

## ADVISORY LAND USE COMMISSION

**Agenda** for the Advisory Land Use Commission Meeting of the Village of Pemberton to be held Thursday, May 03, 2018 at 5:30pm at 7400 Prospect Street.

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## ADVISORY LAND USE COMMITTEE MINUTES

**Minutes** for the Advisory Land Use Commission of the Village of Pemberton held April 26, 2018 at 5:45 pm at 7400 Prospect Street.

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**IN ATTENDANCE:**

Bob Adams  
Sarah Allan  
Amica Antonelli  
Kirsten McLeod  
Richard Nott  
Heather Roger

**STAFF IN ATTENDANCE:**

Lisa Pedrini, Senior Planner (minutes)  
Tim Harris, Manager of Operations & Development Services  
Sheena Fraser, Manager of Corporate & Legislative Services

**PUBLIC IN ATTENDANCE:**

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**1) CALL TO ORDER**

At 5:45 pm Lisa Pedrini, Senior Planner, called the meeting to Order and introductions followed. Ms. Pedrini advised that as this is the first meeting of the year, the Commission must appoint a Chair and Vice-Chair.

**2) APPOINTMENT OF CHAIR AND CO-CHAIR**

Moved/Seconded  
**THAT** Amica Antonelli be appointed Chair.  
**CARRIED**

Moved/Seconded  
**THAT** Kirsten McLeod be appointed Vice-Chair.  
**CARRIED**

**3) REVIEW OF VILLAGE POLICIES**

Sheena Fraser, Manager of Corporate & Legislative Services, advised that going forward all Village volunteers, committee and commission members are required to review the Village's Code of Conduct, Bullying, Harassment and Discrimination Policy and Social Media Policy and confirm in writing that the member has read and understood the policies.

Commission members were asked to review the Policies and sign and return the Acknowledgement Form at their convenience.

### 3) MINUTES

Moved/Seconded

**THAT** the minutes of the Advisory Land Use Commission meeting, held October 10, 2017, be approved as presented.

**CARRIED**

Moved/Seconded

**THAT** in the event that an Advisory Land Use Commission meeting may not be held for some time, the minutes of the meeting may be approved by electronic means when the attending members all respond in favor of the minutes as presented.

**CARRIED**

### 4) DRAFT ZONING BYLAW REVIEW

Lisa Pedrini, Senior Planner, introduced the draft Zoning Bylaw for review and advised that the public consultation period began on April 17<sup>th</sup> with an Open House held at the Pemberton Community Centre. An on-line survey will be available until May 11<sup>th</sup> and stakeholder group meetings are currently taking place. Staff has met with the Chamber of Commerce Executive and the Airport User Group and meetings have been set up with the Industrial Park Owners, in addition to the Advisory Land Use Commission.

The purpose of this meeting is to review the draft bylaw and seek input and recommendations from the Commission.

Pedrini reviewed with the Commission members the Zoning Map and noted the changes being proposed related to new development and proposed text amendments. A review of each zone including the permitted uses, accessory uses and development regulations was undertaken next.

#### **A-1 (Agricultural) Zone:**

Discussion took place respecting the importance of preserving farm land and encouraging farming and the need to ensure that the Village's Zoning bylaw reflects this. Pedrini noted that currently the Village's A-1 zone (which corresponds to ALR lands) does not have a minimum parcel size in effect, and Staff has proposed the minimum parcel size in the A-1 Zone to be 2 ha (5 acres) to be consistent with what is currently in place for the SLRD Area C AGR zone. It was acknowledged that the SLRD is also in the process of amending its Area C OCP and Zoning Bylaw, and that the minimum parcel size for the AGR zone is proposed to increase from 2 ha to 20 ha. The Commission discussed the pro's and con's of increasing or maintaining the minimum parcel size and it was agreed by a majority of members that 2 ha was advisable. Village Staff is closely monitoring the progress of the Area C Zoning Bylaw review with the intent to ensure the two zones are consistent in the near future.

#### **Minimum Parcel/Lot Size**

Moved/Seconded

**THAT** the Advisory Land Use Commission recommend to Council that the Village of Pemberton revisit the topic of minimum lot size for A-1 zone in the near future.

**CARRIED**

Discussion also took place respecting the following permitted uses in the A-1 Zone:

- Addition of Secondary Home for Farm Help if over 4 ha – generally supported as long as this was in alignment with the ALC/SLRD
- Temporary Farm Worker Housing - generally supported as long as this was in alignment with the ALC/SLRD
- Cannabis, medical production facility – Staff will confer with the ALC with respect to regulations
- Maximum height of principal building – to be changed to Single Detached Dwelling
- Resource Extraction – Staff will confirm this use

### **RR-1 (Rural) Zone:**

Pedrini advised that this will be a new zone for the Village to be used to zone the upper portion of the Hillside, lands which are currently zoned RR1 Rural 1 under the Area C Zoning Bylaw No. 765, 2002.

### **R (Residential) Zones:**

Pedrini provided an overview of the different R-Zones noting that RA-1 and RA-2 are specific to The Ridge and Sunstone and therefore have not been incorporated into the proposed R-1, R-2 and R-3 zones. R-1 would replace RS-1 (Residential 1) with the exception of only allowing single family detached dwellings (no duplexes) with a minimum parcel size of 700 m<sup>2</sup>. R-2 will replace RS-2 – Residential Small Lot. R-3 will be a new zone to allow single family detached and duplexes on properties, with a minimum parcel size of 1050 m<sup>2</sup>.

Pedrini explained to the Commission the proposed strategy for new regulations to permit short term vacation rentals (nightly rentals advertised on sites like Airbnb or VRBO) in certain R Zones. Discussion took place respecting carriage houses, and the need to clarify section 7.22 (a) (vii) that the use may be in the principal dwelling or the suite but not both. The Commission supported the concept of a good neighbour agreement but discussed concerns that the maximum number of guests 8 – 2 per bedroom may be too many, and that the high cost of the infraction deposit may negatively affect compliance.

### **Short Term Vacation Rentals**

Moved/Seconded

**THAT** Advisory Land Use Commission recommends to Council that the proposed regulations for Short Term Vacation Rentals be supported.

**CARRIED**

### **Proposed Infraction Deposit:**

Moved/Seconded

**THAT** the Advisory Land Use Commission recommend to Council that consideration be given to reducing the infraction deposit from \$2,500 to \$1,000.

**CARRIED**

### **C (Commercial) Zones:**

Pedrini explained some of the proposed changes in the C Zones. It was noted that two (2) of the four (4) site specific uses in the C-1 (Town Centre) Commercial Zone: Automotive Repair Shop and Equipment Servicing, Rental and Repair Shop will no longer be listed as permitted. The rationale isto change the status of these semi-industrial uses to legal non-conforming, in

hopes that this may encourage them to move out of the Town Centre and make room for more pedestrian-oriented commercial (retail or office uses) that rely on the day to day public. These two (2) uses involve mechanical repair and associated outside storage and noise that is not conducive to a vibrant, walkable downtown where people want to both work and live. The other two (2) site specific permitted uses – Glass and Mirror Repair Shop and Gasoline Service Station, would be permitted to remain.

### **Automotive Repair Shop and Equipment Servicing, Rental and Repair Shop**

Moved/Seconded

**THAT** the Advisory Land Use Commission recommends to Council that the Automotive Repair Shop and Equipment Servicing, Rental and Repair Shop uses be removed as a permitted use from the C-1 Zone.

**CARRIED**

Staff advised the Commission that they received input on behalf of many downtown businesses requesting that Drive-In Restaurants be removed as a permitted use in all applicable Commercial zones. Council had initiated a similar zoning amendment in 2015 but did not proceed based on opposition from landowners heard at the public hearing coupled with a lack of support from local business owners.

Staff are proposing to remove Drive-In Restaurant from the C-3 (Portage Road) Commercial Zone, given the unsuitability of this location for this use and limited vacant property with this zone. In terms of the C-1 (Tourist Commercial) zone, Staff intend to allow the existing drive through to remain on a site specific basis, but remove the Drive-In Restaurant use to restrict any further development of this type (without rezoning). As far as the C-5 (Neighbourhood Pub) Commercial Zone, this zone only applies to one property and it is SStaff's position is to leave this use intact given that the property was rezoned in 2014 at the expense of the property owner to add Drive-In Restaurant to the list of uses permitted in the C-5 zone.

### **Drive-In Restaurants:**

Moved/Seconded

**THAT** the Advisory Land Use Commission recommend to Council that Drive-In Restaurant be removed as a permitted use from the C-3 Zone;

**AND THAT** no more than one Drive-In Restaurant be permitted in the C-2 Zone;

**AND THAT** Drive-In Restaurant be removed as a permitted use from the C-5 Zone.

**CARRIED**

**One Member Opposed**

The Commission members agreed that there was more review to be completed on the Draft Zoning Bylaw and supported the need for a follow up meeting.

### **5) NEW BUSINESS**

There was no new business for consideration.

### **6) NEXT MEETING**

The next meeting is scheduled for Thursday, May 3<sup>rd</sup> at 5:30 pm.

7) **ADJOURNMENT**

At 8:25 p.m. the meeting was adjourned.

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Amica Antonelli  
Chair

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