

ADVISORY LAND USE COMMITTEE MINUTES

Minutes for the Advisory Land Use Commission of the Village of Pemberton held November 24, 2016 at 5:00 pm at 7400 Prospect Street.

IN ATTENDANCE:

Amica Antonelli
Annie Miller
Kathy Jenkins
Kirsten McLeod
Niki Vanker
Tracy Napier

ABSENT:

n/a

STAFF IN ATTENDANCE:

Lisa Pedrini, Village Planner
Tim Harris, Manager of Operations & Development Services
Suzanne Bélanger, Project Coordinator

PUBLIC IN ATTENDANCE:

n/a

1) CALL TO ORDER

At 5:05 pm the meeting was called to Order.

2) ELECTION OF CHAIR and VICE-CHAIR

Election of Chair and Vice Chair was held as there was a quorum in attendance.

Moved/Second

THAT Niki Vanker be elected as the Chairperson of the Advisory Land Use Commission.

CARRIED

Moved/Second

THAT Kirsten McLeod be re-elected as Vice-Chairperson of the Advisory Land Use Commission.

CARRIED

3) MINUTES

Moved/Seconded

THAT the minutes of the ALUC meeting held September 08, 2015 be approved as circulated.

CARRIED

4) **OR121-ZONING AMENDMENT-RETAIL MARIHUANA OPERATION**

The Village Planner gave an overview of the Village initiated Zoning Amendment (Retail Marihuana Operation).

- The Village sought legal advice on options to regulate marihuana dispensary in anticipation of pending legislative changes and following a business licence application for the sale of "*glass, gifts, vaporizers and accessories*". The Village's Business Licence Bylaw does not permit medical marihuana dispensaries, as this is not a legal use. As such a business licence has been issued, but only for the retail use of goods as stated above. However, Council directed staff to seek options to regulate and manage medical marihuana dispensaries.
- The Zoning Amendment Bylaw presented to the ALUC is for the purpose of establishing a definition of "marihuana operation" and prohibiting its use within the Village Boundary as an interim measure. If and when the federal regulations approve the sale of marihuana product, then the Village can relook at this approach as part of the larger review of the Zoning Bylaw.
- With the Bylaw amendment in place, the Village will only consider permitting a marihuana operation under a site specific rezoning request.
- ALUC Members were asked to comment on the land use as opposed to debating the possible merits or down-falls of medical marihuana use.

The Advisory Land Use Commission commented on the proposed Zoning amendment:

- All members were in favor of the proposed bylaw amendment.
- It was mentioned that it's good to clarify the definition and use now, and appropriate to do a review later on a case by case basis via the rezoning process. Any type of future request would require public consultation and would be brought to the ALUC for comments.
- A member asked what a blanket prohibition would mean for the accessibility of marihuana products for those with medical needs once the federal legislation is changed. It was mentioned that mail orders are a viable option already.
- The Village Planner mentioned that creating a Village Policy would be the appropriate action to guide medical marihuana land use decision making.

Moved/Seconded

THAT the ALUC recommend to Council to support the proposed amendment bylaw (Marihuana Operation) as presented and;

THAT the ALUC recommend to Council to:

- Consider establishing a policy for marihuana operations that includes criteria that would guide Council decision making once the federal legislation authorizes the sale of marihuana products.

CARRIED

5) **DRAFT ONE MILE LAKE MASTER PLAN (OMLMP)**

The Village Planner gave an overview of the One Mile Lake Master Plan:

- The 2005 Plan no longer demonstrates the current needs of our community.

- The Village initiated a master plan update in 2012, including consultation, but due to workload and staff changes the plan was postponed.
- The update of OMLMP was listed as priority of 2016 by Council.
- One Mile Lake is not actually a lake, but a wetland with inherent ecological functions and habitat which requires environmental protection.
- Extensive public consultation showed a lot of support for maintaining the park as natural as possible (leave it as-is) but also it confirmed that many were hoping for improvements as per the needs of our growing community.
- The upper parking area has been enlarged already with the support of funding from the Pemberton Music Festival Fund.
- The Plan focuses the bulk of improvements around the Main Beach Area. Proposed Improvements include:
 - Closing of lower parking to extend the grass and beach area
 - Adding an additional outhouse. Currently, municipal services (water/sewer) are not available and having flush toilets or running water is cost prohibitive. The area is considered a “wilderness” park and therefore the outhouses should be sufficient for now due to the proximity to the town amenities. Future facilities including toilet, shower, change room etc. may be considered in the future should funding become available.
 - Adding an open water swim raft located so it doesn’t impede on users (i.e. dragon boat users etc.)
 - Extending the square footage of the floating dock on the cliffside with swim ladder, bike rack, garbage receptacles, etc.
 - Adding a 0 to 5 year old natural play structure
 - Installing a new swing set (CSA approved). The existing swing has been flagged by the Municipal Insurance Association as a liability.
 - Installing additional bike racks/garbage & recycling receptacles/seating areas throughout the Park. The existing siting of benches and picnic tables may be relocated as the current location impedes the sight line to the beach area for children supervision.
 - Adding a dedicated pedestrian path from the car park area as a safety measure.
 - Extending the dog beach (only official off-leash area in the Village)
 - Improving drainage
 - Improving signage
 - Erecting fencing (split rail) to protect environmental sensitive areas.
- The Village could try to obtain a “Blue Flag” eco-certification which promotes the use of beach management standards that certify that the beach/lake is clean and accessible; has great water quality; meets high safety standards; and protects local ecosystems. This type of designation, however, requires extensive water quality monitoring among other things.
- The Plan will clarify activities that are prohibited at the park:
 - Motorized boats
 - Motorized vehicles on trails
 - Open Fires (except with permission)
 - Overnight camping
 - Smoking
 - Horses
 - Etc.

The commission members had the following comments:

- The members were in support of the improvements as listed in the plan. Especially:
 - Improved fencing for sensitive areas
 - Improved signage for safety
- The members expressed concerns about the multi-use trail system surrounding the lake and beyond. The trail and boardwalk width in multiple locations makes it difficult to pass or give way to passing users.
- There are some bump outs to facilitate passing but more could perhaps be developed in the future.
- Improving signage would help in educating users to respect and accommodate other users (i.e. bikers to dismount when necessary)
- It was discussed that there are some concerns with a sole commercial operator being granted an operational lease and that perhaps extra consideration should be given such as opening it to a bid process in the future.
- Members inquired about the phasing of the plan. The Village planner explained that the implementation would be as a phased approach as funding becomes available and as directed by Council. With respect to prioritizing, according to public engagement the plan's top five preferred improvements were:
 - Add a Swim raft
 - Expand the grass area by removing the lower parking lot
 - Add waste diversion options (i.e. recycling)
 - Add play features for the children
 - Add more shade trees

Moved/Seconded

THAT the ALUC supports the Draft One Mile Lake Master Plan with special considerations to:

- Widening the trail where feasible;
- Installing signage for cyclists to dismount if necessary;
- Consider split rail fencing at the Dog Beach Area to contain the off-leash dogs and protect environmental sensitive areas;
- Improve storm water management/drainage;
- Using the Blue Flag standards as a best practice only but not pursue the eco-certification due to cost and staff resources needed;
- Amending the plan to have one mobile commercial operation with a maximum footprint size and that the commercial operation be granted as per a bid system should multiple operators be interested.

CARRIED

6) TUP008-PEMBERTON MUSIC FESTIVAL

At 6:45pm, Kirsten McLeod declared a conflict of interest and excused herself from the meeting.

The Village Planner explained that:

- A formal full application for a new three year TUP to allow the Pemberton Music Festival to proceed for another three years has yet to be received by the Village but staff wanted to bring the renewal option to the Commission's attention for preliminary discussion.
- The TUP for the Pemberton Music Festival expired after the 2016 event.
- A tripartite "*Memorandum of Understanding*" (MOU) among the Agricultural Land Commission (ALC), the Village of Pemberton and the SLRD is in place and permits

the Non-Farm Use in the ALR until the end of 2019. This MOU will require amending to add the Phare and Ayers property that were included last year as per the ALC's approval.

- Some of the economic benefits of the Festival are: jobs, local spending, increased tourism, increased tax money, etc.

The commission members expressed concerns on the hearsay of the festival having a longer event (over two weekends) and with the proposed amount of attendants being 60,000. Also the question was asked as to whether those ALR parcels that are used as parking areas are also tested for soil compaction. Staff noted they would clarify these questions for the next meeting.

Moved/Seconded

THAT the ALUC will withhold their comments on the TUP Renewal application for the Pemberton Music Festival to continue in 2017 to 2019 until they have had a chance to review the application in its entirety;

CARRIED

7) NEW BUSINESS

- n/a

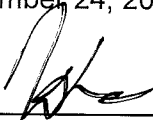
8) NEXT MEETING

The Commission will be notified when the next meeting will be held. It is anticipated to be in early January 2017.

9) ADJOURNMENT

At 7:05 p.m. the meeting was terminated.

This is a true and correct copy of a meeting of the Advisory Land Use Commission of the Village of Pemberton, held November 24, 2016.



CHAIR Signature