of local authorities for the purposes of the *Emergency Program Act*, consideration needs to be given to modernizing the definition of ‘local authority’ in the Act to ensure proper alignment with the provisions

of the treaties. This change will further reinforce the continued coordination of activities and shared responsibilities between the provincial government, Treaty First Nation governments, local governments, and other institutions to work together to mitigate, prepare for, respond to and recover from disasters.

### Relevant sections in the legislation:

- ▶ Sections 1, 5, 6, 8, 10, 12, 13, 14, 15, 18, 19 of the *Emergency Program Act*
- ▶ Local Authority Emergency Management Regulation
- ▶ Compensation and Disaster Financial Assistance Regulation

### Proposal:

1. Consider changing the definition of ‘local authority’ to include Treaty First Nations, including the Nisga’a Lisims Government.
  - Consider the impact of this proposal in relation to all provisions in the Act that are applied to local authorities.
  - This proposal is subject to provincial government consultation with the Treaty First Nations and the Nisga’a Lisims Government in accordance with treaty obligations.

### Additional information for consideration:

BC Treaties:

- ▶ Under the BC Treaty Process:  
<http://www.bctreaty.net/files/treaties-and-agreements-in-principle.php>
- ▶ Nisga’a Final Agreement:  
<http://www.nnkn.ca/files/u28/nis-eng.pdf>

## Discussion Area B: Clarifying roles and responsibilities

### Discussion 4: Emergency Management BC

#### Background:

Emergency management requires cross-agency, cross-government and inter-jurisdictional coordination and integration to ensure effective delivery of emergency management services.

Emergency Management British Columbia (EMBC) was established in 2006 to take on the responsibilities of its predecessor, the Provincial Emergency Program (PEP), and to take on the role as the lead coordinating agency in the provincial government for all emergency management activities.

EMBC provides executive coordination, strategic planning, and multi-agency facilitation and strives to develop effective working relationships in an increasingly complex emergency management environment. EMBC works with local governments, First Nations, federal departments, industry, non-government organizations and volunteers to support the emergency management phases of mitigation/ prevention, preparedness, response and recovery. Additionally, EMBC engages provincial, national and international partners to enhance collective emergency preparedness.

Challenge in the current legislative framework:

The *Emergency Program Act* does not currently reference Emergency Management BC. Instead, the Act continues to reference the Provincial Emergency Program.

#### Relevant sections in the legislation:

- ▶ Section 2 of the *Emergency Program Act*
- ▶ Section 2 of the *Emergency Program Management Regulation*

#### Proposal:

1. Establish Emergency Management BC in legislation and remove references to the Provincial Emergency Program.
2. Clarify the responsibilities of the director of EMBC to include the following:
  - Lead the coordination of all provincial government emergency management activities,
  - Provide advice and assistance to other authorities—provincial and local authorities—in their emergency management responsibilities,
  - Establish and maintain a provincial emergency management system to standardize provincial emergency response activities, and
  - Reduce risk by promoting and supporting emergency preparedness, prevention and mitigation, response and recovery initiatives.

#### Additional information for consideration:

- ▶ EMBC website:  
<http://www.embc.gov.bc.ca/index.htm>
- ▶ EMBC's strategic plan:  
<http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/embc-strategic-plan.pdf>

## Discussion 5: Assigning provincial emergency planning, response, and recovery responsibilities

### Background:

Under section 4(1) of the *Emergency Program Act*, the Minister responsible for the Act is required to prepare provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters.

The Act also provides authority under section 28(2) (a) for the Lieutenant Governor in Council (LGIC) to assign responsibilities to ministries, boards, commissions or government corporations or agencies for the preparation and implementation of emergency plans, including arrangements to deal with emergencies and disasters.

The Emergency Program Management Regulation contains requirements for ministers and government corporations to develop emergency plans. The responsibility for ministers to make provincial emergency plans for specific hazards is assigned in Schedule 1 of the Regulation. Schedule 2 of the regulation sets out duties of ministers and government corporations in the event of an emergency.

### Challenge in the current legislative framework:

The Ministerial responsibility under the Act for preparing provincial emergency plans and the LGIC authority to assign responsibility for provincial emergency plans requires clarification. The Minister responsible for the Act does not prepare all provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters. This responsibility is distributed across government ministries and agencies, a process that

is more accurately reflected in schedule 1 of the EPM Regulation.

However, the feasibility of assigning emergency planning and other duties by way of regulation is questionable. Emergency management practices have evolved considerably over the last two decades and will continue to do so. The process of updating and changing provincial emergency responsibilities through amendments to a regulation can be cumbersome and not well suited to responding to changes in the dynamic emergency management environment.

A further matter in the context of provincial emergency management responsibilities is the extent to which the legislative framework should capture public organizations such as school boards and health authorities, which do not fall under the definition of Government Corporation. Henry Renteria acknowledged concerns of many stakeholders respecting emergency management plans and capacities across specific sectors (p. 19). While other public bodies with various degrees of independence from government engage with government ministries in emergency planning processes, the question of government's responsibility to ensure coordination of planning, response and recovery duties when and where necessary should be considered.

### Relevant sections in the legislation:

- ▶ Sections 4 and 28 of the *Emergency Program Act*
- ▶ See the *Emergency Program Management Regulation*

**Proposal:**

- 1.** Consider removing the current scheme from the Act whereby the Lieutenant Governor in Council (LGIC) assigns emergency planning, response and recovery duties by regulation and provide for the following in the Act:
  - An authority for the minister responsible for the Act to require other ministers, after consulting with them, to prepare emergency plans in relation to specified hazards.
  - An authority for the Minister responsible for the Act to require, after consultation, that a minister, government corporation, or other prescribed public bodies prepare emergency plans in relation to carrying out specific emergency response and recovery duties.
- 2.** In order to support the proposed changes outlined above, other amendments would be required, including the following:
  - Define 'hazard' as something that may cause, or contribute substantially to the cause of, an emergency.
  - Move the existing requirements in section 3 of the Emergency Program Management Regulation respecting emergency planning to the Act.
  - Provide an LGIC regulation creating the authority to prescribe public bodies for the purposes of the Act.

**Additional information for consideration:**

- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:  
[http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria\\_eq\\_consultation\\_report\\_2014.pdf](http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf)

## Discussion 6: Ministerial authority to direct emergency planning

### Background:

Effective emergency planning is essential to emergency management. In B.C., local governments lead the initial response to emergencies and disasters in their communities and, as required under the Act, they prepare emergency plans and maintain an emergency management organization to ensure the safety of citizens when a situation escalates beyond the first responder level.

Under section 4(2)(f) of the Act, the Minister has the authority to review and recommend changes to a local emergency plan. Currently, Emergency Management BC works with its partners in local governments to provide advice and guidance on the development of local emergency plans.

### Challenge in the current legislative framework:

While the Minister has authority under the Act to review and recommend changes to a local emergency plan, the minister does not have authority to require that a local authority make changes to their plans in situations where a cooperative approach has not been productive to address a significant issue with a plan.

Most other jurisdictions in Canada provide the Minister responsible with authority to review and, if necessary, require changes to emergency plans. Manitoba has a clear and comprehensive scheme

under section 8 of that province's Act for the Minister to require revisions to local authority emergency plans as well as those across the provincial government. Ontario's Act provides authority for the Minister to set standards for plans under section 14 of that province's Act. Section 9 of Alberta's Act provides that the Minister responsible may "review and approve or require the modification of provincial and emergency plans and programs".

Henry Renteria referenced the expectation many stakeholders in British Columbia have with respect to provincial government leadership in setting standards respecting emergency plans and programs. Specifically, he stated that Emergency Management BC must "provide more clarity regarding the expectations of local authorities in the area of emergency management" in support of his recommendation that EMBC's authority be augmented to set minimum standards for emergency management programs.

### Relevant sections in the legislation:

- ▶ Section 4 of the *Emergency Program Act*



### Proposal:

1. Consider the addition of authority to provide that the Minister responsible for the Act may make an order requiring a local authority to change its local emergency plan where the minister has reviewed the plan and recommended modifications.
  - The authority should only be available to the Minister after the Minister has recommended modifications to an emergency plan and this authority should parallel the authority of the Minister to require revisions/changes to provincial emergency plans established by other ministries, government corporations and other agencies.

### Additional information for consideration:

- ▶ Alberta's *Emergency Management Act*:  
<http://www.qp.alberta.ca/documents/Acts/Eo6P8.pdf>
- ▶ Manitoba's *Emergency Measures Act*:  
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:  
<http://www.ontario.ca/laws/statute/goeo9>
- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:  
[http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria\\_eq\\_consultation\\_report\\_2014.pdf](http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf)

### Discussion 7:

#### Private sector and non-government agencies

### Background:

It is vital that critical infrastructure function through an emergency—a community's ability to respond and recover from a disaster requires restoration of and access to water, food, electricity, communications and other critical infrastructure.

In his 2014 *British Columbia Earthquake Preparedness: Consultation Report*, Henry Renteria wrote that entities such as private sector organizations and NGOs have a responsibility to those that depend on their services, particularly those organizations that provide critical goods and services, which, if disrupted or destroyed, would have a serious impact on the health, safety, security or economic well-being of citizens.

While Renteria's report acknowledges the efforts to date of Emergency Management BC to work with critical infrastructure (CI) partners through the establishment of a cross sector CI Steering Committee, he recommended the following key action to enhance the engagement of private sector and non-government organizations in emergency management as well support province-wide risk analysis:

*"As a backdrop to voluntary engagement, the provincial and federal government must mandate appropriate private sector preparedness, including sharing of CI information and engagement in joint planning with emergency management organizations"* (p. 28).

Private sector and non-governmental emergency management responsibilities is an emergent topic in other provincial jurisdictions. For example, in 2013, Manitoba introduced changes to its *Emergency Measures Act* to require private sector critical service

providers to prepare business continuity plans, as well as authority for the minister responsible to order these providers to take required measures during a state of emergency, including the implementation of any part of a business continuity plan.

### Challenge in the current legislative framework:

In BC, the *Emergency Program Act* provides some specific powers during a state of emergency to local authorities and government in relation to the restoration of essential facilities and the distribution of essential supplies.

However, the Act does not set out responsibilities of private sector and non-government organizations respecting planning for and the prevention/mitigation of emergencies, nor any requirements for owners of critical infrastructure assets to provide information about their assets or their emergency plans regarding those assets.

### Relevant sections in the legislation:

- ▶ Sections 5, 10 and 13 of the *Emergency Program Act*

### Proposal:

1. Consider changes to the *Emergency Program Act* similar to Manitoba's to define "critical services" and require providers of these services to undertake business continuity planning as prescribed by regulation.
  - Manitoba's Act requires that critical service providers submit business continuity plans to the co-ordinator of the province's Emergency Measures Organization for review and approval.

2. Consider an authority to require owners of critical infrastructure assets to provide information about these assets as prescribed by regulation for the purposes of supporting efficient and effective emergency planning, prevention/mitigation, response and recovery.
  - Any change to the legislation in this regard would need to be supported by a definition of "critical infrastructure assets"; outline how such information would be provided; and provide for the confidentiality of the information.
  - Henry Renteria referred to "critical infrastructure" as "those physical and information technology facilities, networks, services and assets, which, if disrupted or destroyed, would have a serious impact on the health, safety, security, or economic well-being of Canadians or the effective functioning of governments in Canada" (p. 26).

### Additional information for consideration:

- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:  
[http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/reneria\\_eq\\_consultation\\_report\\_2014.pdf](http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/reneria_eq_consultation_report_2014.pdf)
- ▶ Manitoba's *Emergency Measures Act*:  
<http://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>

## Discussion Area C: Supporting emergency response and recovery

### Discussion 8: Shared responsibility for emergency response

#### Background:

The *Emergency Program Act* provides that local authorities and the provincial government are to prepare emergency plans and implement them when “an emergency exists or appears imminent or a disaster has occurred or threatens.”

Section 7 of the Act provides that the Minister or designated person in a provincial emergency plan may cause the plan to be implemented if, in the opinion of the Minister or the designated person, an emergency exists or appears imminent. Section 8 provides that a local authority or a person designated in the local authority’s local emergency plan may cause the plan to be implemented if, in the opinion of the local authority or the designated person, an emergency exists or appears to exist.

The *Emergency Program Management Regulation* sets out that provincial emergency plans may include plans and procedures to assist local authorities with response and recovery from emergencies that “are of such magnitude that the local authorities are incapable of effectively responding to and recovering from them.”

#### Challenge in the current legislative framework:

A key aspect of emergency management is the sharing of responsibilities between local authorities and the province. In general, provincial government policy is that a local authority is responsible for planning for and responding to any emergency in its jurisdictional area with local resources and resources available to them through mutual aid/assistance agreements. This approach acknowledges that a

local authority’s knowledge about its community—its people, history, risks, vulnerabilities, operational requirements and services—is critical to planning for, responding to and recovering from emergencies.

The province provides advice and support to the local authority responding to an emergency. Where the scope of an emergency exceeds a local authority’s resources, the province coordinates the provision of provincial resources to assist the local authority. In some cases, the provincial government has statutory obligations with respect to emergencies. For example, when it comes to wildfires under the *Wildfire Act* that do not affect developed areas, the provincial government responds, not local authorities.

While this ‘shared responsibility’ framework to emergency response is generally understood and accepted by stakeholders, it is not reflected in the Act. One consequence of this, in combination with the current scheme in the legislative framework for assigning provincial emergency responsibilities, is that from time to time confusion may result as to whether a local authority or the province should be implementing emergency plans in certain circumstances. Such confusion can undermine the coordinated and collaborative approaches essential for effective emergency management.

#### Relevant sections in the legislation:

- ▶ Sections 7 and 8 of the *Emergency Program Act*
- ▶ Section 3 of the *Emergency Program Management Regulation*

**Proposal:**

- 1.** Consider the addition of provisions in the Act that set out the following in respect of local authorities:
  - Establish that a local authority is responsible for:
    - Assessing the threat to health, safety, or welfare of people or damage to property and the environment posed by an emergency;
    - Assessing the resources required to respond to and recover from the emergency; and
    - Implementing its local emergency plan and using local authority resources to respond to and recover from the emergency.
  - Provide that a local authority may implement one or more provisions of its local emergency plan in relation to responding to and recovering from an emergency if:
    - If the local authority is of the opinion that an emergency exists or is imminent in the local authority's jurisdictional area; the local authority has declared a state of emergency; or a provincial state of emergency has been declared.
- 2.** Consider the addition of provisions in the Act that set out the following in respect of the provincial government:
  - A Minister (or designate) is responsible for implementing one or more provisions of the Minister's provincial emergency plan to provide provincial assistance and support to a local authority's response to and recovery from an emergency if the following occur:
    - The scale of the emergency exceeds the response and recovery resources of the local authority and/or
    - The Minister is required under provincial law to provide provincial resources for emergency response and recovery.
  - Emergency Management BC is responsible for:
    - Communicating with a local authority in relation to an emergency within the jurisdictional area of the local authority, which includes:
      - Monitoring the needs of a local authority in responding to and recovering from emergencies;
      - Providing advice when necessary to local authorities responding to and recovering from emergencies; and
      - Communicating and providing advice when necessary to a Minister in relation to an emergency in the jurisdictional area of a local authority.

## Discussion 9: State of emergency

### Background:

The *Emergency Program Act* authorizes both local authorities and the province to declare a state of emergency. Once a state of emergency is declared, the level of government making the declaration may do “all acts and implement all procedures” that it considers necessary to prevent, respond to or alleviate the effects of an emergency or disaster, including one or more of the following:

- ▶ Acquire or use any land or personal property considered necessary;
- ▶ Authorize or require any person to render assistance of type the person is qualified to provide or that otherwise is or may be required;
- ▶ Authorize the entry into any building or on any land, without warrant;
- ▶ Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary; and
- ▶ Procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies, or other essential supplies.

### Challenge in the current legislative framework:

The authority for a local government or the province to undertake “all acts and implement all procedures” it considers necessary to address an emergency or disaster is a very broad and sweeping power. While legislation in most other Canadian jurisdictions provides a similar approach to the declaration of emergencies and the exercise of emergency powers as BC’s Act, Ontario’s Emergency Management and Civil Protection Act notably establishes criteria to guide when a state of emergency should be

declared, as well as criteria for the making of orders during declared emergencies.

The emergency powers in the *Emergency Program Act* are generally consistent with those powers provided in similar legislation in other Canadian jurisdictions; however, some jurisdictions have recently included additional powers. Ontario’s legislation provides authority to require a person to collect, use or disclose information and this authority is contingent on the information collected only being used for the purpose of preventing, responding to or alleviating the effects of an emergency. Other BC legislation aimed at addressing specific emergency situations, such as the Public Health Act, also contains a similar general emergency power to collect, use and disclose information.

### Relevant sections in the legislation:

- ▶ Sections, 9 to 15 of the *Emergency Program Act*

### Proposal:

1. Consider the addition of criteria or a test to guide local authorities or the provincial government in the declaration of a state of emergency and the making of orders during a declared emergency.
  - For example, criteria could include that a head of a local authority or the Minister responsible for the Act must believe that the declaration of a state of emergency is required because the use of one or more emergency powers under the Act is necessary and essential to protect the health, safety or welfare of persons or to limit damage to property.

2. Consider the addition of emergency powers not currently provided under section 10 of the *Emergency Program Act*. Some additional emergency powers that should be considered are as follows:
- Authority to collect, use or disclose information during a state of emergency that could not otherwise be collected, used or disclosed under any enactment.
    - Consideration must be given to including limits on any additional power respecting the collection, use and disclosure of information during an emergency. For example, in Ontario the information must only be collected, used or disclosed for the purpose of preventing, responding to or alleviating the effects of an emergency and for no other purpose.
  - Authority to fast track the accreditation of medical or other essential personnel from other Canadian jurisdictions who may arrive to provide assistance during a state of emergency.
  - A further potential emergency power to be considered is the authority for a local authority or the province to vary a licence, permit or other authorization the local authority or province, as applicable, has issued under an enactment.

**Additional information for consideration:**

- ▶ Ontario's *Emergency Management and Civil Protection Act*: <http://www.ontario.ca/laws/statute/90e09>
- ▶ BC's *Public Health Act*: [http://www.bclaws.ca/civix/document/id/complete/statreg/08028\\_01](http://www.bclaws.ca/civix/document/id/complete/statreg/08028_01)

**Discussion 10:  
Evacuation orders****Background:**

The current Act provides authority for local authorities or the government to declare a state of emergency. A 'state of emergency', once declared, authorizes the local or authority or the Minister to undertake acts and procedures to prevent, respond to or alleviate the effects of an emergency or a disaster, which includes ordering the evacuation of persons from an area that may be affected by the emergency or disaster.

**Challenge in the current legislative framework:**

While the Act provides authority for local governments or the Minister to make an evacuation order and "cause the evacuation" of people from an affected area, it says little of anything about how such an order is to be understood and carried out to ensure people are out of harm's way. There is currently no authority under the Act or in other legislation to compel competent adults to leave their private property after an evacuation order is made—emergency responders warn people of the imminent risks of remaining in an area subject to evacuation, but ultimately rely on people to voluntarily evacuate.

While leaving one's property in a very short period of time leading up to or following an emergency or disaster is extremely difficult to do, it is important to understand that an individual's decision not to heed an evacuation order can have serious implications not only for themselves, but also other people in the affected area. There have been numerous instances in Canadian jurisdictions and elsewhere where persons who refuse to evacuate require subsequent rescue, creating additional and unnecessary risk to themselves and emergency response personnel,

who are extremely burdened in times of crisis providing round-the-clock assistance to ensure the safety of the public.

The issue of enforcing evacuation orders has emerged as a recent topic of discussion in numerous Canadian jurisdictions. Manitoba became the first jurisdiction in Canada to address the issue in legislation, with amendments to its *Emergency Measures Act* in 2013. The changes provide authority to the police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety, as well as an ability to recover the costs of relocating the person.

As evacuation orders are rare and, when they do occur, are followed by the vast majority of people in an affected area, changes such as those introduced in Manitoba are intended to provide further support to voluntary evacuations by encouraging people to recognize the serious and grave nature of an evacuation order and to voluntarily comply with directions to leave their property without delay.

#### Relevant sections in the legislation:

- ▶ Sections 9, 10, 12 and 13 of the *Emergency Program Act*

#### Proposal:

1. Consider adding authority for police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety similar to sections 18.1 to 18.3 of the Manitoba *Emergency Measures Act*.
  - As part of this proposal, also consider the following supporting provisions:
    - Providing police with a right of entry and use of reasonable force to enforce an evacuation order;
    - Limiting the period of apprehension to be no longer than reasonably required to take a person to a place of safety; and
    - Authority for the province (in a state of provincial emergency) or a local authority (in a state of local emergency) to order a person who was apprehended to pay the costs incurred by police in taking the action to enforce the evacuation order.

#### Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:  
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>

## Discussion 11: Employment protection

### Background:

The *Emergency Program Act* provides authority in a state of emergency for a local authority or the provincial government to require a person to provide emergency assistance that the person is qualified to provide or may be required in order to prevent, respond to or alleviate the effects of an emergency or disaster.

The Act also provides (under section 25) that where a person is ordered to provide assistance under a state of emergency, that person's employment may not be terminated because of their being required to provide assistance.

### Challenge in the current legislative framework:

A person who is ordered to provide assistance under a state of emergency is providing a civic service similar to jury duty; however, the Act currently does not provide a similar level of employment protection.

The scope of protection under s. 25 of the Act also appears to be specifically limited to a person who has been the subject of an order requiring the person to provide assistance in a declared state of emergency and, as such, does not appear to apply to a person who acts voluntarily (i.e. not under an order) or who acts in an emergency for which no state of emergency or local emergency has been declared.

### Relevant sections in the legislation:

- ▶ Section 10(1)(e) and section 25 of the *Emergency Program Act*

### Proposal:

1. Consider whether employment protection should be limited only to the duration of a state of emergency or whether the protection should extend to cover, for example, travel to and from the emergency or a time period after an emergency if the person is still required to provide assistance.
  - A further consideration here could include situations where a person is recovering from illness or injury as a result of providing assistance during an emergency.
  - Consideration should also be given to whether volunteers or other persons who assist in responding to and recovering from an emergency or disaster are entitled to employment protection in circumstances where they have not been ordered to provide assistance.
2. Consider expanding the protection against loss of employment in section 25 of the Act to include the same protections as those provided for a person on jury duty under section 56 of the *Employment Standards Act*.
  - This would add protection for employment benefits and benefits based on seniority, as well as provide that a person who is providing assistance is deemed to be on leave and must not be terminated as a result of being required to provide assistance or because the person is absent or unable to perform employment duties while on deemed leave.

### Additional information for consideration:

- ▶ BC's *Employment Standards Act*:  
[http://www.bclaws.ca/civix/document/id/complete/statreg/96113\\_01](http://www.bclaws.ca/civix/document/id/complete/statreg/96113_01)



## Conclusion

In order to solidify and maintain cooperative and effective approaches to emergency management in British Columbia, partners across the emergency management spectrum in British Columbia and the citizens of this province must engage in thoughtful and meaningful discussions so that we are ready when challenged by known and emergent threats to public safety. This consultation and engagement is but one of many steps we are taking together to ensure we are prepared and resilient.

Submissions may be made on the contents herein on or before Feb. 19, 2016. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.

Thank you to all who took time to consider this document's contents and submit feedback.

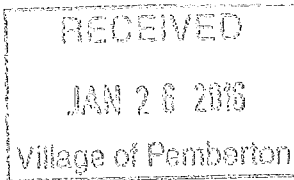


**BRITISH  
COLUMBIA**

Geoff and Brenda McLeod

Box [REDACTED] Pemberton BC V0N 2L0

T: [REDACTED] E: [REDACTED]



January 15, 2016

Village of Pemberton  
Mayor and Council  
Box 100, 7400 Prospect Street  
Pemberton BC V0N 2L0

Dear Mayor and Council:

In 1996/97 The Village of Pemberton approved a development on Village of Pemberton lands known as Pemberton Plateau. Pemberton Plateau is a satellite development of the Village of Pemberton that passes through SLRD lands. Windridge Properties Ltd., the developer, installed sewer and water infrastructure to the Pemberton Plateau development. The sewer and water infrastructure was installed along Sea to Sky highway 99 from the Village of Pemberton, along the edge of SLRD lands, to the Pemberton Plateau. SLRD landowners between the Village of Pemberton and the Pemberton Plateau satellite development were inconvenienced by the infrastructure installation past their properties (digging up driveways, laying pipe from private property for convenience of installation etc.). SLRD property owners requested connection to the water system passing by their homes. Windridge Properties Ltd. agreed to accommodate a restricted ¾" connection per residence for each SLRD residence on the highway between Harrow Road and Pemberton Plateau.

Each SLRD land owner paid one time connections fees of approximately \$3,650.00 to the Village of Pemberton to connect service at the property line. This included payment for a water meter. Each SLRD property owner was responsible for installing their own water lines from the road side connector to their homes and paid for all materials. No additional infrastructure has been needed to provide SLRD residents with water service. SLRD residents in the area between Harrow Road and Pemberton Plateau connected to existing water infrastructure installed to service Pemberton Plateau.

We have paid for metered water consumption quarterly since connection in late 1990s. I include an invoice from 2005 that notes the fee structure. Comparing our invoices with charges to residents living in the Village of Pemberton (frontage tax charges and water rates combined) we have always paid considerably more for our water than village residents.

Recently we received two invoices one after the other quite some time after the quarterly dates. We were astounded at the invoice amounts. We thought this must have been an error in calculations or meter readings. We had not received any communication or correspondence to discuss changes to our water fee structure. We asked our local government representative to investigate.

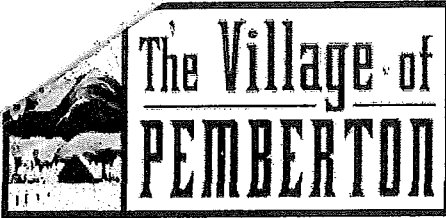
I also manage my mother, Marion Ayers, affairs. She is 97 years old. Her annual total invoices for water for 2014 was \$1052.10, which included the cost of a leak in her system. Her water invoices for 2015 for only 3 quarters is \$1,646.24. Our water invoices for 2014 (my husband and I are seniors) was \$588.62 and our invoices for 3 quarters of 2015 is \$3,388.27. From the bylaw information we are being charged twice what a water bottling company would be charged in a year.

I have spoken to your office about our concerns with regard to the changes to the volume and rates. Our family and friends living in the Village of Pemberton pay approximately \$600.00 to \$800.00 per year for water consumption. We have never objected to paying reasonable rates for the water we consume, however these rates are not reasonable. I am paying what I feel is somewhat reasonable and would ask that Mayor and council please examine the water bylaw so it is equitable and affordable for everyone including seniors.

Sincerely,

A handwritten signature in cursive script, appearing to read "B McLeod".

Brenda McLeod



PO Box 100, 7400 Prospect St.  
 Pemberton, BC V0N 2L0  
 Phone: 1-604-894-6135  
 Fax: 1-604-894-5708  
 e-mail: admin@pemberton.ca  
 website: www.pemberton.ca

## INVOICE

Geoff & Brenda McLeod  
 [REDACTED]  
 Pemberton, BC V0N 2L0

Billing Date:	16/05/05
Previous Balance:	0.00
Payments Applied:	0.00
Adjustments:	0.00
<b>Total Current Charges:</b>	<b>149.44</b>
<b>Total Due Now:</b>	<b>149.44</b>

Account #	Service Address	Service Period	Delinquent After
[REDACTED]	[REDACTED]	01/01/05 TO 31/03/05	11/06/05

**Water Meter Reading (000's)**

Present	Previous	Usage	Meter Number
0	0	?	

CURRENT CHARGES:	Amount	** A NOTE TO OUR CUSTOMERS **
Water - Outside Boundaries	149.44	*Base consumption is 300m3 per quarter (3.27m3 per day) charged at the base rate of \$149.44/quarter (\$1.64/day). This is derived from the average use of a single-family residence inside the Village of 3.27m3/day.  *Fee for Additional Consumption is the number of meters of water consumed in excess of 300m3 per quarter, charges at \$.4981/m3.
<b>Total Current Charges:</b>	<b>149.44</b>	

Account #	Service Address	Due Date	Delinquent After
[REDACTED]	[REDACTED]	16/05/05	11/06/05

Geoff & Brenda McLeod

Amount Due Now	Amount Paid
149.44	

MEMO

TO: Council

Rev. Minutes new costs

FROM: Bryan R. Kirk

Nov. 21/97

SUBJECT: VILLAGE OF PEMBERTON ESTIMATE OF FEES & CHARGES FOR EXTENSION OF WATER SERVICE OUTSIDE OF THE VILLAGE BOUNDARIES

A) Initial One-time Charges Payable on Application

Village Water Meter Cost (installed) & connection of service at property line (parts & labor incl.) (see attached) 1,450.00 X

Village Connection Fee for 3/4" residential line (as per By-Law# 232) Standard (minimum) fee as applied to all connections \$500.

Village Water Utility Infrastructure Expansion Fee (as per March 11/97 resolution of Council) Standard fee applied to all properties added to water service area \$1500. X

"As-built" deposit - refundable on receipt of satisfactory as-constructed drawings (as per By-Law# 232) Standard (minimum) deposit required for all connections \$200.

Estimated Total Initial Charges 3,650

B) Annual Fees

Annual user fees are estimated to incorporate equivalent frontage taxes assessed on all Village properties. Approximate annual fees per residence are the anticipated range for a S/F residence (3 person household), and a S/F residence with supplementary suite. (The range shown does not include any allowance for additional agricultural or industrial consumption.)

Estimated annual charges (To be billed quarterly) \$352 - \$704

RECOMMENDATION:

THAT if the Municipal Council approve the extension of the municipal water system outside of the Village boundaries the Council should direct staff to prepare the necessary by-law amendments for Councils consideration.

Moved at Mtg # 865 Dec. 2/97

RECEIPT RECORD



Village of Pemberton
PO Box 100 7400 Prospect St
Pemberton, BC V0N 2L0
Phone No. : (604)894-6135
Fax No. : (604)894-6136

--- Item ID [redacted] ---
UB Utility Billing
Account : [redacted]
Ayers Marion
[redacted]
CURRENT 74.25
OVER 90 1594.32
-----
Account Balance 1668.57
Payment -663.74
-----
New Balance 1004.83
-----
Payment Subtotal 663.74
PST 0.00
GST/HST 10698 5872 0.00
-----
Payment Total 663.74
=====
CHEQUE 663.74
NAME: BRENDA MCLEOD
CHEQUE NUMBER: [redacted]
Change 0.00

26-Jan-16 15:59:26
D: [redacted] B: [redacted]
LMCKENZIE R: [redacted]

RECEIPT RECORD



Village of Pemberton
PO Box 100 7400 Prospect St
Pemberton, BC V0N 2L0
Phone No. : (604)894-6135
Fax No. : (604)894-6136

--- Item ID [redacted] ---
UB Utility Billing
Account : [redacted]
McLeod Brenda and Geoff
[redacted]
CURRENT 53.84
OVER 90 2763.57
-----
Account Balance 2817.41
Payment -1099.74
-----
New Balance 1717.67
-----
Payment Subtotal 1099.74
PST 0.00
GST/HST 10698 5872 0.00
-----
Payment Total 1099.74
=====
CHEQUE 1099.74
NAME: BRENDA MCLEOD
CHEQUE NUMBER: [redacted]
Change 0.00

26-Jan-16
D: [redacted]
LMCKENZIE

16:00:59
B: [redacted]
R: [redacted]



January 19, 2016

Honourable Rich Coleman, Deputy Premier  
Minister of Natural Gas Development  
Minister Responsible for Housing  
P.O. Box 9486, Stn. Prov. Govt.  
Victoria, BC V8W 9W6

Dear Minister Coleman:

**RE: B.C. Building Act Implementation**

Further to North Vancouver City Council's resolution on January 18, 2016 (attached), I am writing to provide feedback and recommendations regarding the Building Act under implementation. The City of North Vancouver appreciates and supports in principle the three pillars of the new Building Act: consistency, competency and innovation. We wish to offer feedback and recommendations to assist the Province in rolling out the Act in such a way that unintended consequences are avoided.

**1. Innovative technologies and innovative urban form**

The City of North Vancouver has built a strong reputation working cooperatively with the development and construction industry to ensure flexibility and efficient service, while meeting consistently high standards and sustainability targets. The City has repeatedly won the "Most Business Friendly" Award for Municipal Excellence from NAIOP (the Commercial Real Estate Development Association) and Business in Vancouver, including the most recent award years 2015 and 2014. Part of the City's success in this regard is the City's Inspections staff's willingness to use the Alternative Solutions pathway to meet the requirements of the BC Building Code while protecting the City's high Code compliance standards. The City's record in achieving good flexibility and customer service may be difficult to continue, as the capabilities of the Alternative Solutions pathway are at risk of being limited in future as a result of the new Building Act. It may therefore be more difficult for City staff and Council to respond to innovative technologies or innovative urban forms being promoted locally by the development community. We are hopeful that the Alternative Solutions pathway will not be unduly limited by ministerial regulations and that the alternate Provincial innovation review processes will be cost-effective and time-efficient.

**2. Incenting energy efficient buildings**

The City has been a leader in climate mitigation in Canada. Action is required to reduce building emissions if we are to achieve our Provincially-mandated greenhouse gas (GHG) emissions reduction targets and help minimize the effects of climate change. The City's Zoning Bylaw currently provides a density bonus in return for achieving a higher energy standard (i.e., lower GHG emissions). This practice has been recognized by NAIOP, the Union of BC Municipalities and the BC Community Energy Association. Under the BC Building Act, the City's current bylaws that provide for enhanced energy efficiency in buildings will become invalid. To date the Province has not been willing to confirm the City's ability to continue to use the density bonusing tool, as set out in s. 904 of the Local Government Act, for enhanced energy efficiency. The City respectfully requests further clarification with regard to these LGA provisions.



### 3. Policy impacts

It appears that a number of City policies could significantly be affected by the Building Act, including but not limited to the City's Adaptable Design Policy, the Enhanced Building Security Bylaw, City urban design guidelines (e.g., our ability to accommodate grade changes related to flood prevention), Solid Waste/Recycling Guidelines, and Active Design Guidelines. As these requirements are "building-related" (which is not defined in the Act) and in bylaw form, they are at risk of being rendered invalid on December 15, 2017. Due to a shortfall of detail and communication from the Province, there is very little to assist local governments with the bylaw review that the Province is encouraging. Changing municipal bylaws, and particularly zoning bylaws, is a lengthy process with significant statutory consultation responsibilities including public hearings and media notifications. To have to potentially change bylaws twice because we do not have all the details yet would be extremely challenging. We request further detail on a clear communications path on "what happens when" with regard to implementation so that our City can chart a path forward.

### 4. Additional requests

There are a number of other City initiatives that will potentially be impacted by the Act, but we and other BC municipalities currently lack specifics on how the provisions of the Act will be applied. Additional details are needed in order for municipalities to be able to conduct bylaw reviews. In particular:

- a) The Province is creating a guide for local governments on the Building Act. However, the sections of the guide that explain how local governments will be affected by the Act and how they can apply for a variation to the requirements of the Act is still in development. The guide is not anticipated to be available until spring 2016. We request that the guide be made available sooner, or that the two-year window to change all bylaws before they become invalid be extended.
- b) It is our understanding that opt-in Provincial regulations for enhanced energy performance and enhanced sprinklering are in development but have not yet been finalized. We request that the regulations and the municipal tools be finalized now, or that the two-year window to change all bylaws before they become invalid be extended.
- c) There is a need for a clear and transparent commitment by the Province to review and update certain elements of the Building Code on a continual learning basis, or at least on a three-year cycle (e.g., energy efficiency requirements). Emerging safety concerns, technological innovation and new opportunities should also trigger general Code reviews and consideration of variances, without the cost of these reviews falling on the shoulders of local governments.

Honourable Rich Coleman  
January 19, 2016

The City of North Vancouver looks forward to working with you in the best interests of the community and industry. Our objective is to have the best possible results for business, public and industry stakeholders, and we hope to be able to continue to show leadership in working cooperatively with the development community.

Yours sincerely,



Darrell Mussatto  
Mayor

Encl.

cc: Honourable Naomi Yamamoto, MLA, North Vancouver – Lonsdale  
Chair Al Richmond, President, Union of BC Municipalities  
Greg Moore, Chair, Metro Vancouver Board of Directors  
Anne McMullin, President & CEO, Urban Development Institute – Pacific Region  
Bob De Wit, CEO, Greater Vancouver Homebuilders Association

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14<sup>th</sup> STREET, NORTH VANCOUVER, BC, ON MONDAY, JANUARY 18, 2016.**

---

**12. Effects of Bill 3, *Building Act*, on City Bylaws and Development Processes  
– File: 08-3010-01-0001/2016**

Report: Deputy Director, Community Development, January 12, 2016

Moved by Councillor Keating, seconded by Councillor Buchanan

**PURSUANT** to the report of the Deputy Director, Community Development, dated January 12, 2016, entitled “Effects of Bill 3, *Building Act*, on City Bylaws and Development Processes”:

**THAT** a letter from the Mayor, substantially in the form presented as Attachment #2 of said report, be sent to the Minister of Natural Gas Development and Minister Responsible for Housing, with copies to local MLA, Naomi Yamamoto, Urban Development Institute, Greater Vancouver Homebuilders Association, member municipalities of UBCM and Metro Vancouver.

**CARRIED UNANIMOUSLY**

# Sea to Sky Invasive Species Council

Box 845, Whistler BC V0N 1B0  
604-698-8334  
ssinvasives@gmail.com  
www.ssisc.info



Wednesday, January 27, 2016

To:  
Village of Pemberton  
c/o Sheena Fraser  
[sfraser@pemberton.ca](mailto:sfraser@pemberton.ca)

## **RE: Request for Invasive Species Management Funding for 2016**

Dear Mayor and Council,

I am writing to you to request funding for 2016 for our ongoing Invasive Species Management Program. We are very grateful for the funding you provided to us in 2015, and hope you can continue to support our work into 2016 and beyond.

Our organization, the Sea to Sky Invasive Species Council, is a charitable organization that works to minimize the threat of invasive species that impact on the environment, the economy and human health in the Sea to Sky corridor. We carry out on-the-ground inventory, control and monitoring of invasive plants; we raise awareness, educate and train the public, government agencies, and other land managers about invasive species and their impacts; we provide a conduit for information and a source of expertise on invasive species including identification, prevention and control; we aim to improve invasive plant stakeholder communication and information sharing; and we work with local governments to develop and implement policy. An overview of our programs can be viewed in the attached PDF document.

Invasive plants profoundly limit biodiversity, threatening the vital elements that support the ecological integrity of coastal ecosystems. These species negatively affect the habitat of wild animals, they can increase fire hazard and accelerate erosion, which leads to siltation. They also cause human and animal health problems, can impact buildings and infrastructure, and can reduce crop and forage quantity and quality. In Pemberton, species like Orange Hawkweed and Burdock can impact agricultural land values, and Japanese Knotweed is threatening infrastructure and property values.

Because of the cost to our environment, economy, and health, prevention of new invaders, and active management of existing invasive species is key. Choosing to act now and support programs that raise awareness about new invaders like Purple Loosestrife, and preventing the further spread of species that are already here will save communities money in the long run.

As a charitable organization, our programs are funded by a combination of contributions from our Local Government Partnership Program participants, our fee-for-service programs (training and field crew hire programs), and also through grants from government, industry and private foundations. Whilst we have been lucky in the past, we cannot rely on grants to support our work.

For this reason, we request annual funds from all local, regional and first nations governments in the corridor, as these communities directly benefit from the services we provide. The Village of Pemberton contributed \$1500 last year, which we are very grateful for, as it allowed us to carry out outreach activities such as a community weed pull, a community information session and allowed us to support the community by answering questions and providing information about invasive species and recommended management strategies. We ask that that the Village continue to support our local government partnership program in 2016.

### **Request #1:**

**We ask that the Village of Pemberton join the Resort Municipality of Whistler, the District of Squamish, the Village of Lions Bay, the Squamish-Lillooet Regional District and Squamish First Nation in providing stable annual funding for our Partnership Program, with a contribution of \$1,500 for 2016.**

This stable, yearly funding is being requested from all local governments in the region to support SSISC's coordination, education and outreach programs. Examples of the kind of services that Partnership Program participants receive include:

- support and advice to staff and residents regarding invasive species identification and recommendations for control and monitoring;
- access to Species Fact Sheets and electronic resources;
- sharing of knowledge and resources;
- maintenance of invasive species inventory and control maps;
- staff training;
- consultation services with Village of Pemberton staff for the development of disposal recommendations, bylaws, policies and/or planting lists;
- hosting a community weed pull; and
- other services mutually agreed upon.

For a relatively small investment we can provide these much needed services. The idea being, that we can achieve much more through a united collaborative effort, than if each municipality and or regional district tries to go it alone. Some of our partners think of it as cost sharing for the services and resources that their staff would otherwise have to provide.

The second way that the Village of Pemberton can support Invasive Species Management, is by participating in our fee-for service program, i.e. hiring SSISC Field Crews during the summer months to carry out inventory, control and monitoring of invasive plant infestations. We currently carry out this kind of work for a variety of partners/customers including the Squamish Lillooet Regional District, the BC Ministry of Transport, the BC Ministry of Forests Lands and Natural Resource Operations, the District of Squamish, BC Hydro, Fortis BC and many others.

Last year, invasive plant removals in Pemberton were paid for by funds from a Community Foundation of Whistler grant, and private landholders. There are 6 high priority species that occur in Pemberton in very few places (Blueweed, Common Bugloss, Scotch Broom, Japanese Knotweed, Yellow Flag Iris and Purple Loosestrife). For these species which are currently very limited in distribution, eradication is feasible, and it would be a prudent use of municipal resources to try and tackle this problem while it is relatively small. An integrated approach across both public and private lands is needed, and we hope the Village of Pemberton will consider assisting their residents by funding a portion of this program.

Our crews hire out at a rate of \$115/hr for a crew of 2, who are equipped for mechanical and chemical control of invasive plants. \$3,000 of funding would allow us to carry out control at 7 to 10 sites, depending on driving distances; site size, density and distribution of the invasive species at site; and the proposed control method.

**Request #2:**

**We ask that the Village of Pemberton join our fee-for service Field Program, and provide \$3000 of funding for Inventory, Control and Monitoring of high priority invasive plants within the VOP boundary.**

**In summary, we are requesting a total of \$4,500 of funding for Invasive Plant Management for 2016.**

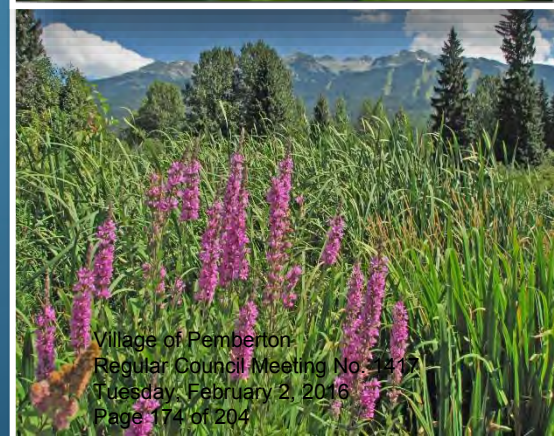
We hope you see value and merit in our work, and that you will consider the request for funding in your budget planning process. If you have any questions, please contact me anytime.

Warm regards,



Clare Greenberg (nee O'Brien)  
Executive Director  
Sea to Sky Invasive Species Council

# SSISC Invasive Species Management Programs Overview



# Who we are

- Volunteer board of Directors (6) and Advisors (20)
- 429 society members
- 7 staff



## SSISC aims to:

‘To minimise the threat of invasive species that impact on the environment, the economy and human health in the Sea to Sky corridor’



# What we do



1. Provide a conduit for information and a source of expertise

2. Raise awareness, education and training



3. On the ground inventory and control

4. Improve communication between stakeholders

5. Assist local governments to implement policy





# Where we work



Sea to Sky  
Invasive Species Council

# Native vs. invasive plants



Native: fireweed

- Form the basis of the food web & ecological integrity



- Dramatically alter natural processes

Invasive Scotch broom

# Why Care about Invasive Species?

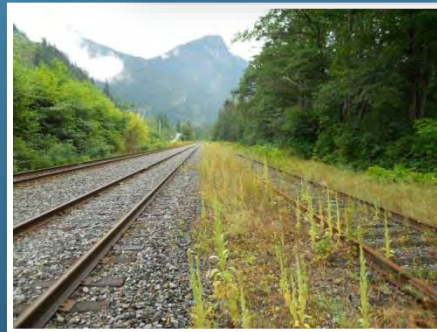
- biodiversity loss (including rare & endangered species)
- habitat loss (for wildlife, birds, fish and other organisms)
- harm to human/animal health
- Increased wildfire risk
- Increased erosion & stream sedimentation
- Significant reductions in the quality & quantity of crops
- Reduce land values

➤ *and many others.....*



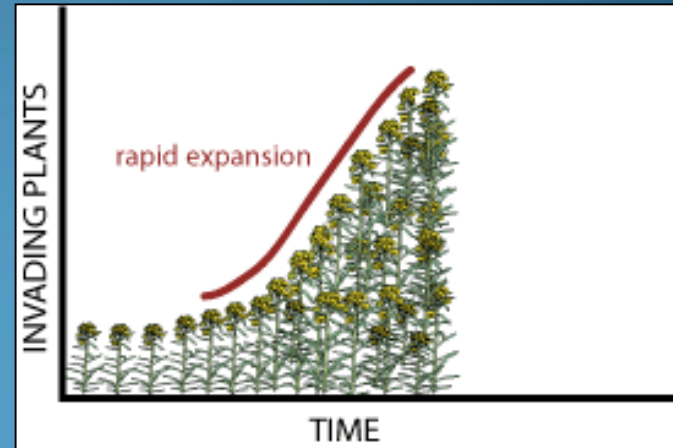
Japanese knotweed in  
Squamish Estuary

# Arrival & spread



# Risk of doing nothing is too high

- Without efforts to contain their spread, invasive plants will double every five years.
- \$35 billion annual cumulative lost revenue in Canada

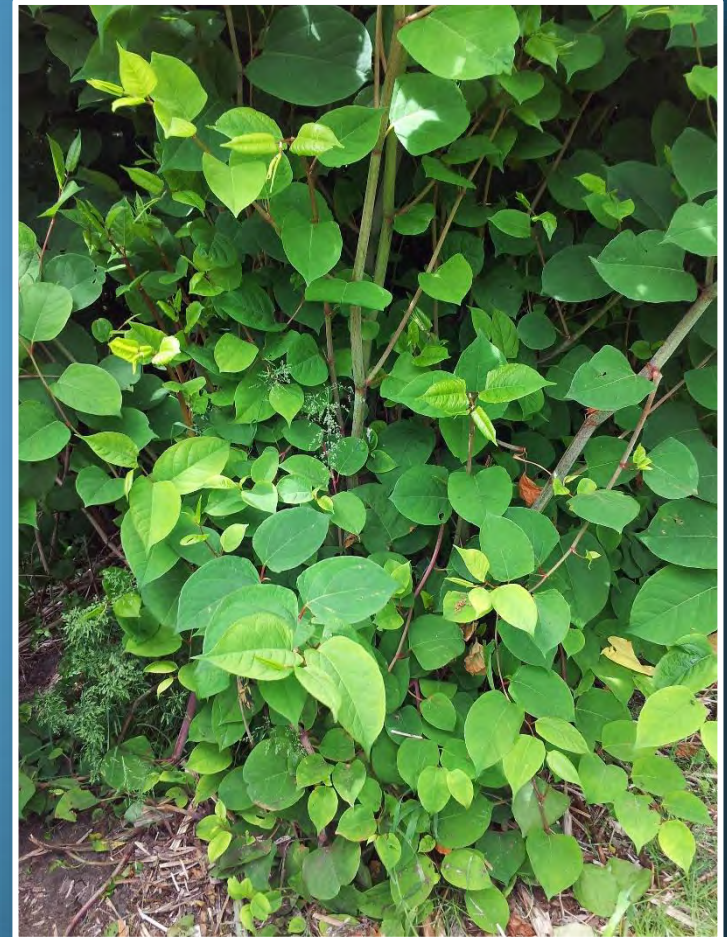




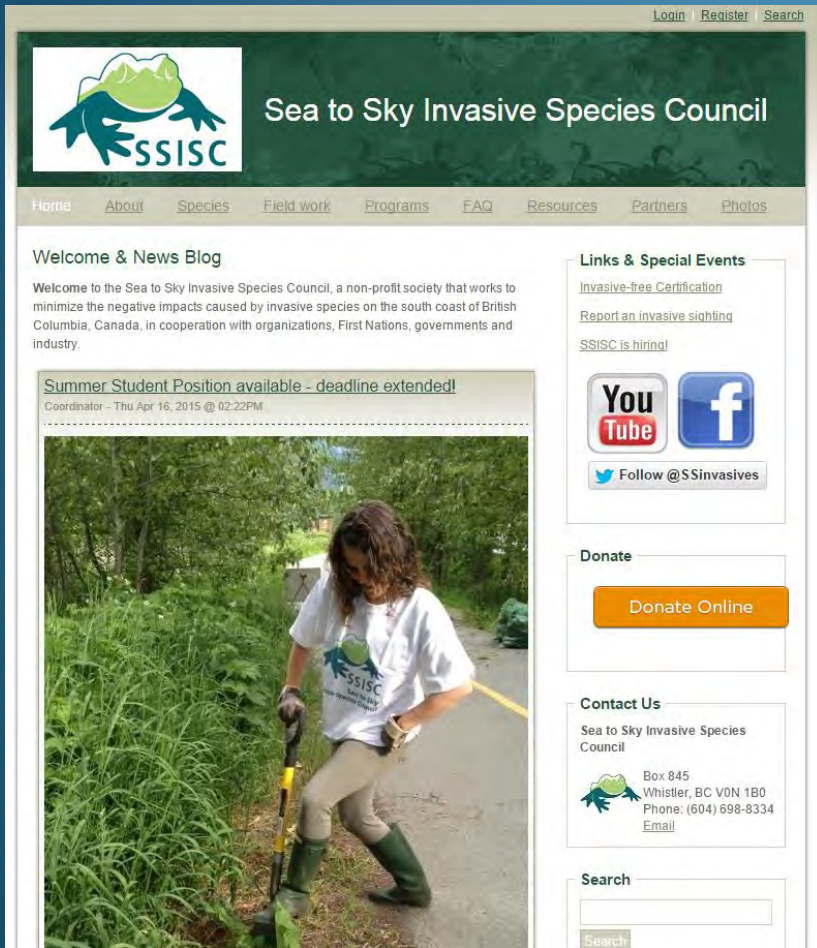
# What is SSISC doing to help?

# SSISC Partnership Program

- 2014/15
  - Education & Outreach
  - Presentations & Events
  - Resource Development & Distribution
  - Training
  - Community Information Sessions
  - Consultation
  - Sightings Database & Mapping
  - Collaboration & Coordination



# Digital Education & Outreach



The screenshot shows the homepage of the Sea to Sky Invasive Species Council (SSISC). At the top left is the SSISC logo, which features a green frog with its arms outstretched. To the right of the logo is the text "Sea to Sky Invasive Species Council". Below the header is a navigation menu with links for Home, About, Species, Field work, Programs, FAQ, Resources, Partners, and Photos. The main content area includes a "Welcome & News Blog" section with a paragraph about the council's mission. Below this is a "Summer Student Position available - deadline extended!" announcement. To the right of the main content is a "Links & Special Events" section with links for "Invasive-free Certification", "Report an invasive sighting", and "SSISC is hiring!". Below the links are social media icons for YouTube and Facebook, and a "Follow @SSinvasives" button. Further down is a "Donate" section with a "Donate Online" button. At the bottom right is a "Contact Us" section with the council's address, phone number, and email. A search bar is located at the bottom left of the page.



The screenshot shows the Facebook page for "Sea To Sky Invasives Community Organization". The page header includes the Facebook logo and navigation tabs for Page, Messages, Notifications, Insights, and Posts. The main content area features a large photo of a person working in a field of tall grasses. To the left of the photo is the SSISC logo. Below the photo is the text "Sea To Sky Invasives Community Organization". To the right of the photo are buttons for "Create Call to Action", "Share", "Hootlet", and a menu icon. Below the main content area is a "Timeline" section with tabs for About, Photos, Reviews, and More.

[www.ssisc.info](http://www.ssisc.info)





## Campaign to educate Pembertonians about the five worst weeds for farmers

### Launch event takes place on Thursday at Downtown Community Barn

ALYSSA NOEL / WHISTLER QUESTION  
AUGUST 10, 2015 06:50 PM

Email Print

Like 16

Those pretty weeds blooming on your property might look innocuous, but they could be particu Pemberton farms if they're not controlled.

The Sea to Sky Invasive Species Council (SSISC), along with the Pemberton Farmer's Institute a Potato Growers Association, are aiming to spread that message to non-farming locals with a new launch on Thursday (Aug. 13) at the Downtown Community Barn from 5 p.m. to 7 p.m.

With funding from the Community Foundation of Whistler (CFOW) secured, over the last year t the five worst weeds that affect farmers in the area and created an educational campaign to teac and remove those species from their properties before they reach nearby farms.

"A lot of people are aware of the environmental impacts, but not the agricultural impacts," said executive director of the SSISC. "This is an attempt to boost that depth of understanding and he community of Pemberton in the battle against invasive species. I think residents of Pemberton v

# News Media

NEWS » ENVIRONMENT

October 08, 2015

## Naturespeak: Dumping garden waste not as eco-friendly as you might think

By Breanne Johnson

CLICK TO ENLARGE



PHOTO SUBMITTED

**YELLOW LAMIUM** Yellow Lamium is highly invasive and small fragments easily take root when dumped into a nearby forest or over the side of a dike.

**I**t's that time of year again, and many of you with a green thumb will be looking for somewhere to dispose of your garden green waste.

Village of Pemberton  
Regular Council Meeting No. 1417  
Tuesday, February 2, 2016  
Page 185 of 204

# Outreach



# Community Weed Pull



**Pemberton Community**  
**Weed Pull**

Saturday June 20th  
11:00am-1:00  
Location: Arn Canal  
Meet at:  
Covered bridge by Hwy. 99.  
Email [ssinvasives@gmail.com](mailto:ssinvasives@gmail.com) or call  
604-698-8334 for more information

**REFRESHMENTS AND SNACKS WILL BE PROVIDED.  
BRING GARDENING GLOVES IF YOU HAVE THEM.  
RAIN OR SHINE!**

PRESENTED BY:

- SSISC
- STEWARDSHIP FOUNDATION SOCIETY
- Village of PEMBERTON
- PEMBERTON OVERWEED SOCIETY
- Community Foundation of Whistler



# Resource Development & Distribution

You Can Help  
**Stop the Spread**  
of Invasive Species



Photos: Al European weevil (top left); Monarch butterfly (top right); European garden spider (middle left); Common blue butterfly (middle right); Brown weevil (bottom left); Invasive species (bottom right); Invasive species (bottom right); Invasive species (bottom right).

Toxic Invasive Plants  
in the Sea to Sky Corridor



The Sea to Sky Invasive Species Council is a non-profit society made up of volunteer members representing public and private organizations, industries and individuals. Members are committed to reducing the negative impacts caused by invasive species. For more information or to report a sighting, contact us:

604-698-8334  
ssinvasives@gmail.com  
www.ssisc.info



**Pemberton's 5 WORST WEEDS**

**Orange hawkweed #3**  
*Hieracium aurantiacum* L.

**Description**  
Flowers: Bright orange or yellow clusters, atop slender unbranched stems. Blooms from June to July.  
Leaves: Hairy leaves are arranged in a rosette. Few to no leaves found on stem.  
Seeds: June to August

**Why is it invasive?**  
Competitiveness, prolific seed production and vigorous vegetative growth leading to a drastic change in vegetation, loss in forage for stock, and loss of biodiversity. Forms dense stands that out-compete pasture and range species in natural and managed grasslands. As desirable forage plants are replaced by this somewhat unpalatable weed productivity decreases and land values drop.

**How to remove it**  
**CHEMICAL CONTROL** - Although application of herbicides can help by increasing the competitive ability of more desirable species such as grasses, legumes and other beneficial forbs, chemical control (applied by trained professionals) is especially promising on small infestations to prevent further spread.

**REPORT ALL SIGHTINGS.**  
604-698-8334  
ssinvasives@gmail.com  
**EARLY IDENTIFICATION IS KEY TO LIMITING THE SPREAD OF INVASIVE PLANTS IN BC.**

**Stop the Spread**  
SSISC.INFO  
Sea to Sky Invasive Species Council

Above ground sunrises fast and grow new plants.

Plants produce a milky juice when broken.



Version One: A Guide for Southern British Columbia



Beautiful Non-Invasive  
Plants for your Garden

March 2009

**KNOT**  
ON MY PROPERTY

A quick guide to identifying and removing Knotweed



Village of Pemberton  
Regular Council Meeting No. 1417  
Tuesday, February 2, 2016  
Page 188 of 204

# Plantwise Ambassador

grow me  
instead

NOTE: Hardiness zones, Z1-Z10, refer to the USDA Hardiness Zone System. Zone 1 (Z1) is coldest, and Zone 10 (Z10) is warmest.

The level of invasiveness will vary based on the local climate and growing conditions. To find out if these invasive plants occur in your area, call 1-888-WEEDSBC or contact your Regional Committee (www.bcinvatives.ca, listed under Partners).

BE PLANTWISE

grow me  
instead

<b>INVASIVE</b>  <b>Orange Hawkweed</b> ( <i>Achillea millefolium aurantiacum</i> )	<b>NATIVE (z3)</b>  <b>Alpine Aster</b> ( <i>Aster alpinus susp. vierhapperi</i> )	<b>EXOTIC (z6)</b>  <b>Arkwright's Campion</b> ( <i>Lycchnis x arkwrightii</i> )
---	--	--

ADDITIONAL ALTERNATIVES: (z4) Pinks and Carnations (*Dianthus* spp. and hybrids); (z5) Heart-leaved Amaranth (*Amaranthus cordifolius*); (z5) Blanket Flower (*Galatarrha aristata*)

<b>INVASIVE</b>  <b>Oxeye Daisy</b> ( <i>Leucanthemum vulgare</i> )	<b>NATIVE (z4)</b>  <b>Cutleaf Daisy</b> ( <i>Erigeron compositus</i> )	<b>EXOTIC (z4)</b>  <b>White New York Aster</b> ( <i>Aster novi-belgii</i> white selections)
---	---	--

ADDITIONAL ALTERNATIVES: (z3) White Swan Coneflower (*Echinacea purpurea* 'White Swan'); (z3) Alpine Aster (*Aster alpinus*); (z4) Beach Fleabane Daisy (*Erigeron glaucus*)

<b>INVASIVE</b>  <b>Purple Loosestrife</b> ( <i>Lythrum salicaria</i> )	<b>NATIVE (z4)</b>  <b>Hardhack</b> ( <i>Spiraea douglasii</i> )	<b>EXOTIC (z2)</b>  <b>Tall Delphinium</b> ( <i>Delphinium elatum</i> )
--	---	--

ADDITIONAL ALTERNATIVES: (z3) Blazing Star (*Liatris spicata*); (z4) Bloody Iris (*Iris sanguinea*); (z5) Spike Speedwell (*Veronica spicata*)

<b>INVASIVE</b>  <b>Russian Olive</b> ( <i>Elaeagnus angustifolia</i> )	<b>NATIVE (z2)</b>  <b>Scouler's Willow</b> ( <i>Salix scouleriana</i> )	<b>EXOTIC (z3)</b>  <b>Silver Buffaloberry</b> ( <i>Sneperneria argentea</i> )
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ADDITIONAL ALTERNATIVES: (z3) Sandbar Willow/Coyote Willow (*Salix exigua*); (z5) Pacific Crabapple (*Malus fusca*); (z5) Wolf-Willow (*Elaeagnus commutata*)

<b>INVASIVE</b>  <b>Scotch Broom</b> ( <i>Cytisus scoparius</i> )	<b>NATIVE (z3)</b>  <b>Prickly Rose</b> ( <i>Rosa californica</i> var. <i>sayi</i> )	<b>EXOTIC (z5)</b>  <b>Deciduous Yellow Azalea</b> ( <i>Rhododendron luteum</i> )
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ADDITIONAL ALTERNATIVES: (z2) Shubby Cinquefoil (*Dasiphora* (*Potentilla*) *fruticosa*); (z4) Forsythia (*Forsythia* hybrids); (z4) Japanese Kerria (*Kerria japonica* 'Preniflora')

<b>INVASIVE</b>  <b>Spurges</b> ( <i>Euphorbia esula</i> , <i>E. myrsinifolia</i> , <i>E. cyparissias</i> )	<b>NATIVE (z5)</b>  <b>Broad-leaf Stonecrop</b> ( <i>Seum spathulifolium</i> )	<b>EXOTIC (z5)</b>  <b>Yellow Ice Plant</b> ( <i>Delosperma nubigenum</i> )
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ADDITIONAL ALTERNATIVES: (z6) Red Hot Poker (*Kniphofia* spp.); (z4) Common Rockrose (*Helianthemum nummularium*); (z5) Yellow Gem Shrubby Cinquefoil (*Dasiphora fruticosa* 'Yellow Gem')

<b>INVASIVE</b>  <b>Tamarisk</b> ( <i>Tamarix chinensis</i> , <i>T. ramossissima</i> )	<b>NATIVE (z4)</b>  <b>Rocky Mountain Juniper</b> ( <i>Juniperus scopulorum</i> )	<b>EXOTIC (z2)</b>  <b>Preston Lilac</b> ( <i>Syringa x prestoniae</i> )
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ADDITIONAL ALTERNATIVES: (z5) Smoke Bush (*Cotinus coggygria*); (z4) Pacific Ninebark (*Physocarpus capitatus*); (z2) Birchleaf Spirea (*Spiraea betulifolia* subsp. *lucida*)

<b>INVASIVE</b>  <b>Toadflax</b> ( <i>Linaria vulgaris</i> , <i>L. genistifolia</i> subsp. <i>dalmatica</i> )	<b>EXOTIC (z7)</b>  <b>Mersea Yellow Penstemon</b> ( <i>Penstemon pinifolius</i> 'Mersea Yellow')	<b>EXOTIC (z9)</b>  <b>Snapdragons</b> ( <i>Antirrhinum majus</i> )
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ADDITIONAL ALTERNATIVES: (z3) Daylily (*Heemerocalis* hybrids); (z6) Torch Lily (*Kniphofia* 'Little Maid'); (z4) Yellow Beard-tongue (*Penstemon barbatus* 'Schooley's Yellow')

<b>INVASIVE</b>  <b>Yellow Flag Iris</b> ( <i>Iris pseudacorus</i> )	<b>EXOTIC (z3)</b>  <b>Western Blue Iris</b> ( <i>Iris missouriensis</i> )	<b>EXOTIC (z3)</b>  <b>Butter and Sugar Iris</b> ( <i>Iris</i> 'Butter and Sugar')
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ADDITIONAL ALTERNATIVES: (z7) Oregon Iris (*Iris tenax*); (z4) Japanese Water Iris (*Iris laevis*); (z4) Japanese Iris (*Iris ensata*)

<b>INVASIVE</b>  <b>Yellow Archangel</b> ( <i>Lamium galeobdolon</i> )	<b>NATIVE (z6)</b>  <b>Foam Flower</b> ( <i>Tiarella trifoliata</i> )	<b>EXOTIC (z3)</b>  <b>Hosta</b> ( <i>Hosta</i> spp. and hybrids)
--	---	---

ADDITIONAL ALTERNATIVES: (z5) Barrenwort (*Epimedium* spp. and hybrids); (z5) Yerba Buena (*Clinopodium douglasii*); (z4) Alumroot (*Heuchera* hybrids)

Grow Me Instead is a key component of the Plantwise program, supporting gardeners and industry in reducing the distribution of invasive plants.

This brochure provides a snapshot of the invasive plants and suggested alternatives featured in the full Grow Me Instead booklet, available online or by contacting the Invasive Species Council of BC.

Special thanks to the Horticulture Advisory Committee.

CLIP AND POST TO: 1-888-WEEDSBC

**isc**  
Invasive Species Council  
of British Columbia

PLANTWISE

1-888-WEEDSBC

P (250) 305-1003 F (250) 305-1004  
E info@bcinvatives.ca W bcinvatives.ca  
#104-197 North 2nd Ave.  
Williams Lake, BC V2G 1Z5



This Grow Me Instead Snapshot profiles 26 of BC's most unwanted horticultural plants, along with their recommended alternatives.

Village of Pemberton  
Regular Council Meeting No. 1417  
Tuesday, February 2, 2016  
Page 189 of 204





Find the videos and more information at  
[www.knotonmyproperty.com](http://www.knotonmyproperty.com)



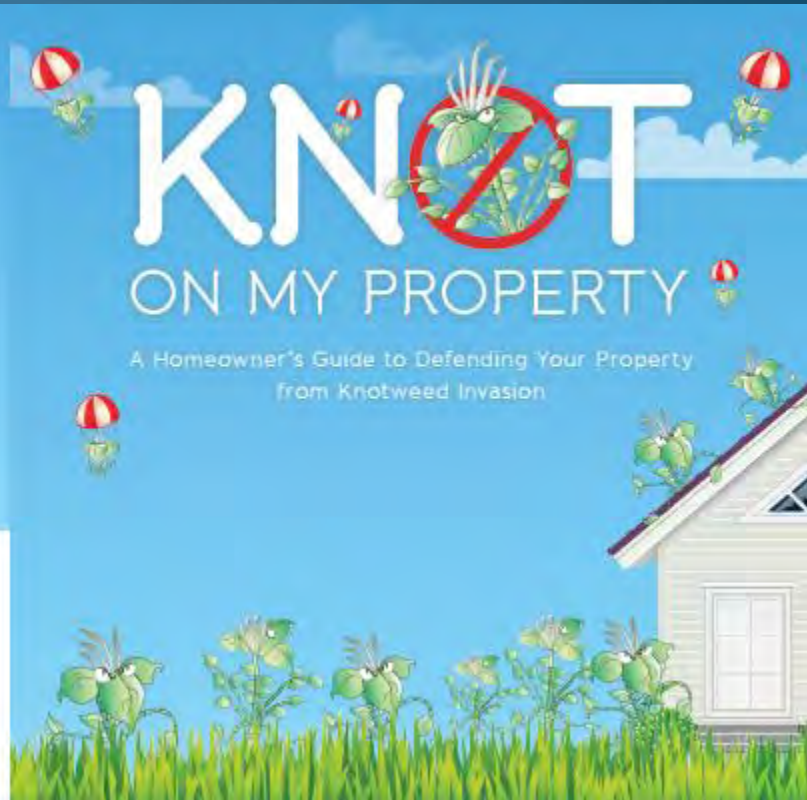
Ministry of  
Forests, Lands and  
Natural Resource Operations



# KNOT

ON MY PROPERTY

A Homeowner's Guide to Defending Your Property  
from Knotweed Invasion



# KNOT

ON MY PROPERTY

[www.knotonmyproperty.com](http://www.knotonmyproperty.com)



604-698-8334  
[ssinvasives@gmail.com](mailto:ssinvasives@gmail.com)  
[www.ssisc.info](http://www.ssisc.info)



# Training





# Pemberton 5 Worst Weeds Program



## Pemberton's 5 WORST WEEDS

#1



Canada thistle *Cirsium arvense*

**REPORT ALL SIGHTINGS.**  
604-698-8334  
ssinvasives@gmail.com  
EARLY IDENTIFICATION IS KEY TO LIMITING THE SPREAD OF INVASIVE PLANTS IN BC.

**Stop the Spread**



SSISC.INFO  
Sea to Sky Invasive Species Council



## Pemberton's 5 WORST WEEDS

#2



Common burdock *Arctium minus*

**REPORT ALL SIGHTINGS.**  
604-698-8334  
ssinvasives@gmail.com  
EARLY IDENTIFICATION IS KEY TO LIMITING THE SPREAD OF INVASIVE PLANTS IN BC.

**Stop the Spread**



SSISC.INFO  
Sea to Sky Invasive Species Council



## Pemberton's 5 WORST WEEDS

#3



Orange hawkweed *Hieracium aurantiacum* L.

**REPORT ALL SIGHTINGS.**  
604-698-8334  
ssinvasives@gmail.com  
EARLY IDENTIFICATION IS KEY TO LIMITING THE SPREAD OF INVASIVE PLANTS IN BC.

**Stop the Spread**



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Sea to Sky Invasive Species Council



## Pemberton's 5 WORST WEEDS

#4



Oxeye daisy *Leucanthemum vulgare*

**REPORT ALL SIGHTINGS.**  
604-698-8334  
ssinvasives@gmail.com  
EARLY IDENTIFICATION IS KEY TO LIMITING THE SPREAD OF INVASIVE PLANTS IN BC.

**Stop the Spread**



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Sea to Sky Invasive Species Council



## Pemberton's 5 WORST WEEDS

#5



Scentless chamomile *Matricaria perforata*

**REPORT ALL SIGHTINGS.**  
604-698-8334  
ssinvasives@gmail.com  
EARLY IDENTIFICATION IS KEY TO LIMITING THE SPREAD OF INVASIVE PLANTS IN BC.

**Stop the Spread**



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Sea to Sky Invasive Species Council

# Community Information Sessions

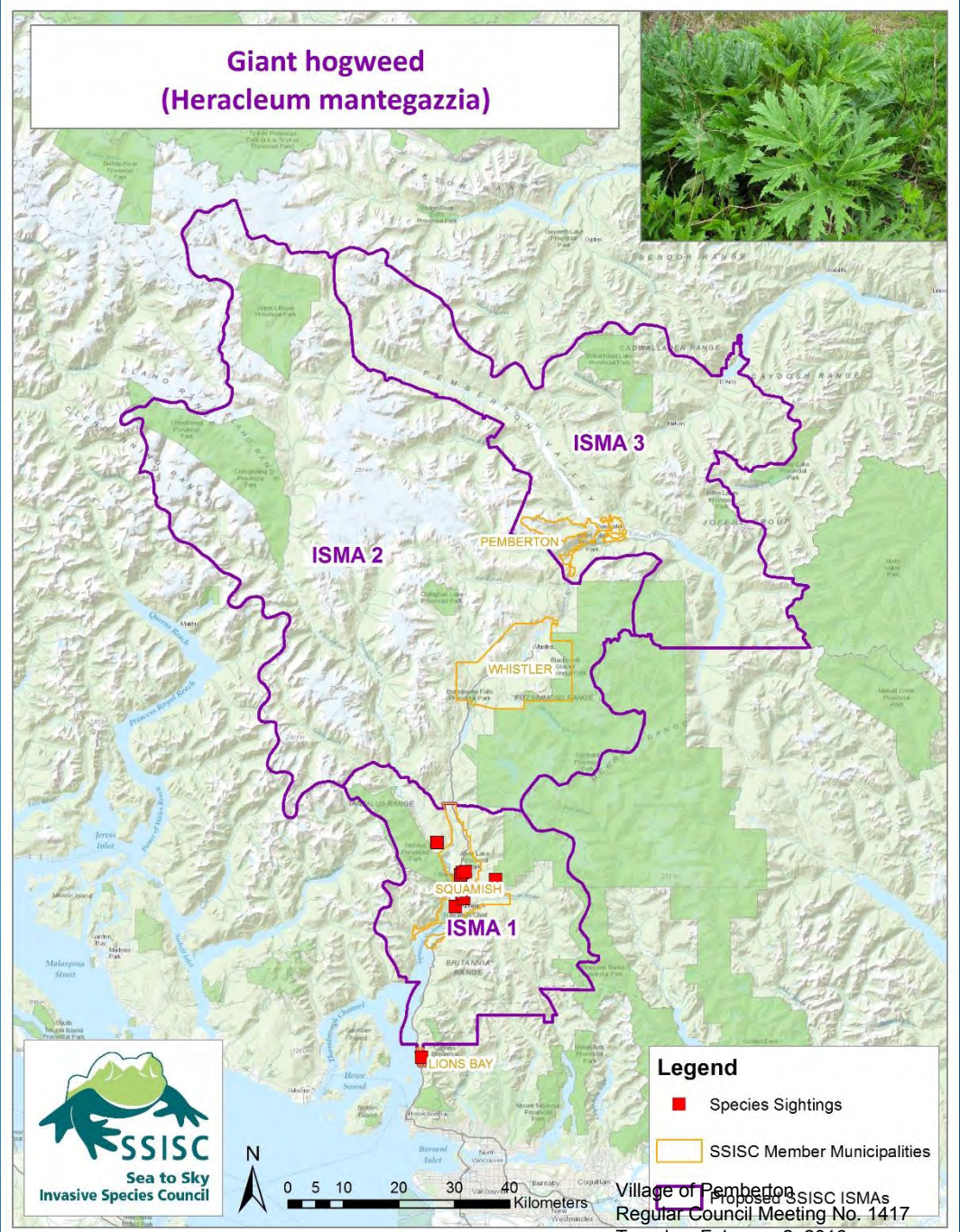


# Consultation & Information Sharing

- Provide support and advice to Partnership Program participants
  - Work with local government to implement policy
  - Support & Advice to local government staff
  - Disposal recommendations
- Provide support and advice for private landholders & residents
  - Sightings database
  - What to do
- Verification of Report-a-weed sightings



# Sightings Database & Mapping

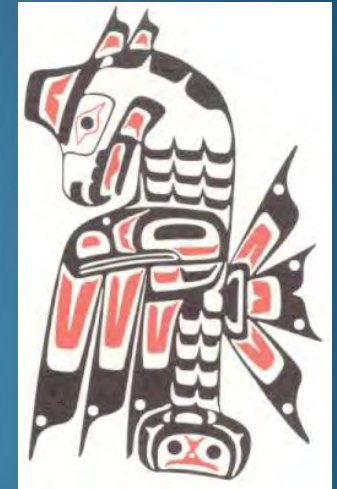
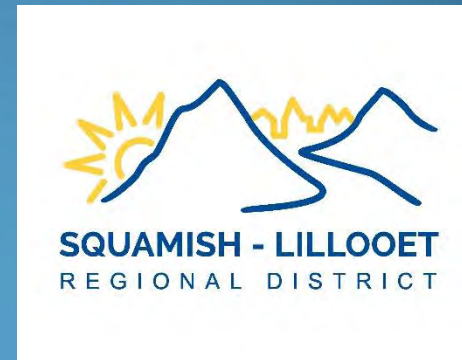


# Collaboration & Coordination

- Local & Regional Governments
- Funding Partners
- BC Regional Weed Committee Working Group
- ISCBC
- BC Inter-ministry Invasive Species Working Group



# 2015 Partnership Program Funders



Ministry of  
Forests, Lands and  
Natural Resource Operations

*Thank You!*

# Inventory, Control & Monitoring Program



Would like to thank the funders  
Of our field program



Ministry of Forests,  
Lands & Natural  
Resource Operations



Ashlu Creek Investments Limited Partnership



# High Priority Species for Control in Pemberton



Japanese Knotweed



Blueweed



Yellow-flag iris



Common Bugloss



Scotch Broom

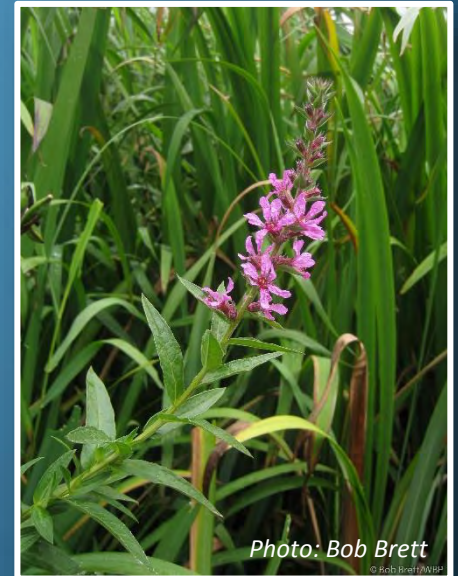


Photo: Bob Brett

© Bob Brett/WAP

Purple Loosestrife



# Contact us:



Clare Greenberg  
Executive Director  
ssinvasives@gmail.com  
604-698-8334

[www.ssisc.info](http://www.ssisc.info)

Re. Village of Pemberton Bursary  
Attn: Mayor of Pemberton and Council

Jan. 27, 2016

Dear Mayor and Council:

The time of year has come for Pemberton Secondary School to start assembling the scholarships and bursaries that will be offered to the 2016 Graduates of Pemberton Secondary School. Your organization has been very generous to our students in the past, and we are hopeful that you are again in a position to offer this much needed student support.

If you wish to offer a scholarship/bursary, we would appreciate you filling out the attached form which includes the following information:

- Donor contact information
- Dollar amount offered for scholarship/bursary
- Selection criteria
  - Grades, work ethic, community service, attitude, program for post-secondary, etc.
  - Please clearly outline criteria for recipient selection including dates award should be claimed and the method of choosing recipient
  - recipient may be chosen by donor; by Pemberton Secondary Scholarship Committee; or by donor and Pemberton Secondary Scholarship Committee together
- Presenter awarding or school representative awarding
  - Will you or a member of your organization present the award at the graduation ceremony and if so please include full name and title of individual; or would you prefer a Pemberton Secondary School staff member to present on behalf of your organization?
- Choose a method of payment
  - (Please note that to receive an official tax receipt cheques must be made out to School District 48)*
  - Cheques may be made payable to School District 48 or Pemberton Secondary School (please let us know if proof of registration is required)
  - Cheques from donors may be mailed to the recipient once proof of registration is confirmed
  - Cheques may be presented to the recipient at the Farewell Ceremonies (proof of registration not required).

Students will begin the application process for available scholarships/bursaries in the beginning of March, so a response would be appreciated by **Thursday, Feb. 26th, 2016**. Please complete and return the attached confirmation form at your earliest convenience.

**Our Farewell Ceremonies will take place on Saturday, June 11, 2016 at 10:00 am in the Pemberton Secondary School gymnasium.**

Thank you for your continuing support for students at Pemberton Secondary School. Please contact me should you require further information or have any questions.

Sincerely,

Heather Quamme, Counselor  
Tel. 604-894-6318 | Email: [hquamme@sd48.bc.ca](mailto:hquamme@sd48.bc.ca)

# STRATEGIC PRIORITIES CHART

February 2015

## CORPORATE PRIORITIES (Council/CAO)

### NOW

1. **FRIENDSHIP TRAIL BRIDGE: Application**
2. **COMMUNITY FOREST: Feasibility**
3. **BOUNDARY EXTENSION: Analysis**
4. **PVUS: Joint Governance Review**
5. **SHELF READY PROJECT: Selection**

### TIMELINE

February  
y June  
March  
June  
June

### NEXT

- CAPITAL STRATEGY
- RECREATION SERVICE DELIVERY
- ECONOMIC DEVELOPMENT STRATEGY
- SEWER FEES
- FIRE SERVICES AGREEMENT
- ONE MILE LAKE PLAN
- FIRST NATION SHARED SERVICES

### ADVOCACY / PARTNERSHIPS

- *Gas Tax Grant*
- *Friendship Trail Bridge Grant*
- *PVUS Joint Governance Review*

## OPERATIONAL STRATEGIES (CAO/Staff)

### CHIEF ADMINISTRATIVE OFFICER

1. **FRIENDSHIP TRAIL: Application - Feb.**
  2. **PVUS: Joint Governance Review - June**
  3. **BOUNDARY EXTENSION: Analysis - Mar.**
- **SHELF READY PROJECT: Selection**
  - FIRE SERVICES AGREEMENT

### FIRE

1. Fire Truck Specifications - April
  2. Fire Hall Design - June
  3. FUSS Report: Review Priorities - Mar.
- Training Ground Upgrades
  -

### CORPORATE & LEGISLATIVE SERVICES

1. **COMMUNITY FOREST: Feasibility - June**
  2. Council Procedure Bylaw - April
  3. Employee Manual - Sept.
- ECONOMIC DEVELOPMENT STRATEGY
  - Chamber Welcome Sign

### OPERATIONS

1. Reservoir - June
  2. Water Looping - Sept.
  3. I&I and Outflow inspections - May
- ONE MILE LAKE: Projects & Plan
  - Eagle Drive Remediation

### FINANCE / ADMINISTRATION

1. CAPITAL STRATEGY: Priorities - Oct.
  2. SEWER FEE: Analysis - Nov.
  3. Admin fee Bylaw Review - Sept.
- Expense Policy Review
  -

### DEVELOPMENT

1. Barn Program - April
  2. Agricultural Parks Plan - Sept.
  3. Development Procedure Bylaw - June
- Zoning Bylaw
  - OCP Review

**CODES:** **BOLD CAPITALS** = NOW Priorities; **CAPITALS** = NEXT Priorities; *Italics* = Advocacy;  
Regular Title Case = Operational Strategies

## OPEN QUESTION PERIOD POLICY

**THAT** the following guidelines for the Open Question Period held at the conclusion of the Regular Council Meetings:

- 1) The Open Question Period will commence after the adjournment of the Regular Council Meeting;
- 2) A maximum of 15 minutes for the questions from the Press and Public will be permitted, subject to curtailment at the discretion of the Chair if other business necessitates;
- 3) Only questions directly related to business discussed during the Council Meeting are allowed;
- 4) Questions may be asked of any Council Member;
- 5) Questions must be truly questions and not statements of opinions or policy by the questioner;
- 6) Not more than two (2) separate subjects per questioner will be allowed;
- 7) Questions from each member of the attending Press will be allowed preference prior to proceeding to the public;
- 8) The Chair will recognize the questioner and will direct questions to the Councillor whom he/she feels is best able to reply;
- 9) More than one Councillor may reply if he/she feels there is something to contribute.

*Approved by Council at Meeting No. 920  
Held November 2, 1999*

*Amended by Council at Meeting No. 1405  
Held September 15, 2015*