

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

**Agenda** for the **Regular Meeting** of Council of the Village of Pemberton to be held Tuesday, December 15, 2015 at 9:00 a.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1414.

*“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<br/>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. 1413 – Tuesday, December 1, 2015</b>   | 4                   |
| <b>Recommendation:</b> THAT the minutes of Regular Council Meeting No. 1413 held Tuesday, December 1, 2015, be adopted as circulated.  |                     |
| <b>b) Public Hearing – Village of Pemberton Official Community Plan Amendment (‘580’ Hillside Lands) Bylaw No. 789, 2015 – Tuesday, December 8, 2015</b>   | 12                  |
| <b>Recommendation:</b> THAT the minutes of the Public Hearing for Village of Pemberton Official Community Plan Amendment (‘580’ Hillside Lands) Bylaw No. 789, 2015, held Tuesday, December 8, 2015, be adopted as circulated. |                     |
| <b>c) Public Hearing – Village of Pemberton Zoning Amendment (‘580’ Hillside Lands) Bylaw No. 790, 2015 – Tuesday, December 8, 2015</b>  | 17                  |
| <b>Recommendation:</b> THAT the minutes of the Public Hearing for Village of Pemberton Zoning Amendment (‘580’ Hillside Lands) Bylaw No. 790, 2015, held Tuesday, December 8, 2015, 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. Green River Quarry</b>   | 24                  |
| <b>Recommendation:</b> THAT Council receives the Green River Quarry report for information;  |                     |
| <b>AND THAT</b> Council make a formal request to the Pemberton Valley Dyking   |                     |

District that the Village of Pemberton would like access to the materials at the Green River Quarry for Community Use and Community Benefit.

ii. **2015 – 2019 Five Year Financial Plan Timeline** 27

**Recommendation: THAT** Council provide direction to staff with respect to any changes to the Five Year Financial Plan and Tax Rates Bylaws' timeline as presented.

b) **Corporate & Legislative Services**

i. **Community Enhancement Fund Grant – Sea to Sky Clean Air Society – Bike to Work Week** 29

**Recommendation: THAT** Council approves an allocation from the Community Enhancement Fund, in the amount of \$1,000, to the Sea to Sky Clean Air Society to support the promotion of 2016 Bike to Work Week.

c) **Mayor**

d) **Councillors**

9. **BYLAWS**

a) **Third Reading** 43

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

**Recommendation: THAT** Council amend Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 by replacing Schedule "A", with the revised Schedule "A" attached to this report.

**Recommendation: THAT** Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 be given Third Reading, as amended.

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

**Recommendation: THAT** Council amend Village of Pemberton Zoning Bylaw No. 466, 2011, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 to:

1. replace Schedule "A", with the revised Schedule "A" attached to this report;
2. delete Section 302C.2(c) and replace it with the following:

The densities may be increased from the requirements identified in Section 302B.2(a) to the requirements identified in Section 302.3(b) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot, payable either:

- i) in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or

- ii) in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses;
3. delete the word “maximum” and replace it with the word “minimum” in Section 303B.2 (b);
  4. delete Section 303B.2(e) and replace it with the following:

The densities may be increased from the requirements identified in Section 303B.2(a) and 303B.2(b) to the requirements identified in Section 303.2(c) and Section 303.2(d) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot or \$6110.00 per townhouse unit, payable either:

- i) in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

**Recommendation: THAT** Village of Pemberton Zoning Bylaw No. 466, 2011, Amendment (‘580’ Hillside Lands) Bylaw No. 790, 2015 be given Third Reading as amended.

## 10. CORRESPONDENCE

### a) For Information

No correspondence for consideration.

### b) For Action

- i. **Ms. Melissa Darou, dated December 5, 2015, regarding concerns about the condition of road markings on Highway 99 between Whistler and Pemberton and requesting the Village raise this with the Ministry of Transportation and Infrastructure.** 86

**Recommendation: THAT** correspondence be sent to the Ministry of Transportation and Infrastructure regarding the condition of road markings on Highway 99 between Whistler and Pemberton and request that maintenance in this area be made a priority.

- ii. **Ms. Kristen Clark, Director of Legislative and Corporate Services, Squamish-Lillooet Regional District, dated December 9, 2015, regarding recommended changes from the Resort Municipality of Whistler regarding the Squamish-Lillooet Regional District Solid Waste and Resource Management Plan** 88

**Recommendation: 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.

- iii. **Ms. Danyta Welch, Union of British Columbia Municipalities, dated December 9, 2015, regarding input sought on Ministry of Agriculture's Agri-Tourism Bylaw Standard.** 92

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

**11. DECISION ON LATE BUSINESS**

**12. LATE BUSINESS**

**13. NOTICE OF MOTION**

**14. QUESTION PERIOD**

108

**15. IN CAMERA**

**Recommendation:** THAT pursuant to Section 90 (1) (a) personnel and (g) litigation and (k) negotiations, of the *Community Charter*, the Council of the Village of Pemberton serve notice to hold an In-Camera Meeting on today's date for the purpose of dealing with matters for which the public shall be excluded from attending.

**16. ADJOURNMENT**

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

**Minutes of the Regular Meeting** of Council of the Village of Pemberton held on Tuesday, December 1, 2015 at 7:00 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1413.

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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  
Lisa Pedrini, Planner  
Wendy Olsson, Executive Assistant  
Paige MacWilliam, Legislative Assistant

**Public:**

**13**

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**1. CALL TO ORDER**

At 7:04 p.m. Mayor Richman called the meeting to order.

**2. APPROVAL OF AGENDA**

Moved/Seconded

**THAT** the Agenda be amended to address Corporate & Legislative Services Reports (8 b.) respecting grant applications before Office of the CAO Reports (8 a.).

**CARRIED**

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

**a) Eagle Ridge Drive – Rockfall Mitigation & Closure**

At the In Camera meeting No. 1413, held on earlier today, Council directed staff to proceed with issuing a Request for Quotation from qualified contractors to undertake rockfall mitigation measures on Eagle Ridge Drive and further resolved to keep Eagle Ridge Drive closed from its intersection at Dogwood Street North to Pemberton Meadows Road.

#### **4. ADOPTION OF MINUTES**

##### **a) Regular Council Meeting No. 1411 –Tuesday, November 3, 2015**

Moved/Seconded

**THAT** the minutes of Regular Council Meeting No. 1411 held Tuesday, November 3, 2015, be adopted as circulated.

**CARRIED**

##### **b) Regular Council Meeting No. 1412 – Tuesday, November 17, 2015**

Moved/Seconded

**THAT** the minutes of Regular Council Meeting No. 1412 held Tuesday, November 17, 2015, be adopted as circulated.

**CARRIED**

#### **5. BUSINESS ARISING**

There was no business arising.

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

No minutes to be received.

#### **7. DELEGATIONS**

No delegations to be received.

#### **8. REPORTS**

##### **a) Corporate & Legislative Services**

###### **i. Community Initiative and Opportunity Fund – 2015 Applications**

Moved/Seconded

**THAT** the Village enter into a 3-year Long Term Service Agreement through the Community Initiative & Opportunity Fund with Tourism Pemberton, in the amount of \$4000 annually for the years 2016, 2017 and 2018, to support the hiring of a marketing manager.

**CARRIED**

Moved/Seconded

**THAT** the Village enter into a Long Term Service Agreement through the Community Initiative & Opportunity Fund with the Pemberton Arts & Culture Council, in the amount of \$4000 annually for 2016, 2017 and 2018, to support the hiring of a marketing and communications coordinator.

**CARRIED**

At 7:10 p.m. Councillor Linklater declared a conflict of interest pursuant to Section 100 (2) (b) as he is a member of the Spirit of BC Community Committee and left Council Chambers.

Moved/Seconded

**THAT** the Village enter into a Long Term Service Agreement through the Community Initiative & Opportunity Fund with the Spirit of BC Community Committee, in the amount of \$4500 annually for 2016, 2017 and 2018, to support the activities of WinterFest including the hiring of an event coordinator, insurance, marketing collateral and other miscellaneous purchase each year.

**CARRIED**

At 7:12 p.m. Councillor Linklater returned to Council Chambers.

**ii. Community Enhancement Fund – Young Life**

Moved/Seconded

**THAT** Council approves an allocation from the Community Enhancement Fund, in the amount of \$2500, to Young Life to support the expansion of youth programming.

**CARRIED**

**iii. Community Enhancement Fund – Sea to Sky Community Services**

Moved/Seconded

**THAT** Council approves an allocation from the Community Enhancement Fund, in the amount of \$1500, to Sea to Sky Community Services to support the Christmas Hamper Program.

**CARRIED**

**b) Office of the CAO**

**i. Approving Officer Appointment**

Moved/Seconded

**THAT** the appointment of Nikki Gilmore, CAO, as approving officer for the Village of Pemberton be rescinded.

**CARRIED**

Moved/Seconded

**THAT** Tim Harris, Manager of Operations & Development Services, be appointed Approving Officer for the Village of Pemberton pursuant to Section 77 (1) of the Land Title Act effective December 1, 2015.

**CARRIED**

**ii. FireSmart Grant Authorization**

Moved/Seconded

**THAT** the 2016 Strategic Wildfire Prevention Initiative, 2016 FireSmart Grant application and the activities proposed therein will be supported;

**AND THAT** Council direct staff to provide overall grant management for the 2016 Strategic Wildfire Prevention Initiative FireSmart Grant.

**CARRIED**

**c) Operations & Development Services**

**i. Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 and Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 – Additional Information**

Moved/Seconded

**THAT** the Report entitled 'Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 and Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 – Additional Information', and dated December 1, 2015 be received for information.

**CARRIED**

**d) Mayor**

Mayor Richman reported on the following:

- Met with Ministry of Transportation and Infrastructure representatives to discuss local transportation priorities: Pemberton Creek Bridge, Portage Road, crosswalks and bike lanes
  - Flashing lights to be installed at crosswalk by community centre
- Follow up correspondence received from Minister Fassbender and Premier Clark regarding UBCM Meetings and opportunities for funding for the Friendship Trail Bridge
- Attended Chamber of Commerce lunch on Social Media
- Met with Chamber of Commerce President, Garth Phare
- Reminded that the Wine & Cheese Fundraiser will be on Dec. 4
- Reminded that St. David's Christmas Bizarre will be on Dec. 6
- Reminded that the Pemberton Valley Lodge will be holding the annual Ginger Bread Project fundraiser Dec. 10 – 20



Mayor Richman provided the following highlights of the SLRD Board Meeting, held on Nov. 25:

- Received delegations from BC Transit and Sea to Sky Soils
- Reviewed and commented on the Soil Deposit and Removal Control Regulatory Service Establishment Bylaw
- Reviewed and commented on the Electoral Area C Nuisance and Disturbance Control Regulatory Service Establishment Bylaw
- Developing a policy on Shared and Community Docks and Wharfs
- Pemberton Canoe Association funding request approved for \$3,449 from the Pemberton and District Recreation Commission

#### **e) Councillors**

##### **Councillor Linklater**

Councillor Linklater reported on the following:

- Attended the Library Board meeting on Nov. 17
  - Reminded that the Wine & Cheese Fundraiser will be on Dec. 4
- Attended Pemberton Valley Dyking District Meeting on Nov. 19
- Thanked the Village of Pemberton Fun Committee for organizing the Christmas Party on Nov. 27
- Volunteered at the Movember fundraiser at the Legion on Nov. 27

##### **Councillor Craddock**

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

##### **Councillor Helmer**

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

##### **Councillor Ross**

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

#### **9. BYLAWS**

No bylaw for consideration.

#### **10. CORRESPONDENCE**

##### **a) For Information**

No correspondence for consideration.

**b) For Action**

- i. Mr. Marc Cousineau, dated November 6, 2015, regarding request to review utilities invoice**

Moved/Seconded

**THAT** the correspondence be referred to staff for review and follow up with Mr. Cousineau.

**CARRIED**

**11. DECISION ON LATE BUSINESS**

Moved/Seconded

**THAT** Council approve consideration of the following items of business, as recommended at the Committee of the Whole Meeting No. 1142 held earlier today:

- 2016 Council Meeting Schedule
- Councillor Computer Allowance

**CARRIED**

**12. LATE BUSINESS**

- a) 2016 Council Meeting Schedule**

Moved/Seconded

**THAT** Council adopt the 2016 meeting schedule as presented and attached to this report.

**CARRIED**

- b) Councillor Computer Allowance**

Moved/Seconded

**THAT** staff be directed to prepare amendments to the Cellular Telephone Policy and the Councillor Computer Purchase Policy to allow for the inclusion of cellphones in the Council Computer Allowance.

**CARRIED**

**13. NOTICE OF MOTION**

- a) Councillor Craddock – Notice of Motion - Zoning Contravention (Short term vacation rentals)**

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**

#### 14. QUESTION PERIOD

##### **Maureen Douglas, 1472 Olive Street**

Ms. Douglas spoke about the impacts of short term vacation rentals on the community and for homeowners and educating the public.

##### **Adam Adams, 1414 Willow**

Mr. Adams requested information on why a water meter program hasn't yet been implemented and if you have a meter can you arrange for it to be read.

#### 15. AJOURNMENT

Moved/Seconded

**THAT** the December 1, 2015 Regular meeting be adjourned at 8:30 p.m.

**CARRIED**

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer

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

**Minutes** of the **Public Hearing** of Council of the Village of Pemberton held on Tuesday, December 8, 2015 at 7:00 p.m. at the Squamish-Lillooet Regional District Office, 1350 Aster Street.

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|-----------------------------|--|
| <b>IN ATTENDANCE:</b>       | Mayor Mike Richman<br>Councillor Jennie Helmer<br>Councillor James Linklater<br>Councillor Karen Ross  |
| <b>REGRETS</b>              | Councillor Ted Craddock  |
| <b>STAFF IN ATTENDANCE:</b> | Nikki Gilmore, Chief Administrative Officer<br>Sheena Fraser, Manager of Corporate & Legislative Services<br>Tim Harris, Manager of Operations & Development Services<br>Lisa Pedrini, Village Planner<br>Cameron Chalmers, Development Planning Consultant<br>Paige MacWilliam, Legislative Assistant |
| <b>MEMBERS OF PUBLIC:</b>   | <b>17</b>  |
| <b>MEDIA:</b>               | <b>0</b>   |

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**1. CALL TO ORDER**

At 7:00 p.m. Mayor Mike Richman called the Public Hearing to order and read the following Opening Statement for the Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015:

Lisa Pedrini, Planner for the Village of Pemberton, will make a presentation on the Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015, and Sheena Fraser, Corporate Officer, will record your comments.

Also in attendance are Councillor Helmer, Councillor Linklater and Councillor Ross.

The Public Hearing is convened pursuant to Section 890 of the *Local Government Act* to allow the public to make representation to Council respecting matters contained in the proposed Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015.

Tonight we will be holding two public hearings consecutively; we'll begin with a Public Hearing for Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015, and once that has been completed and the Hearing closed, we will proceed with holding Public Hearing for Village of Pemberton Zoning Amendment ('580' Hillside Lands) Bylaw No. 790, 2015.

Notice of Public Hearing for this bylaw was advertised in the Pique Newsmagazine on November 26<sup>th</sup>, 2015, and December 3<sup>rd</sup>, 2015, and in the Whistler Question Newspaper on December 1<sup>st</sup>, 2015.

Notice was also posted at the Village of Pemberton Office, the Village of Pemberton Notice Board located at the Post Office and on the Village Website, eNews and Facebook Page.

Everyone present shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaw. Each speaker will have up to five (5) minutes to be heard. No one will be discouraged or prevented from making their views known. However, it is important that remarks be restricted to matters contained in the proposed Bylaw.

When speaking, please commence your remarks by clearly stating your name and address.

Members of Council may ask questions following presentations; however, the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw.

The Public is reminded that this Public Hearing is the final opportunity for input on the proposed Bylaw and Council may not hear from or receive correspondence from interested parties relating to the bylaw upon the close of the meeting.

After this Public Hearing has concluded, Council will, at a subsequent Council Meeting, further consider the Bylaw.

## **2. INTRODUCTION OF VILLAGE OF PEMBERTON OFFICIAL COMMUNITY PLAN AMENDMENT ('580' Hillside Lands) BYLAW NO. 789, 2015**

Ms. Lisa Pedrini, Village Planner, provided an overview and explanation of the Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015.

Ms. Pedrini began by showing a map that depicts the subject lands, which comprises part of the Hillside Area which was removed from the Squamish-Lillooet Regional District and incorporated into the Village of Pemberton in 2011. The subject lands (Lots

2 and 3) are located approximately 3.6 km east from the Village center and 0.5 km north of the Pemberton Plateau development adjacent to the Sunstone Ridge Lands and accessed via Pemberton Farm Road East.

Ms. Pedrini explained that the purpose of OCP Amendment Bylaw No. 789, 2015 is to facilitate the development of single family and multi-family residential uses on the subject lands legally described as Lots 2 & 3, DL 211, EPP21848, LLD by amending the Village's Official Community Plan to amend the designation of the subject lands from "Special Planning Area-Hillside" to "Residential" and to designate the subject lands as Development Permit Areas for "Environmental Protection", "Land Constraints" and "Form and Character of Multi-family Development" as per the Village of Pemberton OCP Bylaw No. 654, 2011.

Ms. Pedrini concluded by stating that the map shown on 'Schedule A' has been revised slightly since Second Reading based on more accurate information obtained from a survey of the property. Staff received a request to update the map attached to Bylaw No. 789 following the Bylaw receiving Second Reading on November 17<sup>th</sup>, 2015. Staff determined that this change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.

### **3. LISTING OF CORRESPONDENCE**

Ms. Sheena Fraser, Manager of Corporate & Legislative Services, advised that the Village has received one (1) submission as of noon, Wednesday, December 2, 2015, which was included in the agenda package, from Mr. Ian Kruger, Pemberton Valley Trails Association, expressing a desire for a cohesive trail plan for the hillside area.

In addition, one (1) submission was received on December 7, 2015, from Ms. Dawn Johnson, Executive Director, Stewardship Pemberton, expressing concerns about this development in regards to meeting or exceeding environmental best practices in species protection, storm water management and appropriate parkland dedication. The letter was read aloud by Ms. Fraser, provided to Council, made available to the public at the hearing and is attached to the minutes for information.

### **4. PUBLIC SPEAKERS**

Mayor Richman called for submissions from the public:

#### **Beau Craig, 1340 Collins Road, Pemberton – SUPPORT**

Mr. Craig expressed support for the proposed development and believed the developers have contributed the time and effort required to satisfy the requirements to move it forward.

**Jim Orava, 1745 Reid Road, SLRD Area C – SUPPORT**

Mr. Orava spoke about his concerns related to forest fires in the area. He concluded by stating that he supports the proposed development at this location as it is a south-facing slope in a flood-proof area.

**Niki Vanker, 7451 Aspen Boulevard, Village of Pemberton**

Ms. Vanker expressed concerns about the distance of this proposed development from the Village centre. She would like to see trails and transit connections. She also spoke about the importance of recreation in the area and understanding the implications of having strata development, with roads which are considered private land, on the existing trails on the hillside.

**Don Coggins, 1717 Pinewood Drive, Village of Pemberton - SUPPORT**

Mr. Coggins is a resident of the Plateau area, living near to the proposed development site, and he expressed his support for the proposed development as he would like more neighbours. Mr. Coggins also stated that more residents in the area would result in improved transit service.

**5. ADJOURNMENT**

Mayor Richman called three (3) times for any other submissions, and hearing none closed the Public Hearing at 7:11 p.m.

Mayor Richman reminded that after the Public Hearing is adjourned the opportunity for public discussion has ended and Council may not hear from or receive correspondence from interested parties relating to this bylaw. It will now be a matter for Council's consideration based upon the information received to date.

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer



## Stewardship Pemberton Society

PO Box 31  
Pemberton, BC  
V0N 2L0

December 8th, 2015

Dear Mayor and Council,

Regarding: Public Hearing: 580 Hillside Development

I am writing on behalf of myself and Stewardship Pemberton Society Board of Directors to express our feedback regarding the 580 Hillside Development.

This project needs to meet or exceed environmental best practices in all aspects of the development as per local, Provincial and Federal requirements. Specifically, Stewardship Pemberton Society is concerned about species protection, storm water management, and appropriate parkland designation.

Sincerely,

Dawn Johnson  
Executive Director  
On Behalf of Stewardship Pemberton Society Board of Directors  
Stewardship Pemberton Society



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

**Minutes** of the **Public Hearing** of Council of the Village of Pemberton held on Tuesday, December 8, 2015 at 7:00 p.m. at the Squamish-Lillooet Regional District Office, 1350 Aster Street.

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**IN ATTENDANCE:**

Mayor Mike Richman  
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  
Lisa Pedrini, Village Planner  
Cameron Chalmers, Development Planning Consultant  
Paige MacWilliam, Legislative Assistant

**MEMBERS OF PUBLIC:**

**17**

**MEDIA:**

**0**

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**1. CALL TO ORDER**

At 7:12 p.m., immediately following the conclusion of the Public Hearing for Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015, Mayor Mike Richman, called the Public Hearing to order for the Village of Pemberton Zoning Amendment ('580' Hillside Lands) Bylaw No. 790, 2015.

**2. INTRODUCTION OF VILLAGE OF PEMBERTON ZONING AMENDMENT ('580' Hillside Lands) BYLAW NO. 790, 2015**

Ms. Lisa Pedrini, Village Planner, provided an overview and explanation of the Village of Pemberton Zoning Amendment ('580' Hillside Lands) Bylaw No. 790, 2015.

The purpose of Bylaw 790, 2015, is to facilitate the development of single family and multi-family residential uses on the subject property - legally described as Lots 2 & 3, DL 211, EPP21848, LLD - by amending the Village's Zoning Bylaw No. 466, 2001, to rezone the subject property from "Rural 1 - Rural Residential sub zone (RR1<sub>Res</sub>)" to "Residential (Amenity) Zone 2 (RSA-2)" and to "Residential Townhouse (Amenity) Zone 2 (RTA-2)."

The RSA-2 and RTA-2 Zones are brand new zones specifically crafted for this purpose. They are based on the existing RSA-1 and RTA-1 zones. All amenity zones allow for increased density upon the receipt of certain amenity contributions.

The current zoning of RR1<sub>Res</sub> allows for single family rural residential uses with a minimum parcel area of 1 hectare.

The proposed zoning of RSA-2 zone allows for low density single family residential uses with a base minimum parcel area of 20,000 m<sup>2</sup>, and the opportunity for density bonusing to permit a minimum parcel area of 1,400 m<sup>2</sup> upon the receipt of certain community amenity contributions as specified in the bylaw.

The proposed RSA-2 zone allows for moderate density single family and multi-family (townhouse) residential uses with a base minimum parcel area of 20,000 m<sup>2</sup> for single family residential and a minimum parcel area of 20,000 m<sup>2</sup> per unit for townhouse development, with the opportunity for density bonusing to permit a minimum parcel area of 700 m<sup>2</sup> for single family residential and a maximum of 25 units per hectare for townhouse development, upon the receipt of certain community amenity contributions as specified in the bylaw.

Ms. Pedrini also stated that the map shown on 'Schedule A' has been revised slightly since Second Reading based on more accurate information obtained from a survey of the property. Staff received a request to update the map attached to Bylaw 790 since the Bylaw was given Second Reading on November 17<sup>th</sup>, 2015. Staff determined that this change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.

Ms. Pedrini also listed minor text revisions requested since Second Reading of Village of Pemberton Zoning ('580' Hillside Lands) Amendment Bylaw No. 790, 2015.

- Section 302C.2 (c) needs to be revised to allow for the collection of CAC's as either cash or in-kind services. Staff presented this request to Council on Dec 1, 2015. This change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.
- Section 303B.2 also needs a small correction to read 'minimum' unit size rather than 'maximum' unit size.
- Section 303B.2 (e) needs to be revised to allow for the collection of CAC's as either cash or in-kind services. Staff presented this request to Council at the Regular Meeting held on Dec 1, 2015. This change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.

Ms. Pedrini concluded by outlining the commitments that will be made by the developer through a Land Development Agreement:

- Voluntary Community Amenity Contributions, for lots and townhomes sized less than 20,000 square meters
- Off-site works and services including sanitary, water, stormwater and roadworks
- Fencing as per CN Rail's requirements
- Green initiatives such as Ener-Guide 80 rating and passive solar design

Ms. Pedrini explained that a Land Development Agreement is an agreement between the Village and the developer on items that will be required before development occurs and will be registered on title through a Section 219 Covenant.

### **3. LISTING OF CORRESPONDENCE**

Ms. Sheena Fraser, Manager of Corporate & Legislative Services, advised that the Village has received one (1) submission as of noon, Wednesday, December 2, 2015, which are included in the agenda package, expressing desire for a cohesive trail plan for the hillside area from Mr. Ian Kruger, Pemberton Valley Trails Association (PVRTA).

In addition, two (2) submissions were received following the publication of the agenda: a letter from Ms. Dawn Johnson, Executive Director of Stewardship Pemberton, expressing concerns about this development in regards to meeting or exceeding environmental best practices in species protection, storm water management and appropriate parkland dedication. And a letter from Ms. Ming Sartee, Pemberton resident, expressing interest in ensuring that the proposed development include consideration of the recreational trails on and around the site. Ms. Sartee proposed that if any trails are destroyed through this development that they be replaced like-for-like with input from the PVRTA and mountain biking community. The letters were summarized by Ms. Fraser, provided to Council, made available to the public at the hearing and attached to the minutes for information.

### **4. PUBLIC SPEAKERS**

Mayor Richman called for submissions from the public:

#### **Lisa Ames, 1024 Glacierview Drive, Squamish – SUPPORT**

Ms. Ames outlined the history of the process by which this development has been moved forward since 2006, including the Village of Pemberton boundary extension in 2011 and the various planning processes undertaken by both Squamish-Lillooet

Regional District and the Village of Pemberton. She encouraged Council to support this development proposal to send a positive message to developers, investors and financial institutions.

**Jim Orava, 1745 Reid Road, Mount Currie – SUPPORT**

He stated that he supports this development because it will help to install long term infrastructure that will provide another route to the residents located along Reid Road on the hilltop. Mr. Orava also spoke about his concerns about forest fires in the area.

**5. ADJOURNMENT**

Mayor Richman reminded that after the Public Hearing is adjourned the opportunity for public discussion has ended and Council may not hear from or receive correspondence from interested parties relating to this bylaw. It will now be a matter for Council's consideration based upon the information received to date.

Mayor Richman called three (3) times for any other submissions, and hearing none closed the Public Hearing at 7:28 p.m.

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer



## Stewardship Pemberton Society

PO Box 31  
Pemberton, BC  
V0N 2L0

December 8th, 2015

Dear Mayor and Council,

Regarding: Public Hearing: 580 Hillside Development

I am writing on behalf of myself and Stewardship Pemberton Society Board of Directors to express our feedback regarding the 580 Hillside Development.

This project needs to meet or exceed environmental best practices in all aspects of the development as per local, Provincial and Federal requirements. Specifically, Stewardship Pemberton Society is concerned about species protection, storm water management, and appropriate parkland designation.

Sincerely,

Dawn Johnson  
Executive Director  
On Behalf of Stewardship Pemberton Society Board of Directors  
Stewardship Pemberton Society

December 7, 2015

Submission of public comments on:

**Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015**

Dear Mayor and Council,

I am writing to express my interest in ensuring the '580' Hillside Lands proposal includes a robust and authentic consideration of the recreational trails that sit on and around the land. I believe that the most advantageous and valuable approach to the land for both the Village and the developers is to preserve all existing trails, and if not possible, to replace and rebuild any trails destroyed like-for-like with input from the PVTA and mountain biking community.

As a recent resident who has only seen Pemberton through a current lens, I have found that one of the core foundations of Pemberton is the access to the mountain biking/ hiking/ running trails that surround the village. This is a prevailing reason people are drawn to the town, and the exact reason my husband and I moved to Pemberton almost 2 years ago. We have been overwhelmed by the passionate and active outdoor community that this town supports, and almost everyone we meet echoes our sentiments of finally finding a town in which they can raise a family around values based on respecting our natural environment and staying active and healthy within it.

In considering the '580' Hillside Lands and adjoining developments, I hope that you envision Pemberton's growth not as an extension or off-shoot of Whistler, but as a singularly unique community centered around preserving an authentic recreational experience. This is an experience that not only supports the needs of the community, but one that will attract tourism and industry.

Based on marketing, out-reach, and internet hype, I used to perceive Whistler as the mecca of mountain biking. However, in my own personal experience, and my experience talking to both Whistler and Pemberton riders, I have found a strong preference for Pemberton mountain biking trails because of the unparalleled single track in undeveloped lands. This experience of riding for hours without ever touching pavement or seeing a house, car, or street sign is what makes the hillside lands so valuable to the village, and is what makes Pemberton the true adventure destination.

I can illustrate this point through a couple of personal anecdotes:

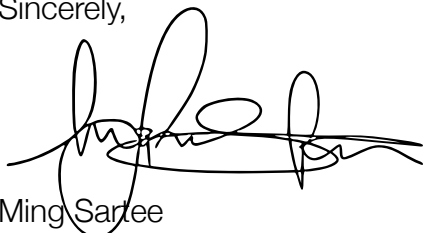
My first trail ride in Whistler was on the Danimal trail in the Stonebridge neighborhood, which some have lauded as a successful navigation of development around existing mountain biking trails. However, after learning to mountain bike in Pemberton, I was disappointed by the climb up the paved road through Stonebridge. In fact, many of the Whistler trails that I've ridden have been uninspiring because the uphill access is via a double-track or paved "grind" or the ride out navigates through neighborhoods. This gives me the sense of a manufactured outdoor experience that has been tailored for easier access. I urge you to consider Pemberton's raw, organic recreational experience as one counter to that of Whistler's — one that challenges bikers with interesting, mentally and physically demanding trails that take time and effort, but rewards riders with victories and hurdles to tackle again and again.

Another anecdote is one I witnessed while riding in Pemberton. While out biking, I ran into a woman, her 12-yr old son, and his friend whom I recognized from the Ken and Barbie race in Whistler. When I started to chat with them about biking, both the woman and the boys lit up when they learned that I lived in Pemberton and proceeded to rave about the fantastic climbing trails and wonderful descents they were exploring in the Mackenzie and Mosquito Lake area. It was so inspiring to see the boys passionately weigh their options, torn by their indecision of whether to decent down Hawaii for the sweet berms, or ride for (only) another 20 minutes up to Back Pains. They were only placated when their mother assured them that they would come back to ride again soon. Even as I was about to leave them to descend, one of the boys ran to catch me and ask about Psychopath as a route back down to their car at the gravel pit.

*This* is the experience that Pemberton should cultivate — one that allows tourists and residents to have a full day on their bikes without crossing highways or navigating through residential developments. One that safely allows kids to be immersed in nature, without parents worrying about upcoming traffic. One that inspires children and adults alike to challenge themselves, and to continue to come back to Pemberton.

I hope you consider this perspective, and convey to the developers that the natural, wild lands that the trails wind through are equal in value to the proposed development.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ming Sartee', with a large, stylized flourish at the end.

Ming Sartee  
604 698 8221, mingsartee@gmail.com  
PO Box 919, 1428 Poplar St, Pemberton, BC V0N2L0

**Date:** December 15, 2015  
**To:** Council  
**From:** Nikki Gilmore, Chief Administrative Officer  
**Subject:** Green River Quarry

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### **PURPOSE**

To present to Council information on the potential of gaining access to material at the Green River Quarry for Community Use and Community Benefit.

### **BACKGROUND**

At the Pemberton Valley Dyking District (PVDD) meeting held Thursday, November 19, 2015, the Board discussed the potential for local governments to gain access to the material at the Green River Quarry (map attached as **Appendix A**) for Community Use and Community Benefit. Village Staff was subsequently approached by Staff from the PVDD to discuss the Village's interest in gaining access to this material for our community.

At this time, the Quarry is approved as a Section 16 Map Reserve No. R122093 and has been issued to the PVDD. The material from the Quarry is to be used for emergency diking purposes only; no other use is currently permitted.

### **DISCUSSION & COMMENTS**

This initiative could be very beneficial for the Village as there is a significant amount of material in the Quarry that could be used as prefill for Community initiatives. At this time the Quarry has the capacity to remove + 50,000 m<sup>3</sup> of material without impacting diking requirements; this would, however, change the landscape at the bottom of Mount Currie. The PVDD has indicated that all material that would make good rip rap must remain at the Quarry for exclusive use of the PVDD as this was the intended purpose for the Quarry.

At this time, it is unknown as to what amount of material the Village would need. An area identified in the Village that would benefit from the material at the Quarry is the Recreation Lands, which were gifted from the Den Duyf family in 2012. The Village has completed all of the conditions of the Lease and Option to Purchase and is eagerly awaiting sign off to complete the subdivision, and subsequently, the purchase of the Recreation Lands. A large amount of prefill will be required prior to undertaking construction of any future facilities on this property.

In order for the PVDD to bring forward an application to the Province to amend the use of the Quarry for Community Benefit, the PVDD requires a formal request from a local government (VOP, SLRD, LilWat, or all) indicating an interest in expanding the permitted use of the material from the Quarry.



### **COMMUNICATIONS**

There is no communication element required at this time.

### **IMPACT ON BUDGET**

Accessing material from the Green River Quarry would significantly reduce the costs for placing fill on areas such as the Recreation Lands. This material from the Quarry does not have royalty fees, and therefore, can be secured for a reduced price.

The PVDD has indicated that all expenses associated with this project including administration and excavation would have to be the responsibility of the local government(s) that require the material. This initiative would be cost neutral to the PVDD.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts or approvals required.

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

This could have significant financial benefits to all of the neighbouring jurisdictions if they are interested in joining the Village in making the request to the PVDD to amend the use of the Green River Quarry for Community Use and Community Benefit, through the potential cost savings and the proximity of the Quarry to all jurisdictions.

### **LEGAL CONSIDERATIONS**

There are no legal considerations at this time.

### **ALTERNATIVE OPTIONS**

There are no alternate options for consideration at this time.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

Making a formal request to gain access to the material at the Green River Quarry for Community Use and Community Benefit meets with Strategic Priority Two: Good Governance being an open and accountable government and to fiscal responsibility. As well, it meets with Strategic Priority Three: Excellence in Service by continuing to deliver quality municipal services within the scope of our resources.

### **RECOMMENDATION**

**THAT** Council receives the Green River Quarry report for information;

**AND THAT** Council make a formal request to the Pemberton Valley Dyking District that the Village of Pemberton would like access to the materials at the Green River Quarry for Community Use and Community Benefit.



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Nikki Gilmore  
Chief Administrative Officer

# Green River Quarry Location Map

## Legend

### SLRD Roads

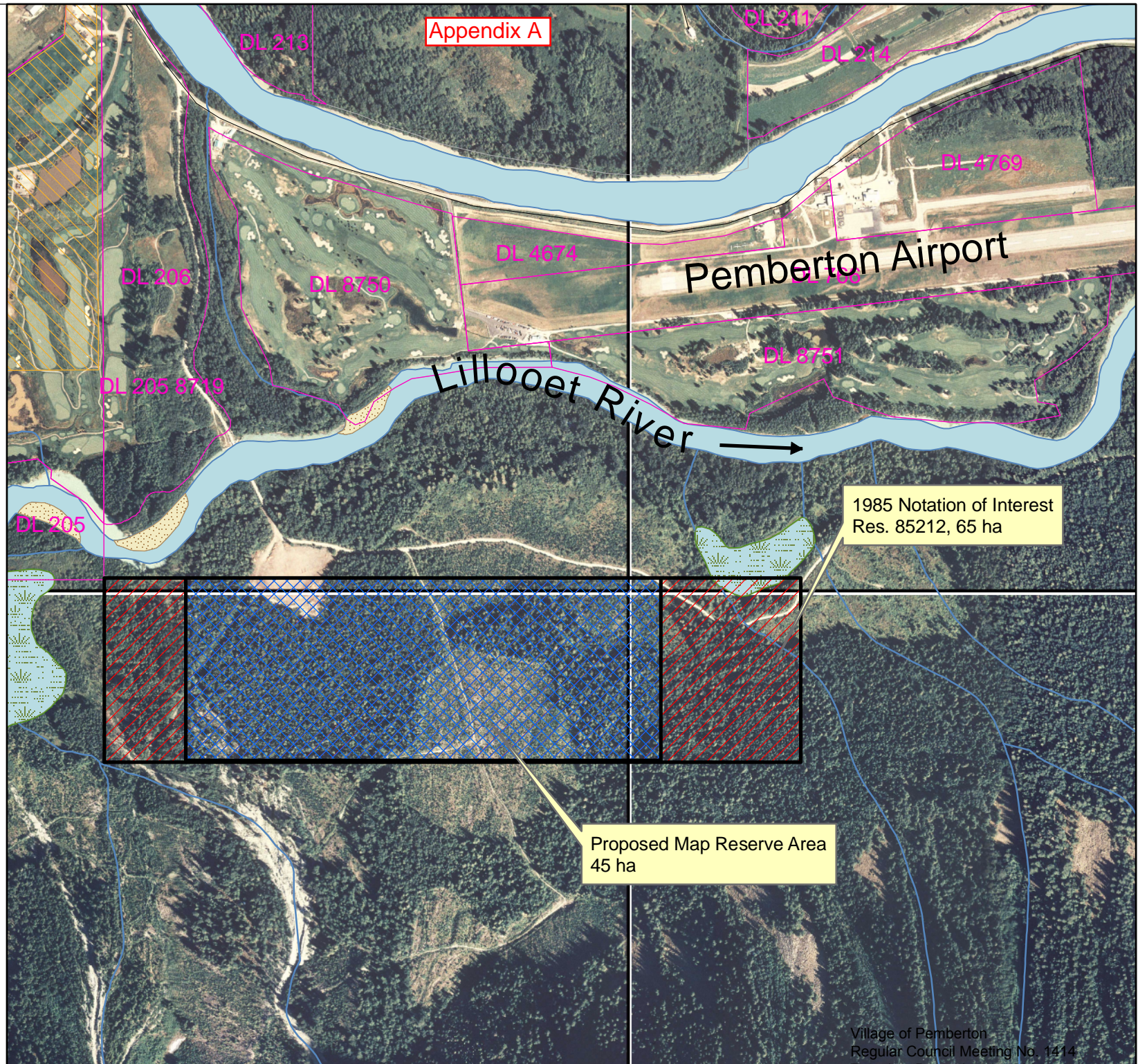
- Highway
- Arterial
- Local
- Recreation
- Resource
- Restricted Access

### Lake/River

- Lake/River
- Wetland
- Sand/Gravel Bar

### TRIM Hydrography

- River/Stream - Definite
- River/Stream - Indefinite
- Canal
- Wetland
- Rapids
- Falls
- Glacier
- Icefield
- Dam - Beaver
- Ditch
- Dyke/Levee
- Sand Bar



Appendix A

Pemberton Airport

Lillooet River

1985 Notation of Interest  
Res. 85212, 65 ha

Proposed Map Reserve Area  
45 ha

**Date:** December 15, 2015  
**To:** Council  
**From:** Nikki Gilmore, Chief Administrative Officer  
**Subject:** 2016 – 2020 Five Year Financial Plan Timeline

**PURPOSE**

To present to Council the proposed 2016 – 2020 Five Year Financial Plan Timeline for scheduling purposes.

**DISCUSSION**

In order to meet the legislated timelines to complete the 2016 – 2020 Five Year Financial Plan and Tax Rates Bylaw, Staff proposes the following timeline:

| <b>Date</b>                 | <b>Description</b>   |
|-----------------------------|--|
| <b>Tuesday, December 15</b> | Regular Council Meeting <ul style="list-style-type: none"> <li>• Draft Budget Timeline Presentation to Council</li> </ul>  |
| January                     | Meetings/Discussion with Managers to finalize projects and priorities.   |
| <b>Tuesday, February 2</b>  | Committee of the Whole Meeting <ul style="list-style-type: none"> <li>• Council Budgeting Session #1– 2016 Operating, and Project and Capital Expenses</li> </ul>  |
| <b>Tuesday, February 16</b> | Committee of the Whole Meeting <ul style="list-style-type: none"> <li>• Council Budgeting Session #2– 2016 Revised Operating, Project and Capital Expenses and Tax Implications</li> </ul>   |
| <b>Tuesday, March 1</b>     | Budget Information Session (prior to Council)  |
| <b>Tuesday, March 15</b>    | Committee of the Whole Meeting <ul style="list-style-type: none"> <li>• Council Budgeting Session #3 – 2016 Project and Capital Expenses and Tax Implications for final review prior to Bylaws coming forward for adoption.</li> </ul> |
| <b>Tuesday, April 5</b>     | Regular Council Meeting <ul style="list-style-type: none"> <li>• 2016 Tax Rates Bylaw 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings</li> </ul>  |
| <b>Tuesday, April 19</b>    | Regular Council Meeting <ul style="list-style-type: none"> <li>• 2016 Tax Rates Bylaw 4<sup>th</sup> &amp; Final</li> <li>• 2016 - 2020 Five Year Financial Plan 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings</li> </ul> |
| <b>Tuesday, May 3</b>       | Regular Council Meeting <ul style="list-style-type: none"> <li>• 2016 - 2020 Five Year Financial Plan 4<sup>th</sup> &amp; Final</li> </ul>  |

\*Bold indicates Regular Council Meeting dates as per the 2016 Meeting Schedule approved by Council

## **COMMUNICATIONS**

Once the format and date for public consultation has been determined, Staff will provide notification through the Community Calendar, ENews, Facebook (Village's page), and newspaper advertisements.

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

The Five Year Financial Plan and Tax Rates Bylaws must be adopted and forwarded to the Ministry of Community, Sport and Cultural Development by May 16, 2016. The timeline provided above will enable the Village to meet this requirement.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

There will be impact on all departments to prepare departmental projects and costs to be included in the 2016 – 2020 Five Year Financial Plan, which can be accommodated in each departments work plan.

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

There is no impact on the region or neighbouring jurisdictions.

## **LEGAL CONSIDERATIONS**

There are no legal considerations at this time.

## **ALTERNATIVE OPTIONS**

There are no alternate options for consideration at this time.

## **POTENTIAL GOVERNANCE CONSIDERATIONS**

Establishing the Five Year Financial Plan and Tax Rates Bylaws' timeline meets with Strategic Priority Two: Good Governance being an open and accountable government and to fiscal responsibility. As well, it meets with Strategic Priority Three: Excellence in Service by continuing to deliver quality municipal services.

## **RECOMMENDATION**

**THAT** Council provide direction to staff with respect to any changes to the Five Year Financial Plan and Tax Rates Bylaws' timeline as presented.



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Nikki Gilmore  
Chief Administrative Officer

**Date:** December, 15 2015

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

**From:** Sheena Fraser, Manager of Corporate & Legislative Services

**Subject:** Community Enhancement Request – Sea to Sky Clean Air Society – 2016 Bike to Work Week

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### **PURPOSE**

To request funding, in the amount of \$1,000, from the Community Enhancement Fund to expand the Sea to Sky Clean Air Society to accommodate activities and promotions related to Bike to Work Week 2016.

### **BACKGROUND AND COMMENTS**

The Village of Pemberton has received a Community Enhancement Fund request, in the amount of \$1,000, from Sea to Sky Clean Air Society. The requested funds are to assist with the promotion and advertising costs associated with the 2016 Bike to Work Week.

Bike to Work Week (BTWW) began in Greater Victoria in 1995 with a core group of commuter cyclists committed to raising the profile of commuter cycling. Since 2012, the Sea to Sky Clean Air Society (SSCAS), a charity that works on clean air initiatives and positive climate action in the Sea to Sky/Howe Sound region, has coordinated Bike to Work week events in Squamish and Whistler, with the first Pemberton event being held in 2013.

The purpose of Bike to Work Week is to encourage people to commute via bicycle as a means of promoting the local and provincial movement towards sustainable transportation and health. Riding a bicycle is a great way to get around town, avoid traffic, get in shape, save money, and reduce Greenhouse Gas (GHG) emissions and air contaminants.

Since 2013 the Village has supported Bike to Work week through participation and proclaiming the dedicated days in May each year Bike to Work Week. All costs associated with the coordination and promotion of Bike to Work Week has been covered through other grant programs. However, this year, due to the reallocation of funds to other initiatives and a reduction of funding available there is a need to seek support from other funders that includes the Village. It should be noted that a request for funding from the SLRD, in the amount of \$1,000, has also been submitted and it is anticipated that this request will be supported.

The Sea to Sky Clean Air Society has not requested financial support through the Community Enhancement Fund from the Village of Pemberton in the past; however, the Village has been approached to become a Strato Silver Member of the Society. The membership fees are \$1,000 and this request has been referred to the budget deliberations by resolution of Council made at the Regular Council Meeting No. 1411, held Tuesday, November 3, 2015. These fees would not be allocated to the Bike to Work Week initiative.

### **Criteria**

The Community Enhancement Fund (CEF) application states that the Village will provide funding to not-for-profit Organizations, Entities or Societies based within the Village of Pemberton that are considered by Council to be contributing to the general interest and benefit of its residents in the following areas:

- Sports, Recreation and Education
- Arts and Culture, or
- Special Events.

The funds available for grants are limited and may not be sufficient to fund all requests for grants made in any one year. Grants will be awarded at Council's discretion and will be authorized by Council resolution.

As such, Council has established the following priorities:

- a) non-profit groups and/or activities which either promote the Village of Pemberton; or
- b) benefit a large number of Pemberton residents; or
- c) involve participation of a large number of Pemberton residents; or
- d) others as authorized by statute.

Applications or events that have secured additional funding through fundraising or own initiative will be given priority.

Funding will be considered for Village organizations providing sports, recreation and education, arts and culture, and special event services in any of the following:

- New Programs
- Expansion of current programs
- Leadership development
- New or expanded special events
- Special projects

### **DISCUSSION & COMMENTS**

At this time, the CEF has a very healthy remaining balance of \$12,200 remaining at the preparation of this report. As such, to help facilitate the promotion of Bike to Work Week, Staff is recommending that the full \$1,000 be allocated from the CEF.

The request meets with the criteria of the Community Enhancement Fund under *Expansion of current programs* criteria and meets the priority to *benefit a large number of Pemberton residents*. In addition, the Sea to Sky Clean Air Society has secured addition funding through other grant programs.

### **COMMUNICATIONS**

There are no communications elements anticipated.

**LEGAL CONSIDERATIONS**

There are no legal considerations at this time.

**IMPACT ON BUDGET & STAFFING**

Staff proposes that \$1,000 be allocated from the Community Enhancement Fund to support Bike to Work Week. The chart lists contributions already allocated to date:

**Community Enhancement Fund Reconciliation – As of November 2015**

| <b>2015 Budget Amount</b>  |                 | <b>\$ 25,000</b> |                                  |
|--|-----------------|------------------|----------------------------------|
| <b>Contributions Expensed:</b>   |                 |                  |                                  |
| Village of Pemberton Bursary<br>Council Meeting No. 1387 - January 20, 2015      | \$ 2,000        |                  | Pemberton Secondary School       |
| BMX Society<br>Council Meeting No. 1400 - June 16, 2015                          | \$ 3,000        |                  | Hydroseeding and Tools           |
| Lions Club<br>Council Meeting No. 1402 - July 21, 2015                           | \$ 1,500        |                  | Show and Shine Advertising       |
| Spirit of BC Community Committee<br>Council Meeting No. 1405 - September 9, 2015 | \$ 1,500        |                  | 2016 WinterFest                  |
| Growing Great Children<br>Council Meeting No. 1409 – October 20, 2015            | \$ 100          |                  | Glamour and Glitz Silent Auction |
| Friends of the Library<br>Council Meeting No. 1411 – November 3, 2015            | \$ 100          |                  | Wine and Cheese Silent Auction   |
| Young Life<br>Council Meeting No. 1413 – December 1, 2015                        | \$ 2,500        |                  | Youth Programming                |
| Sea to Sky Community Services<br>Council Meeting No. 1413 – December 1, 2015     | \$ 1,500        |                  | Christmas Hamper Program         |
| <b>TOTAL ALLOCATED TO DATE:</b>  | <b>\$12,200</b> |                  |                                  |
|  |                 |                  |                                  |
| <b>CEF REMAINING</b>   |                 | <b>\$12, 800</b> |                                  |
| <b>Requested Contributions:</b>  |                 |                  |                                  |
| Sea to Sky Clean Air Society   | \$ 1,000        |                  | 2016 Bike to Work Week           |
| <b>Remainder after contribution:</b>   |                 | <b>\$11,800</b>  |                                  |

**INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts anticipated.

**IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

The initiative benefits Bike to Work Week participants from all of the neighbouring jurisdictions.

**ALTERNATIVE OPTIONS**

**Option 1** - Support Bike to Work Week in the amount of \$1,000.

**Option 2** - Decline the request from the Sea to Sky Clean Air Society.

**Option 3** - Support a contribution to the Sea to Sky Clean Air Society in an amount to be determined by Council.

Staff is recommending Council support Option 1.

**POTENTIAL GOVERNANCE CONSIDERATIONS**

This initiative supports the Village's 2015 Strategic Priorities, particular the Priority of Social Responsibility:

*The Village strives 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.*

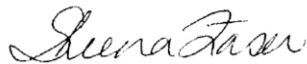
**RECOMMENDATIONS**

**THAT** Council approves an allocation from the Community Enhancement Fund, in the amount of \$1,000, to the Sea to Sky Clean Air Society to support the promotion of 2016 Bike to Work Week.

**Attachments:**

**Appendix A** – Sea to Sky Clean Air Society - Community Enhancement Fund Application

**MANAGER:**



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Sheena Fraser  
Manager of Corporate & Legislative Services

**CHIEF ADMINISTRATIVE OFFICER REVIEW**



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Nikki Gilmore  
Chief Administrative Officer





## COMMUNITY ENHANCEMENT FUND APPLICATION

### ORGANIZATION INFORMATION

Organization Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

What is the Status of your Organization?  Registered Charity  Society  Special Interest

Annual Report filed with the Provincial Government:  Yes  No

If Yes, Date Last Report Filed: \_\_\_\_\_

How many members are in your organization? \_\_\_\_\_

Describe the role of volunteers in your organization: \_\_\_\_\_

Personal information you provide on this form is collected pursuant to Section 26 of the *Freedom of Information and Protection of Privacy Act* and will only be used for the purpose of processing the Community Enhancement Fund application. Your personal information will not be released except in accordance with the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of your personal information may be referred to Sheena Fraser, Manager of Corporate & Legislative Services ([sfraser@pemberton.ca](mailto:sfraser@pemberton.ca) or 604-894-6135).

### DETAILS OF FUNDING REQUEST

1. Amount of Grant Requested: \$ \_\_\_\_\_

2. Total Event Budget: \$ \_\_\_\_\_

3. Total Fundraising (funds from other sources): \$ \_\_\_\_\_

4. What is the purpose for which the grant is being requested? \_\_\_\_\_

5. How does/will your Organization or project promote or benefit the Village of Pemberton?



## COMMUNITY ENHANCEMENT FUND APPLICATION

6. How many Pemberton residents will benefit or participate in the project?

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7. Please list any other grants for which your Organization has applied or received

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8. What is the anticipated start date of the event or initiative? \_\_\_\_\_

9. Please attach any further information that you consider relevant in support of your application.

**PLEASE NOTE:** The Village reserves the right to request additional information if required.

### APPLICATION CHECKLIST

- Letters of Evidence of Support
- Detailed Project Outline and Timeline
- Detailed Project Budget showing Expenses, Revenues, Donations, and Volunteer Contributions
- Most Recent Annual Financial Statement and/or Up-to-Date Financial Information
- Society Documentation (if Applicable)

## Project Outline

Bike to Work Week (BTWW) encourages people to commute to work via bicycle. Riding a bike to work instead of commuting via car promotes healthy lifestyles and prevention of health issues through regular exercise! The Sea to Sky Clean Air Society supports this mandate and is coordinating the event in Whistler, Pemberton and Squamish.

Bike to Work Week aims to encourage residents to cycle to work (or school) during the event, with the objective that participants will continue to commute by bicycle on a regular basis. Commuting to work is a significant cause of carbon emissions in the Sea to Sky airshed and choosing to cycle instead, even occasionally, can have dramatic results.

Bike to Work Week's essential components include:

- Engagement of workplaces among a wide variety of organizations large and small
- Engagement of employees as team leaders—participation and registration is done through a team leader model—Team leaders in each workplace (champion volunteers) inform and motivate their co-workers
- Website tools and resources that provide convenient, free, online registration and a participant reporting system, allowing us to collect data and measure results for each region
- Celebration Stations and / or events supported by sponsors and volunteers throughout the community
- An exciting incentive program of prizes for individuals and communities
- Promoting cycling safety through the website and Celebration Stations

Bike to Work Week helps build more vibrant, green, healthier communities in which to live and work! Visit <https://www.biketowork.ca/pemberton> for more information.

## Project Timeline

### Bike to Work Week Pemberton 2016 Timeline

- March Engage council and staff: Discussions with staff re: message tie ins, community prizes,
- March Prepare and send letter to councils: re declaration of Bike to Work Week
- March Hire Coordinator, volunteer recruitment
- March order sign for round-about and large banner
- April Letter re: event, invite council and mayor to prize presentations, Bike to Work Week Wrap up and Clean Air Day
- April Insurance signed
- April meet with community partners re: progress, plan & materials (banners). Confirm Council involvement
- April Launch Event Sites Confirmed
- April Facebook, Instagram, Twitter set up
- April BWW 2015 Posters created
- April Invite + Info Package sent to businesses, Chambers, municipalities, community groups
- April Invite to potential sponsors (Bike Shops, coffee / grocery stores)
- April Prizes obtained
- April Sponsors confirmed. Food beverages confirmed.
- April Communications Plan to Community Communications Dept.
- April Ads booked
- April Email Participants from last year
- May Bike Champions stories on B2W website / Facebook / community partners' sites
- May Posters placed around town
- May Confirm tents, chairs and tables for celebration station
- May Display placed in public locations (Round-about and community barn)
- May Follow-up with all participating businesses / orgs (checklists, info)
- May Banners up
- 25-May Event Begins-LAUNCH (exact date TBA)
- 25-May - 3 Share images and stories throughout week on event websites, pages, FB (exact date TBA)
- June W1 Wrap-up
- June W1 Receive all results, tabulate
  - June Clean Air Day Celebrations/Announce prize winners (papers, websites, Facebook) (exact date TBA)
  - June Tear down public displays
- 30-Jun Report with results and images to partners

## Project Budget

### Bike to Work Pemberton 2016 Budget

| <b>Advertising</b>  | <b>Details</b>   | <b>Cash</b>           | <b>In Kind</b> | <b>Total</b> |
|---|--|-----------------------|----------------|--------------|
| CEF Pemberton Grant   | <i>Unconfirmed</i>   | 1,000                 |                |              |
| SLRD Grant: Electoral Area C Select Fund                                  | <i>Unconfirmed</i>   | 1,000                 |                |              |
| Bike to Work Week Society Grant   | <i>Unconfirmed</i>   | 300                   |                |              |
| Eco Action Grant  | Confirmed  | 300                   |                |              |
| Pemberton Valley Food Market, Black Bird Bakery, Bike Co., volunteer time | <i>Unconfirmed</i>   |                       | 800            |              |
|   |  | <b>Total Revenues</b> | <b>2,600</b>   | <b>800</b>   |
|   |  |                       |                | <b>3,400</b> |
| <b>Expenses</b>   | <b>Details</b>   | <b>Cash</b>           | <b>In Kind</b> | <b>Total</b> |
| Subcontractor   | Coordinator  | 1,440                 |                |              |
| Volunteer time  | promotion, coordination  |                       | 300            |              |
| Advertising and Promotion   | Sign for Round-about (\$250 + gst), large banner to be used at celebration station (\$250), posters printed (\$25), news paper ads (\$200) | 725                   |                |              |
| Event Expenses  | Prizes, celebration stations, food   | 435                   | 500            |              |
|   |  | <b>Total Expenses</b> | <b>2,600</b>   | <b>800</b>   |
|   |  |                       |                | <b>3,400</b> |



**Sea to Sky Clean Air Society  
Balance Sheet As at Dec 31, 2014**

**ASSET**

**Current Assets**

|                      |           |           |
|----------------------|-----------|-----------|
| NSCU - Chequing      | 14,241.18 |           |
| NSCU - Equity Shares | 26.60     |           |
| BC Gaming Grant      | 4.92      |           |
| Total Cash           |           | 14,272.70 |
| Accounts Receivable  | 8,655.90  |           |
| Total Receivable     |           | 8,655.90  |

**Total Current Assets** 22,928.60

**TOTAL ASSET** 22,928.60

**LIABILITY**

**Current Liabilities**

|                         |            |          |
|-------------------------|------------|----------|
| Accounts Payable        |            | 1,783.00 |
| Prepaid Deposits - WSE  |            | 8,750.00 |
| WCB Payable             |            | 55.44    |
| GST/HST Collected       | 2,220.52   |          |
| GST/HST Paid            | - 1,907.32 |          |
| GST/HST Ow ing (Refund) |            | 313.20   |

**Total Current Liabilities** 10,901.64

**TOTAL LIABILITY** 10,901.64

**EQUITY**

**Retained Earnings**

|                                   |            |  |
|-----------------------------------|------------|--|
| Retained Earnings - Previous Year | 27,178.84  |  |
| Current Earnings                  | -15,151.88 |  |

**Total Retained Earnings** 12,026.96

**TOTAL EQUITY** 12,026.96

**LIABILITIES AND EQUITY** 22,928.60



**Sea to Sky Clean Air Society  
Income Statement Jan 01, 2014 to Dec 31,  
2014**

**REVENUE**

**Operating Revenue**

|                      |                  |
|----------------------|------------------|
| Contracts            | 20,176.62        |
| Donations            | 5,790.75         |
| Grants               | 21,597.34        |
| Member Contributions | <u>13,478.00</u> |

|                               |                  |
|-------------------------------|------------------|
| <b>Net Operating Revenues</b> | <u>61,042.71</u> |
|-------------------------------|------------------|

**Other Revenue**

|                  |             |
|------------------|-------------|
| Interest Revenue | <u>0.43</u> |
|------------------|-------------|

|                            |             |
|----------------------------|-------------|
| <b>Total Other Revenue</b> | <u>0.43</u> |
|----------------------------|-------------|

|                      |                  |
|----------------------|------------------|
| <b>TOTAL REVENUE</b> | <u>61,043.14</u> |
|----------------------|------------------|

**EXPENSE**

**Payroll Expenses**

|                  |               |
|------------------|---------------|
| Wages & Salaries | 9,468.16      |
| EI Expense       | 249.20        |
| CPP Expense      | 425.36        |
| WCB Expense      | <u>141.00</u> |

|                              |                  |
|------------------------------|------------------|
| <b>Total Payroll Expense</b> | <u>10,283.72</u> |
|------------------------------|------------------|

**General & Administrative Expenses**

|                            |           |
|----------------------------|-----------|
| Accounting & Legal         | 2,350.00  |
| Advertising & Promotions   | 19,932.22 |
| Bank Charges               | 72.00     |
| Conference & Seminars      | 49.05     |
| Courier, Postage & Freight | 25.50     |
| Cycling Infrastructure     | 2,358.01  |
| General Supplies           | 6,030.63  |
| Insurance                  | 1,150.00  |
| Interest Expense           | 0.14      |
| Licenses, Fees & Dues      | 75.00     |
| Meetings                   | 246.88    |
| Office Supplies            | 83.97     |
| Printing Expense           | 281.40    |
| Rebate Expense             | 6,750.00  |
| Rental Expense             | 336.70    |



|  |                           |
|--|---------------------------|
| Subcontracts                               | 25,181.24                 |
| Telephone, Fax & Internet                  | 200.21                    |
| Travel Expenses                            | <u>788.35</u>             |
| <b>Total General &amp; Admin. Expenses</b> | <u>65,911.30</u>          |
| <br>                                       |                           |
| <b>TOTAL EXPENSE</b>                       | <u>76,195.02</u>          |
| <br>                                       |                           |
| <b>NET INCOME</b>                          | <u><u>- 15,151.88</u></u> |



*SOCIETY ACT*

**CERTIFICATE OF INCORPORATION**

*I Hereby Certify that*

**SEA-TO-SKY CLEAN AIR SOCIETY**

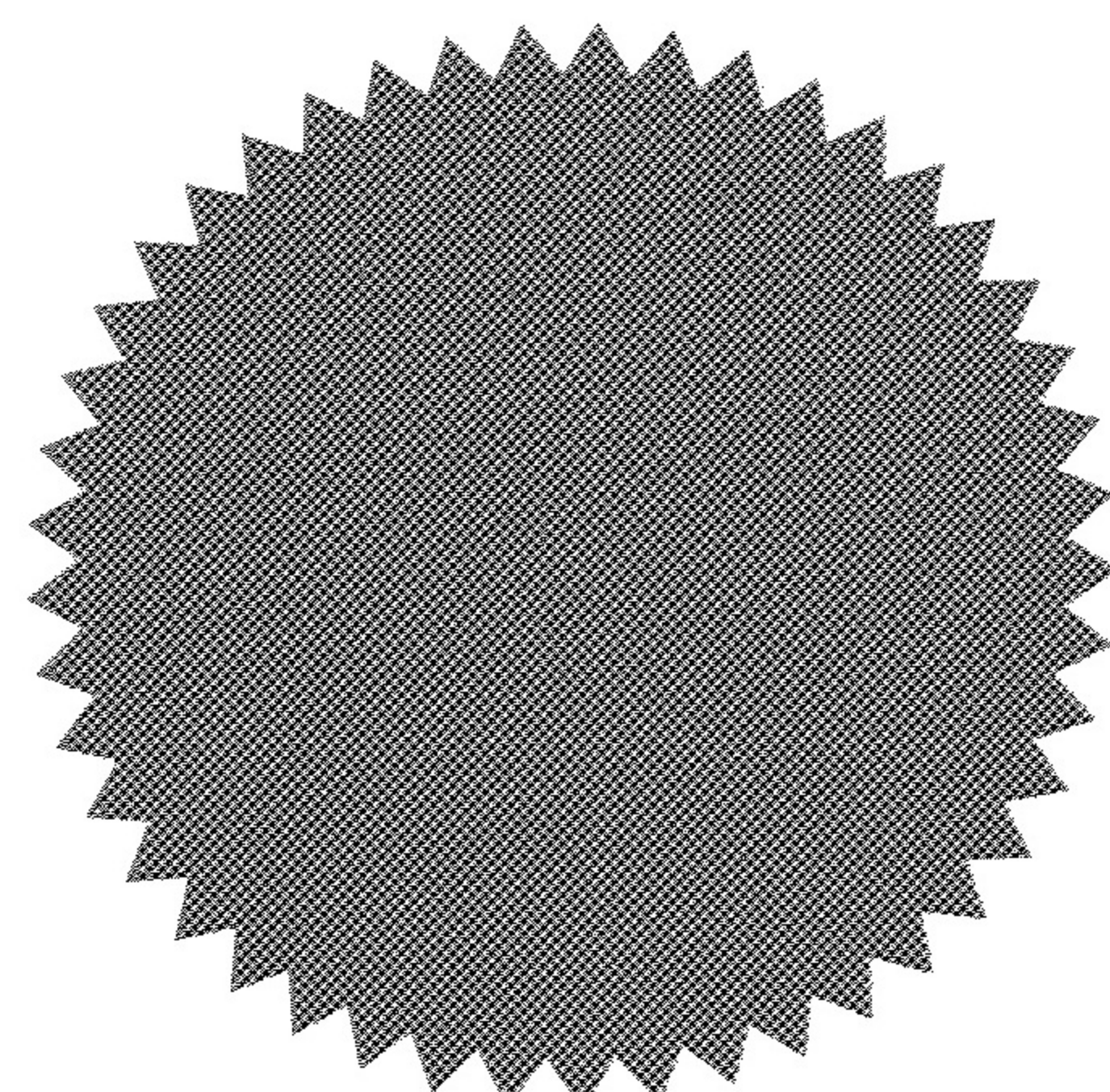
has this day been incorporated under the *Society Act*

*Issued under my hand at Victoria, British Columbia*

*on August 31, 2010*



RON TOWNSHEND  
*Registrar of Companies*  
PROVINCE OF BRITISH COLUMBIA  
CANADA





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 3, 2015

Village of Pemberton  
Box 100  
Pemberton, BC  
V0N 2L0

**Re: Support for Bike to Work Week Pemberton 2016**

Dear Mayor and Council;

For the past three years, at the behest of the Sea to Sky Clean Air Society, the Squamish-Lillooet Regional District Board has proclaimed Bike to Work Week.

Participating in Bike to Work Week has been a fun activity for our organization with growing participation over the years. In 2015, 15 staff members participated under the banner of "SLRD on Spokes". We successfully logged 270 km in 83 trips.

The event was an opportunity to build team morale and to engage in some friendly competition with our colleagues at the Village of Pemberton office. We concluded Bike to Work Week 2015 with a barbecue, in which we, the gracious losers of the contest, washed the bikes of the victorious Village of Pemberton team.

Tying Bike to Work Week with Clean Air Day is an effective way for the Sea to Sky Clean Air Society to raise awareness and promote its mandate, while providing a constructive opportunity for community members to enhance air quality, create healthy habits, and contribute to a more livable region.

Re-usable signs would enhance the profile of Bike to Work Week, build momentum for bike-commuting in and around Pemberton, and inspire even greater participation in this fun community event.

Staff at the Squamish-Lillooet Regional District look forward to participating in Bike to Work Week 2016 and attempting to out-pedal the Village!

We are happy to provide this letter of support for Bike to Work Week Pemberton 2016.

Regards,

Lynda Flynn  
Chief Administrative Officer

**Date:** December 15, 2015

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

**From:** Lisa Pedrini, Contract Village Planner & Cameron Chalmers, Contract Development Planner

**Subject:** Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 and Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 – Public Hearing Results and Consideration of Third Reading.

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### **PURPOSE**

This report presents the results of the Public Hearing held for OCP Amendment Bylaws No. 789, 2015 and Zoning Amendment Bylaw No. 790, 2015 with respect to the application from 580049 Ltd. for single family and multi-family development on lands legally described as Lots 2 & 3, DL 211, EPP21848, LLD. The report includes options for Council's consideration with respect to next steps.

### **BACKGROUND**

A detailed report on the "580" Hillside Development Lands Application – originally proposed as a mixed land use development proposal - was presented at the Committee of the Whole (COW) Meeting No. 129 held on April 7, 2015. The report also presented agency referral comments, Village Advisory Land Use Commission's (ALUC) comments and Staff comments specifically related to the development concept. The Committee of the Whole (COW) passed the following resolution on April 7, 2015:

*Moved/Seconded*

**THAT** Staff be directed to give the proponents an opportunity to address issues raised by the Committee of the Whole, referral agencies, the Advisory Land Use Commission and Staff before bylaws are presented for Council's consideration;

**AND THAT** Staff be directed to present additional information to the Advisory Land Use Commission so that they may fully understand the context and background of the proposed land use changes, before bylaws are presented for Council's consideration;

**AND THAT** Staff be directed to proceed to the next stage of preparing amending bylaws based on this application for Council's consideration;

**CARRIED**

**OPPOSED: Councillor Helmer**

Following this, an updated report on the application, which included a summary of the comments from referral agencies and Village Staff and identified specific points for discussion, was presented to the Committee of the Whole Meeting No. 134 held on June 2, 2015 where the following recommendation was passed:

*Moved/Seconded*

**THAT** Staff bring forward an Official Community Plan ('580' Hillside Lands) Amendment Bylaw and Zoning ('580' Hillside Lands) Amendment Bylaw for first reading on July 7, 2015;

**AND THAT** the Staff report include reference to the Bylaws not receiving 2nd reading until the Village has been provided with the results of a developer-led public info meeting, and until all outstanding information on the application has been received by the Village of Pemberton.

**CARRIED**

**OPPOSED: Councillor Helmer**

As per the recommendation above, Staff presented OCP ('580' Hillside Lands) Amendment Bylaw No. 789, 2015 and Zoning ('580' Hillside Lands) Amendment Bylaw No. 790, 2015 for consideration of First Reading at the Regular Meeting of Council No. 1401 held on July 7, 2015 where the following recommendation was passed:

*Moved/Seconded*

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

**CARRIED**

**OPPOSED: Councillor Helmer**

**THAT** Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 be given First Reading;

**CARRIED**

**OPPOSED: Councillor Helmer**

**THAT** Second Reading of Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 and Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 not be considered until the Applicant:

- Holds a public information session regarding the proposed development, at their own expense, and forwards the consultation results to the Village Planner;
- Works with Staff to create a draft Land Development Agreement (Restrictive Covenant) that addresses outstanding items mentioned in Appendix B, and any additional items that may arise as a result of the public information session;
- Submits more refined details with respect to the Siting and Massing of the proposed Hotel/Conference Centre; and
- Demonstrates access to the satisfaction of the Village.

**CARRIED**

**OPPOSED: Councillor Helmer**

At the Regular Council Meeting No. 1412, held on Tuesday, November 17<sup>th</sup> 2015, Staff presented a report to Council describing how the applicant had addressed the identified action items noted above. Staff also presented a newly revised OCP ('580' Hillside Lands) Amendment Bylaw No. 789, 2015 and Zoning ('580' Hillside Lands) Amendment Bylaw No. 790, 2015 for consideration of second reading in addition to the scheduling of a Public Hearing. The following resolutions were passed:

*Moved/Seconded*

**THAT** Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 receive Second Reading.

**CARRIED**

**OPPOSED: Councillor Helmer**

*Moved/Seconded*

**THAT** Staff be directed to prepare a report for the next Council Meeting on the "580" Hillside Lands that includes an explanation on the difference between fee simple and strata lot subdivisions, as well as a summary of referral agency comments received for this application.

**CARRIED**

*Moved/Seconded*

**THAT** Staff advise referral agencies of a deadline for receiving comments and that any referral agencies' comments submitted after noon on Wednesday, November 25, 2015 will be presented to Council on December 1, 2015, so that they can be received prior to the Public Hearing.

**AND THAT** a Public Hearing for Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 be scheduled for 7PM Tuesday, December 8th, 2015, at Council Chambers.

**CARRIED**

**OPPOSED: Councillor Helmer**

As per Council's direction, an additional request for referral comments on the revised Hillside Development 2015 was forwarded to the Village's list of referral agencies on November 10, 2015. The results of both referrals are summarized below:

| <b>Agency/<br/>Organization</b>             | <b>First Referral<br/>(original concept)</b>  | <b>Second Referral<br/>(revised concept)</b>  | <b>Village<br/>Response</b>  |
|---|---|---|--|
| Village Advisory Land Use Commission (ALUC) | - Non-support for the proposed Hotel/Conference Centre uses on the property<br>- Support for the concept of single family and multi-family residential uses   | - Support for the removal of the Hotel/Conference Centre;<br>- minor shift in density not seen as a concern by the ALUC | n/a  |
| Chamber of Commerce                         | No comments   | No concerns   | n/a  |
| Tourism Pemberton                           | No response   | Support   | n/a  |
| SLRD  | Noted that the concept aligned with RGS, however, concern with lack of on-site park-land dedication; on-site waste management details; overall connectivity and the timing when Environmental Assessment was completed. | Noted the removal of the Hotel/Conference Centre use as an improvement to the proposal                                  | Applicants have included a neighbourhood park as part of their Phase 1 - Subdivision Application |
| Lil'wat Nation                              | Request to include Lil'wat Nation in any discussions regarding servicing for new developments. Otherwise no comments at this time.  | No further comments received.   | Village to include Lil'wat Nation in non-strata servicing arrangements                           |
| Ministry of Transportation and              | No response   | Request for an updated Traffic Impact Assessment as future  | -Village to ensure this is addressed at  |

|  |  |   |   |
|--|--|---|---|
| Infrastructure (MOTI)                                    |  | development proceeds and once a certain population is reached   | future stages of Hillside Development; -MOTI will be required to sign-off on the rezoning |
| Stewardship Pemberton Society (SPS)                      | Many comments related to species at risk protection, stormwater management, provision of adequate park space, wildlife crossings.  | No further input at this stage but would like to remain up to date in terms of the development of this project.   | Village to keep Stewardship Pemberton informed as a referral agency                       |
| Pemberton Valley Dyking District (PVDD)                  | Request to review the Comprehensive Storm Drainage Plan for the Development.   | No further comments to add.   | Village to refer Comprehensive Storm Water Plan, to PVDD at Subdivision Stage             |
| CN Rail  | <ul style="list-style-type: none"> <li>- Requirements for protective fencing and buffering</li> <li>-Servicing lines must follow Transport Canada regulations and standards and CN's approval before installation</li> <li>- Seeking registration of a Railway Noise and Vibration Covenant on title for each townhouse;</li> <li>- Concerns regarding the public grade crossing at Pemberton Farm Road at Mile 97.2 Squamish Sub;</li> <li>- No adverse impacts on the railway and safety of operations.</li> </ul> | <ul style="list-style-type: none"> <li>- Seeking registration of a Railway Noise and Vibration Covenant on title for each townhouse;</li> <li>- concerns regarding the public grade crossing at Pemberton Farm Road at Mile 97.2 Squamish Sub;</li> <li>- need for a drainage report and work plan to ensure no adverse impacts on the railway and safety of operations.</li> </ul> | CN Requirements to be addressed in the Land Development Agreement (LDA)                   |
| Ministry of Forests, Lands and Natural Resources (MFLNR) | <ul style="list-style-type: none"> <li>- Beyond the development remains a critical area for harvesting, accessed via the FSR, and the development should proceed with this in mind</li> <li>- Follow Species at Risk Best Management Practices</li> </ul>  | No further comments   | MFLRO comments to be addressed in the LDA and at Subdivision                              |
| Pemberton Valley Trails Association (PVTA)               | No response  | Individual developments on the Hillside should be considered within the context of larger trails plan   | Trail issues to be addressed in the LDA   |

## **DISCUSSION AND COMMENTS**

The public hearings for Bylaw No. 789, 2015 and Bylaw No.790, 2015 were held December 8<sup>th</sup> 2015 and seventeen (17) members of the public were present. The Village received a total of three (3) written submissions providing comments on the proposed development. One (1) of the letters was received prior to the December 2, 2015 deadline and this letter is attached as **Appendix A**. Two (2) of the three (3) letters were received after the deadline of December 2, and are appended to the public hearing minutes. The minutes for both public hearings are attached as **Appendices B & C**.

During the Public Hearing for Bylaw 789, 2015, three (3) persons expressed their support for the OCP Amendment bylaw, and one (1) person expressed their concerns. During the Public Hearing for Bylaw No. 790, 2015, two (2) persons expressed their support for the Zoning Amendment Bylaw, one (1) of whom is a resident of Area C (Reid Road), and one (1) of whom is a resident of Squamish. No persons expressed opposition to Bylaw 790, 2015.

## **PROPOSED REVISIONS TO THE BYLAWS**

As noted in the December 1, 2015 Report to Council, there are several map and text amendments requested by the Applicants to the Bylaws as they were presented at Second Reading. These amendments may be considered by Council prior to giving the Bylaws Third Reading, as they were presented and explained in detail during the Public Hearings held December 8<sup>th</sup> 2015 (refer to Appendices D & E).

### **1. Revisions to the Maps portrayed in Schedule A, Bylaw No. 789, 2015 and Schedule A, Bylaw No. 790, 2015**

The applicants provided the Village of Pemberton with updated mapping of the subject lands which more accurately illustrates the boundary between the RSA-2 and RTA-2 zones. The updated information is based on a recent survey, and results in a slight modification to the borderline between the two zones. As such, this change has been reflected in revisions to both Schedule A's attached to and forming a part of the two bylaws.

### **2. Revision to text contained in "Section 302C.2 Lot Sizes" of Bylaw No. 790, 2015**

- a) Text amendments to Bylaw 790 Section 302C.2 which sets out the provisions for **Lot Sizes** for the **Residential (Amenity) Zone 2** (RSA-2 Zone) have been requested. The request is to revise Bylaw 790 Section 302C.2 (c) to allow for the contribution of voluntary community amenity contributions as either cash or in-kind services.

A similar amendment was approved by Council on March 14, 2014 (via Zoning Amendment Bylaw No. 753, 2014) to enable the developer of the adjacent Sunstone property to contribute to community amenities prior to subdivision and/or alternatively do in-kind works, if acceptable to the Village. The request was made in 2013 by the Developers of the Sunstone property as it was noted that by doing it this way would likely lead to cost and time efficiencies that would benefit the Village's proposed multi-use recreational facility located nearby.

At the time, Development Services Staff supported this request as they believed that the flexibility provided by being able to accept in-kind works and services would better accommodate the community's goal of affordable recreation facilities, which may include partnerships with third party interests. Furthermore the Bylaw No. 753, 2014 Zoning Amendment required that any "in-kind" services be approved by Village staff to ensure that there is the required oversight.

Essentially, the developers of the "580" Lands also desire to have the same flexibility as the adjacent hillside development to make voluntary community amenity contributions as either cash or cash-in-lieu / in-kind services. Again, decisions on the appropriate equivalent amounts for in-kind services would be determined through negotiations that would take place at the Village staff level. Changes to the bylaw are shown below, and are as presented during the Public Hearing held December 8<sup>th</sup>, 2015 and introduced to Council in the December 1, 2015 Staff report.

- b) There is also the need to revise text to address errors that refer to incorrect sections of the Bylaw, as shown below in the tracked changes version of the recommended text amendment. The bylaw at Second Reading referred to Section 302B.2(a) and should read Section 302C.2(a); and to Section 302.3(b) which should read Section 302C.2(b).

### 302C.2 Lot Sizes

(c) ~~The densities may be increased from the requirements identified in Section 302C.2(a) to the requirements identified in Section 302C.3(b) providing contributions toward community amenities have been provided through a cash payment of \$9165 per (single family lot or bed & breakfast) lot payable prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, an ice arena or aquatic centre and ancillary uses.~~

Comment [sf1]: Language at Second Reading.

(c.) The densities may be increased from the requirements identified in Section ~~302B~~302C.2(a) to the requirements identified in Section 302C.32(b) providing contributions toward community amenities have been provided through a ~~payment~~ voluntary contribution of \$9165 per single family or bed & breakfast lot, payable either:

- i) in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.]

Comment [sf2]: Proposed new language



### 3. Revisions to text contained in Section 303B.2 Lot Sizes

- a) A text amendment is required to correct an error contained in Section 303B.2(b) to delete the word “maximum” and replace it with the word “minimum”. This amendment correctly describes the base density related to the permitted size of a Townhouse unit (minimum of 300 m<sup>2</sup>), if voluntary amenity contributions are not received.

#### 303B.2 Lot Sizes

##### 303B.2 Lot Sizes

- (a) The minimum lot sizes as a base density are as follows:

|                             |                                |
|-----------------------------|--------------------------------|
| Single Residential Dwelling | 20,000 m <sup>2</sup>          |
| Townhouse                   | 20,000 m <sup>2</sup> per unit |

- (b) The ~~maximum~~-minimum unit size for a Townhouse is 300 m<sup>2</sup>.

- b) Similarly text amendments to Bylaw 790 Section 303B.2 (e), which sets out the provisions for **Lot Sizes** for the **Residential Townhouse (Amenity) Zone 2 – RTA-2 Zone**, are also being requested. Like the RSA-2 Zone, the request is to also revise the appropriate section of the RTA-2 Zone to allow for the collection of voluntary community amenity contributions as either cash or in-kind services.

(e) ~~The densities may be increased from the requirements identified in Section 303B.2(a) and 303B.2(b) to the requirements identified in Section 303B.2(c) and Section 303B.2(d) providing the following contributions toward community amenities have been provided through a cash payment of \$9165 per (single family lot or bed & breakfast) lot payable; or \$6110.00 per townhouse unit payable at the earlier of building permit issuance or prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs sports fields, an ice arena or aquatic centre and ancillary uses.~~

(e) The densities may be increased from the requirements identified in Section 303A.2(a) and 303A.2(b) to the requirements identified in Section 303A.2(c) and Section 303A.2(d) providing contributions toward community amenities have been provided through a payment-voluntary contribution of \$9165 per single family or bed & breakfast lot or \$6110.00 per townhouse unit, payable either:

- i) in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

c)

Comment [sf3]: Language at Second Reading

Comment [sf4]: Proposed new language

## **POST-PUBLIC HEARING CONSIDERATIONS**

Prior to Council consideration of adoption for Bylaw 790, the Owner will be required to enter into a Land Development Agreement (LDA) for the voluntary amenity contributions and off-site servicing requirements introduced at the public hearing. Bylaw 790, 2015 will also require the approval of the Ministry of Transportation and Infrastructure.

## **COMMUNICATIONS**

After the close of a public hearing, only Staff members are permitted to receive new information and/or submissions. At this time no new information has been received.

Following Third Reading, Staff will refer the bylaws to MOTI for sign-off. No other communication elements are planned at this time.

## **LEGAL CONSIDERATIONS**

In accordance with the *Local Government Act*, s. 894 (1), after a public hearing, the Council may, without further notice or hearing,

- (a) adopt or defeat the bylaw, or
- (b) alter and then adopt the bylaw, provided that the alteration does not
  - (i) alter the use,
  - (ii) increase the density,
  - (iii) without the owner's consent, decrease the density of any area from that originally specified in the bylaw.

## **IMPACT ON BUDGET & STAFFING**

The research and preparation of the report/bylaw is a component of the daily work undertaken by the Operations & Development Services Department. All costs associated with the processing of this application are recoverable.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts or approvals required respecting the processing of this application as it is a function of the Operations and Development Services Department.

## **ALTERNATIVE OPTIONS / NEXT STEPS**

Based on the input received at the Public Hearing, Council has several options to choose from:

1. Resolve to revise Bylaws No. 789 & 790 as recommended by Staff, and give Zoning Amendment Bylaws No. 789, 2015 and No. 790, 2015 Third Reading as amended, on December 15, 2015 (refer to **Appendices F & G**).
2. Not give Zoning Amendment Bylaws No. 789 and No. 790, 2015 Third Reading on December 15, 2015 and rescind First and Second Readings.

## **POTENTIAL GOVERNANCE CONSIDERATIONS**

Support of this initiative is consistent with all four Strategic Priorities:

1. Economic Vitality – the Village values and supports a competitive and diversified economy with engaged corporate citizens;
2. Good Governance – the Village is committed to citizen engagement, being an open, honest and accountable government, and fiscal responsibility;
3. Excellence in Service – delivering highest quality level municipal services within the scope of our resources.
4. Social Responsibility - the Village strives 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**

### **Bylaw 789, 2015**

**THAT** Council amend Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 by replacing Schedule "A", with the revised Schedule "A" attached to this report.

**THAT** Official Community Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 be given Third Reading, as amended;

### **Bylaw 790, 2015**

**THAT** Council amend Village of Pemberton Zoning Bylaw No. 466, 2011, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 to:

1. replace Schedule "A", with the revised Schedule "A" attached to this report;
2. delete Section 302C.2(c) and replace it with the following:

The densities may be increased from the requirements identified in Section 302B.2(a) to the requirements identified in Section 302.3(b) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot, payable either:

- i) in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses;

3. delete the word “maximum” and replace it with the word “minimum” in Section 303B.2 (b);
4. delete Section 303B.2(e) and replace it with the following:

The densities may be increased from the requirements identified in Section 303B.2(a) and 303B.2(b) to the requirements identified in Section 303.2(c) and Section 303.2(d) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot or \$6110.00 per townhouse unit, payable either:

- i) in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

**THAT** Village of Pemberton Zoning Bylaw No. 466, 2011, Amendment (‘580’ Hillside Lands) Bylaw No. 790, 2015 be given Third Reading as amended.

**Attachments:**

- APPENDIX A:** Letter received before the deadline of Wed, December 2<sup>nd</sup>, 2015 from Ian Kruger  
**APPENDIX B:** Public Hearing Minutes for Bylaw No. 789, 2015 (including Letters received after the December 2<sup>nd</sup> deadline)  
**APPENDIX C:** Public Hearing Minutes for Bylaw No. 790, 2015 (including Letters received after the December 2<sup>nd</sup> deadline)  
**APPENDIX D:** Zoning Amendment Bylaw No. 789, 2015 – tracked changes after PH  
**APPENDIX E:** Zoning Amendment Bylaw No. 790, 2015 – tracked changes after PH  
**APPENDIX F:** Zoning Amendment Bylaw No. 789, 2015 for Third Reading  
**APPENDIX G:** Zoning Amendment Bylaw No. 790, 2015 for Third Reading



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Lisa Pedrini,  
Village Planner



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Cameron Chalmers,  
Contract Development Planner

**MANAGER OF OPERATIONS AND DEVELOPMENT SERVICES REVIEW**



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Tim Harris,  
Manager of Operations and Development Services

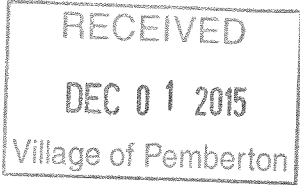
**CHIEF ADMINISTRATIVE OFFICER**



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Nikki Gilmore,  
Chief Administrative Officer

APPENDIX A



Dear Mayor and Council,

With the recent consideration of bylaw amendments for the 580 parcel, it has come to the Pemberton Valley Trail Association’s attention that the zone lacks a cohesive trail plan. The trails within the Hillside Lands are significant assets to a variety of Pemberton Valley user groups. Establishing a trail plan is in the best interest of trail users, developers, and the Village of Pemberton.

Without comprehensive blueprint, trails will be considered on an independent basis as development applications arise. The end result is a network that lacks direction and flow, increasing conflict between users and land owners. A functional, well planned, trail network provides value to the community and property developers.

Existing routes within the Hillside Lands are primarily singletrack trails established by historical use. The PVTA applauds the “no net trail loss” policy of the Village. However, we are concerned that displaced trails may not be replaced with trails of similar standard or construction. Proper replacement of impacted trails must be carefully considered, without a trail plan this process is unlikely to happen.

As parcels within the Hillside Lands continue toward development, it will be increasingly difficult to establish guidelines to preserve and improve trail access. The time to establish a comprehensive, zone-wide trails strategy is now.

Thank you for your time,

Ian Kruger

Director of Trails

Pemberton Valley Trails Association

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

**Minutes** of the **Public Hearing** of Council of the Village of Pemberton held on Tuesday, December 8, 2015 at 7:00 p.m. at the Squamish-Lillooet Regional District Office, 1350 Aster Street.

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

**REGRETS** Councillor Ted Craddock

**STAFF IN ATTENDANCE:** Nikki Gilmore, Chief Administrative Officer  
Sheena Fraser, Manager of Corporate & Legislative Services  
Tim Harris, Manager of Operations & Development Services  
Lisa Pedrini, Village Planner  
Cameron Chalmers, Development Planning Consultant  
Paige MacWilliam, Legislative Assistant

**MEMBERS OF PUBLIC:** 17

**MEDIA:** 0

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**1. CALL TO ORDER**

At 7:00 p.m. Mayor Mike Richman called the Public Hearing to order and read the following Opening Statement for the Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015:

Lisa Pedrini, Planner for the Village of Pemberton, will make a presentation on the Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015, and Sheena Fraser, Corporate Officer, will record your comments.

Also in attendance are Councillor Helmer, Councillor Linklater and Councillor Ross.

The Public Hearing is convened pursuant to Section 890 of the *Local Government Act* to allow the public to make representation to Council respecting matters contained in the proposed Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015.

Tonight we will be holding two public hearings consecutively; we'll begin with a Public Hearing for Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015, and once that has been completed and the Hearing closed, we will proceed with holding Public Hearing for Village of Pemberton Zoning Amendment ('580' Hillside Lands) Bylaw No. 790, 2015.

Notice of Public Hearing for this bylaw was advertised in the Pique Newsmagazine on November 26<sup>th</sup>, 2015, and December 3<sup>rd</sup>, 2015, and in the Whistler Question Newspaper on December 1<sup>st</sup>, 2015.

Notice was also posted at the Village of Pemberton Office, the Village of Pemberton Notice Board located at the Post Office and on the Village Website, eNews and Facebook Page.

Everyone present shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaw. Each speaker will have up to five (5) minutes to be heard. No one will be discouraged or prevented from making their views known. However, it is important that remarks be restricted to matters contained in the proposed Bylaw.

When speaking, please commence your remarks by clearly stating your name and address.

Members of Council may ask questions following presentations; however, the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw.

The Public is reminded that this Public Hearing is the final opportunity for input on the proposed Bylaw and Council may not hear from or receive correspondence from interested parties relating to the bylaw upon the close of the meeting.

After this Public Hearing has concluded, Council will, at a subsequent Council Meeting, further consider the Bylaw.

## **2. INTRODUCTION OF VILLAGE OF PEMBERTON OFFICIAL COMMUNITY PLAN AMENDMENT ('580' Hillside Lands) BYLAW NO. 789, 2015**

Ms. Lisa Pedrini, Village Planner, provided an overview and explanation of the Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015.

Ms. Pedrini began by showing a map that depicts the subject lands, which comprises part of the Hillside Area which was removed from the Squamish-Lillooet Regional District and incorporated into the Village of Pemberton in 2011. The subject lands (Lots



2 and 3) are located approximately 3.6 km east from the Village center and 0.5 km north of the Pemberton Plateau development adjacent to the Sunstone Ridge Lands and accessed via Pemberton Farm Road East.

Ms. Pedrini explained that the purpose of OCP Amendment Bylaw No. 789, 2015 is to facilitate the development of single family and multi-family residential uses on the subject lands legally described as Lots 2 & 3, DL 211, EPP21848, LLD by amending the Village's Official Community Plan to amend the designation of the subject lands from "Special Planning Area-Hillside" to "Residential" and to designate the subject lands as Development Permit Areas for "Environmental Protection", "Land Constraints" and "Form and Character of Multi-family Development" as per the Village of Pemberton OCP Bylaw No. 654, 2011.

Ms. Pedrini concluded by stating that the map shown on 'Schedule A' has been revised slightly since Second Reading based on more accurate information obtained from a survey of the property. Staff received a request to update the map attached to Bylaw No. 789 following the Bylaw receiving Second Reading on November 17<sup>th</sup>, 2015. Staff determined that this change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.

### **3. LISTING OF CORRESPONDENCE**

Ms. Sheena Fraser, Manager of Corporate & Legislative Services, advised that the Village has received one (1) submission as of noon, Wednesday, December 2, 2015, which was included in the agenda package, from Mr. Ian Kruger, Pemberton Valley Trails Association, expressing a desire for a cohesive trail plan for the hillside area.

In addition, one (1) submission was received on December 7, 2015, from Ms. Dawn Johnson, Executive Director, Stewardship Pemberton, expressing concerns about this development in regards to meeting or exceeding environmental best practices in species protection, storm water management and appropriate parkland dedication. The letter was read aloud by Ms. Fraser, provided to Council, made available to the public at the hearing and is attached to the minutes for information.

### **4. PUBLIC SPEAKERS**

Mayor Richman called for submissions from the public:

#### **Beau Craig, 1340 Collins Road, Pemberton – SUPPORT**

Mr. Craig expressed support for the proposed development and believed the developers have contributed the time and effort required to satisfy the requirements to move it forward.

**Jim Orava, 1745 Reid Road, SLRD Area C – SUPPORT**

Mr. Orava spoke about his concerns related to forest fires in the area. He concluded by stating that he supports the proposed development at this location as it is a south-facing slope in a flood-proof area.

**Niki Vanker, 7451 Aspen Boulevard, Village of Pemberton**

Ms. Vanker expressed concerns about the distance of this proposed development from the Village centre. She would like to see trails and transit connections. She also spoke about the importance of recreation in the area and understanding the implications of having strata development, with roads which are considered private land, on the existing trails on the hillside.

**Don Coggins, 1717 Pinewood Drive, Village of Pemberton - SUPPORT**

Mr. Coggins is a resident of the Plateau area, living near to the proposed development site, and he expressed his support for the proposed development as he would like more neighbours. Mr. Coggins also stated that more residents in the area would result in improved transit service.

**5. ADJOURNMENT**

Mayor Richman called three (3) times for any other submissions, and hearing none closed the Public Hearing at 7:11 p.m.

Mayor Richman reminded that after the Public Hearing is adjourned the opportunity for public discussion has ended and Council may not hear from or receive correspondence from interested parties relating to this bylaw. It will now be a matter for Council's consideration based upon the information received to date.

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer



## Stewardship Pemberton Society

PO Box 31  
Pemberton, BC  
V0N 2L0

December 8th, 2015

Dear Mayor and Council,

Regarding: Public Hearing: 580 Hillside Development

I am writing on behalf of myself and Stewardship Pemberton Society Board of Directors to express our feedback regarding the 580 Hillside Development.

This project needs to meet or exceed environmental best practices in all aspects of the development as per local, Provincial and Federal requirements. Specifically, Stewardship Pemberton Society is concerned about species protection, storm water management, and appropriate parkland designation.

Sincerely,

Dawn Johnson  
Executive Director  
On Behalf of Stewardship Pemberton Society Board of Directors  
Stewardship Pemberton Society

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

**Minutes** of the **Public Hearing** of Council of the Village of Pemberton held on Tuesday, December 8, 2015 at 7:00 p.m. at the Squamish-Lillooet Regional District Office, 1350 Aster Street.

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**IN ATTENDANCE:**

Mayor Mike Richman  
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  
Lisa Pedrini, Village Planner  
Cameron Chalmers, Development Planning Consultant  
Paige MacWilliam, Legislative Assistant

**MEMBERS OF PUBLIC:**

**17**

**MEDIA:**

**0**

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**1. CALL TO ORDER**

At 7:12 p.m., immediately following the conclusion of the Public Hearing for Village of Pemberton Official Community Plan Amendment ('580' Hillside Lands) Bylaw No. 789, 2015, Mayor Mike Richman, called the Public Hearing to order for the Village of Pemberton Zoning Amendment ('580' Hillside Lands) Bylaw No. 790, 2015.

**2. INTRODUCTION OF VILLAGE OF PEMBERTON ZONING AMENDMENT ('580' Hillside Lands) BYLAW NO. 790, 2015**

Ms. Lisa Pedrini, Village Planner, provided an overview and explanation of the Village of Pemberton Zoning Amendment ('580' Hillside Lands) Bylaw No. 790, 2015.

The purpose of Bylaw 790, 2015, is to facilitate the development of single family and multi-family residential uses on the subject property - legally described as Lots 2 & 3, DL 211, EPP21848, LLD - by amending the Village's Zoning Bylaw No. 466, 2001, to rezone the subject property from "Rural 1 - Rural Residential sub zone (RR1<sub>Res</sub>)" to "Residential (Amenity) Zone 2 (RSA-2)" and to "Residential Townhouse (Amenity) Zone 2 (RTA-2)."

The RSA-2 and RTA-2 Zones are brand new zones specifically crafted for this purpose. They are based on the existing RSA-1 and RTA-1 zones. All amenity zones allow for increased density upon the receipt of certain amenity contributions.

The current zoning of RR1<sub>Res</sub> allows for single family rural residential uses with a minimum parcel area of 1 hectare.

The proposed zoning of RSA-2 zone allows for low density single family residential uses with a base minimum parcel area of 20,000 m<sup>2</sup>, and the opportunity for density bonusing to permit a minimum parcel area of 1,400 m<sup>2</sup> upon the receipt of certain community amenity contributions as specified in the bylaw.

The proposed RSA-2 zone allows for moderate density single family and multi-family (townhouse) residential uses with a base minimum parcel area of 20,000 m<sup>2</sup> for single family residential and a minimum parcel area of 20,000 m<sup>2</sup> per unit for townhouse development, with the opportunity for density bonusing to permit a minimum parcel area of 700 m<sup>2</sup> for single family residential and a maximum of 25 units per hectare for townhouse development, upon the receipt of certain community amenity contributions as specified in the bylaw.

Ms. Pedrini also stated that the map shown on 'Schedule A' has been revised slightly since Second Reading based on more accurate information obtained from a survey of the property. Staff received a request to update the map attached to Bylaw 790 since the Bylaw was given Second Reading on November 17<sup>th</sup>, 2015. Staff determined that this change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.

Ms. Pedrini also listed minor text revisions requested since Second Reading of Village of Pemberton Zoning ('580' Hillside Lands) Amendment Bylaw No. 790, 2015.

- Section 302C.2 (c) needs to be revised to allow for the collection of CAC's as either cash or in-kind services. Staff presented this request to Council on Dec 1, 2015. This change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.
- Section 303B.2 also needs a small correction to read 'minimum' unit size rather than 'maximum' unit size.
- Section 303B.2 (e) needs to be revised to allow for the collection of CAC's as either cash or in-kind services. Staff presented this request to Council at the Regular Meeting held on Dec 1, 2015. This change can be considered by Council, before Third Reading, as long as this information is presented at tonight's Public Hearing.

Ms. Pedrini concluded by outlining the commitments that will be made by the developer through a Land Development Agreement:

- Voluntary Community Amenity Contributions, for lots and townhomes sized less than 20,000 square meters
- Off-site works and services including sanitary, water, stormwater and roadworks
- Fencing as per CN Rail's requirements
- Green initiatives such as Ener-Guide 80 rating and passive solar design

Ms. Pedrini explained that a Land Development Agreement is an agreement between the Village and the developer on items that will be required before development occurs and will be registered on title through a Section 219 Covenant.

### **3. LISTING OF CORRESPONDENCE**

Ms. Sheena Fraser, Manager of Corporate & Legislative Services, advised that the Village has received one (1) submission as of noon, Wednesday, December 2, 2015, which are included in the agenda package, expressing desire for a cohesive trail plan for the hillside area from Mr. Ian Kruger, Pemberton Valley Trails Association (PVRTA).

In addition, two (2) submissions were received following the publication of the agenda: a letter from Ms. Dawn Johnson, Executive Director of Stewardship Pemberton, expressing concerns about this development in regards to meeting or exceeding environmental best practices in species protection, storm water management and appropriate parkland dedication. And a letter from Ms. Ming Sartee, Pemberton resident, expressing interest in ensuring that the proposed development include consideration of the recreational trails on and around the site. Ms. Sartee proposed that if any trails are destroyed through this development that they be replaced like-for-like with input from the PVRTA and mountain biking community. The letters were summarized by Ms. Fraser, provided to Council, made available to the public at the hearing and attached to the minutes for information.

### **4. PUBLIC SPEAKERS**

Mayor Richman called for submissions from the public:

#### **Lisa Ames, 1024 Glacierview Drive, Squamish – SUPPORT**

Ms. Ames outlined the history of the process by which this development has been moved forward since 2006, including the Village of Pemberton boundary extension in 2011 and the various planning processes undertaken by both Squamish-Lillooet

Regional District and the Village of Pemberton. She encouraged Council to support this development proposal to send a positive message to developers, investors and financial institutions.

**Jim Orava, 1745 Reid Road, Mount Currie – SUPPORT**

He stated that he supports this development because it will help to install long term infrastructure that will provide another route to the residents located along Reid Road on the hilltop. Mr. Orava also spoke about his concerns about forest fires in the area.

**5. ADJOURNMENT**

Mayor Richman reminded that after the Public Hearing is adjourned the opportunity for public discussion has ended and Council may not hear from or receive correspondence from interested parties relating to this bylaw. It will now be a matter for Council's consideration based upon the information received to date.

Mayor Richman called three (3) times for any other submissions, and hearing none closed the Public Hearing at 7:28 p.m.

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer



## Stewardship Pemberton Society

PO Box 31  
Pemberton, BC  
V0N 2L0

December 8th, 2015

Dear Mayor and Council,

Regarding: Public Hearing: 580 Hillside Development

I am writing on behalf of myself and Stewardship Pemberton Society Board of Directors to express our feedback regarding the 580 Hillside Development.

This project needs to meet or exceed environmental best practices in all aspects of the development as per local, Provincial and Federal requirements. Specifically, Stewardship Pemberton Society is concerned about species protection, storm water management, and appropriate parkland designation.

Sincerely,

Dawn Johnson  
Executive Director  
On Behalf of Stewardship Pemberton Society Board of Directors  
Stewardship Pemberton Society



December 7, 2015

Submission of public comments on:

**Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015**

Dear Mayor and Council,

I am writing to express my interest in ensuring the '580' Hillside Lands proposal includes a robust and authentic consideration of the recreational trails that sit on and around the land. I believe that the most advantageous and valuable approach to the land for both the Village and the developers is to preserve all existing trails, and if not possible, to replace and rebuild any trails destroyed like-for-like with input from the PVTA and mountain biking community.

As a recent resident who has only seen Pemberton through a current lens, I have found that one of the core foundations of Pemberton is the access to the mountain biking/ hiking/ running trails that surround the village. This is a prevailing reason people are drawn to the town, and the exact reason my husband and I moved to Pemberton almost 2 years ago. We have been overwhelmed by the passionate and active outdoor community that this town supports, and almost everyone we meet echoes our sentiments of finally finding a town in which they can raise a family around values based on respecting our natural environment and staying active and healthy within it.

In considering the '580' Hillside Lands and adjoining developments, I hope that you envision Pemberton's growth not as an extension or off-shoot of Whistler, but as a singularly unique community centered around preserving an authentic recreational experience. This is an experience that not only supports the needs of the community, but one that will attract tourism and industry.

Based on marketing, out-reach, and internet hype, I used to perceive Whistler as the mecca of mountain biking. However, in my own personal experience, and my experience talking to both Whistler and Pemberton riders, I have found a strong preference for Pemberton mountain biking trails because of the unparalleled single track in undeveloped lands. This experience of riding for hours without ever touching pavement or seeing a house, car, or street sign is what makes the hillside lands so valuable to the village, and is what makes Pemberton the true adventure destination.

I can illustrate this point through a couple of personal anecdotes:

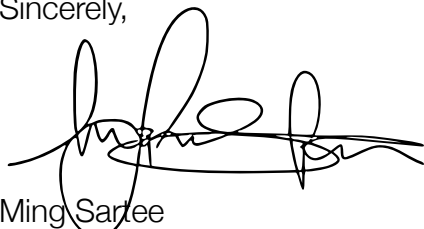
My first trail ride in Whistler was on the Danimal trail in the Stonebridge neighborhood, which some have lauded as a successful navigation of development around existing mountain biking trails. However, after learning to mountain bike in Pemberton, I was disappointed by the climb up the paved road through Stonebridge. In fact, many of the Whistler trails that I've ridden have been uninspiring because the uphill access is via a double-track or paved "grind" or the ride out navigates through neighborhoods. This gives me the sense of a manufactured outdoor experience that has been tailored for easier access. I urge you to consider Pemberton's raw, organic recreational experience as one counter to that of Whistler's — one that challenges bikers with interesting, mentally and physically demanding trails that take time and effort, but rewards riders with victories and hurdles to tackle again and again.

Another anecdote is one I witnessed while riding in Pemberton. While out biking, I ran into a woman, her 12-yr old son, and his friend whom I recognized from the Ken and Barbie race in Whistler. When I started to chat with them about biking, both the woman and the boys lit up when they learned that I lived in Pemberton and proceeded to rave about the fantastic climbing trails and wonderful descents they were exploring in the Mackenzie and Mosquito Lake area. It was so inspiring to see the boys passionately weigh their options, torn by their indecision of whether to decent down Hawaii for the sweet berms, or ride for (only) another 20 minutes up to Back Pains. They were only placated when their mother assured them that they would come back to ride again soon. Even as I was about to leave them to descend, one of the boys ran to catch me and ask about Psychopath as a route back down to their car at the gravel pit.

*This* is the experience that Pemberton should cultivate — one that allows tourists and residents to have a full day on their bikes without crossing highways or navigating through residential developments. One that safely allows kids to be immersed in nature, without parents worrying about upcoming traffic. One that inspires children and adults alike to challenge themselves, and to continue to come back to Pemberton.

I hope you consider this perspective, and convey to the developers that the natural, wild lands that the trails wind through are equal in value to the proposed development.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ming Sartee', with a large, stylized flourish at the end.

Ming Sartee  
604 698 8221, mingsartee@gmail.com  
PO Box 919, 1428 Poplar St, Pemberton, BC V0N2L0

VILLAGE OF PEMBERTON

BYLAW NO. 789, 2015

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

WHEREAS the Council may amend its Official Community Plan from time to time;

AND WHEREAS the Council of the Village of Pemberton deems it desirable to amend the Official Community Plan Bylaw to accommodate residential development in the Hillside area;

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

- 1. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015."
2. Village of Pemberton Official Community Plan Bylaw No 654, 2011 is amended as follows:
a) Amend Map B to re-designate the "Subject Lands" identified in Schedule A of this bylaw from "Special Planning Area (Hillside)" to "Residential".
b) Amend Map L to designate the "Subject Lands" as identified in Schedule A of this bylaw as "Development Permit Areas No. 1 - Environmental Protection; No. 2 - Natural Hazards; and No. 6 - Multi-family and/or Commercial Development.

READ A FIRST TIME this 7th day of July, 2015.

READ A SECOND TIME this 17th day of November, 2015.

NOTICE OF PUBLIC HEARING for Village of Pemberton Official Community Plan Bylaw No. 654, 2011, Amendment ('580' Hillside Lands) Bylaw No. 789, 2015 was published in the Pique Newsmagazine on November 26th, 2015 and December 3rd, 2015, and in the Whistler Question on December 1st, 2015.

PUBLIC HEARING HELD this 8th day of December, 2015.

READ A THIRD TIME this day of , 2015.

PASSED AND ADOPTED this day of , 201\_.

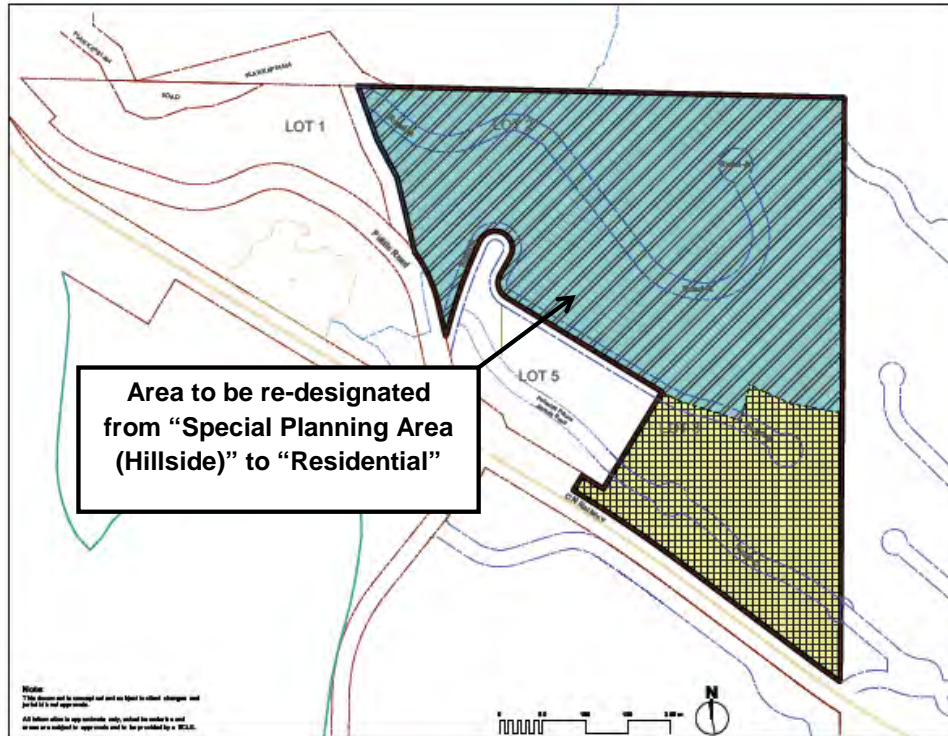
Mayor

Corporate Officer

## Schedule A

Village of Pemberton OCP Bylaw No. 654, 2011,  
Amendment ('580' Hillside Lands) Bylaw No. 789, 2015  
"Subject Lands"

Comment [1]: Revised Map



VILLAGE OF PEMBERTON

BYLAW NO. 790, 2015

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Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 466, 2001

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**WHEREAS** the Council may amend its Zoning Bylaw from time to time;

**AND WHEREAS** the Council of the Village of Pemberton deems it desirable to zone lands for Residential Uses;

**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 "Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015."

**2. Village of Pemberton Zoning Bylaw No. 466, 2001 is amended by addition of the following as Section 302 C:**

**"302C RESIDENTIAL (AMENITY) ZONE RSA-2**

*The intent of the RSA-2 Zone is to provide for the purpose of low density single family dwellings, and to provide density incentives earned by provision of certain amenities.*

**302C.1 Permitted Uses**

Single Residential Dwelling  
Home Occupation <sup>(a)</sup>  
Accessory Suite <sup>(b)</sup>  
Bed and Breakfast <sup>(c)</sup>  
Accessory Uses

<sup>(a)</sup> Home Occupation shall be subject to the requirements of Section 207.

<sup>(b)</sup> Accessory Suite shall be subject to the requirements of Section 210 (1) and (3).

<sup>(c)</sup> Bed and Breakfast shall be subject to the requirements of Section 224.

**302C.2 Lot Sizes**

(a) The minimum lot sizes as a base density are as follows:

|                             |                       |
|-----------------------------|-----------------------|
| Single Residential Dwelling | 20,000 m <sup>2</sup> |
| Bed and Breakfast           | 20,000 m <sup>2</sup> |

(b) The minimum lot sizes where the requirements identified in Section 302.C(c) have been fulfilled are as follows:

|                             |                      |
|-----------------------------|----------------------|
| Single Residential Dwelling | 1,400 m <sup>2</sup> |
| Bed and Breakfast           | 1,400 m <sup>2</sup> |

~~(c) The densities may be increased from the requirements identified in Section 302C.2(a) to the requirements identified in Section 302C.3(b) providing contributions toward community amenities have been provided through a cash payment of \$9165 per (single family lot or bed & breakfast) lot payable prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, an ice arena or aquatic centre and ancillary uses.~~

Comment [sf1]: Language at Second Reading.

(c) The densities may be increased from the requirements identified in Section ~~302B~~302C.2(a) to the requirements identified in Section 302C.32(b) providing contributions toward community amenities have been provided through a payment-voluntary contribution of \$9165 per single family or bed & breakfast lot, payable either:

- i) in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

Comment [sf2]: Proposed new language

**302C.3 Buildings and Structures**

- (a) No more than two dwellings (which includes an accessory suite) may be located on a parcel.
- (b) No more than two accessory buildings or structures are permitted on a parcel.

**302C.4 Building Heights**

Refer to the regulations contained in Section 302.2, which shall apply.

**302C.5 Setbacks**

Refer to the regulations contained in Section 302.3, which shall apply.

**302C.6 Lot Coverage**

The lot coverage of all buildings on a lot shall not exceed 40%.

**302C.7 Off-Street Parking**

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

**302C.8 Screening and Landscaping**

Screening and landscaping shall be provided in accordance with the regulations in Division 400.

**302C.9 Signage**

Signage should be limited to that permitted pursuant to Section 207(7) – Home Occupation.

**302B.10 Watercourse Setbacks**

Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

3. Village of Pemberton Zoning Bylaw No. 466, 2001 is amended by addition of the following as Section 303B:

**303B RESIDENTIAL TOWNHOUSE (AMENITY) ZONE RTA-2**

*The intent of the RTA-2 Zone is to provide for the purpose of moderate density townhouse or single family development, and to provide density incentives earned by provision of certain amenities.*

**303B.1 Permitted Uses**

Townhouse  
Single Residential Dwelling <sup>(a)</sup>  
Home Occupation <sup>(b)</sup>  
Accessory Uses

- (a) Single Residential Dwellings within this zone shall be subject to all the requirements of Section 302.
- (b) Home Occupation shall be subject to the requirements of Section 207.

**303B.2 Lot Sizes**

- (a) The minimum lot sizes as a base density are as follows:

|                             |                                |
|-----------------------------|--------------------------------|
| Single Residential Dwelling | 20,000 m <sup>2</sup>          |
| Townhouse                   | 20,000 m <sup>2</sup> per unit |

- (b) The ~~maximum~~-minimum unit size for a Townhouse is 300 m<sup>2</sup>.
- (c) Where the requirements identified in Section 303B.2(e) are fulfilled, the permitted density of a Single Residential use may be increased to the following:

|                           |                                   |
|---------------------------|-----------------------------------|
| Minimum Lot Size          | 700 m <sup>2</sup> <sup>(a)</sup> |
| Minimum Lot Width 1       | 18 m <sup>(b)</sup>               |
| Maximum Floor Space Ratio | 0.50                              |

- (d) Where the requirements identified in Section 303B.2(e) are fulfilled, the permitted density of a Townhouse use may be increased in accordance with the regulations contained within Section 303.3 of the RT-1 Zone.



(e) ~~The densities may be increased from the requirements identified in Section 303B.2(a) and 303B.2(b) to the requirements identified in Section 303B.2(c) and Section 303B.2(d) providing the following contributions toward community amenities have been provided through a cash payment of \$9165 per (single family lot or bed & breakfast) lot payable; or \$6110.00 per townhouse unit payable at the earlier of building permit issuance or prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs sports fields, an ice arena or aquatic centre and ancillary uses.~~

Comment [sf3]: Language at Second Reading

(e) The densities may be increased from the requirements identified in Section 303A.2(a) and 303A.2(b) to the requirements identified in Section 303A.2(c) and Section 303A.2(d) providing contributions toward community amenities have been provided through a payment-voluntary contribution of \$9165 per single family or bed & breakfast lot or \$6110.00 per townhouse unit, payable either:

- i) in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

Comment [sf4]: Proposed new language

### 303B.3 Buildings and Structures

- (a) No more than two dwellings including an accessory suite may be located on a parcel.
- (b) No more than two accessory buildings or structures are permitted on a parcel.

### 303B.4 Building Height and Setbacks

- (a) Single Residential Dwellings refer to regulations contained in Section 302B.2 and 302B.3, which shall apply.

- (b) Townhouse refer to regulations contained in Section 303.2 and 303.3, which shall apply.

**303B.5 Lot Coverage**

The lot coverage of all buildings on a lot shall not exceed 40%.

**303B.6 Off-Street Parking**

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

**303B.7 Screening and Landscaping**

Screening and landscaping shall be provided in accordance with the regulations in Division 400.

**303B.8 Signage**

Signage should be limited to that permitted pursuant to Section 207(7) – Home Occupation.

**303B.9 Watercourse Setbacks**

Any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans Canada.

4. Schedule A – Zoning Districts Map of Zoning Bylaw 466, 2001 is amended by re-zoning the lands shown shaded on Schedule 1 of this Bylaw from SLRD Electoral Area C Zoning: Rural 1 – Rural Residential sub zone (RR1<sub>Res</sub>) to Village of Pemberton Residential (Amenity) Zone (RSA-2) and Residential Townhouse (Amenity) Zone (RTA-2).

**READ A FIRST TIME** this 7<sup>th</sup> day of July, 2015.

**READ A SECOND TIME** this 17<sup>th</sup> day of November, 2015.

**NOTICE OF PUBLIC HEARING** for Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 was published in the **Pique Newsmagazine** on November 26th, 2015 and December 3rd, 2015, and in the **Whistler Question** on December 1st, 2015.

**PUBLIC HEARING HELD** this \_\_\_\_\_8th day of \_\_\_\_\_, December, 2015.

**READ A THIRD TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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**APPROVED BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE  
PURSUANT TO SECTION 52 of the *Transportation Act*** this \_\_\_\_\_ day of \_\_\_\_\_,  
201\_.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

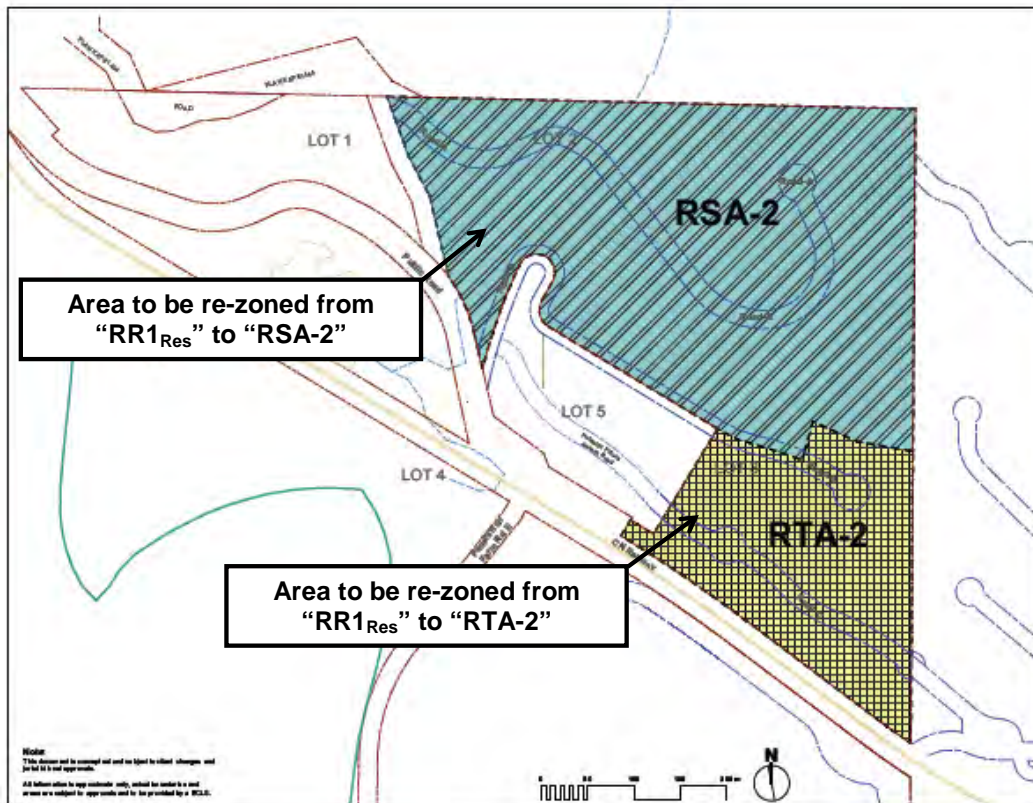
\_\_\_\_\_  
Mike Richman  
Mayor

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

## Schedule A

Village of Pemberton Zoning Bylaw No. 466, 2001,  
Amendment ('580' Hillside Lands) Bylaw No. 790, 2015  
"Subject Lands"

Comment [i5]: New Map



VILLAGE OF PEMBERTON

BYLAW NO. 789, 2015

---

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

---

**WHEREAS** the Council may amend its Official Community Plan from time to time;

**AND WHEREAS** the Council of the Village of Pemberton deems it desirable to amend the Official Community Plan Bylaw to accommodate residential development in the Hillside area;

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

1. This Bylaw may be cited for all purposes as “Official Community Plan Bylaw 654, 2011, Amendment (‘580’ Hillside Lands) Bylaw No. 789, 2015.”
2. Village of Pemberton Official Community Plan Bylaw No 654, 2011 is amended as follows:
  - a) Amend Map B to re-designate the “Subject Lands” identified in Schedule A of this bylaw from “Special Planning Area (Hillside)” to “Residential”.
  - b) Amend Map L to designate the “Subject Lands” as identified in Schedule A of this bylaw as “Development Permit Areas No. 1 – Environmental Protection; No. 2 - Natural Hazards; and No. 6 – Multi-family and/or Commercial Development.

**READ A FIRST TIME** this 7th day of July, 2015.

**READ A SECOND TIME** this 17th day of November, 2015.

**NOTICE OF PUBLIC HEARING** for Village of Pemberton Official Community Plan Bylaw No. 654, 2011, Amendment (‘580’ Hillside Lands) Bylaw No. 789, 2015 was published in the **Pique Newsmagazine** on **November 26th, 2015** and **December 3rd, 2015**, and in the **Whistler Question** on **December 1st, 2015**.

**PUBLIC HEARING HELD** this 8th day of November, 2015.

**READ A THIRD TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

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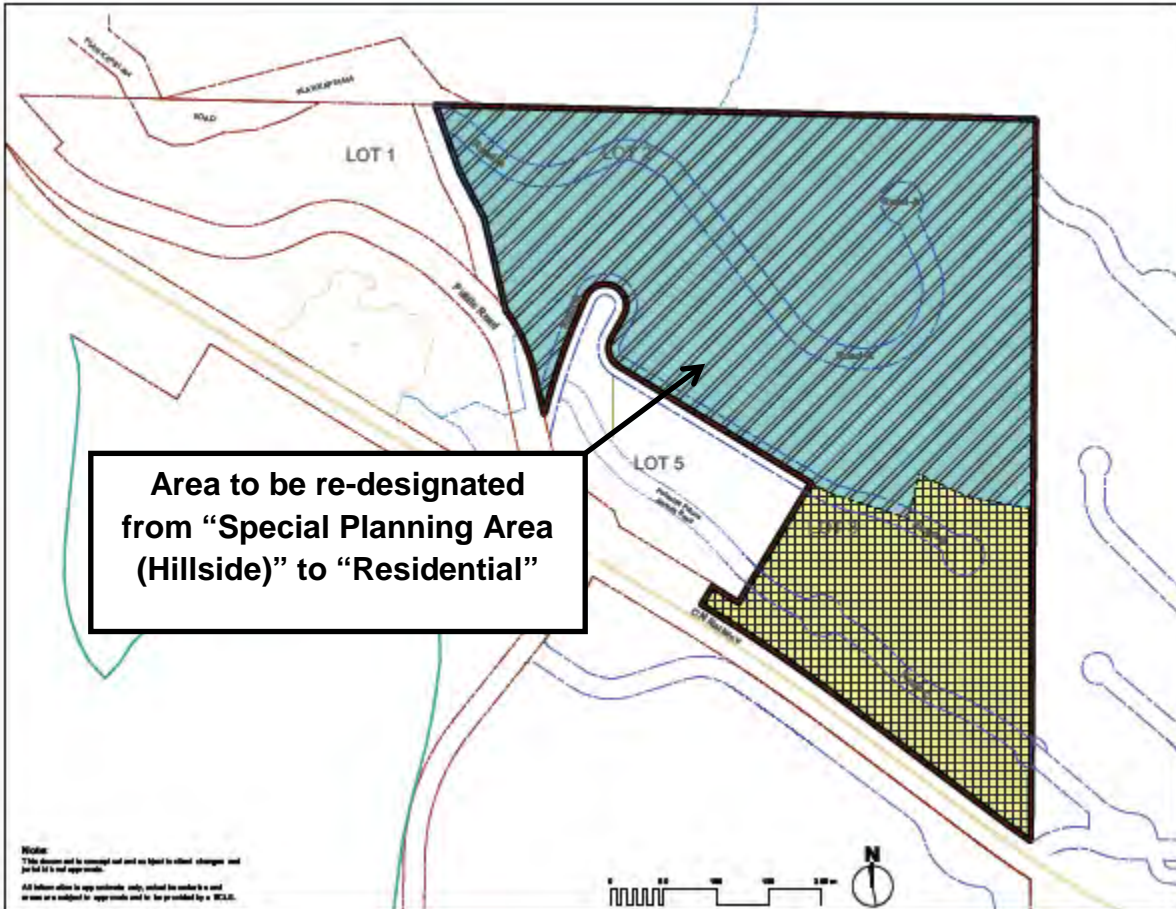
Mayor

---

Corporate Officer

# Schedule A

Village of Pemberton OCP Bylaw No. 654, 2011,  
Amendment ('580' Hillside Lands) Bylaw No. 789, 2015  
"Subject Lands"



VILLAGE OF PEMBERTON

BYLAW NO. 790, 2015

---

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 466, 2001

---

**WHEREAS** the Council may amend its Zoning Bylaw from time to time;

**AND WHEREAS** the Council of the Village of Pemberton deems it desirable to zone lands for Residential Uses;

**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 “Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment (‘580’ Hillside Lands) Bylaw No. 790, 2015.”

**2. Village of Pemberton Zoning Bylaw No. 466, 2001 is amended by addition of the following as Section 302 C:**

**“302C RESIDENTIAL (AMENITY) ZONE RSA-2**

*The intent of the RSA-2 Zone is to provide for the purpose of low density single family dwellings, and to provide density incentives earned by provision of certain amenities.*

**302C.1 Permitted Uses**

Single Residential Dwelling  
Home Occupation <sup>(a)</sup>  
Accessory Suite <sup>(b)</sup>  
Bed and Breakfast <sup>(c)</sup>  
Accessory Uses

<sup>(a)</sup> Home Occupation shall be subject to the requirements of Section 207.

<sup>(b)</sup> Accessory Suite shall be subject to the requirements of Section 210 (1) and (3).

<sup>(c)</sup> Bed and Breakfast shall be subject to the requirements of Section 224.

### 302C.2 Lot Sizes

(a) The minimum lot sizes as a base density are as follows:

|                             |                       |
|-----------------------------|-----------------------|
| Single Residential Dwelling | 20,000 m <sup>2</sup> |
| Bed and Breakfast           | 20,000 m <sup>2</sup> |

(b) The minimum lot sizes where the requirements identified in Section 302.C(c) have been fulfilled are as follows:

|                             |                      |
|-----------------------------|----------------------|
| Single Residential Dwelling | 1,400 m <sup>2</sup> |
| Bed and Breakfast           | 1,400 m <sup>2</sup> |

(c) The densities may be increased from the requirements identified in Section 302C.2(a) to the requirements identified in Section 302C.2(b) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot, payable either:

- i) in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
- ii) in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.



### **302C.3 Buildings and Structures**

- (a) No more than two dwellings (which includes an accessory suite) may be located on a parcel.
- (b) No more than two accessory buildings or structures are permitted on a parcel.

### **302C.4 Building Heights**

Refer to the regulations contained in Section 302.2, which shall apply.

### **302C.5 Setbacks**

Refer to the regulations contained in Section 302.3, which shall apply.

### **302C.6 Lot Coverage**

The lot coverage of all buildings on a lot shall not exceed 40%.

### **302C.7 Off-Street Parking**

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

### **302C.8 Screening and Landscaping**

Screening and landscaping shall be provided in accordance with the regulations in Division 400.

### **302C.9 Signage**

Signage should be limited to that permitted pursuant to Section 207(7) – Home Occupation.

### **302B.10 Watercourse Setbacks**

Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

3. Village of Pemberton Zoning Bylaw No. 466, 2001 is amended by addition of the following as Section 303B:

**303B RESIDENTIAL TOWNHOUSE (AMENITY) ZONE RTA-2**

*The intent of the RTA-2 Zone is to provide for the purpose of moderate density townhouse or single family development, and to provide density incentives earned by provision of certain amenities.*

**303B.1 Permitted Uses**

Townhouse  
Single Residential Dwelling <sup>(a)</sup>  
Home Occupation <sup>(b)</sup>  
Accessory Uses

- (a) Single Residential Dwellings within this zone shall be subject to all the requirements of Section 302.
- (b) Home Occupation shall be subject to the requirements of Section 207.

**303B.2 Lot Sizes**

- (a) The minimum lot sizes as a base density are as follows:

|                             |                                |
|-----------------------------|--------------------------------|
| Single Residential Dwelling | 20,000 m <sup>2</sup>          |
| Townhouse                   | 20,000 m <sup>2</sup> per unit |

- (b) The minimum unit size for a Townhouse is 300 m<sup>2</sup>.
- (c) Where the requirements identified in Section 303B.2(e) are fulfilled, the permitted density of a Single Residential use may be increased to the following:

|                           |                                   |
|---------------------------|-----------------------------------|
| Minimum Lot Size          | 700 m <sup>2</sup> <sup>(a)</sup> |
| Minimum Lot Width 1       | 18 m <sup>(b)</sup>               |
| Maximum Floor Space Ratio | 0.50                              |

- (d) Where the requirements identified in Section 303B.2(e) are fulfilled, the permitted density of a Townhouse use may be increased in accordance with the regulations contained within Section 303.3 of the RT-1 Zone.

- ( e) The densities may be increased from the requirements identified in Section 303A.2(a) and 303A.2(b) to the requirements identified in Section 303A.2(c) and Section 303A.2(d) providing contributions toward community amenities have been provided through a voluntary contribution of \$9165 per single family or bed & breakfast lot or \$6110.00 per townhouse unit, payable either:
  - i) in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses; and/or
  - ii) in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and ancillary uses.

### **303B.3 Buildings and Structures**

- (a) No more than two dwellings including an accessory suite may be located on a parcel.
- (b) No more than two accessory buildings or structures are permitted on a parcel.

### **303B.4 Building Height and Setbacks**

- (a) Single Residential Dwellings refer to regulations contained in Section 302.2 and 302.3, which shall apply.
- (b) Townhouse refer to regulations contained in Section 303.2 and 303.3, which shall apply.

### **303B.5 Lot Coverage**

The lot coverage of all buildings on a lot shall not exceed 40%.

### **303B.6 Off-Street Parking**

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

### **303B.7 Screening and Landscaping**

Screening and landscaping shall be provided in accordance with the regulations in Division 400.

**303B.8 Signage**

Signage should be limited to that permitted pursuant to Section 207(7) – Home Occupation.

**303B.9 Watercourse Setbacks**

Any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans Canada.

4. Schedule A – Zoning Districts Map of Zoning Bylaw 466, 2001 is amended by re-zoning the lands shown shaded on Schedule 1 of this Bylaw from SLRD Electoral Area C Zoning: Rural 1 – Rural Residential sub zone (RR1<sub>Res</sub>) to Village of Pemberton Residential (Amenity) Zone 2 (RSA-2) and Residential Townhouse (Amenity) Zone 2 (RTA-2).

**READ A FIRST TIME** this 7<sup>th</sup> day of July, 2015.

**READ A SECOND TIME** this 17<sup>th</sup> day of November, 2015.

**NOTICE OF PUBLIC HEARING** for Village of Pemberton Zoning Bylaw No. 466, 2001, Amendment ('580' Hillside Lands) Bylaw No. 790, 2015 was published in the **Pique Newsmagazine** on November 26th, 2015 and December 3rd, 2015, and in the **Whistler Question** on December 1st, 2015.

**PUBLIC HEARING HELD** this 8<sup>th</sup> day of December, 2015.

**READ A THIRD TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**APPROVED BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE PURSUANT TO SECTION 52 of the *Transportation Act*** this \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

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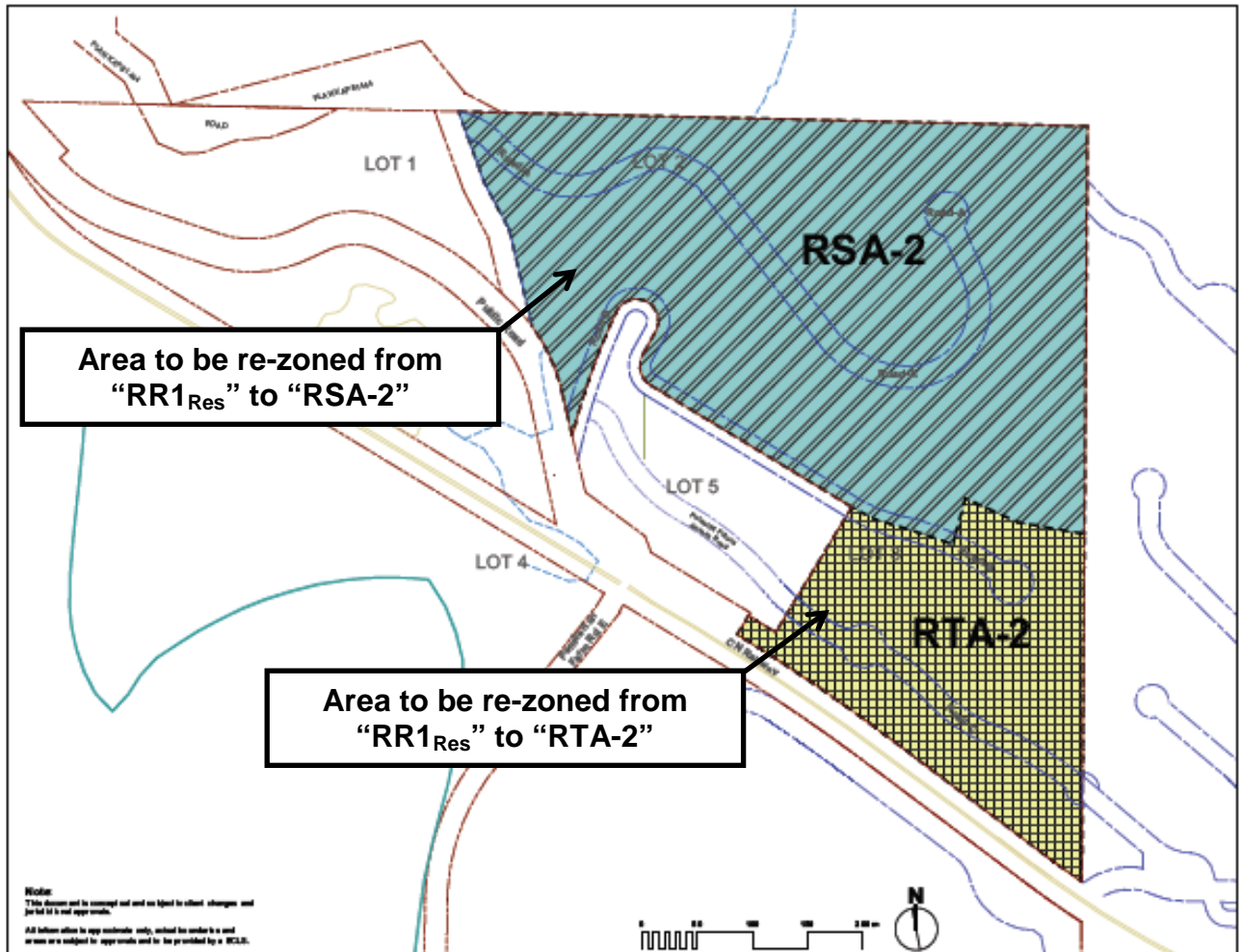
Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer

# Schedule A

Village of Pemberton Zoning Bylaw No. 466, 2001,  
Amendment ('580' Hillside Lands) Bylaw No. 790, 2015  
"Subject Lands"



**WEBSITE FORM SUBMISSION – Writing to Mayor & Council**

The following was submitted from the pemberton.ca **General Contact Form**.

**Full Name:** Melissa Darou

**Email Address:** [REDACTED]

**Phone Number:** [REDACTED]

**Mailing Address:** [REDACTED]

**Street Address:** [REDACTED]

**Town/City:** Pemberton

**Province/State:** BC

**Postal/Zip Code:** V0N 2L0

**Submission Date:** 12/05/2015 11:34 AM

**Message:** Dear Mayor and Council,

I sent the letter below to Minister of Transportation and Infrastructure (MoTi) Todd Stone and have also copied the Deputy Minister and MLA Jordan Sturdy.

I am concerned about the condition of road markings on Highway 99 between Whistler and Pemberton.

Reflectors and reflective paint at the sides of the road, on curves and barriers, and on the centre line are worn or absent.

These inadequate road markings on an exceptionally windy highway with changeable winter driving conditions make driving between Pemberton and Whistler treacherous at night, particularly in winter when visibility is further reduced.

I do not believe the condition of this section of highway meets minimum standards for its current use, and this jeopardizes Pemberton residents and visitors, and all of the other travellers using this transportation corridor.

I would like to request that you raise this issue with the MoTi and that you advocate for necessary upgrades and improvements to prevent accidents and keep drivers safe.

Sincerely,  
Melissa Darou  
\*\*\*\*\*

Dear Minister Todd Stone,

I am writing to express my concern about road conditions on Highway 99 between Whistler and Pemberton, in particular the lack of reflective road markers driving north from Whistler to Pemberton.

Reflective markers on the sides and centre of the road are worn or absent from the Rainbow neighbourhood near Green Lake in Whistler all the way to Pemberton. In good dry night-time conditions, it is extremely difficult to see any road markers at the side or centre line of the highway, and consequently difficult to see or anticipate the curves of the road.

During snowy wet conditions, it is hard to even see the road.

I have lived in the Sea to Sky Corridor for over seven years and have recently moved from Whistler to Pemberton. Like many people, I am commuting to Whistler for work, and am returning home at night. Road sanding, salting, and clearing are often inadequate, and coupled with the poor road markings, conditions can be slippery and dangerous. I am thankful when I make it home to my family safely.

The highway between Whistler and Pemberton is not only used by commuters (a significant portion of Whistler's workforce), but is also central to the economy (including tourism) in the region; and is essential as a lifeline for many smaller communities north of Pemberton and as an alternate route from Whistler.

While there has been some work on this stretch of the highway in recent years with new barriers installed and new asphalt in some sections, the road markings have not been adequately maintained or updated.

I would like to request that your staff investigate the road markings and reflectors on Highway 99 between Whistler and Pemberton, and I would encourage you to drive on the highway during a dark winter's night to fully appreciate the situation.

I would also like to request that you invest in appropriate upgrades to help keep the highway open and safe for business, work and travel.

Thank you for your consideration.

Sincerely,

Melissa Darou



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

## Input Sought on Agri-Tourism Bylaw Standard

**Dec. 9, 2015**

The B.C. Ministry of Agriculture has extended the consultation period on its discussion paper for a proposed Minister's Bylaw Standard for agri-tourism in the Agricultural Land Reserve. The deadline for submissions is January 15, 2016.

The [discussion paper](#) outlines a draft Minister's Bylaw Standard intended to assist local government bylaw development regulating agri-tourism, agri-tourism accommodation and farm retail sales in the Agricultural Land Reserve. Agri-tourism operators have also have been afforded the opportunity to provide their feedback.

Based on the input received, staff will prepare any necessary revisions and submit the bylaw standard for the Minister's approval. If approved, the definitions and bylaw standard criteria in Part 4 of the document will be incorporated in the *Guide for Bylaw Development in Farming Areas* pursuant to Section 916 of the Local Government Act.

Comments may be submitted by mail, fax or email:

Ministry of Agriculture Strengthening Farming Program  
1767 Angus Campbell Road Abbotsford, B.C.  
V3G 2M3  
Fax: (250) 356-0358  
[AgriServiceBC@gov.bc.ca](mailto:AgriServiceBC@gov.bc.ca)

Please copy UBCM with your submission through [Danyta Welch](#), Program and Policy Officer (250) 356-5193.



Ministry of  
Agriculture

**Regulating  
Agri-tourism and Farm Retail Sales  
in the Agricultural Land Reserve**

**DISCUSSION PAPER AND PROPOSED MINISTER'S BYLAW  
STANDARDS**

**September 14, 2015**

**November 30, 2015** - *revised to extend the deadline for feedback to midnight PST  
January 15, 2016 and to open the consultation to Agri-tourism Operators to provide  
feedback.*

**Prepared by:  
Strengthening Farming Program  
Innovation and Adaptation Services Branch**

## Executive Summary

This discussion paper ('white paper') has been prepared by the B.C. Ministry of Agriculture (AGRI) Strengthening Farming Program, Innovation and Adaptation Branch for input on the establishment of a Minister's Bylaw Standard to assist local government bylaw development regarding agri-tourism, agri-tourism accommodation and farm retail sales.

Its preparation follows the 2014 AGRI's consultation on the Agricultural Land Reserve (ALR) Use, Subdivision and Procedure Regulation (ALR USP Regulation) in which local governments expressed strong support for AGRI to provide greater clarity in guidance to local government bylaws on agri-tourism.

The proposed Minister's Bylaw Standard criteria, set out in Part 3.0, result from input contributed by the Agricultural Land Commission (ALC), local governments and the agricultural sector. While the proposed Minister's Bylaw Standard provisions apply to land in the Agricultural Land Reserve (ALR), local governments may also wish to adopt for all agriculturally zoned property.

AGRI invites local governments to review the proposed Minister's Bylaw Standard and provide feedback to the contact listed on page 13 by November 30, 2015. Feedback received will be analysed by AGRI staff, with updates and improvements made to the proposed Minister's Bylaw Standard in preparation for the Minister of Agriculture's (Minister) consideration.

# Table of Contents

|   |    |
|---|----|
| Executive Summary .....   | 1  |
| Introduction.....   | 3  |
| 1.0 Part one – The Criteria Development Process.....                  | 3  |
| 1.1 Purpose and Goals.....  | 3  |
| 1.2 Stakeholders .....  | 3  |
| 1.3 Objectives of the Process .....                                   | 4  |
| 1.4 Key Steps.....  | 4  |
| 1.5 Current Status (August 2015) .....                                | 4  |
| 1.6 Context for Bylaw Standard Establishment .....                    | 4  |
| 2.0 Part two - Background.....  | 5  |
| 2.1 Context.....  | 5  |
| 2.2 Current Policy, Legislation and Regulation .....                  | 5  |
| 3.0 Part three – Proposed Set of Criteria.....                        | 7  |
| 3.1 Proposed Definitions .....  | 7  |
| 3.2 Accessory farm activity.....                                      | 8  |
| 3.3 Farm Class.....   | 8  |
| 3.4 Agri-tourism temporary and seasonal use in the ALR.....           | 8  |
| 3.5 Permitted and ALC approval required agri-tourism activities ..... | 9  |
| 3.6 Agri-tourism Accommodation .....                                  | 10 |
| 3.7 Other Agri-tourism Criteria.....                                  | 11 |
| 3.7.1 Off-street Loading Areas and Parking.....                       | 11 |
| 3.7.2 Site Layout for Agri-tourism Activities.....                    | 11 |
| 3.7.3 Lights .....  | 11 |
| 3.7.4 Signage.....  | 11 |
| 3.7.5 Noise .....   | 12 |
| 3.8 Farm retail sales and marketing .....                             | 12 |
| 3.9 Local Government Permits and Fees .....                           | 12 |
| 3.10 Commercial Weddings .....  | 12 |
| 3.11 Bistros and Restaurants .....                                    | 13 |
| 4.0 Ministry contact information .....                                | 13 |

# Introduction

This paper outlines draft criteria to assist local governments in regulating their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, aiming to encourage further discussion on the matter with local governments, the ALC and the farm sector. It is important that the bylaw standard criteria effectively guide local government land use regulations within the context, and intents, of the *Agricultural Land Commission, Farm Practices Protections (Right to Farm)*, and *Local Government and Community Charter Acts* and their regulations. The draft criteria reflect analysis undertaken by AGRI staff, previous consultations with local governments, the ALC, industry, and the Ministry of Community, Sport and Cultural Development (CSCD).

## 1.0 Part one – The Criteria Development Process

This paper explores and proposes land use regulation and policy guidance for local governments to address agri-tourism and farm retail sales issues in their communities, while recognizing these uses are permitted (with exceptions) within the ALR.

Following consultation with stakeholders and approval by the Minister, the bylaw criteria will become a Minister’s Bylaw Standard and incorporated within the “Guide for Bylaw Development in Farming Areas” (Bylaw Guide).<sup>1</sup>

### 1.1 Purpose and Goals

The purposes of establishing land use regulation criteria to address local government concerns regarding agri-tourism and farm retail sales are to:

1. Establish a Minister’s Bylaw Standard that provides flexibility for local governments to shape agri-tourism activity in their community while ensuring that agriculture in the ALR continues as a priority use;
2. Address the needs of the agriculture sector/industry to supplement farming income;
3. Minimize the impact of agri-tourism and retail sales on farm practices and farming potential in farming areas;
4. Minimize loss and/or fragmentation of farmland due to agri-tourism and retail sales uses;
5. Reduce the financial imbalance that results from large scale commercial operations locating inexpensively in the ALR and outcompeting those that have located in appropriate commercial zones; and
6. Minimize the risk of agri-tourism and farm retail sales buildings and structures being used for non-farm purposes.

### 1.2 Stakeholders

Stakeholders involved in developing these Bylaw Standard criteria include:

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<sup>1</sup> Under the *Local Government Act* (Part 26, Division 8, Section 916), the Minister responsible for the *Farm Practices Protection (Right to Farm) Act* can develop bylaw standards to guide the development of zoning and farm bylaws. Development of provincial standards is intended to promote consistency in the regulation of, and planning for, farming. However, provision has been made under Section 916(3) to allow the standards to differ, if necessary, to respond to BC’s diverse farming industry and land base.



- a) Local governments and their Agricultural Advisory Committees (AAC);
- b) Agriculture industry;
- c) ALC;
- d) Strengthening Farming Directors Committee,
- e) CSCD; and
- f) Ministry of Jobs, Tourism and Skills Training.

## 1.3 Objectives of the Process

The objectives of the process are to:

1. Create a set of Bylaw Standard criteria for stakeholder review;
2. Consult with stakeholders; and
3. Develop a Minister's Bylaw Standard that local governments can apply as regulation or policy.

## 1.4 Key Steps

The key steps in creating the Minister's Bylaw Standard are:

1. Review relevant literature including AGRI and ALC policies;
2. Review and compare local government regulations and policies;
3. Develop draft criteria;
4. Consult with internal and external stakeholders on the draft criteria;
5. Revise criteria for consideration by the Minister;
6. Seek Minister's approval; and
7. Encourage local governments to adopt and apply criteria.

## 1.5 Current Status (August 2015)

AGRI staff have:

- Reviewed previous agri-tourism and farm retail sales consultations with local governments, industry, the ALC and CSCD;
- Reviewed existing ALC policies on agri-tourism, agri-tourism accommodation and farm retail sales; and,
- Prepared this draft discussion 'white paper' on agri-tourism and farm retail sales land use bylaw guidance for further local government consultations over the 2015/2016 fall and winter.

## 1.6 Context for Bylaw Standard Establishment

AGRI has initiated Minister's Bylaw Standards in the past for three significant agricultural issues which have been approved by the Minister. AGRI staff use the Minister's Bylaw Standards to encourage local governments to adopt them into their land use bylaws. They are:

- Regulating Medical Marihuana Production Facilities in the ALR (2014);
- Combined Heat and Power Generation at Greenhouses in the ALR (2013); and

- Siting and Size of Residential Uses in the ALR (2011).

These Minister's Bylaw Standards can be found in AGRI's "Guide for Bylaw Development in Farming Areas" with additional information at:

<http://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards-and-farm-bylaws>.

## 2.0 Part two - Background

### 2.1 Context

Farmers throughout B.C. are looking for options to increase their economic viability, including agri-tourism and farm retail sales. These two particular issues have become more prominent in recent years and local governments are amending their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, sometimes causing frustration with farmers and the public. Sometimes there may be conflicting community views on what actually constitutes agri-tourism activities, and what 'accessory', 'seasonal', and 'temporary' within this context really mean.

While the ALC provides direction regarding agri-tourism and farm retail sales in the ALR, one of the questions asked during the Ministry's 2014 ALR USP Regulation consultation process included agri-tourism, with local governments indicating strong support for AGRI to develop greater clarity in bylaw guidance for agri-tourism. Incorporating analysis from previous consultation, AGRI staff anticipate strong response from stakeholders on the subject.

Ideally, developing this new Minister's Bylaw Standard will assist in balancing stakeholder concerns, minimize community frustration, and provide greater certainty while maintaining the flexibility required for local government community decision making and variation. The proposed Minister's Bylaw Standard applies to property in the ALR. Given, however, that agricultural activity in B.C. takes place both on ALR and non-ALR property, local governments with agriculturally zoned land may also consider adopting it.

### 2.2 Current Policy, Legislation and Regulation

Agri-tourism and farm retail sales are defined as farm uses by the ALR USP Regulation<sup>2</sup> of the *Agriculture Land Commission Act* where a farm use means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*:

- Agri-tourism is a tourist activity, service or facility accessory to ALR land classified as a farm under the *Assessment Act*, if the use is **temporary and seasonal**, and promotes or markets farm products grown, raised or processed on the farm.
- Farm retail sales if all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place

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<sup>2</sup> B.C. Reg. 171/2002 Agricultural Land Reserve Use, Subdivision and Procedure Regulation. Last retrieved August 24, 2015 from <http://www.alc.gov.bc.ca/alc/content.page?id=A631A2319799460A98F62978A2FE60E3>

and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m<sup>2</sup>.

Local governments cannot prohibit agri-tourism activities, other than agri-tourism accommodation, or farm retail sales regulated by the ALR USP Regulation unless by a Farm Bylaw designated by the Minister by Section 917 of the *Local Government Act*.

The ALC also publishes several policy documents on agri-tourism, agri-tourism accommodation and farm retail sales with respect to land in the ALR.

*“The policies of the Commission provide interpretation and clarification of the regulations; outline guidelines, strategies, rules or positions on various issues and provides clarification and courses of action consistently taken or adopted, formally or informally.”<sup>3</sup> - ALC*

These ALC policies include their terms of ‘seasonal’ and ‘temporary’:

- **Temporary** –means a use or activity in a facility or area that is established and used on a limited time basis for agri-tourism activities. If a building or structure is required for this use, temporary use of the building or structure means a use for agri-tourism for less than 12 months of the year. The building or structure may be used for other permitted uses during the course of, or for the remainder of the year.
- **Seasonal** - means a use or activity in a facility or area for less than 12 months of the year.<sup>4</sup>

A recent 2015 B.C. Supreme Court ruling *Heather Hills Farm Society v. Agricultural Land Commission*, addresses the subject of agri-tourism, and in this case whether a particular golf course and sheep pasture is a permitted agri-tourism use. Interestingly, within the reasons for judgement that ultimately dismisses the petition; the judge also references what cannot be described as reasonably temporary, with respect to what is written in the ALR USP Regulation:

*[51] The Regulation also requires that an agri-tourism use be temporary and seasonal. A golf course requires alteration of the land in the form of particular landscaping, sand traps, water hazards etc. Photographs that were put into evidence show changes of precisely that kind to the petitioners’ property. Those changes must remain in place as long as operation of the golf course continues and cannot reasonably be described as temporary.<sup>5</sup>*

The intent of this proposed Bylaw Standard is to provide greater clarity on what constitutes agri-tourism, agri-tourism accommodation, farm retail sales, and the definitions of temporary and seasonal.

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<sup>3</sup> ALC. *Legislation and Regulation*. Last retrieved August 24, 2015 from <http://www.alc.gov.bc.ca/alc/content.page?id=4179AB0F33494261A5B6CEF2A4F8F296>

<sup>4</sup> ALC. *Policy #4 Activities designated as Farm Use: Agri-tourism Activities in the ALR*, 2003. Last retrieved August 24, 2015 from [http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=9A907E9B31224D808675BE2E5D78ADBB&filename=policy\\_4\\_agri-tourism\\_activities.pdf](http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=9A907E9B31224D808675BE2E5D78ADBB&filename=policy_4_agri-tourism_activities.pdf)

<sup>5</sup> *Heather Hills Farm Society v. Agricultural Land Commission*, 2015 BCSC 1108

For farm retail sales, the processing/marketing of off-farm products may not be protected under the *Farm Practices Protection Act* unless there are limits prescribed by the Minister under the *Farm Practices Protection Act*.<sup>6</sup> This has implications for farms considering those options.

## 3.0 Part three – Proposed Set of Criteria

Part three introduces a set of criteria in which local governments would be encouraged to consider when developing or amending their own bylaws on agri-tourism, agri-tourism accommodation and farm retail sales. A rationale is provided for why certain criteria provisions should be introduced and a proposed list is summarized of criteria and definitions.

### 3.1 Proposed Definitions

|  |  |
|--|--|
| <b>Accessory (agri-tourism)</b>        | means that the <i>agri-tourism</i> is subordinate to the active <i>farm operation</i> on the same lot. <i>Agri-tourism</i> uses and activities only augment a farmer’s regular farm income, not exceed or replace it.  |
| <b>Agri-tourism</b>                    | is travel that combines agricultural or rural settings with products of agricultural operations – all within a tourism experience that is paid for by visitors. It is a tourist activity, service or facility which is <i>accessory</i> to a <i>farm operation</i> , as defined in the <i>Farm Practices Protection (Right to Farm) Act</i> , where the land is classified as a farm under the <i>Assessment Act</i> ; and, where the farm is in active operation each year. |
| <b>Off-farm and non-farm products</b>  | means products that are not from the <i>farm unit</i> of which the subject property is part.   |
| <b>Regular Seasonal (agri-tourism)</b> | means the occurrence over the same <i>season(s)</i> , or at the same time, each year.  |
| <b>Season (agri-tourism)</b>           | means:<br>one of the four periods of the year: spring, summer, autumn or winter;<br>the period of the year when something that regularly occurs every year happens; e.g. pumpkin festival before Halloween;<br>and/or<br>the period(s) when most people take their holidays, go to visit places, or take part in an activity outside of work.  |
| <b>Seasonal (agri-tourism)</b>         | means:<br>relating to, dependant on, determined by, or characteristic of a particular <i>season</i> of the year;<br>fluctuating according to the <i>season</i> ; and/or  |

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<sup>6</sup> For more information, readers may wish to review the September 7, 2011 BC Farm Industry Review Board decision *Maddalozzo v. Pacific Coast Fruit Products Ltd* last retrieved September 8, 2015 from [http://www2.gov.bc.ca/assets/gov/business/natural-resource-industries/agriculture/agriculture-documents/bc-farm-industry-review-board-docs/maddalozzo\\_v\\_pcfp\\_dec\\_sep7\\_11.pdf](http://www2.gov.bc.ca/assets/gov/business/natural-resource-industries/agriculture/agriculture-documents/bc-farm-industry-review-board-docs/maddalozzo_v_pcfp_dec_sep7_11.pdf)

available, or used, during one or more *seasons*, or at specific times of the year - for less than twelve months of the year.

**Small-scale (agri-tourism)**

means to be minor or limited in size, scope, or extent. [Local governments could specify amounts.]

**Temporary (agri-tourism)**

means having a limited duration, lasting or designed to last for only a limited time each week, month, or year. E.g. an activity occurs each year at the same time at a nearby festival, or other event, or only a maximum duration of three days at a time.

### 3.2 Accessory Farm Activity

Local governments should identify *agri-tourism* as a permitted *accessory* use in all zones where agriculture or farming is a permitted use. *Accessory agri-tourism* use in the ALR is subordinate and customarily incidental to the active *farm operation* on the same lot. **Agri-tourism uses and activities only augment a farmer’s regular farm income, rather than exceed or replace it.**

**Table 1. Examples of Agri-Tourism and Farm Incomes**

| Column A   | Column B   |
|--|--|
| Agri-tourism Income  | Farm Income  |
| Entry or participation fees, tour fees                               | Primary agricultural production income                         |
| Fees for tours, services and workshops related to the farm operation | Value-added operations: processing of <i>own farm products</i> |
| Retail sales of <i>off-farm</i> or <i>non-farm products</i>          | Retail sales of <i>own farm products</i>                       |
| Agri-tourism accommodation charges                                   |  |

To be considered *accessory*, the annual income from *agri-tourism* [Column A] must be no more than the annual regular farm income [Column B]. The ALC may allow a larger proportion of *agri-tourism* activity on a farm, if the farmer applies for a non-farm use approval.

Examples include a farmer intending to regularly host special events such as commercial weddings, conferences or an annual music festival. A local government could decide whether to support those commercial activities in its zoning if it is authorized by the ALC.

### 3.3 Farm Class

Income from *accessory agri-tourism* activities is not used to define *farm class* under the *Assessment Act* (Sec 23 and Farm Class Reg. 411/95). Income for the purposes of *farm class* is calculated based on the farm gate amounts for qualifying agricultural products and must be generated in one of two relevant reporting periods (i.e., once every two years).

### 3.4 Agri-tourism Temporary and Seasonal Use in the ALR

Local governments should regard *agri-tourism* uses as a *temporary* and *seasonal* use. See the definitions for guidance on defining these terms.

## 3.5 Permitted and ALC approval required agri-tourism activities

Table 2. Tiers of Agri-tourism Activities

| Activities  | Tier 1<br>Permitted Agri-tourism activities   | Tier 2<br>Activities/events that require ALC approval  |
|---|---|--|
| On-farm   | <ul style="list-style-type: none"> <li>• educational tours – general public, school children</li> <li>• on-farm marketing, including U-pick and pumpkin patches</li> <li>• temporary corn maze or Christmas tree maze</li> <li>• agricultural heritage events</li> <li>• ranch or farm tours</li> <li>• livestock shows</li> <li>• harvest festivals</li> <li>• on-farm classes and/or workshops related to the farm operation</li> <li>• farm stays or B&amp;B</li> <li>• on-farm processing facility tours</li> </ul> | <ul style="list-style-type: none"> <li>• Non-farm-uses and commercial entertainment activities which do not have an agricultural component:</li> <li>• e.g., paint ball course, dirt bike trails, all-terrain vehicles trails, mini-train parks, remote control runways, helicopter tours, etc.</li> <li>• event and facility rentals</li> <li>• concerts, theatre or music festivals</li> <li>• commercial weddings, banquets, celebrations and any other commercial assembly activity</li> </ul> |
| Parking   | <ul style="list-style-type: none"> <li>• self-contained, off-road parking</li> <li>• some overflow could be on neighbouring farm(s) provided it's for infrequent events, no permanent alterations to the agricultural land, and no resurfacing such as with gravel or asphalt paving</li> <li>• allow for school and tour buses</li> <li>• on-road parking at the discretion of the local government or Ministry of Transportation in Regional Districts</li> </ul>   | <ul style="list-style-type: none"> <li>• Off-site overflow parking that is used on a frequent basis or that requires resurfacing</li> </ul>  |
| ALC non-farm use application approval or local government | <ul style="list-style-type: none"> <li>• No local government temporary use or rezoning permits required,; outright use is permitted</li> </ul>  | <ul style="list-style-type: none"> <li>• ALC non-farm use application approval</li> <li>• Local government non-agriculture related activities or</li> </ul>  |

|                     |  |  |
|---------------------|--|--|
| permit requirements | <ul style="list-style-type: none"> <li>No ALC non-farm use application approval</li> </ul> | events may also require a separate zone or temporary use permit <ul style="list-style-type: none"> <li>Special local government permits - per event or per day, or both</li> </ul> |
|---------------------|--|--|

### 3.6 Agri-tourism Accommodation

Section 3 of the ALR USP Regulation permits *accessory* accommodation for agri-tourism on a farm in the ALR, but allows a local government to regulate and/or prohibit the use.

Where accommodation for agri-tourism is allowed by a local government the following standards are recommended:

- Total developed area for buildings, landscaping and access to the accommodation must be no more than 5% of the parcel area;
- Could include a maximum of 10 sleeping units composed of:
  - Seasonal* campsites, *seasonal* cabins, or bed-and-breakfast (B+B) bedrooms (**maximum of four**) B+B bedrooms per legal parcel is recommended);
  - Unless ALC consent is received, accommodation must not include cooking facilities because doing so may result in long term rental housing on farm land;
  - The local government could specify the number of persons per unit;
  - Should an operator wish to have more than 10 sleeping units, he/she could apply to the local government and the ALC;
  - On smaller lots, a local government may wish to set a lower number of allowed sleeping units;
  - The BC Building Code should be the minimum standard applied for sleeping units such as cabins.
- Should be located close to the front of the lot, or an adjacent side road, and clustered with the *home plate(s)* of the farm residence(s). A farmer may wish to vary this location to minimise impact on his/her farm.
- Depending on the location of the farm, the *agri-tourism* accommodation may need to be available during more than one *season*, or its availability may vary with the *seasons*; e.g., horseback riding on trails in spring, summer, and fall, and cross-country skiing in the winter.
- Occupation of a lot *by agri-tourism* accommodation are only permitted to be *temporary*, *seasonal*, and/or *regular seasonal*, to a maximum stay per person or per family of 30 consecutive days in any 12 calendar-month period. The ALC may allow longer occupation if the farmer applies for a non-farm use; local zoning would also have to allow it.
- Each local government which permits *agri-tourism* accommodation could develop a monitoring methodology to ensure the occupation meets the above criteria.

## 3.7 Other Agri-tourism Criteria

### 3.7.1 Off-street Loading Areas and Parking

Off-street loading areas may be needed to transfer field products to a market stand/shop, and to the customer's vehicle. For criteria, see Part 2 of the "Guide for Bylaw Development in Farming Areas".

All vehicles visiting the *agri-tourism* activities must be parked on site, or as otherwise permitted by the local government. The parking capacity could be based on the average daily vehicle numbers (recommended); local parking bylaws may have a different measure and short term events with large numbers of people may require different parking standards. Overflow parking occurs on public roads should adhere to local bylaws including clearances for emergency vehicles and farm machinery.

For farm site parking overflow situations, *agri-tourism* operators should provide alternate means of transportation, such as shuttles, bicycle parking, or horse corrals and off-site horse trailer parking areas.

To minimise impacting farm land, parking should be along field edges, adjacent to farm roads, farm yard areas near farm structures.

- The parking and loading area surfaces should maximize infiltration of precipitation to limit impacting a farm's ground and surface water; pavement may not be appropriate.
- The depth and type of fill for *agri-tourism* parking and loading areas should facilitate possible future removal e.g., if the *agri-tourism* activity ceases.

### 3.7.2 Site Layout for Agri-tourism Activities

Site coverage and setbacks for *agri-tourism* structures must follow the standards for farm structures provided in Part 2 of the "Guide for Bylaw Development in Farming Areas". *Agri-tourism* facilities should be located to minimize coverage of farm land and minimise disturbance of the present and potential future operation of the farm, neighbouring farms or nearby urban uses; e.g., close to the road, and/or clustered with other farm structures.

### 3.7.3 Lights

Floodlights and spotlights for *agri-tourism* activities should be directed away and/or screened from adjacent farms and other land uses.

### 3.7.4 Signage

Each *agri-tourism* and farm retail operation, and the farm itself, should be allowed at least one sign of at least 1.0 square metre. Normally, signs are located at the farm entrance, but variation should be allowed for different building and site layouts and to ensure traffic safety. Third-party signs and lighting of signs should follow local bylaws.



### 3.7.5 Noise

Loudspeakers and other noise sources associated with the *agri-tourism* activity could be regulated with local government noise bylaws.

## 3.8 Farm Retail Sales and Marketing

For on-farm retail marketing, farmers sell their own *farm products*, and may sell some *off-farm or non-farm products* directly from the *farm unit* and may require a retail indoor and/or outdoor sales and display area.

Areas necessary for on-farm retail sales but not calculated as part of the on-farm retail sales area are:

- storage space for products awaiting display and/or bulk sales; larger storage areas may be available in a barn;
- an office area for doing sales and farm-related paperwork;
- washrooms;
- driveways, parking and loading areas; and
- some preparation space where products are put in packages for display or shipping.

Local governments should not limit retail sales area of a farmer's own *farm products* i.e. the *direct farm marketing area*. The ALR USP Regulation does not state an upper limit.

Local government regulations must allow for the possibility of a retail sales area for complementary *off-farm or non-farm products*. The ALR USP Regulation requires at least 50% of the total retail sales area be devoted to that farm's products, and where both *farm products* and *off-farm or non-farm products* being sold, the allowed upper limit of the total of the indoor and outdoor sales area is 300 square metres. This should be adopted by local governments and not reduced.

To develop a larger retail sales area, or to sell less than 50% of that farm's *farm products*, a farmer must have both local government and ALC non-farm use application approval.

## 3.9 Local Government Permits and Fees

Other than the usual permits and fees required for construction, local governments should only require permits and fees for operations that require a non-farm application to the ALC and should not require the use of temporary (commercial) use permits.

Local governments should only request reimbursement of extra local government costs generated by the event or operation; e.g., policing, fire service, road clean-up, and/or traffic management.

## 3.10 Commercial Weddings

The use of the ALR for commercial weddings is considered a non-farm use which requires approval of the ALC. Where a farm has received non-farm use approval from the ALC, the local

government may require a rezoning or temporary use permit. Temporary use permits are the preferred method of dealing with this use as the local government can place additional controls on the use that are not possible through zoning. These requirements could include hours of operation.

### 3.11 Bistros and Restaurants

Bistros, cafes and restaurants are considered in most cases non-farm uses which require non-farm use approval of the ALC. Under specific criteria in the ALR USP Regulation, however, winery, brewery, cidery, distillery, and meadery lounges are permitted which do not require non-farm use approval.

## 4.0 Ministry Contact Information

Stakeholders are welcome to provide feedback on the content of this discussion by email or letter.

**Email:** [AgriServiceBC@gov.bc.ca](mailto:AgriServiceBC@gov.bc.ca)  
**Mailing Address:** Ministry of Agriculture, Strengthening Farming Program  
1767 Angus Campbell Road  
Abbotsford, B.C. Canada V3G 2M3

# 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*