

Public Hearing - Zoning Bylaw No. 832, 2018
Submissions Received After the Deadline
or
Read/Submitted at the Public Hearing

-----Original Message-----


From: Nicole Brink [REDACTED]
Sent: June 18, 2018 11:59 AM
To: VoP Admin <admin@vilpem.onmicrosoft.com>
Subject: Support for zoning change

I just wanted to send a quick note to say we (my husband and I) fully support the change in zoning proposed for downtown. I think industrial uses should be moved to the industrial park in the interest of Village for the long term. I like the idea of having more sidewalks throughout the town and making it more walkable and also more attractive.

Thanks very much,
Nicole Brink

June 20, 2018

Village of Pemberton


Pemberton BC
V0N 2L0

Attention: Mayor & Council members

RE: Opposition to Bylaw 832-2018

I am writing to express my opposition to the above noted bylaw. I do not feel that this is in the best interest of the public. As a longtime resident of Pemberton, I have used the services of both Blacks Hot wheels and Valley Chainsaw and have found it to be quite convenient to have these services available while I am in town. I have read the question and answer information on the VOP website and although you have expressed that this will not change the business or effect the ability of the business to be sold I do not agree. If there is not going to be a change to the business or its operations, then there is no point in changing the zoning. I believe that the Village of Pemberton should work for the people of Pemberton, given the overall support of the businesses by the public, it has shown that the public does not support your views of the proposed bylaw changes but rather that of the local businesses.

Sincerely,



Sandy Cochran

Arlene McClean

[REDACTED]
Pemberton, BC [REDACTED] Hm: [REDACTED]

June 20, 2018

Delivered Via Email: lpedrini@pemberton.ca

Mayor and Council
Village of Pemberton
& Lisa Pedrini, Senior Planner

Re: Proposed Zoning Bylaw 832, 2018
Commercial – Town Centre – C-1 Zone
Site Specific Zoning – Lot 7, Block 2, Plan 1624, D.L.203, LLD (PID#011-506-504)
Valley Chainsaw & Recreational Ltd.
Specific Zoning – Lot 1, Plan KAP58517, D.L. 203, LLD (PID#023-665-131)
Blacks Hot Wheels

I am an owner of property within the Village of Pemberton. The above noted properties are currently zoned site specific in Zoning Bylaw 466,2001 and are allowed uses in Town Centre Commercial – C1 Zone.

The proposed new bylaw will be excluding the use of both properties noted above. I wish to make it know than I do not support the exclusion of the properties from the proposed C-1 Zone. Both businesses are good corporate citizens and have not only contributed financially to the Village via commercial taxes, they have also supported many local groups in the Pemberton area through their fundraising efforts. Both businesses bring people to the Village. Many Village businesses benefit from the traffic brought in.

By suggesting the businesses move out of the Town Centre will be a financial burden on the owner/operators as well as a loss of 2 very vibrant businesses. We are fortunate to have these 2 businesses that actually can operate, pay taxes and bring in outside tourists, specific user groups such as the snowmobiling crowds and generally offer great customer service.

I feel that local support for businesses that have thrived in their current locations, for the number of years they have been here, is what our Mayor and Council should be supporting rather than suggesting moving their business and incurring financial hardship.

Thank you for your efforts on the work involved in updating the current zoning bylaw. I think suggesting the 2 properties above to be excluded from the C-1 Zone is not supporting local.

Yours truly,



Arlene McClean

Gwendolyn Kennedy

From: Melissa Ronayne [REDACTED]
Sent: June-20-18 4:27 PM
To: Gwendolyn Kennedy
Cc: Sheena Fraser; [REDACTED]
Subject: Zoning Bylaw No. 832, 2018 Feedback

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor and Council,

Please let it be known that myself and my husband are not in favour of Bylaw 832.

Although we are in the SLRD and have no say to what happens in the town that we work and spend our money, we still feel the need to voice that we don't support this.

Thank you,

Melissa Ronayne
Bryce Ronayne

[REDACTED]
Pemberton BC
[REDACTED]

Sent from my iPhone

Gwendolyn Kennedy

From: no-reply@webguidecms.ca
Sent: June-22-18 10:53 AM
To: Nikki Gilmore; Sheena Fraser; Gwendolyn Kennedy
Subject: Website Submission: Write to Mayor & Council - <https://pemberton.ca>

Form Submission Info

First Name: Jason

Last Name: Weare

Street Address: [REDACTED]

PO Box:

Town/City: Pemberton

Province: Bc

Postal Code: [REDACTED]

Phone Number: [REDACTED]

Email: [REDACTED]

Please attach any related documents (if applicable):

Message to Mayor & Council: I do not believe that changing the zoning so that businesses such as valley chainsaw, a staple business and cornerstone of the community, is a good way to move forward. Pemberton is a developing community, and as such it is important to keep the roots of the town. Making it so businesses like this need to move to an industrial area is going to hinder their business and significantly decrease walking traffic. Something to consider

Form Submission Info**First Name:** Josh**Last Name:** Livermore**Street Address:** [REDACTED]**PO Box:** [REDACTED]**Town/City:** Pemberton**Province:** Bc**Postal Code:** [REDACTED]**Phone Number:** [REDACTED]**Email:** [REDACTED]**Please attach any related documents (if applicable):** A86D5B8B-AD03-4FC0-B495-BF33A61383DC.png

Message to Mayor & Council: My message is in response to zoning bylaw 832. I am not in favour of this bylaw at this time. Specifically the changes of zoning for the Valley chainsaw and blacks hot wheels properties. Council, or at least the mayor, and village staff seem to be on two different pages regarding this bylaw. Staff have clearly stated and documented that this bylaw is being used to “encourage them to move out of the town centre” while Mike has clearly posted the opposite. Also quite often the “unsightliness” of the property is brought up a a reason to bring this bylaw in. While at the same time applications to clad the shipping containers and put up privacy fencing around the property have been denied by the VOP. If unsightliness is the issue then these permits should have been approved, and the problem would have been at least been mitigated. These businesses have been in this town in these locations far longer than I have been here and much longer than the buildings around them that were built knowing full well what was happening next door. To punish them or “encourage them to move out of town centre” while also denying them permits to improve the properties is rediculous to say the least. Thanks for you time.

**R (Residential) Zones:**

Pedini 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 m². 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 m².

Pedini 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) (vi) 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:**

Pedini 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

Village of Pemberton
ADVISORY LAND USE COMMISSION
April 26, 2018
Page 4 of 5

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 Staff'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.



-----Original Message-----

From: Chris MacMurchy [REDACTED]

Sent: June 26, 2018 1:20 PM

To: VoP Admin <admin@vilpem.onmicrosoft.com>

Subject: New zoning

Hello,

I was just hoping to voice my opinion on the new zoning affecting Blacks and Valley Chainsaw as I won't be able to make the meeting tonight. I feel it's great to have many different businesses in our downtown core. Especially successful businesses like these.

It doesn't make sense to me that they would be able to operate but not upkeep their buildings or do renovations. This is the kind of thing we do want local businesses to have the freedom to accomplish.

I also believe that Al Bush and the Blacks have been in this town longer than almost anyone I know in town. Running long time locals out of our downtown core is not the right thing to do.

Thank you,

Chris MacMurchy

[REDACTED]

[REDACTED]

June 25,2018

Dear Mayor, Council and Village of Pemberton,

I have looked at your Official Community Plan (document #36999 on the Village website). With all due respect I am deeply disappointed that the proposed re-zoning of Bylaw # 32018 does not embrace many of the Pemberton Principals; As stated in the OCP. I have highlighted cases in point below:

Our community flourishes because the local economy is nurtured

"Vibrant, diverse and supported local economy and employment base enables creative, intellectual and material fulfillment of our citizens."

By limiting business, economy is not being nurtured. In fact, the proposed changes will potentially negatively impact the downtown core. Storage containers should be a non-issue. Businesses need them for storage, particularly if they are not allowed to expand beyond their original footprint.

In our community, all are valued.

"We honour diversity and seek to provide a place to live, work and play that is inclusive, healthy and safe."

I feel that diversity is not being honoured. I believe that two businesses in particular are being undervalued. These two businesses have created employment as well as conveniences of service for well over 30 years.

We know where we are because we embrace our heritage

"We value that which makes Pemberton distinctive. We ground our unique sense of place in our people, history, culture and physical setting."

Pemberton has become a leading "Recreational Capitol" of our area. It would be a detrimental not to allow Valley Chainsaw to continue to operate where they have for so many years. They have always been a prominent figure in the community. I honestly believe that having a shop such as Valley Chainsaw in the town center promotes the Pemberton lifestyle and attracts the type of people that make this community flourish.

We work together

"In governance, we pursue processes and make decisions that engage and respect present and future citizens, consider our neighbors in other jurisdictions, and ensure we are financially responsible."

It does not seem as though they are working together. As far as I am aware, there has been no formal (or informal) communication with the affected business owners. The owners subsequently initiated dialogue with the Village regarding re-zoning on or around May 3rd, 2018. Only on May 11th, 2018 did these owners receive official correspondence regarding the matter. This suggested a lack of transparency and is deeply disappointing.

Sincerely,

Susie McCormack

Cell: [REDACTED]

E-mail: [REDACTED]

Grimms Gourmet & Deli Ltd

106-7433 Frontier St

Pemberton, BC. V0N2L0

604-894-5303

grimmsdeli@gmail.com

Re: Gateway Permitted use; Drive Thru service

Good evening Mayor and Council

Fellow Retailers and Service Providers

As we all know our community is growing and it has been good news for most businesses over the past few years. I am writing to ask for your support. We continue to see growth with traffic on our highways. Not only local but tourist traffic. Whistler has enjoyed growth from visitors. BC Parks also has seen traffic growth with the reported 170,000 visitors to Joffre in 2017. We hope a very large portion of visitors in the future will continue to divert themselves into the village before or after their journey as they have in the past.

Our current Village of Pemberton By-laws of course allow for commercial operation on the highway but also allow for drive thru services(c2,c3,c5). Drive thru services are no doubt a convenience with environmentally damaging idling vehicles. Although we in no way propose that any multinational organizations should not be allowed to set up we are opposed to the drive thru concept.

As business owners we understand that this concept leads to diminished in town and downtown visitor activity. Many small towns can attest to this as many small businesses have had to close because grab and go on the highway can eliminate the inquisitive nature to see what our village has to offer. Whistler and most recently Britannia Beach do not allow any further drive thru services.

We must reiterate that we are in no way closed for business in the gateway or in our downtown. The Chamber of Commerce and Tourism Pemberton support our request in helping to preserve our downtown core. We also have the support of most of the businesses of Pemberton. This issue has come before council in previous years with the support of the Chamber of Commerce without success. We must now enlighten our council that this change in By-Law is best for our business community and downtown and any future revitalization that the Village of Pemberton has planned. With the revitalization we must promote the get out of your car and enjoy the village. Isn't this why we are spending money on enhancements. We would like to thank the village staff for endorsing the zoning changes with respect to no drive thru in c2 and c3.

May I turn your attention to C5. Although rezoned for drive thru we believe you now understand the ill effects this will have on both the environment and the local business community. We ask that while we are in the rezoning and bylaw stage that you reconsider your decision of allowing drive thrus in c5.

In the FAQ the village states" The Village supports local business. In reviewing the Zoning Bylaw, the Village must balance the competing objectives of environmental and public safety.

All businesses we have spoken with, support this initiative and we appreciate your support in this matter, as the Village of Pemberton is currently updating our By-laws we must include this issue of not allowing drive thru in c2, c3, c5 zones.

Thanking you Kindly,

A handwritten signature in black ink, appearing to read 'Mark Mendonca', with a stylized flourish at the end.

Mark Mendonca

Business Owner

From: tj napier [REDACTED]

Sent: June 26, 2018 1:21 PM

To: VoP Admin <admin@vilpem.onmicrosoft.com>

Subject: Comments for Public Haring re: Draft Zoning Bylaw No. 832, 2018

Dear Mayor and Council,

I am writing to express concern with the current draft of Zoning Bylaw No. 832, 2018.

Specifically, I offer the following comments:

Regarding the proposed Commercial Zoning

- I am opposed to the removal of the spot zoning that permits the current uses at the two locations occupied by Black's Hot Wheels and Valley Chainsaw. While I understand that in some cases these uses might not be a good fit with a traditional town centre, in this case, in downtown Pemberton, the value of these long-standing businesses to the community is very high, as evidenced by the significant response to the proposal from many residents. The supposed 'lack of fit' argument put forward by some feels hollow. I believe that with a bit of proper fencing and screening at one location, and some innovative solutions for spill containment at the other, these businesses fit quite well with the downtown of Pemberton and help keep the area busy and active.
- With respect, I feel it is misleading to say that the goal is not to force these businesses out. In fact that is the very point of down-zoning, and the legal non-conforming provisions of the Local Government Act are there specifically to facilitate an eventual transformation to the 'desired' zoning, by allowing only basic maintenance, and prohibiting any structural repairs or alterations, limiting the footprint of the use, and limiting the scope of the non-conforming use. Just because it doesn't force them out immediately it doesn't mean they aren't forced out. Also, forcing these types of services to the industrial park will strip the downtown of much needed people presence, in the form of both customers and staff.
- In addition, if the "highest and best use" for these sites is commercial/retail there is nothing stopping that from happening right now. The removal of the current spot zoning that makes these uses permitted does not give new permissions, it only removes the current ones. Anyone could already

transform these sites to any of the uses permitted under the Town Centre zoning. If there was demand for it, it would already be happening....this removal of the spot zoning simply guarantees that it will happen sooner than later, effectively devalues the business and feels a bit like a solution looking for a problem rather than the other way around.

Regarding the proposed Residential Zones

- I would request that staff provide a rationale for why carriage houses will be permitted only at Sunstone and the Ridge. If the intention is to maintain the existing character of neighbourhoods then couldn't that be achieved with regulations with respect to siting and location of the carriage houses (such as through setbacks, maximum heights, maximum floor area, etc)? It appears that under the proposed zoning it is simply not permitted anywhere except at Sunstone and the Ridge. So even if a property in the existing neighbourhoods in Pemberton could meet all of the siting requirements, floor areas, etc. it is not permitted? This feels like a huge benefit that is being gifted to two new neighbourhoods that ought to be enjoyed throughout the town.

Regarding Short Term Vacation Rental and B&B

- The draft bylaw states that STVR use is allowed only in a principal residence, but then in the next statement it says it can be in a carriage house. If this is the case, then again that feels like essentially an up-zone for Sunstone and the Ridge, as they are the only zones that allow Carriage houses. If this use is to be permitted, it should be permitted throughout the residential zones (subject to the same restrictions), not only select areas. Also, the neighbourhoods where this is proposed to be permitted are the farthest from the services and amenities of town, that visitors would presumably be seeking out. I would ask that this be reconsidered as a permission that is either permitted throughout the single family residential zones, or is not permitted in any of them.
- It appears that an STVR doesn't require that the resident be present, but a B&B operator must be present. Other than this, is there any difference between these uses? This appears to offer a benefit to STVR that is not enjoyed by B&B operators. Also, by not requiring an owner or operator to be present it carries risks that any negative impacts to neighbourhoods (like noise, parking, rowdy behaviour, etc.) will not be mitigated if the owner is not required to be present during the STVR use.

In light of these concerns, as well as the concerns and comments expressed by many others over the last few weeks, I respectfully request that Council consider denying any further readings of this bylaw at this time, and instead ask that additional public consultation and review be undertaken to find appropriate and balanced solutions the issues raised.

I thank staff and Mayor and Council for their time.

Tracy Napier

Tim Harris,
Manager of Operations and Development Services
Village of Pemberton
Box 100, 7400 Prospect
Pemberton, BC
V0N 2L0

Re: Village of Pemberton – Groundwater Protection Plan

Dear Tim,

Following my conversation with your staff with respect to zoning and the Groundwater Protection Plan, I have briefly reviewed the document (received by Council May, 2013) and offer the following comments:

1. VCH supports source protection planning in an effort to provide multiple barriers of protection and ideally, to minimize the need for expensive treatment works.
2. The aquifer supplying the Village of Pemberton domestic supply wells is comprised of highly permeable sand and gravel deposits, which make it vulnerable to surficial contamination. Furthermore the aquifer is highly developed with numerous land use activities that could lead to contamination. The various residential and commercial facilities within the well capture zone will each carry some degree of contamination risk (ie from fuel; solvents; fertilizers; herbicides; other chemicals). For most properties these risks are thought to be best managed by engagement with property owners and tenants to foster a better awareness of risk mitigation through prudent avoidance strategies and containment measures. However some current uses such as the tire shop are thought to be too high to manage, especially if there is a risk of fire (it is thought the firefighting water would transport solvent and rubber tire by-products into the aquifer at close proximity to the well sources).
3. Should contamination of the aquifer occur, there is a chance it could negatively affect all 3 wells – leaving few options for supplying the Village with potable water
4. The Groundwater Protection Plan should be reviewed and establish an annual work plan of activities that include informing residents to care for the groundwater resource. The current report recommends further work be conducted to confirm the wells are not Groundwater at Risk of Pathogens (GARP). VCH understands the intent to develop a new well in the aquifer, and this may be an ideal time to have the current plan updated and to include the capture zone for the new well.

Yours sincerely,



Len Clarkson, R.E.H.O.
Drinking Water Protection Specialist
Vancouver Coastal Health