

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

Agenda for the **Regular Meeting** of Council of the Village of Pemberton to be held Tuesday, October 16, 2018 at 9:00 a.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1478.

“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.”

Item of Business	Page No.
1. CALL TO ORDER	
In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.	
2. APPROVAL OF AGENDA	1
Recommendation: THAT the Agenda be approved as presented.	
3. RISE WITH REPORT FROM IN CAMERA (CLOSED)	
4. ADOPTION OF MINUTES	5
a) Regular Council Meeting No. 1477, Tuesday, October 2, 2018.	
Recommendation: THAT the minutes of Regular Council Meeting No. 1477, held Tuesday, October 2, 2018, be adopted as circulated.	
5. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING	
6. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE	
7. COMMITTEE MINUTES - FOR INFORMATION	
8. DELEGATIONS	
9. REPORTS	
a) Office of the Chief Administrative Officer	
i. Verbal Update	
(a) Regional Transit – Update	
(b) Pemberton Area Economic Development Collaborative Meeting Notes – October 3, 2018	
Recommendation: THAT the Pemberton Area Economic Development Collaborative Meeting Notes dated October 3, 2018 be received.	
b) Finance	
i. Municipal Finance Authority – Equipment Financing – Phone System	
Recommendation One: THAT Council receives this report from the Chief Financial Officer, dated October 16th, 2018 regarding financing for the purchase of new Capital Equipment;	

Recommendation Two: THAT Council of the Village of Pemberton authorizes up to \$17,030 be borrowed, under Section 175 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of an Administration Phone System;

AND THAT the loan(s) be repaid within five (5) years, with no rights of renewal.

c) Mayor

d) Councillors

10. BYLAWS

a) Bylaws for Third and Fourth Readings

i. **Village of Pemberton Zoning Amendment (RSA, RTA and CD-5) Bylaw No. 841, 2018** 27

Recommendation One: THAT Council amends Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5) Bylaw No. 841, 2018, as presented.

Recommendation Two: THAT Council gives Third Reading, as amended to Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5) Bylaw No. 841, 2018.

Recommendation Three: THAT Council gives Fourth reading to Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5) Bylaw No. 841, 2018.

b) Bylaws for Adoption

i. **Village of Pemberton Business Licence Bylaw No. 842, 2018** 65

Recommendation: THAT Village of Pemberton Business Licence Bylaw No. 842, 2018 receive Fourth and Final Readings.

ii. **Village of Pemberton Smoking Regulation Bylaw No. 843, 2018** 82

Recommendation: THAT Village of Pemberton Smoking Regulation Bylaw No. 843, 2018 receive Fourth and Final Readings.

iii. **Village of Pemberton Cross Connection Control Bylaw No. 844, 2018** 91

Recommendation: THAT Village of Pemberton Cross Connection Control Bylaw No. 844, 2018 receive Fourth and Final Readings.

iv. **Village of Pemberton Municipal Ticketing Information Utilization Bylaw No. 845, 2018** 101

Recommendation: THAT Village of Pemberton Municipal Ticketing Information Utilization Bylaw No. 845, 2018 receive Fourth and Final Readings.

v. **Village of Pemberton Permissive Tax Exemption (Pemberton & District Search & Rescue) Bylaw No. 846, 2018** 121

Recommendation: THAT Village of Pemberton Permissive Tax Exemption (Pemberton & District Search & Rescue) Bylaw No. 846, 2018 receive Fourth and Final Readings.

11. CORRESPONDENCE

a) For Action

- i. **MP Goldsmith Jones, West Vancouver-Sunshine Coast-Sea to Sky Country, dated September 25, 2018, regarding the Community, Culture and Recreation and Rural and Northern Communities funding streams.** 122

Recommendation: THAT the correspondence be referred to Staff for development of a grant application.

b) For Information

- i. **Honourable Katrine Conway, Minister of Children and Family Development, dated October 4, 2018, proclaiming October as Foster Family Month in British Columbia.** 123
- ii. **Mr. David Elby, Attorney General, and the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General, dated October 4, 2018, regarding the role of local governments in the issuing of licences for the retail sale of non-medical cannabis.** 124
- iii. **Linda Glenday, CAO, District of Squamish, dated October 3, 2018, regarding funding of a Regional Transit System.** 130
- iv. **Honourable Claire Trevena, Minister of Transportation and Infrastructure, dated October 2, 2018, following up from meeting with Mayor Richman at UBCM.** 131

Recommendation: THAT the above correspondence be received for information.

12. DECISION ON LATE BUSINESS

13. LATE BUSINESS

14. NOTICE OF MOTION

133

15. QUESTION PERIOD

16. IN CAMERA

Recommendation: THAT pursuant to Section 90 (1) (k) Negotiations of the *Community Charter*, the Council of the Village of Pemberton serves 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.

17. RISE WITH REPORT

18. RECESS REGULAR MEETING

Following the In Camera Meeting the Regular Council Meeting will be recessed until after the Public Hearing which is scheduled to take place at 7:00 p.m. in Council Chambers this same day.

19. PUBLIC HEARING – 7pm – Council Chambers

Village of Pemberton Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018

NOTE: See Public Hearing Agenda

20. RECONVENE REGULAR MEETING – following the close of the Public Hearing

21. BYLAWS CONTINUED

a) Bylaw for Third and Fourth Readings

- i. Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 – Third and Fourth Reading 134**

Recommendation: THAT Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 receive Third and Fourth Readings.

21. ADJOURNMENT

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

Minutes of the Regular Meeting of Council of the Village of Pemberton held on Tuesday, October 2, 2018 at 5:30 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1477.

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
David Ward, Assistant Operations Manager
Lisa Pedrini, Senior Planner
Jill Brooksbank, Communications & Grant Coordinator
Gwendolyn Kennedy, Legislative Assistant

Public: 9

1. CALL TO ORDER

At 5:32 p.m. Mayor Richman called the meeting to order.

In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.

2. APPROVAL OF AGENDA

Moved/Seconded
THAT the Agenda be approved as circulated.
CARRIED

3. RISE WITH REPORT FROM IN CAMERA (CLOSED)

At the In Camera meeting held earlier today Council resolved to rise with report advising that a joint press release will be issued from the Village and SLRD providing an update on the status of the transfer of the recreation service management from the SLRD to the Village. Staff are coordinating to develop the release.

4. ADOPTION OF MINUTES

a) Regular Council Meeting No. 1476, Tuesday, September 4, 2018

Moved/Seconded
THAT the minutes of Regular Council Meeting No. 1476 held Tuesday, September 4, 2018, be adopted as circulated.
CARRIED

5. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING

There was no business arising.

6. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE MEETING

Recommendations from Committee of the Whole Meeting No. 182 held earlier today:

Single-Use Items – Reduction Strategies:

Moved/Seconded

THAT the development of a Single-Use Items Strategy be brought forward for consideration as part of the 2019 strategic planning and budget deliberation process.

CARRIED

Moved/Seconded

THAT correspondence be sent to local businesses seeking information on single-use item reduction strategies they currently implement and seeking feedback on how the Village might be able to support them in their strategies.

AND THAT correspondence be sent to the Chamber of Commerce and Tourism Pemberton seeking their assistance in distributing the letter from the Village to their membership.

CARRIED

7. COMMITTEE MINUTES – FOR INFORMATION

There are no minutes to be received.

8. DELEGATIONS

a) **Melissa Caldwell, BC Emergency Health Services, Community Paramedicine Service Update**

Melissa Caldwell provided an update on the services the newly established Community Paramedicine Service has been providing in the community and advised that funding for this program will continue and it is anticipated that the service will continue for a long time.

Ms. Caldwell noted that the program has been in place for ten months, that she is currently working with six patients and a large part of her focus has been on education and awareness which has included working with the schools and community groups on projects such as the “Mock Crash” that took place in June at Pemberton Secondary.

Ms. Caldwell advised that the program has been well received by the Community.

At 5:37 p.m. Regular Council Meeting No. 1477 was recessed.

At 5:40 p.m. Regular Council Meeting No. 1477 was reconvened.

9. REPORTS

a) Office of the Chief Administrative Officer

i. Verbal Update – Standing Item

(a) Funding for New Sea to Sky Regional Transit System

CAO Gilmore presented an update on the proposed funding and governance model for the new Sea-to-Sky Regional Transit System.

Moved/Seconded

THAT the Village of Pemberton endorses the following resolution regarding funding for a new Sea to Sky Regional Transit System passed by the Squamish-Lillooet Regional District Board of Directors at the Squamish-Lillooet Regional District Board meeting on September 26, 2018:

***THAT** the Squamish-Lillooet Regional District (“SLRD”) supports a Regional Transit System for the Sea-to-Sky Corridor and the implementation of a motor fuel tax in the Sea-to-Sky corridor in order to assist with the funding of a Regional Transit system. The Board directs staff to write a letter to the Minister of Transportation and Infrastructure Claire Trevena and Minister of Finance Carole James requesting that the Province implement this tax on the effective date of a Sea-to-Sky Regional Transit System. The Sea-to-Sky communities are supportive of a Commission Model of Governance for the Regional Transit System in accordance with a Memorandum of Understanding between the Lil’wat Nation, Squamish Nation, District of Squamish, Resort Municipality of Whistler, Village of Pemberton and SLRD.*

***THAT** the aforementioned letter be sent only upon receipt of agreement to this resolution from the District of Squamish, Resort Municipality of Whistler and the Village of Pemberton.*

CARRIED

(b) Pemberton Area Economic Development Collaborative Meeting Update

Moved/Seconded

THAT the Pemberton Area Economic Development Collaborative Meeting Notes be received.

(c) Portage Road Cross Walks Update

CAO Gilmore presented an update on the status of planned maintenance of Portage Road cross walks by the Ministry of Transportation and Infrastructure.

Moved/Seconded

THAT correspondence be sent to the Minister of Transportation and Infrastructure expressing the Village's frustration at the delays in completing maintenance of the cross walks on Portage Road.

Moved/Seconded

THAT Staff contact Ministry of Transportation and Infrastructure Staff reminding them of the approaching window of good weather that would permit completion of planned maintenance of cross walks on Portage Road.

CARRIED

Moved/Seconded

THAT the Portage Road Cross Walks Update verbal report be received.

CARRIED

ii. Rural Dividend Application

Moved/Seconded

THAT the Village assumes the lead applicant role for the Pemberton Area Economic Development Collaborative grant application, in the amount of \$126,001, from the Rural Dividend Fund;

AND THAT Staff prepare correspondence to the Pemberton & District Chamber of Commerce and the Rural Dividend Fund Project advising that the Village agrees to assume the lead applicant role for the Pemberton Area Economic Development Collaborative's application to the Rural Dividend Fund.

CARRIED

iii. Winds of Change Steering Committee – Dissolution

Moved/Seconded

THAT the Winds of Change Steering Committee formally be dissolved.

CARRIED

Moved/Seconded

THAT \$4,000 be allocated from the 2019 Budget for the Wellness Almanac;

AND THAT \$500 be allocated from the 2019 Budget for the Wellness Bursary.

CARRIED

b) Operations & Development Services

i. Cross Connection Control Program Guide

Moved/Seconded

THAT the Cross Connection Control Program Guide be endorsed.

CARRIED

ii. Non-Medical (Recreational) Cannabis Retail Sales Policy – DEV-011

Moved/Seconded

THAT Council endorses the Village of Pemberton Non-Medical (Recreational) Cannabis Retail Policy.

CARRIED

OPPOSED: Councillor Helmer

At 7:02 p.m. Mayor Richman declared a conflict of interest pursuant to Section 100 (2) (b) of the *Community Charter* and left Council Chambers. Acting Mayor Craddock took the chair.

iii. Liquor Licence Change Request – Town Square Restaurant

Moved/Seconded

THAT Council recommends the issuance of an amended liquor licence for the following reasons:

- The Town Square is an established local business that draws business into Pemberton's town centre; and
- The proposed amendments to its liquor licence will allow the Town Square the ability to feature patron participation, live music and cater to special events.

AND THAT Council provides the following comments on the prescribed considerations:

- (a) The location of the establishment is 7439 Frontier Street.
This location is within the Village's Town Centre Commercial (C-1) Zone.
- (b) The proximity of the establishment to other social or recreational facilities and public buildings.
The Pemberton Community Barn is located immediately across from the establishment and will not be negatively affected by the liquor licence amendment.
- (c) The person capacity and hours of the liquor service of the establishment.
The person capacity of the Town Square Restaurant is 92. As addressed above, the type of liquor licence and hours of operation will be extended to 9 a.m. to 1:00 a.m. to allow patron participation and special events to occur later in the evening.
- (d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location.
Town Square is located in Pemberton's town centre within close proximity to two other establishments that feature live entertainment and extended hours of liquor service. The C-1 Town Centre Commercial Zone is appropriately zoned to allow a concentration of entertainment venues, such as eating and drinking establishments, in this area.
- (e) The impact of noise on the community in the immediate vicinity of the establishment.
The Village will review the Noise Bylaw with the business owners and work in coordination to limit noise disturbances.
- (f) The impact on the community if the application is approved.
Overall, there is a positive perceived value to the community by approving this liquor licence amendment.

AND THAT the views of nearby residents were sought by advertising in the Pique Newsmagazine and that the Village received two (2) responses; one expressing concern with live music on the patio, which the Village will address, and one opposing the change altogether.

CARRIED

At 7:12 p.m. Mayor Richman returned to Council Chambers and took the chair.

iv. Liquor Licence – Pemberton Brewing Company Ltd.

Moved/Seconded

THAT Council supports, for the following reasons, the issuance of the lounge licence with the condition that the operating hours be limited to 9:00 a.m. to 1:00 a.m.:

- The Pemberton Brewing Company is an established local business that helps diversify Pemberton's economy; and
- The proposed liquor licence will give Pemberton Brewing Company the ability to thrive in its current location and the flexibility to host special events.

AND THAT Council provides the following comments on the prescribed considerations:

- (a) The location of the establishment is 1936 Stonecutter Place.
The property is located in the Village's Industrial Park and the use is permitted under the Industrial (M-1) Zone as per the Village's Zoning Bylaw No. 832, 2018.
- (b) The proximity of the establishment to other social or recreational facilities and public buildings.
There are no recreational facilities of public buildings in the area.
- (c) The person capacity and hours of liquor service of the establishment.
This establishment has been in operation as a tasting lounge for several months at this location, no issues are anticipated due to these changes.
- (d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location.
Pemberton Brewing Company would be the only licensed establishment in the area.
- (e) The impact of noise on the community in the immediate vicinity of the establishment.
Due to the industrial nature of the area, and limited nearby residential uses, no impacts related to noise are foreseen.
- (f) The impact on the community if the application is approved.
Given the location, limited residential uses and the fact that the Village did not receive any comments after advertising the changes, there are no perceived impacts on the community.

AND THAT the views of the residents were sought by advertising the change in the Pique Newsmagazine and that no views were presented.

CARRIED

c) Mayor

Mayor Richman reported on the following:

- Attended a presentation at the Squamish-Lillooet Cultural Centre.
- Attended the Nukw7ántwaí Intergovernmental Relations Committee Meeting on September 20th where the terms of reference were approved and discussion focused on the Winds of Change, emergency planning, community engagement and funding for future gatherings.
- Attended the meeting of the Interim Board of Directors of the Spel'Kúmtn Community Forest Corporation.
- Attended Mayors' Caucus where discussion focussed on housing and the opioid crisis.
- Attended UBCM and reported out on Ministers Meetings and meetings with CN and BC Transit.
- Met with Stewardship Pemberton and discussed the problem of the crabapple trees along Portage Road attracting bears.
- Attended the Squamish-Lillooet Regional District Board Meeting on September 26th and reported on items of local interest. Extended thanks to Director Mack for the SLRD's \$50,000 contribution toward One Mile Lake boardwalk upgrades over a period of two years.
- Attended the Lions/Rotary Barn Dance and congratulated the volunteers for making this a successful event. Noted that not only do the Lions and Rotary Clubs put on a great party, but they also contribute the funds raised to community projects.
- Reminded those present of the three opportunities to vote in the upcoming General Local Elections.
- Noted that there is a planned BC Hydro power outage scheduled for 8:00 a.m. to 4:00 p.m. on October 14th. The work will impact 3200 customers in Pemberton and the surrounding area.

Mayor Richman noted the following events:

- Pemberton & District Library presents Oktoberfest on Saturday, October 13th with proceeds going towards the library redesign.
- Pemberton Off-Road Cycling Association presents Lumpy's Fall Epic Trifecta on Saturday, October 13th at One Mile Lake Park.
- Skwxwú7mesh Líwat Stl'atl'imc Business Pitch is taking place on Wednesday, October 3rd.
- TSZIL Learning Centre is hosting their Grand Opening on October 18th from 4pm-6pm.

d) Councillors

Councillor Ross

Councillor Ross reported on the following:

- Attended the ribbon-cutting ceremony for the opening of Phase Three of the Children's Nature Centre on September 19th.

Councillor Linklater

Councillor Linklater reported on the following:

- Attended UBCM and was disappointed in the lack of debate on resolutions.
- Thanked Mayor Richman for his words regarding the Nu'kw7ántwa' Intergovernmental Relations Committee Meeting and noted that he was reassured that the new group would carry on the legacy of the Winds of Change.
- Attended the Pemberton Valley Utilities & Services Committee Meeting.
- Extended thanks to all those involved in the construction of both Friendship Trail and Bridge.
- Relayed thanks from the Pemberton Youth Soccer Association for the work on the new soccer field at the recreation site.
- Extended thanks to Staff and residents for their support of the Pemberton Youth Soccer Association bottle drive on the weekend.
- Volunteered at the Barn Dance.
- Reminded those present of the Oktoberfest fundraiser for the library and noted that the library improvements look good and that programs are thriving.

Councillor Craddock

Councillor Craddock reported on the following:

- Attended Pemberton Valley Dyking District Meeting a few weeks ago and is looking forward to reading the report of the flood plain review when released by the Province.
- Attended UBCM and observed that the lack of debate on resolutions negatively impacted his experience.
- Volunteered at the Barn Dance.
- Attended the 28th annual Terry Fox Run and noted that the new group did an excellent job in putting on this event.

Councillor Helmer

Councillor Helmer did not report.

10. BYLAWS

a) Bylaws for Adoption

i. Village of Pemberton Public Nuisance Abatement Bylaw No 838, 2018

Moved/Seconded

THAT Village of Pemberton Public Nuisance Abatement Bylaw No. 838, 2018, receive Fourth and Final Reading.

CARRIED

ii. Village of Pemberton Animal Control Bylaw No 839, 2018

Moved/Seconded

THAT Village of Pemberton Animal Control Bylaw No. 839, 2018 receive Fourth and Final Reading.

CARRIED

iii. Village of Pemberton Parking and Traffic Control Bylaw No. 840, 2018

Moved/Seconded

THAT Village of Pemberton Parking and Traffic Control Bylaw No. 840, 2018 receive Fourth and Final Reading.

CARRIED

b) Bylaws for First and Second Readings

i. Village of Pemberton Zoning Amendment (Recreational Cannabis Permitted Use) Bylaw No. 847, 2018

Moved/Seconded

THAT Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 be given First and Second Reading as amended to adjust the setback noted in subsection 2 (b)(ii) from 100 metres to 150 metres;

Moved/Seconded

THAT Staff arrange for a Public Hearing for Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 for Tuesday, October 16 at 7:00pm.

CARRIED

c) Bylaws for First, Second and Third Readings

i. Village of Pemberton Business Licence Bylaw No. 842, 2018

Moved/Seconded

THAT Village of Pemberton Business Licence Bylaw No. 842, 2018 receive First, Second and Third Readings.

CARRIED

ii. Village of Pemberton Smoking Regulation Bylaw No. 843, 2018

Moved/Seconded

THAT Village of Pemberton Smoking Regulation Bylaw No. 843, 2018 receive First, Second and Third Readings.

CARRIED

iii. Village of Pemberton Cross Connection Control Bylaw No. 844, 2018

Moved/Seconded

THAT Village of Pemberton Smoking Regulation Bylaw No. 843, 2018 receive First, Second and Third Readings.

CARRIED

iv. Village of Pemberton Municipal Ticketing Information Utilization Bylaw No. 845, 2018

Moved/Seconded

THAT Village of Pemberton Municipal Ticketing Information Utilization Bylaw No. 845, 2018 receive First, Second and Third Readings.

CARRIED

v. Village of Pemberton Permissive Tax Exemption (Pemberton & District Search & Rescue) Bylaw No. 846, 2018

Moved/Seconded

THAT Village of Pemberton Permissive Tax Exemption (Pemberton & District Search & Rescue) Bylaw No. 846, 2018 receive First, Second and Third Readings.

CARRIED

11. CORRESPONDENCE

a) For Action

There was no correspondence for action.

b) For Information

There was no correspondence for information.

12. DECISION ON LATE BUSINESS

There was no late business for consideration.

13. LATE BUSINESS

There was no late business for consideration.

14. NOTICE OF MOTION

There was no notice of motion.

15. QUESTION PERIOD

Ryan Zant requested clarification regarding the zoning amendment to allow cannabis retail stores and the smoking regulations as they pertain to consumption of cannabis.

Mr. Zant asked if the option of using trains in a transit plan had been considered.

Joel Barde, Pique Newsmagazine, requested clarification on the Non-Medical (Recreational) Cannabis Retail Sales Policy, the resolution passed with respect to Pemberton Brewing Company's liquor licence application and asked if the Village had received any applications for retail cannabis stores.

16. AJOURNMENT

Moved/Seconded

THAT the Regular meeting be adjourned.

CARRIED

At 8:29 p.m. the Regular Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Pemberton Area Economic Development Collaboration Meeting Notes

October 3, 2018 – 9:30am – 12:00 noon, Ts’zil Learning Centre

Chair: Graham Turner

Notes: Lisa Richardson (on behalf of the Pemberton & District Chamber of Commerce)

In attendance:

Jill Brooksbank, Senior Communications and Grants Coordinator, Village of Pemberton

Russell Mack, Director, SLRD Electoral Area C

Kerry Mehaffey, Chief Executive Officer, Lil’wat Business Group

Jeannette Nadon, Communications and Engagement Manager, SLRD

Graham Turner, President, Pemberton & District Chamber of Commerce, Retail Operations Manager for Lil’wat Business Group

Mark Mendonca, President, Tourism Pemberton

Regrets:

Karen Ross, Councillor, Village of Pemberton

Lucinda Phillips, Administrator, N’Quatqua

Sheldon Dowswell, Administrator, Lower Stl’atl’imx Tribal Council

Wendy Koh, Regional Manager, Economic Development, Ministry of Jobs, Trade and Technology **(as conference call facilities not yet available at Ts’zil)**

Agenda:

1. **Introductions** – none.
2. **Review last meeting minutes.**

Whistler, Squamish and Pemberton Chambers of Commerce joined a conference call with last meeting’s guest, Darby Cameron, Senior Policy Analyst, Small Business Branch, Ministry of Jobs, Trade and Technology, to discuss a shared mobile business licencing unit. Local governments might be approached with a request for support after the 2018 elections.

3. Quarterly Updates

Lil’wat Business Group:

Lil’wat Nation and the Village of Pemberton filed their formal application to the Ministry of Forests for a **community forest**, under a separate company. All background work has

been completed, with letters of support from 12 community groups. Should be up and operational next year.

New **Lil'wat Gas station** construction started last week in earnest with a 6-7 month timeline, to be opened May 2019.

Lil'wat Nation's Whistler project will be more than a gas station. A new development permit is to be submitted next week, for an 80,000 square feet development with 42 residential units (resident-restricted rental), ground floor commercial and gas station (with gas station proposed for 2020).

Big renovation underway at **Tsipun Grocery Store** with a Loblaws' President Choice partnership being explored. The commercial kitchen will cater for the Gas Station and other places in Mount Currie.

Village of Pemberton:

Friendship Trail Bridge is being built – anticipate completion in the next few weeks.

At the October 2 Council meeting, as recommended by the Nuƙw7ántwáɪ Intergovernmental Relations Committee, Council resolved to dissolve the **Winds of Change Committee**, to focus those resources (money and people) on the Nuƙw7ántwáɪ Intergovernmental Relations Committee. (Lil'wat Nation was also scheduled to consider that resolution on October 2, as both need to agree to dissolve the Joint Winds of Change Committee.) Village of Pemberton Council will allocate \$4000 from 2019 budget to the Wellness Almanac, and \$500 to continue the bursary.

The Village has just launched **Pemberton ALERT**, an emergency notification system similar to SLRD Alert, enabling subscribers to receive notifications by email, phone and text, and to help the Village be aware of any household special needs in event of an emergency. Outreach and marketing is to commence shortly to encourage residents to sign up.

Local Government **2018 Election** is October 20 at the Pemberton & District Community Centre, with advance voting October 10 and 17 in Council Chambers.

On October 17, 2018, cannabis becomes legal across Canada. The Village will host a **public hearing** on October 16 at 7pm in Council Chambers to amend the zoning bylaw to include **Cannabis Retail** in the C1 zone of the Village.

There are exploratory discussions underway regarding regional transit, possibly to be funded by a gas tax.

A recent survey on **single use plastic items** was issued to gauge the interest of community and business members in having Council explore it further. The results

indicated a lot of community support to ban or levy plastic bags and straws. A recommendation went to Council to put funding aside in 2019 to do further outreach on that.

The soccer field is complete, but not playable until next year.

Tourism Pemberton

Had a very successful **Slow Food Cycle**, despite smoke, with 2000 participants. Some issues to discuss re vending (and use) of alcohol as a safety and management issue.

Tourism Pemberton submitted a funding application to **Rural Dividend Fund fifth intake**.

Tourism Pemberton lobbied the Village of Pemberton for better support and recognition of the value of tourism to the community, although at the moment, that value can't be quantified. **A lack of funding/resources** has stymied Tourism Pemberton from securing the research to do an economic impact assessment on tourism.

Squamish-Lillooet Regional District Area C

Congratulations to Director Russell Mack on being acclaimed as Area C Director.

Director Mack advised that discussions are underway to fund **regional transit** with a gas tax, and that the District of Squamish, Resort Municipality of Whistler, Village of Pemberton and SLRD are all fully engaged on the topic. The hope is to double the current service (4 buses a day) between Pemberton and Whistler, and also to provide interlinked service between Whistler and Squamish, and Squamish and Vancouver. Local government officials met with the province at UBCM. Director Mack noted some challenges with the current proposal (e.g. rural residents would pay a premium on their gas, but still have to drive to central bus stops.) Director Mack would like Park n Rides to be considered for residents in outlying areas.

The Friendship Trail is not quite finished, but generally usable. One outstanding question to be resolved is where its northern terminus will be. Ullus? Ts'zil? Gas Station? The route through the Industrial Park still needs to be finalized to complete the connection – and hopefully it will be fully open and operational within a couple of months, although it's unlikely the trail will be cleared of snow through the winter. This will allow time for the trail to settle.

Director Mack attended the Grand Opening of the **Innergex Upper Lillooet IPP**.

Jeannette Nadon advised that the SLRD Electoral Area C Zoning Amendment Bylaw No 1549-2017, regarding **agricultural regulations on ALR land in Area C** was adopted at the

SLRD's September 26 meeting. Bylaw 1549 had been split off from the main Area C OCP and Zoning Bylaw review – the latter will be revisited in 2019.

Funding is being pursued to conduct an updated **Agricultural Land Use inventory** for Area C. The last Agricultural Land Use Inventory was completed in 2009, based on older data. If the grant request is successful, the SLRD will be providing matching funds and staff resources to update the Inventory.

The Pemberton and Area C Recreational **Trails Master Plan** Update was delayed. New completion date is hopefully the end of 2018.

Phase 3 of **Children's Nature Play Park** at the Pemberton & District Community Centre is complete.

Picnic shelter at Gates Lake is due to be up by the end of this month.

Transfer of management of the **Recreation Service** from the SLRD to the Village of Pemberton is ongoing.

2018 has seen ongoing meetings of the **Nukw7ántwał Intergovernmental Relations Committee**, with most recent meeting taking place September 20. The current phase is the development of a communications and engagement strategy, to broaden the scope of Nukw7ántwał beyond elected leadership and senior staff and roll into out into the community, through community partnerships with organizations like the Chamber of Commerce, Tourism Pemberton, Stewardship Pemberton, etc. The hope is to have a draft of the plan completed in November, to start to roll out communications by the end of 2018.

A new grant program, **ICIP (Investing in Canada Infrastructure Program)** has several funding streams that may be of benefit to our region– including Community, Culture and Recreation Program, to fund capital projects, and a Rural and Northern Communities Program that funds disaster mitigation, green infrastructure etc. Intake deadline is January 23 2019.

The SLRD put forward several **resolutions to the UBCM** Caucus last month which were supported by UBCM, endorsing:

1. A need for the province to provide support to ongoing reconciliation programs and more sustained initiatives, rather than just one-off initiatives.
2. A need for the province to provide increased funding for staffing and services in provincial recreation areas, commensurate with increased visits as a result of provincial marketing efforts

The Village of Pemberton's resolution regarding backcountry tourism was also endorsed.

Pemberton + District Chamber

The **Visitor Information Centre** is now closed and data is being compiled with the visitation statistics.

Phase 2 of the Data Portal is to be completed by December 31 – the focus of this phase is to ensure the Data Portal can be easily updated. Work on that back-end solution is currently underway with Custom Fit.

2019 membership can be secured with the Pemberton + District Chamber of Commerce at a 10% discount, if it's secured online before October 15.

The Chamber is also working to switch their **website over to wordpress** and to streamline the content so its more member-focussed.

Jill noted that the Village of Pemberton has been having ongoing discussions with Krista at Pemberton Secondary School on ways to students with what they're doing. Perhaps there's an opportunity to involve students in updating the portal.

The Chamber's **SuperHost training** launched yesterday, October 2 with the first training session underway in the Ts'zil Learning Centre with Cindy Coughlin, right now. Coughlin is the only certified Superhost trained in the corridor. Currently 15 staff with the Lil'wat Retail operations Ts'zil Learning Centre are undertaking two 3hour sessions, with test and certifications. More courses can be run in the spring if the local business community engages in the opportunity, to raise overall service standards. Lil'wat Retail operations will be surveying customers to get the Net Promoter Score as an ongoing metric to monitor.

The **Skwxwú7mesh Líl'wat Stl'atl ímc Business Start-up Program** hosts its Business Pitch Event tonight at the Squamish Lil'wat Cultural Centre, with a panel of judges (including Graham) awarding \$5000 for the best pitch.

The Chamber is hosting an **All Candidates meeting October 10** – down to five candidates, with Mayor acclaimed.

The Chamber's next **Lunch and Learn in November will cover Business Fundamentals** - how to read a financial document and the basics of HR and employee retention.

4. Presentation: Rural Dividend 5th intake Grant Application Update – Lisa Richardson

The Pemberton & District Chamber of Commerce's application for \$100,000 funding

from the Fifth intake of the BC Rural Dividend Fund for an economic development strategy and project manager, was submitted July 31 2018.

Financial and in-kind support was committed to meet the \$25,000 matching required, by the Village of Pemberton, SLRD, and Lil'wat Nation, splitting the contribution three-ways (\$4167 in cash and \$4167 in staff hours/in kind). N'Quatqua also committed \$1000 in-kind in staff time to the project.

We encountered a hiccup on the project: we were notified that we did not provide the proper audited financial statements to support our application.

It was not practical for the Pemberton and District Chamber of Commerce to secure the audited financial statements.

With advice from Wendy Koh at FLNRO and the Rural Dividend Program office, the Village of Pemberton was asked to step in as lead applicant. Village of Pemberton Council resolved to support this at the October 2 Council meeting, and the resolution was provided to the Rural Dividend Office today, to complete the application.

5. New Business

- Chair Person to be chosen for 2019 – Jill Brooksbank expressed a willingness to undertake the role, pending approval from her CAO
- Letter from Village of Pemberton regarding the Collaborative – received.
- Director Mack offered financial support to secure ongoing Secretariat Services from Lisa Richardson for the Collaborative in 2019 and the final meeting of 2018.

Possible topics & presenters for the next meeting – Strategic meeting discussion.

The purpose of the Collaborative was reviewed and possible topics and presenters for forthcoming meetings discussed.

The Collaborative agreed it would be helpful to hear from various industries and experts as **guest speakers** to ensure the Collaborative is more representative of the entire economic sector and see how it can be more useful – such as Lisa Pedrini on the Village of Pemberton's OCP and current development situation, Anna Helmer from the Pemberton Farmers Institute, the cannabis medical facility on its scale, forestry representatives.

As the next meeting will be dedicated to discussing how to proceed with – or without – the grant, it was agreed to hold off on guest speakers until 2019. With the help of a consultant, we can make more informed judgments on which are the biggest industries for our region.

The **Nuƙw7ántwał Intergovernmental Relations Committee** and the Pemberton + Area Economic Development Collaborative both share similar mandates and purposes, as well as similar membership make-up. It may be worth considering how to avoid duplication and tie-in to that process.

The communications and engagement strategy is looking at the structure of the **Nuƙw7ántwał Intergovernmental Relations Committee** and how to support community groups to do things aligned with the objectives. Perhaps the Economic Development Collaborative would have a role as a Working Group.

Jeannette Nadon is attending a meeting on the **future of non-profits** in Lillooet, on November 4, arising to redress the challenge of volunteer power. This may be a worthy topic of conversation to raise at the Collaborative table.

BC Hydro's proposed 8 hour shut down on October 14 has a massive impact on the community and local business. (For example, a small business like Mark's will have to spend \$1000 on a generator for the day. (\$600 for the generator and \$400 for the electrician to connect it.) Businesses have expressed major concern about their frozen goods inventory. The Village of Pemberton has been inundated with community comments, after sharing the advisory. Jill Brooksbank will follow up with Jerry Muir to clarify whether or not this work is in fact for tree-trimming, and will provide the contact information at Hydro to this group.

Pemberton crosswalks and the complete deterioration of line markings on the roads has been an issue that Village of Pemberton, SLRD, and the RCMP have been raising regularly with MOTI. A contractor has been hired by MOTI but they are delayed by another project, and wet weather.

6. Actions

- Graham to send Jeannette the rates to rent out Ts'zil spaces/meeting rooms (one classroom has a removable wall and can accommodate up to 100 people)
- Jeannette to share the circulars and links about the ICIP funding opportunity, re the Cultural and the Rural and Northern Communities stream
- Jeannette to share link to UBCM resolutions for anyone interested
- Jill to send the Civic Info link.
- Graham to send an update on web traffic to the Data Portal
- Graham to share some info about SuperHost training
- Lisa to send copy of the grant application to all partners.
- Jill to ask RDP when we're likely to hear about grant.
- Graham/Lisa to send a meeting request for December 12 meeting
- Jill to request approval from Nikki to serve as Chair
- Lisa to submit Scope of Work for secretariat to Graham, to be requested from Russell

- Jill to confirm with Jerry Muir wither Hydro shutdown is tree-trimming, alterable, and to share contact info with this group.

Next quarterly meeting: December 12, 2018, Village of Pemberton Board Room, 9:30 – 12:30

Agenda items to be included:

- Jeannette Nadon to report on learnings from November 4 meeting on the future of non-profits in Lillooet
- Confirmation of grant and next steps.

- Meeting Adjourned. At 11:37am

Date: October 16th, 2018
To: Nikki Gilmore, Chief Administrative Officer
From: Lena Martin, Manager of Finance and Administration
Subject: MFA Equipment Financing – Phone System

PURPOSE

The purpose of this report is to seek Council's approval to apply for short term equipment financing with the Municipal Financing Association (MFA) of BC, for the purchase of an Administration Phone System

BACKGROUND

The Administration Phone System recently become inoperable and requires replacement. This Capital Asset has completed its useful use and is paid in full.

DISCUSSION & COMMENTS

MFA has an equipment financing program that takes the place of the former Leasing program. Loans under this short term borrowing program are available to municipalities under section 175 of the *Community Charter* – Liabilities under agreement.

Benefits of the programs are:

- Low interest rates based on the Canadian Dollar Offered Rate (CDOR) rate
- No fees or taxes
- Local Government retains ownership of asset
- Extra principal payments may be made at any time
- No penalties or fees for paying out early

Terms of the loan:

- Financing agreements having amortization periods between 1 - 5 years do not require approval from the public
- Variable interest rate with fixed payment schedule

As an unplanned expenditure in the 2018 Financial Plan, the Administrative Phone system replacement will cost \$603.16 in 2018 and can be accommodated in the current operating budget.

COMMUNICATIONS

There is no communication requirement at this time.

LEGAL CONSIDERATIONS

There are no legal considerations at this time.

IMPACT ON BUDGET & STAFFING

The annual cost of equipment financing has been estimated on a five (5) year amortization schedule and can be accommodated in the 2018 Operating budget. The current borrowing rate set by MFA is 2.41% for equipment financing.

Administration Phone System - \$603.16 (Total expected cost in 2018)

INTERDEPARTMENTAL IMPACT & APPROVAL

The securing of the financing will be facilitated through the Department of Finance and Administrative Services.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are no impacts on the region or neighboring jurisdictions.

ALTERNATIVE OPTIONS

There are no alternative options that Staff recommends at this time.

POTENTIAL GOVERNANCE CONSIDERATIONS

Ensuring that the Village has the proper equipment necessary to perform municipal services is in keeping with Strategic Priority Theme Three: Excellence in Service by ensuring that the Village continues to deliver the highest quality of municipal services within the scope of our resources.

RECOMMENDATIONS

Recommendation One:

THAT Council receives this report from the Chief Financial Officer, dated October 16th, 2018 regarding financing for the purchase of new Capital Equipment;

Recommendation Two:

THAT Council of the Village of Pemberton authorizes up to \$17,030 be borrowed, under Section 175 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of an Administration Phone System;

AND THAT the loan(s) be repaid within five (5) years, with no rights of renewal.

Submitted by:	Lena Martin, Manager of Finance and Administrative Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

Date: October 16, 2018
To: Nikki Gilmore, Chief Administrative Officer
From: Cameron Chalmers Consulting, Consulting Planner
Subject: Further Text Amendments to the RSA, RTA Zoning Provisions of Zoning Bylaw No. 832, 2018

PURPOSE

The purpose of this report is for Council to consider an amended version of Village of Pemberton Zoning Bylaw No. 832, 2018 Amendment (RTA-1, RTA-2 and CD-5) Bylaw No. 841, 2018, to make additional Village initiated text amendments to the newly adopted Zoning Bylaw No. 832. The changes are necessary to further clarify the permitted and accessory uses in the Residential Amenity 1, Sunstone (RSA-1), Residential Amenity 2, The Ridge (RSA-2), Residential Townhouse Amenity 1, Sunstone (RTA-1) and Residential Townhouse Amenity 2, The Ridge (RTA-2) zones as well as those already presented in the Tiyata Comprehensive Development (CD-5) Zone.

BACKGROUND

At the Regular Council meeting No. 1474, held on Tuesday, July 24, 2018, Council adopted a new Zoning Bylaw for the Village of Pemberton. The new Bylaw made a number of significant changes, but certain land uses were not intended to change.

In the preparation of the Bylaw, the initial zoning provisions and subsequent amendments were reviewed in detail; however, once Staff began to implement the new Bylaw it was discovered that some of the original information was not transferred over correctly.

In particular, the zoning provisions that apply to Sunstone, The Ridge and Tiyata developments were intended to mirror the existing zones from Zoning Bylaw No. 466, 2001.

Staff presented a report outlining necessary amendments to the RTA-1, RTA-2 and CD-5 zones to Council at their Regular Meeting No. 1476, held September 4, 2018. As such, the following resolutions were passed:

Moved/Seconded

THAT Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RTA-1, RTA-2 and CD-5 Zones) Bylaw No. 841, 2018 receive First and Second Readings.

CARRIED

Moved/Seconded

THAT Council notifies the public of its intention to waive the Public Hearing as per the Local Government Act.

CARRIED

DISCUSSION & COMMENTS

Subsequent to the September 4, 2018 Staff report, Staff determined that further amendments to the Residential Amenity 1, Sunstone and Residential Amenity 2, The Ridge zones were necessary. The RSA zones regulate single family (detached) residential development and subdivision at Sunstone and at The Ridge on lands within the RSA-1 and RSA-2 zones. The intent of the amendments is to ensure that the provisions that apply to residential uses intended for the RSA zones are consistent with Zoning Bylaw No. 466, 2001, as amended via Zoning Amendment Bylaws No. 680, 2011 (Ravens Crest) and No. 790, 2015 (580 Lands).

In addition, subsequent to the September 4, 2018 report, Staff determined that further amendments to the Residential Townhouse Amenity 1, Sunstone (RTA-1) and Residential Townhouse Amenity 2, The Ridge (RTA-2) Zones were required. The RTA zones regulate both residential townhouse and small lot development at Sunstone and at The Ridge on lands within the RTA-1 and RTA-2 Zones. The intent of these further amendments is to ensure that the different provisions that apply to these two distinct but different uses are consistent with Zoning Bylaw No. 466, 2001, as amended via Zoning Amendment Bylaws No. 680, 2011 and 790, 2015.

It appears that in translating the information to the new Zoning Bylaw No. 832, 2018, some information was inadvertently omitted or erroneous. The amendments proposed are intended to reflect the zoning entitlements that existed before the introduction of Zoning Bylaw 832, 2018.

As Zoning Amendment Bylaw No. 841, 2018 now includes the RSA zones, as well as the RTA and CD-5 Zones, the title of the Bylaw has been changed from Zoning Bylaw No. 832, 2018, Amendment (RTA-1, RTA-2 & CD-5) Bylaw No. 841, 2018 to Zoning Bylaw No. 832, 2018, Amendment (**RSA, RTA & CD-5**) Bylaw No. 841, 2018. Amendment Bylaw No. 841, 2018 serves to remove each respective Zone in its entirety and replace it with the correct zoning provisions for easier consolidation into Bylaw No. 832, 2018.

A copy of Zoning Amendment Bylaw No. 841, 2018 at First and Second Reading is attached as **Appendix A**. A copy of Amendment (RSA, RTA & DC-5) Bylaw No. 841, 2018 as amended for Third Reading is attached as **Appendix B**. A comparison of the two Bylaws is attached as **Appendix C**.

COMMUNICATIONS

As a housekeeping amendment that is merely duplicating regulations that were contained in Zoning Bylaw No. 466, 2001 but were inadvertently missed, the Public Hearing was waived and advertised as such per the *Local Government Act*. In this regard, notification was placed in the Pique Newsmagazine on October 4, 2018 and October 11, 2018.

LEGAL CONSIDERATIONS

The amendments are considered a natural part of the Zoning Bylaw process and will clarify the regulations for the use of land, buildings, and structures in the RSA, RTA and CD-5 zones.

To ensure that the introduction of the further amendments included in the revised amending bylaw does not require consideration of a Public Hearing, the Village sought a legal opinion. In this regard, the Village has been advised that the further amendments being contemplated by

this report do not require public hearing as they are consistent with the Official Community Plan and do not represent any change to use or density.

IMPACT ON BUDGET & STAFFING

Review and incorporation of minor changes to bylaws and policies is a component of the day to day operations of the Operations and Development Services department and there is no impact on the budget.

INTERDEPARTMENTAL IMPACT & APPROVAL

There is no impact or approvals required from other departments.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There is no impact on the region or neighbouring jurisdictions.

ALTERNATIVE OPTIONS

There are no alternative options that Staff recommends at this time.

POTENTIAL GOVERNANCE CONSIDERATIONS

Review and updating of Village bylaws and policies in order to ensure they are current and can be utilized effectively meets with Strategic Priority Two: Good Governance and Strategic Priority Three: Excellence in Service.

RECOMMENDATIONS

Recommendation One:

THAT Council amends Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5) Bylaw No. 841, 2018, as presented.

Recommendation Two:

THAT Council gives Third Reading, as amended to Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5) Bylaw No. 841, 2018.

Recommendation Three:

THAT Council gives Fourth reading to Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5) Bylaw No. 841, 2018.

Attachments:

- Appendix A: Bylaw No. 841, 2018 at First and Second Reading.
- Appendix B: Bylaw No. 841, 2018, as amended, for Third and Fourth Reading.
- Appendix C: Comparison of the two versions

Prepared by:	Cameron Chalmers, Consulting Planner
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

VILLAGE OF PEMBERTON
BYLAW No. 841, 2018

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018

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

AND WHEREAS the Council of the Village of Pemberton deems it necessary to amend the Zoning Bylaw to modify the community amenity requirements related to the density bonusing provisions;

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

CITATION

This Bylaw may be cited for all purposes as “Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RTA-1, RTA-2 and CD-5 Zones) Bylaw No. 841, 2018”.

1. VILLAGE OF PEMBERTON ZONING BYLAW NO. 832, 2018 IS AMENDED AS FOLLOWS:

That Section 13.2.2 be deleted and replaced with the following:

13.2.2 Permitted Accessory Uses

- (a) *Accessory Suite*
- (b) *Home Occupation*

That Section **13.2.3 Conditions of Use** be amended as follows:

Section 13.2.3 (a) is deleted and replaced with the following three clauses and that all subsection clauses under section 13.2.3 be renumbered sequentially:

- (a) *Accessory Suites* are permitted only on lots created and developed as single detached dwellings.
- (b) A maximum of one (1) accessory suite is permitted on a lot.
- (c) A maximum of two accessory buildings or structures are permitted on a lot.

That Section 14.2.2 be deleted and replaced with the following:

14.2.2 Permitted Accessory Uses

- (a) *Accessory Suite*
- (b) *Home Occupation*

That Section **14.2.3 Conditions of Use** be amended as follows:

Section 14.2.3 is amended to add the following three clauses and that all subsection clauses under section 14.2.3 be renumbered sequentially:

- (a) *Accessory Suites* are permitted only on lots created and developed as single detached dwellings.

- (b) A maximum of one (1) accessory suite is permitted on a lot.
- (c) A maximum of two accessory buildings or structures are permitted on a lot.

That Section 18.5.2 (a) be amended by adding the following table below p)

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Maximum Number of Dwelling Units	12	76	36	13	28	
Maximum Amount of Commercial Floor Area (m²)	2230					
Maximum Building Height (meters / stories)						
Single Family Dwelling		9		9	9	
Duplex Residential		9		9	9	
Townhouse / Stacked Townhouse			12 / 3			
Apartment	17 / 4		17 / 4			
Commercial <small>18.5.2 (b) (i) and (ii)</small>	17 / 4					
Assembly	17 / 4					
Minimum Building Setbacks						
Front	6	6	6	6	6	
Rear	7.5	7.5	7.5	7.5	7.5	
Side <small>18.5.2 (v) and (vi)</small>	3.0	1.5	3.0	1.5	1.5	
Minimum Lot Size (m²)						
Single Family Dwelling		350 m ²		350 m ²	350 m ²	
Corner Lot		375 m ²		375 m ²	375 m ²	
Duplex Residential		465		465	465	
Maximum Lot Size (m²)						
Single Family Dwelling		790		790	790	
Duplex Residential		830		830	830	

READ A FIRST TIME this 4th day of September, 2018.

READ A SECOND TIME this 4th day of September, 2018.

NOTICE OF INTENT TO WAIVE THE PUBLIC HEARING TO AMEND the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RTA-1, RTA-2 and CD-5 Zones) Bylaw No. 841, 2018 was **PUBLISHED IN THE** Pique Newsmagazine on _____, 2018 and on _____, 2018.

READ A THIRD TIME this ____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

**VILLAGE OF PEMBERTON
BYLAW No. 841, 2018**

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018

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

AND WHEREAS the Council of the Village of Pemberton deems it necessary to amend the Zoning Bylaw to modify the community amenity requirements related to the density bonusing provisions;

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

CITATION

This Bylaw may be cited for all purposes as “Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5 Zones) Bylaw No. 841, 2018”.

1. VILLAGE OF PEMBERTON ZONING BYLAW NO. 832, 2018 IS AMENDED AS FOLLOWS:

That Section 13.1. be deleted in its entirety and replaced with the following:

13.1. Residential Amenity 1, Sunstone (RSA-1)

The Residential Amenity 1, Sunstone (RSA-1) Zone is to accommodate *Detached Dwellings* on lots within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

13.1.1 Permitted Principal Uses

- (a) *Dwelling, Detached*

13.1.2 Permitted Accessory Uses

- (a) *Accessory Suite*
 (b) *Bed and Breakfast*
 (c) *Carriage House*
 (d) *Home Occupation*
 (e) *Secondary Suite*
 (f) *Short-Term Vacation Rental*

13.1.3 Conditions of Use

- (a) A secondary suite use, an accessory suite, or a *carriage house use* is *permitted* as an *accessory residential use* on a *lot*, but not two (2) *accessory dwelling units* on the same *lot*.
- (b) No more than two (2) dwelling units (which includes an *accessory dwelling unit*) may be located on the same *lot*.
- (c) No more than two (2) *accessory buildings* or *structures* are permitted on a *lot*.

- (d) The maximum size of an accessory dwelling unit (*secondary suite*, accessory suite, or *carriage house*) is 90 m².
- (e) The minimum lot sizes as a base density are as follows:
- | | | |
|-----|-----------------------------|-----------------------|
| i) | Single Residential Dwelling | 20,000 m ² |
| ii) | Bed and Breakfast | 20,000 m ² |
- (f) The minimum lot size where the requirements identified in Section 13.1.3 (g) have been fulfilled are as follows:
- | | | |
|-----|-----------------------------|--------------------|
| i) | Single Residential Dwelling | 930 m ² |
| ii) | Bed and Breakfast | 930 m ² |
- (g) The densities may be increased from the requirements identified in Section 13.1.3 (e) to the requirements identified in Section 13.1.3 (f) providing contributions toward community amenities have been provided through a payment of \$9,165 per single detached or *bed and 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 accessory 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 accessory uses.

13.1.4 Lot Regulations

a) Minimum <i>Lot Size</i> :	930 m ²
b) Minimum <i>Lot Width</i> :	18 m

13.1.5 Building Regulations

a) <i>Maximum Lot Coverage</i> :	40%
b) <i>Minimum Front Setback</i> :	5 m
c) <i>Minimum Rear Setback</i> :	5 m
d) <i>Minimum Interior Side Setback</i> :	1.5 m
e) <i>Minimum Exterior Side Setback</i> :	3 m
f) Maximum Number of <i>Principal Buildings</i>	1
g) Maximum Number of <i>Accessory Buildings</i>	2
h) Maximum <i>Building Height, Principal</i> :	10.5 m
i) Maximum Building Height, <i>Carriage House</i> :	Two (2) Storeys
j) Maximum <i>Building Height, Accessory</i> :	4.6 m

13.1.6. Off-Street Parking

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

13.1.7. Screening and Landscaping

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

13.1.8. Signage

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

13.1.9. Watercourse Setbacks

- (a) 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.

That Section 13.2. be deleted in its entirety and replaced with the following:

13.2. Residential Townhouse Amenity 1, Sunstone (RTA-1)

The Residential Townhouse Amenity 1, Sunstone (RTA-1) Zone is to provide for *Small Lot Residential Detached Dwellings* and *Residential Townhouse* development on *lots* within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

13.2.1 Permitted Principal Uses

- (a) *Dwelling, Detached*
- (b) *Dwelling, Townhouse*

13.2.2 Permitted Accessory Uses

- (a) *Home Occupation*
- (b) *Secondary Suite*

13.2.3 Conditions of Use

- (a) *Secondary Suites* are permitted only on *lots* created and developed as *Single Detached Dwelling units*.
- (b) A maximum of one (1) *secondary suite* is permitted on a lot.
- (c) A maximum of one (1) *accessory building or structure* is permitted on a *lot* up to a maximum size of 10 m².
- (d) The minimum lot sizes as a base density are as follows:

- i) *Detached Dwelling* 20,000 m²
- ii) *Townhouse* 20,000 m² per unit

- (e) Where the requirements identified in Section 13.2.3(g) are fulfilled, the permitted density of a Detached Dwelling use may be increased to the following:
- i) Minimum *Lot Size*: 350 m²
 - ii) Minimum *Lot Width*: 12 m
- (f) Where the requirements identified in Section 13.2.3(g) are fulfilled, the permitted density of a Townhouse use may be increased in accordance with the regulations contained within the RM-1 Zone to the following:
- i) Minimum *Lot Size*: 700 m²
 - ii) Maximum *Floor Area Ratio*: 0.50
- (g) The densities may be increased from the requirements identified in Section 13.2.3(d) to the requirements identified in Sections 13.2.3(e) and (f) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or \$6,110 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 accessory 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 accessory uses.

13.2.4. Density Regulations

a) Maximum <i>Density, Small House</i>	n/a
b) Maximum <i>Density, Townhouse</i>	25 units per Ha

13.2.5 Lot Regulations

a) <i>Minimum Lot Size, Small Lot</i> :	350 m ²
b) <i>Minimum Lot Size, Townhouse</i> :	700 m ²
c) <i>Minimum Lot Width, Small Lot</i> :	12 m
d) <i>Minimum Lot Width, Townhouse</i> :	n/a

13.2.6 Building Regulations

<i>Maximum Lot Coverage: Small Lot</i>	50%
<i>Maximum Lot Coverage: Townhouse</i>	40%

e) <i>Minimum Front Setback: Small Lot</i>	6 m
f) <i>Minimum Front Setback: Townhouse</i>	7.5m
g) <i>Minimum Rear Setback: Small Lot</i>	7.5 m
h) <i>Minimum Rear Setback: Townhouse</i>	5 m
i) <i>Minimum Interior Side Setback: Small Lot</i>	1.2 m ⁽ⁱ⁾
j) <i>Minimum Interior Side Setback: Townhouse</i>	3 m
k) <i>Minimum Exterior Side Setback: Small Lot</i>	1.2 m ⁽ⁱ⁾⁽ⁱⁱ⁾
l) <i>Minimum Exterior Side Setback: Townhouse</i>	3 m
m) <i>Maximum Building Height, Principal, Small Lot</i>	Two (2) storeys
n) <i>Maximum Building Height, Townhouse</i>	10.5 m
o) <i>Maximum Building Height, Accessory Building, Small Lot</i>	3 m
p) <i>Maximum Building Height, Accessory Building, Townhouse</i>	4.6 m

Conditions of Use

- i. In the case where a side lot line flanks a street a minimum side setback is 2.4 m.
- ii. One side setback may be reduced to 0.6 meters for **garage area only**; however, 0.6 m setbacks may not abut each other on adjacent lots.

13.2.7. Off-Street Parking

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

13.2.8. Screening and Landscaping

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

13.2.9. Signage

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

13.2.10. Watercourse Setbacks

- (a) 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.

That Section 14.1 be deleted in its entirety and replaced with the following:

14.1 Residential Amenity 2, The Ridge (RSA-2)

The Residential Amenity 2, The Ridge (RSA-2) Zone is to accommodate *Detached Dwellings* on *lots* within The Ridge Neighbourhood.

14.1.1 Permitted Principal Uses

- (a) *Dwelling, Detached*

14.1.2 Permitted Accessory Uses

- (a) *Accessory Suite*
- (b) *Bed and Breakfast*
- (c) *Carriage House*
- (d) *Home Occupation*
- (e) *Secondary Suite*
- (f) *Short-Term Vacation Rental*

14.1.3 Conditions of Use:

- (a) *A secondary suite use, an accessory suite or a carriage house use, is permitted as an accessory use on a lot, but not two (2) accessory dwelling units on the same lot.*
- (b) *No more than two (2) dwellings (which includes an accessory dwelling unit) may be located on a lot.*
- (c) *A maximum of two (2) accessory buildings or structures are permitted on a lot.*
- (d) *The maximum size of an Accessory Dwelling unit (secondary suite, accessory suite, or carriage house) is 90 m².*
- (e) *The minimum lot sizes as a base density are as follows:*
 - i) *Detached Dwelling* 20,000 m²
 - ii) *Bed and Breakfast* 20,000 m²
- (f) *The minimum lot sizes where the requirements identified in Section 14.1.3(g) have been fulfilled are as follows:*
 - i) *Detached Dwelling* 1,400 m²
 - ii) *Bed and Breakfast* 1,400 m²
- (g) *The densities may be increased from the requirements identified in Section 14.1.3(e) to the requirements identified in Sections 14.1.3(f) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or bed and 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 accessory 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 accessory uses.

14.1.4. Lot Regulations

a) Minimum <i>Lot Size</i> :	1,400 m ²
b) Minimum <i>Lot Width</i> :	18 m

14.1.5 Building Regulations

a) Maximum <i>Lot Coverage</i> :	40%
b) <i>Minimum Front Setback</i> :	5 m
c) <i>Minimum Rear Setback</i> :	5 m
d) <i>Minimum Interior Side Setback</i> :	1.5 m
e) <i>Minimum Exterior Side Setback</i> :	3 m
f) Maximum Number of <i>Principal Buildings</i>	1
g) Maximum Number of <i>Accessory Buildings</i>	2
h) <i>Maximum Building Height, Principal</i> :	10.5 m
i) <i>Maximum Building Height, Carriage House</i> :	Two (2) Storeys
j) <i>Maximum Building Height, Accessory</i> :	4.6 m

14.1.6. Off-Street Parking

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

14.1.7. Screening and Landscaping

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

14.1.8. Signage

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

14.1.9. Watercourse Setbacks

- (a) 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.

That Section 14.2 be deleted in its entirety and replaced with the following:

14.2. Residential Townhouse Amenity 2, The Ridge (RTA-2)

The Residential Townhouse Amenity 2, The Ridge (RTA-2) Zone is to provide for *Detached Dwellings* and *Townhouse* development on *lots* within The Ridge Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

14.2.1 Permitted Principal Uses:

- (a) *Dwelling, Detached*
- (b) *Dwelling, Townhouse*

14.2.2 Permitted Accessory Uses:

- (a) *Secondary Suite*
- (b) *Home Occupation*

14.2.3 Conditions of Use:

- (a) *Secondary Suites* are permitted only on *lots* created and developed as *Single Detached Dwelling units*.
- (b) A maximum of one (1) *Accessory Suite* is permitted on a *lot*.
- (c) A maximum of two (2) *Accessory Buildings or Structures* are permitted on a *lot*.
- (d) The minimum size for a townhouse is 300 m².
- (e) The minimum lot sizes as a base density are as follows:
 - i) *Detached Dwelling* 20,000 m²
 - ii) *Townhouse* 20,000 m² per unit
- (f) Where the requirements identified in Section 14.2.3(h) are fulfilled, the permitted density of a *Detached Dwelling* use may be increased to the following:
 - i) Minimum *Lot Size*: 700 m²
 - ii) Minimum *Lot Width*: 18 m
 - iii) Maximum *Floor Area Ratio* 0.50
- (g) Where the requirements identified in Section 14.2.3(h) are fulfilled, the permitted density of a *Townhouse* use may be increased in accordance with the regulations contained within the RM-1 Zone.
- (h) The densities may be increased from the requirements identified in Section 13.2.3(e) to the requirements identified in Sections 13.2.3(f) and (g) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or \$6,110 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 accessory 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 accessory uses.

14.2.4. Density Regulations

(a) Maximum Density, <i>Detached</i> :	0.50 FAR
(b) Maximum Density, <i>Townhouse</i> :	25 units per Ha

14.2.5 Lot Regulations

(a) Minimum <i>Lot Size, Small Lot</i> :	700 m ²
(b) Minimum <i>Lot Size, Townhouse</i> :	700 m ²
(c) Minimum <i>Lot Width, Small Lot</i> :	18 m
(d) Minimum <i>Lot Width, Townhouse</i> :	n/a

14.2.6 Building Regulations

Maximum <i>Lot Coverage</i> :	40%
<i>Minimum Front Setback, Detached</i> :	5 m
<i>Minimum Front Setback, Townhouse</i> :	7.5m
<i>Minimum Rear Setback, Detached</i> :	5 m
<i>Minimum Rear Setback, Townhouse</i> :	5 m
<i>Minimum Interior Side Setback, Detached</i> :	1.5 m
<i>Minimum Interior Side Setback, Townhouse</i> :	3 m
<i>Minimum Exterior Side Setback, Detached</i> :	3 m
<i>Minimum Exterior Side Setback, Townhouse</i> :	3 m
Maximum <i>Building Height</i> :	10.5 m
Maximum <i>Building Height, Accessory</i> :	4.6 m

14.2.7. Off-Street Parking

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

14.2.8. Screening and Landscaping

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

14.2.9. Signage

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

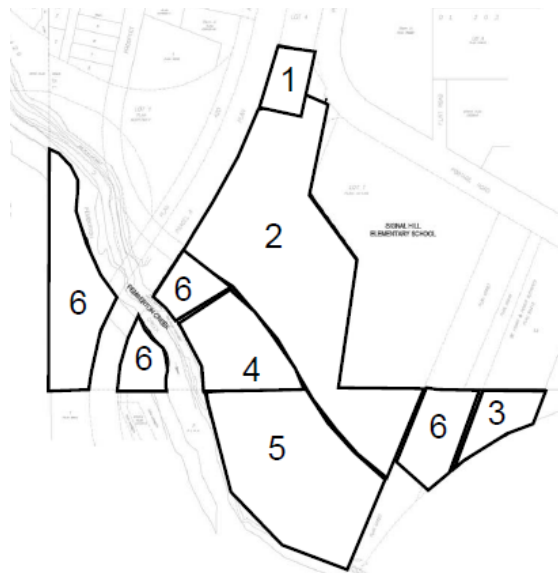
14.2.10 Watercourse Setbacks

- (a) 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.

That Section 18.5. **CD-5: Comprehensive Development Zone 5 (Tiyata at Pemberton)** be deleted in its entirety and replaced with the following:

The intent of the CD-5 Zone is to recognize a comprehensively planned area called Tiyata at Pemberton which includes a variety of types of housing, a limited amount of commercial and office floor space, active and passive park land, and a trail network. Covenants have been registered on the lands to further guide the development of the area.

The regulations in the tables in this section apply to land in the Comprehensive Development 5 (Tiyata at Pemberton) Zone, as indicated by the column headings. For purposes of regulation, the area within the boundary of the CD-5 Zone is divided into six (6) separate areas labelled as Area 1 through Area 6 inclusive while the location of each separate area is identified below. Each area boundary within the CD-5 Zone shall be considered a *zone* boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this section. Minor adjustments to the establishment of the area boundaries will be permitted based upon more detailed site investigations that will be undertaken during the subdivision approval stage.



18.5.1 Permitted Uses of Land, Buildings and Structures

- (a) The following *uses, buildings and structures* and no others shall be permitted within the CD-5 (Tiyata at Pemberton) Zone:

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Principal Uses of Land, Buildings and Structures						
Single Family Dwelling		•		•	•	
Duplex Residential Dwelling		•		•	•	
Townhouse / Stacked Townhouse			•			
Apartment <small>(subject to Conditions of Use)</small>	•		•			
Business and Professional Office	•					
Personal Service Establishment	•					
Park	•	•	•	•	•	•
Assembly	•					
Accessory Uses of Land, Buildings and Structures						
<i>Uses accessory to Principal Uses</i>	•	•	•	•	•	•
Home Occupation Use		•	•	•	•	

18.5.2 Density of Permitted Uses, Buildings and Structures

(a) All uses, buildings and structures in the CD-5 (Tiyata at Pemberton) Zone shall comply with the following regulations regarding size, siting, density and lot size.

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Maximum Lot Coverage						
Single Family Dwelling		50%		50%	50%	
Duplex Residential		50%		50%	50%	
Townhouse			40%			
Apartment	50%		50%			
Commercial	50%					
Assembly	50%					
Maximum Floor Area Ratio (FAR)						
Single Family Dwelling		GFA of 238 m ² or FAR of 0.5 whichever is less		GFA of 238 m ² or FAR of 0.5 whichever is less	GFA of 238 m ² or FAR of 0.5 whichever is less	
Duplex Residential		GFA of 280 m ² or FAR of 0.5 whichever is less		GFA of 280 m ² or FAR of 0.5 whichever is less	GFA of 280 m ² or FAR of 0.5 whichever is less	
Townhouse / Stacked Townhouse			0.75			
Apartment Dwelling			1.5			
Commercial	1.5					
Assembly	1.5					
Maximum Unit Size (m²)						
Single Family Dwelling		GFA of 275 m ² or FAR of 0.5 whichever is less		GFA of 275 m ² or FAR of 0.5 whichever is less	GFA of 275 m ² or FAR of 0.5 whichever is less	
Duplex Residential (Total both units)		GFA of 325 m ² or FAR of 0.5 whichever is less		GFA of 375 m ² or FAR of 0.5 whichever is less	GFA of 375 m ² or FAR of 0.5 whichever is less	
Townhouse / Stacked Townhouse			150			
Apartment	95		95			

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Maximum Number of Dwelling Units	12	80	60	20	50	
Maximum Amount of Commercial Floor Area	2,230 m ²		5% GFA			
Maximum Building Height (meters / storeys)						
<i>Single Family Dwelling</i>		9 m		9 m	9 m	
Duplex Residential		9 m		9 m	9 m	
<i>Townhouse / Stacked Townhouse</i>			12 m / 3 storeys			
<i>Apartment</i>	17 m / 4 storeys		17 m / 4 storeys			
Commercial, See 18.5.3. (b) ii.	17 m / 4 storeys					
<i>Assembly</i>	17 m / 4 storeys					
Minimum Building Setbacks (m)						
Front	6	6	6	6	6	
Rear	7.5	7.5	7.5	7.5	7.5	
Side, See 18.5.2. (b) v. & vi.	3.0	1.6	3.0	1.6	1.6	
Minimum Lot Size (m²)						
<i>Single Family Dwelling</i>		350		350	350	
Corner Lot		375		375	375	
Duplex Residential		465		465	465	
Maximum Lot Size (m²)						
<i>Single Family Dwelling</i>		465		465	465	
Duplex Residential		558		558	558	
Accessory Buildings						
<i>Maximum Floor Area</i>	10 m ²	10 m ²	10 m ²	10 m ²	10 m ²	10 m ²
<i>Maximum Height</i>	2.7 m	2.7 m	2.7 m	2.7 m	2.7 m	2.7 m
<i>Minimum Front Yard Setbacks</i>	6 m	6 m	6 m	6 m	6 m	6 m
<i>Minimum Rear Yard Setbacks</i>	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m
<i>Minimum Side Yard Setbacks</i>	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m

(b) **Conditions of Use:** All uses, buildings and structures in the CD-5 (Tiyata at Pemberton) Zone must comply with the following additional Conditions of Use:

- i. An *apartment* use shall be located above a ground storey commercial or

assembly use and shall comply with the regulations contained within this Bylaw.

- ii. For the purpose of this section, a commercial use includes a building that is occupied with a business and professional office or personal service establishment and may contain residential uses above the ground storey subject to the provisions of this Zone.
- iii. any portion of the garage for a single family dwelling and townhouse/stacked townhouse that exceeds thirty-seven (37) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings.
- iv. any portion of the garage for a duplex residential dwelling that exceeds forty-five (45) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings.
- v. The side yard setback of a single family dwelling may be reduced to 1.2 m whereby a certified professional confirms that snow will not shed from the roof of the dwelling onto adjacent properties.
- vi. The side yard setback of the garage may be reduced to 0.6 m whereby a certified professional confirms that snow will not shed from the garage roof onto adjacent properties.

18.5.3 Off-Street Parking and Loading

- (a) Off-street parking and loading shall be provided in accordance with the requirements of this Bylaw.
- (b) Notwithstanding Section 18.5.4(a) the off-street parking requirements for the following uses shall be as follows:
 - i. *Townhouse / Stacked Townhouse*: two (2) spaces per unit, plus an additional 0.25 space per unit for Visitor Parking
 - ii. *Apartment*: 1.25 space per unit plus an additional 0.25 space per unit for Visitor Parking
 - iii. *Commercial Use*: One (1) space per 37 square meters of gross floor area
 - iv. *Business and Professional Office Use*: One (1) space per 37 square meters of gross floor area

18.5.4 Definitions

- (a) For the purpose of the CD-5 zone, the following definitions shall apply:
 - i. *Apartment* shall mean three or more individual dwelling units on a lot where each dwelling unit has its principal access from an entrance or hallway common to at least two other dwelling units on the same storey.

READ A FIRST TIME this 4th day of September, 2018.

READ A SECOND TIME this 4th day of September, 2018.

NOTICE OF INTENT TO WAIVE THE PUBLIC HEARING TO AMEND the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5 Zones) Bylaw No. 841, 2018 was **PUBLISHED IN THE** Pique Newsmagazine on October 4, 2018 and on October 12, 2018.

READ A THIRD TIME this ____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

VILLAGE OF PEMBERTON
BYLAW No. 841, 2018

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018

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

AND WHEREAS the Council of the Village of Pemberton deems it necessary to amend the Zoning Bylaw to modify the community amenity requirements related to the density bonusing provisions;

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

CITATION

This Bylaw may be cited for all purposes as "Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA-1, RTA-2 and CD-5 Zones) Bylaw No. 841, 2018".

1. VILLAGE OF PEMBERTON ZONING BYLAW NO. 832, 2018 IS AMENDED AS FOLLOWS:

That Section 13.2.21, be deleted in its entirety and replaced with the following:

13.21. Residential Amenity 1, Sunstone (RSA-1)

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The Residential Amenity 1, Sunstone (RSA-1) Zone is to accommodate Detached Dwellings on lots within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

13.1.1 Permitted Principal Uses

(a) Dwelling, Detached

13.1.2 Permitted Accessory Uses

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(a) Accessory Suite

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(b) Bed and Breakfast

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(c) Carriage House

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(d) Home Occupation

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(e) Secondary Suite

(f) Short-Term Vacation Rental

~~That Section 13.2.1.3 Conditions of Use be amended as follows;~~

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~~Section 13.2.3 (A secondary suite use, an accessory suite, or a) carriage house use is deleted and replaced with the following three clauses and that all subsection clauses under section 13.2.3 be renumbered sequentially:~~

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~~(a) Accessory Suites are permitted only on lots created and developed as single detached dwellings.~~

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~~(b) A maximum of one (1) accessory suite is permitted on a lot.~~

~~(c) A maximum of two accessory buildings or structures are permitted on residential use on a lot, but not two (2) accessory dwelling units on the same lot.~~

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That Section 14.2 be deleted and replaced with the following:

14.2.2 Permitted Accessory Uses

~~(a) Accessory Suite~~

~~(b) Home Occupation~~

) dwelling units (which includes an

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~~That Section 14.2.3 Conditions of Use be amended as follows:~~

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~~Section 14.2.3 is amended to add the following three clauses and that all subsection clauses under section 14.2.3 be renumbered sequentially:~~

~~(a) Accessory Suites are permitted only on lots created and developed as single detached dwellings.~~

~~(b) A maximum of one (1) accessory suite is permitted on a dwelling unit may be located on the same lot.~~

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~~(c) A maximum of No more than two (2) accessory buildings or structures are permitted on a lot.~~

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~~(d) That The maximum size of an accessory dwelling unit (secondary suite, accessory suite, or carriage house) is 90 m².~~

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

~~i) Single Residential Dwelling 20,000 m²~~

~~ii) Bed and Breakfast 20,000 m²~~

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~~(f) The minimum lot size where the requirements identified in Section 13.1.3 (a) have been fulfilled are as follows:~~

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~~i) Single Residential Dwelling 930 m²~~

~~ii) Bed and Breakfast 930 m²~~

~~(g) The densities may be amended increased from the requirements identified in Section 13.1.3 (d) to the requirements identified in Section 13.1.3 (e) providing contributions toward community amenities have been provided through a payment of \$9,165 per single detached or bed and 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 adding the following table below to the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses; and/or~~

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Single Family Dwelling	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Maximum Number of Dwelling Units	12	76	36	13	28	
Maximum Amount of Commercial Floor Area (m ²)	2230					
Maximum Building Height (meters / stories)						
Single Family Dwelling		9		-9	9	
Duplex Residential		9		9	9	
Townhouse / Stacked Townhouse			12 / 3			
Apartment	17 / 4		17 / 4			
Commercial - 18.5.2 (b) (i) and (ii)	17 / 4					
Assembly	17 / 4					
Minimum Building Setbacks						
Front	6	6	6	6	6	
Rear	7.5	7.5	7.5	7.5	7.5	
Side - 18.5.2 (v) and (vi)	3.0	1.5	3.0	1.5	1.5	

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 accessory uses.

13.1.4 Lot Regulations

a) Minimum Lot Size (m ²):	930 m ²					
Corner b) Minimum Lot Width:	18 m	375 m ²	375 m ²	375 m ²		

13.1.5 Building Regulations

a) Maximum Lot Coverage:	40%
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b) <u>Minimum Front Setback:</u>	<u>5 m</u>
c) <u>Minimum Rear Setback:</u>	<u>5 m</u>
d) <u>Minimum Interior Side Setback:</u>	<u>1.5 m</u>
e) <u>Minimum Exterior Side Setback:</u>	<u>3 m</u>
f) <u>Maximum Number of Principal Buildings</u>	<u>1</u>
g) <u>Maximum Number of Accessory Buildings</u>	<u>2</u>
h) <u>Maximum Building Height, Principal:</u>	<u>10.5 m</u>
i) <u>Maximum Building Height, Carriage House:</u>	<u>Two (2) Storeys</u>
j) <u>Maximum Building Height, Accessory:</u>	<u>4.6 m</u>

13.1.6. Off-Street Parking

(a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

13.1.7. Screening and Landscaping

(a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

13.1.8. Signage

(a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

13.1.9. Watercourse Setbacks

(a) 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.

That Section 13.2. be deleted in its entirety and replaced with the following:

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13.2. Residential Townhouse Amenity 1, Sunstone (RTA-1)

The Residential Townhouse Amenity 1, Sunstone (RTA-1) Zone is to provide for Small Lot Residential Detached Dwellings and Residential Townhouse development on lots within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

13.2.1 Permitted Principal Uses

- (a) Dwelling, Detached
- (b) Dwelling, Townhouse

13.2.2 Permitted Accessory Uses

- (a) Home Occupation
- (b) Secondary Suite

13.2.3 Conditions of Use

- (a) Secondary Suites are permitted only on lots created and developed as Single Detached Dwelling units.
- (b) A maximum of one (1) secondary suite is permitted on a lot.
- (c) A maximum of one (1) accessory building or structure is permitted on a lot up to a maximum size of 10 m².
- (d) The minimum lot sizes as a base density are as follows:
 - i) Detached Dwelling 20,000 m²
 - ii) Townhouse 20,000 m² per unit
- (e) Where the requirements identified in Section 13.2.3(g) are fulfilled, the permitted density of a Detached Dwelling use may be increased to the following:
 - i) Minimum Lot Size: 350 m²
 - ii) Minimum Lot Width: 12 m
- (f) Where the requirements identified in Section 13.2.3(g) are fulfilled, the permitted density of a Townhouse use may be increased in accordance with the regulations contained within the RM-1 Zone to the following:
 - i) Minimum Lot Size: 700 m²
 - ii) Maximum Floor Area Ratio: 0.50
- (g) The densities may be increased from the requirements identified in Section 13.2.3(d) to the requirements identified in Sections 13.2.3(e) and (f) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or \$6,110 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 accessory 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 accessory uses.

13.2.4. Density Regulations

<u>a) Maximum Density, Small House</u>	<u>n/a</u>
<u>b) Maximum Density, Townhouse</u>	<u>25 units per Ha</u>

13.2.5 Lot Regulations

<u>a) Minimum Lot Size, Small Lot:</u>	<u>350 m²</u>
<u>b) Minimum Lot Size, Townhouse:</u>	<u>700 m²</u>
<u>c) Minimum Lot Width, Small Lot:</u>	<u>12 m</u>
<u>d) Minimum Lot Width, Townhouse:</u>	<u>n/a</u>

13.2.6 Building Regulations

<u>Maximum Lot Coverage: Small Lot</u>	<u>50%</u>
<u>Maximum Lot Coverage: Townhouse</u>	<u>40%</u>
<u>e) Minimum Front Setback: Small Lot</u>	<u>6 m</u>
<u>f) Minimum Front Setback: Townhouse</u>	<u>7.5m</u>
<u>g) Minimum Rear Setback: Small Lot</u>	<u>7.5 m</u>
<u>h) Minimum Rear Setback: Townhouse</u>	<u>5 m</u>
<u>i) Minimum Interior Side Setback: Small Lot</u>	<u>1.2 m⁽ⁱ⁾</u>
<u>j) Minimum Interior Side Setback: Townhouse</u>	<u>3 m</u>
<u>k) Minimum Exterior Side Setback: Small Lot</u>	<u>1.2 m⁽ⁱ⁾⁽ⁱⁱ⁾</u>
<u>l) Minimum Exterior Side Setback: Townhouse</u>	<u>3 m</u>
<u>m) Maximum Building Height, Principal, Small Lot</u>	<u>Two (2) storeys</u>
<u>n) Maximum Building Height, Townhouse</u>	<u>10.5 m</u>
<u>o) Maximum Building Height, Accessory Building, Small Lot</u>	<u>3 m</u>
<u>p) Maximum Building Height, Accessory Building, Townhouse</u>	<u>4.6 m</u>

Conditions of Use

- i. In the case where a side lot line flanks a street a minimum side setback is 2.4 m.
- ii. One side setback may be reduced to 0.6 meters for **garage area only**; however, 0.6 m setbacks may not abut each other on adjacent lots.

13.2.7. Off-Street Parking

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

13.2.8. Screening and Landscaping

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

13.2.9. Signage

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

13.2.10. Watercourse Setbacks

- (a) 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.

That Section 14.1 be deleted in its entirety and replaced with the following:

14.1 Residential Amenity 2, The Ridge (RSA-2)

The Residential Amenity 2, The Ridge (RSA-2) Zone is to accommodate Detached Dwellings on lots within The Ridge Neighbourhood.

14.1.1 Permitted Principal Uses

(a) Dwelling, Detached

14.1.2 Permitted Accessory Uses

(a) Accessory Suite

(b) Bed and Breakfast

(c) Carriage House

(d) Home Occupation

(e) Secondary Suite

(f) Short-Term Vacation Rental

14.1.3 Conditions of Use:

(a) A secondary suite use, an accessory suite or a carriage house use, is permitted as an accessory use on a lot, but not two (2) accessory dwelling units on the same lot.

(b) No more than two (2) dwellings (which includes an accessory dwelling unit) may be located on a lot.

(c) A maximum of two (2) accessory buildings or structures are permitted on a lot.

(d) The maximum size of an Accessory Dwelling unit (secondary suite, accessory suite, or carriage house) is 90 m².

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

i) Detached Dwelling 20,000 m²

ii) Bed and Breakfast 20,000 m²

(f) The minimum lot sizes where the requirements identified in Section 14.1.3(g) have been fulfilled are as follows:

i) Detached Dwelling 1,400 m²

ii) Bed and Breakfast 1,400 m²

(g) The densities may be increased from the requirements identified in Section 14.1.3(e) to the requirements identified in Sections 14.1.3(f) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or bed and 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 accessory 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 accessory uses.

14.1.4. Lot Regulations

a) <u>Minimum Lot Size:</u>	<u>1,400 m²</u>
b) <u>Minimum Lot Width:</u>	<u>18 m</u>

14.1.5 Building Regulations

a) <u>Maximum Lot Coverage:</u>	<u>40%</u>
b) <u>Minimum Front Setback:</u>	<u>5 m</u>
c) <u>Minimum Rear Setback:</u>	<u>5 m</u>
d) <u>Minimum Interior Side Setback:</u>	<u>1.5 m</u>
e) <u>Minimum Exterior Side Setback:</u>	<u>3 m</u>
f) <u>Maximum Number of Principal Buildings</u>	<u>1</u>
g) <u>Maximum Number of Accessory Buildings</u>	<u>2</u>
h) <u>Maximum Building Height, Principal:</u>	<u>10.5 m</u>
i) <u>Maximum Building Height, Carriage House:</u>	<u>Two (2) Storeys</u>
j) <u>Maximum Building Height, Accessory:</u>	<u>4.6 m</u>

14.1.6. Off-Street Parking

(a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

14.1.7. Screening and Landscaping

(a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

14.1.8. Signage

(a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

14.1.9. Watercourse Setbacks

(a) 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.

That Section 14.2 be deleted in its entirety and replaced with the following:

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14.2. Residential Townhouse Amenity 2, The Ridge (RTA-2)

The Residential Townhouse Amenity 2, The Ridge (RTA-2) Zone is to provide for Detached Dwellings and Townhouse development on lots within The Ridge Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

14.2.1 Permitted Principal Uses:

- (a) Dwelling, Detached
- (b) Dwelling, Townhouse

14.2.2 Permitted Accessory Uses:

- (a) Secondary Suite
- (b) Home Occupation

14.2.3 Conditions of Use:

- (a) Secondary Suites are permitted only on lots created and developed as Single Detached Dwelling units.
- (b) A maximum of one (1) Accessory Suite is permitted on a lot.
- (c) A maximum of two (2) Accessory Buildings or Structures are permitted on a lot.
- (d) The minimum size for a townhouse is 300 m².
- (e) The minimum lot sizes as a base density are as follows:
 - i) Detached Dwelling 20,000 m²
 - ii) Townhouse 20,000 m² per unit
- (f) Where the requirements identified in Section 14.2.3(h) are fulfilled, the permitted density of a Detached Dwelling use may be increased to the following:
 - i) Minimum Lot Size: 700 m²
 - ii) Minimum Lot Width: 18 m
 - iii) Maximum Floor Area Ratio 0.50
- (g) Where the requirements identified in Section 14.2.3(h) are fulfilled, the permitted density of a Townhouse use may be increased in accordance with the regulations contained within the RM-1 Zone.
- (h) The densities may be increased from the requirements identified in Section 13.2.3(e) to the requirements identified in Sections 13.2.3(g) and (h) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or \$6,110 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 accessory 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 accessory uses.

14.2.4. Density Regulations

<u>(a) Maximum Density, Detached:</u>	<u>0.50 FAR</u>
<u>(b) Maximum Density, Townhouse:</u>	<u>25 units per Ha</u>

14.2.5 Lot Regulations

<u>(a) Minimum Lot Size, Small Lot:</u>	<u>700 m²</u>
<u>(b) Minimum Lot Size, Townhouse:</u>	<u>700 m²</u>
<u>(c) Minimum Lot Width, Small Lot:</u>	<u>18 m</u>
<u>(d) Minimum Lot Width, Townhouse:</u>	<u>n/a</u>

14.2.6 Building Regulations

<u>Maximum Lot Coverage:</u>	<u>40%</u>
<u>Minimum Front Setback, Detached:</u>	<u>5 m</u>
<u>Minimum Front Setback, Townhouse:</u>	<u>7.5m</u>
<u>Minimum Rear Setback, Detached:</u>	<u>5 m</u>
<u>Minimum Rear Setback, Townhouse:</u>	<u>5 m</u>
<u>Minimum Interior Side Setback, Detached:</u>	<u>1.5 m</u>
<u>Minimum Interior Side Setback, Townhouse:</u>	<u>3 m</u>
<u>Minimum Exterior Side Setback, Detached:</u>	<u>3 m</u>
<u>Minimum Exterior Side Setback, Townhouse:</u>	<u>3 m</u>
<u>Maximum Building Height:</u>	<u>10.5 m</u>
<u>Maximum Building Height, Accessory:</u>	<u>4.6 m</u>

14.2.7. Off-Street Parking

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

14.2.8. Screening and Landscaping

(a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

14.2.9. Signage

(a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

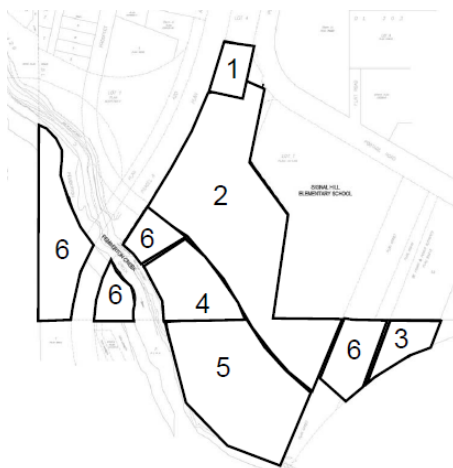
14.2.10 Watercourse Setbacks

(a) 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.

That Section 18.5. **CD-5: Comprehensive Development Zone 5 (Tiyata at Pemberton)** be deleted in its entirety and replaced with the following:

The intent of the CD-5 Zone is to recognize a comprehensively planned area called Tiyata at Pemberton which includes a variety of types of housing, a limited amount of commercial and office floor space, active and passive park land, and a trail network. Covenants have been registered on the lands to further guide the development of the area.

The regulations in the tables in this section apply to land in the Comprehensive Development 5 (Tiyata at Pemberton) Zone, as indicated by the column headings. For purposes of regulation, the area within the boundary of the CD-5 Zone is divided into six (6) separate areas labelled as Area 1 through Area 6 inclusive while the location of each separate area is identified below. Each area boundary within the CD-5 Zone shall be considered a zone boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this section. Minor adjustments to the establishment of the area boundaries will be permitted based upon more detailed site investigations that will be undertaken during the subdivision approval stage.



18.5.1 Permitted Uses of Land, Buildings and Structures

(a) _____ The following *uses, buildings and structures* and no others shall be permitted within the CD-5 (Tiyata at Pemberton) Zone:

	<u>Area</u> <u>1</u>	<u>Area</u> <u>2</u>	<u>Area</u> <u>3</u>	<u>Area</u> <u>4</u>	<u>Area</u> <u>5</u>	<u>Area</u> <u>6</u>
<u>Principal Uses of Land, Buildings and Structures</u>						
<u>Single Family Dwelling</u>		<u>•</u>		<u>•</u>	<u>•</u>	
<u>Duplex Residential Dwelling</u>		<u>•</u>		<u>•</u>	<u>•</u>	
<u>Townhouse / Stacked Townhouse</u>			<u>•</u>			
<u>Apartment</u> <small>(subject to Conditions of Use)</small>	<u>•</u>		<u>•</u>			
<u>Business and Professional Office</u>	<u>•</u>					
<u>Personal Service Establishment</u>	<u>•</u>					
<u>Park</u>	<u>•</u>	<u>•</u>	<u>•</u>	<u>•</u>	<u>•</u>	<u>•</u>
<u>Assembly</u>	<u>•</u>					
<u>Accessory Uses of Land, Buildings and Structures</u>						
<u>Uses accessory to Principal Uses</u>	<u>•</u>	<u>•</u>	<u>•</u>	<u>•</u>	<u>•</u>	<u>•</u>
<u>Home Occupation Use</u>		<u>•</u>	<u>•</u>	<u>•</u>	<u>•</u>	

18.5.2 Density of Permitted Uses, Buildings and Structures

(a) All uses, buildings and structures in the CD-5 (Tiyata at Pemberton) Zone shall comply with the following regulations regarding size, siting, density and lot size.

	<u>Area</u> <u>1</u>	<u>Area</u> <u>2</u>	<u>Area</u> <u>3</u>	<u>Area</u> <u>4</u>	<u>Area</u> <u>5</u>	<u>Area</u> <u>6</u>
<u>Maximum Lot Coverage</u>						
<u>Single Family Dwelling</u>		<u>50%</u>		<u>50%</u>	<u>50%</u>	
<u>Duplex Residential</u>		<u>50%</u>		<u>50%</u>	<u>50%</u>	
<u>Townhouse</u>			<u>40%</u>			
<u>Apartment</u>	<u>50%</u>		<u>50%</u>			
<u>Commercial</u>	<u>50%</u>					
<u>Assembly</u>	<u>50%</u>					
<u>Maximum Floor Area Ratio (FAR)</u>						
<u>Single Family Dwelling</u>		<u>GFA of 238 m² or FAR of 0.5 whichever is less</u>		<u>GFA of 238 m² or FAR of 0.5 whichever is less</u>	<u>GFA of 238 m² or FAR of 0.5 whichever is less</u>	
<u>Duplex Residential</u>		<u>GFA of 280 m² or FAR of 0.5 whichever is less</u>		<u>GFA of 280 m² or FAR of 0.5 whichever is less</u>	<u>GFA of 280 m² or FAR of 0.5 whichever is less</u>	
<u>Townhouse / Stacked Townhouse</u>			<u>0.75</u>			
<u>Apartment Dwelling</u>			<u>1.5</u>			
<u>Commercial</u>	<u>1.5</u>					
<u>Assembly</u>	<u>1.5</u>					
<u>Maximum Unit Size (m²)</u>						
<u>Single Family Dwelling</u>		<u>GFA of 275 m² or FAR of 0.5 whichever is less</u>		<u>GFA of 275 m² or FAR of 0.5 whichever is less</u>	<u>GFA of 275 m² or FAR of 0.5 whichever is less</u>	
<u>Duplex Residential (Total both units)</u>		<u>GFA of 325 m² or FAR of 0.5 whichever is less</u>		<u>GFA of 375 m² or FAR of 0.5 whichever is less</u>	<u>GFA of 375 m² or FAR of 0.5 whichever is less</u>	
<u>Townhouse / Stacked Townhouse</u>			<u>150</u>			
<u>Apartment</u>	<u>95</u>		<u>95</u>			

	<u>Area 1</u>	<u>Area 2</u>	<u>Area 3</u>	<u>Area 4</u>	<u>Area 5</u>	<u>Area 6</u>
Maximum Number of Dwelling Units	<u>12</u>	<u>80</u>	<u>60</u>	<u>20</u>	<u>50</u>	
Maximum Amount of Commercial Floor Area	<u>2,230 m²</u>		<u>5% GFA</u>			
Maximum Building Height (meters / storeys)						
<i>Single Family Dwelling</i>		<u>9 m</u>		<u>9 m</u>	<u>9 m</u>	
<i>Duplex Residential</i>		<u>9 m</u>		<u>9 m</u>	<u>9 m</u>	
<i>Townhouse / Stacked Townhouse</i>			<u>12 m / 3 storeys</u>			
<i>Apartment</i>	<u>17 m / 4 storeys</u>		<u>17 m / 4 storeys</u>			
<i>Commercial, See 18.5.3. (b) ii.</i>	<u>17 m / 4 storeys</u>					
<i>Assembly</i>	<u>17 m / 4 storeys</u>					
Minimum Building Setbacks (m)						
<i>Front</i>	<u>6</u>	<u>6</u>	<u>6</u>	<u>6</u>	<u>6</u>	
<i>Rear</i>	<u>7.5</u>	<u>7.5</u>	<u>7.5</u>	<u>7.5</u>	<u>7.5</u>	
<i>Side, See 18.5.2. (b) v. & vi.</i>	<u>3.0</u>	<u>1.6</u>	<u>3.0</u>	<u>1.6</u>	<u>1.6</u>	
Minimum Lot Size (m²)						
<i>Single Family Dwelling</i>		<u>350</u>		<u>350</u>	<u>350</u>	
<i>Corner Lot</i>		<u>375</u>		<u>375</u>	<u>375</u>	
<i>Duplex Residential</i>		<u>465</u>		<u>465</u>	<u>465</u>	
Maximum Lot Size (m²)						
<i>Single Family Dwelling</i>		<u>790465</u>		<u>790465</u>	<u>790465</u>	
<i>Duplex Residential</i>		<u>830558</u>		<u>830558</u>	<u>830558</u>	
Accessory Buildings						
<i>Maximum Floor Area</i>	<u>10 m²</u>	<u>10 m²</u>	<u>10 m²</u>	<u>10 m²</u>	<u>10 m²</u>	<u>10 m²</u>
<i>Maximum Height</i>	<u>2.7 m</u>	<u>2.7 m</u>	<u>2.7 m</u>	<u>2.7 m</u>	<u>2.7 m</u>	<u>2.7 m</u>
<i>Minimum Front Yard Setbacks</i>	<u>6 m</u>	<u>6 m</u>	<u>6 m</u>	<u>6 m</u>	<u>6 m</u>	<u>6 m</u>
<i>Minimum Rear Yard Setbacks</i>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>
<i>Minimum Side Yard Setbacks</i>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>	<u>1.5 m</u>

(b) Conditions of Use: All uses, buildings and structures in the CD-5 (Tiyata at

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Pemberton) Zone must comply with the following additional Conditions of Use:

- i. An *apartment* use shall be located above a ground storey commercial or assembly use and shall comply with the regulations contained within this Bylaw.
- ii. For the purpose of this section, a commercial use includes a building that is occupied with a business and professional office or personal service establishment and may contain residential uses above the ground storey subject to the provisions of this Zone.
- iii. any portion of the garage for a single family dwelling and townhouse/stacked townhouse that exceeds thirty-seven (37) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings.
- iv. any portion of the garage for a duplex residential dwelling that exceeds forty-five (45) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings.
- v. The side yard setback of a single family dwelling may be reduced to 1.2 m whereby a certified professional confirms that snow will not shed from the roof of the dwelling onto adjacent properties.
- vi. The side yard setback of the garage may be reduced to 0.6 m whereby a certified professional confirms that snow will not shed from the garage roof onto adjacent properties.

18.5.3 Off-Street Parking and Loading

- (a) Off-street parking and loading shall be provided in accordance with the requirements of this Bylaw.
- (b) Notwithstanding Section 18.5.4(a) the off-street parking requirements for the following uses shall be as follows:
 - i. Townhouse / Stacked Townhouse: two (2) spaces per unit, plus an additional 0.25 space per unit for Visitor Parking
 - ii. Apartment: 1.25 space per unit plus an additional 0.25 space per unit for Visitor Parking
 - iii. Commercial Use: One (1) space per 37 square meters of gross floor area
 - iv. Business and Professional Office Use: One (1) space per 37 square meters of gross floor area

18.5.4 Definitions

- (a) For the purpose of the CD-5 zone, the following definitions shall apply:
 - i. *Apartment* shall mean three or more individual dwelling units on a lot where each dwelling unit has its principal access from an entrance or hallway common to at least two other dwelling units on the same storey.

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READ A FIRST TIME this 4th day of September, 2018.

READ A SECOND TIME this 4th day of September, 2018.

NOTICE OF INTENT TO WAIVE THE PUBLIC HEARING TO AMEND the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RTA-1, RTA-2 and CD-5 Zones) Bylaw No. 841, 2018 was **PUBLISHED IN THE** Pique Newsmagazine on _____, **October 4,** 2018 and on _____, **October 12,** 2018.

READ A THIRD TIME this ____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

~~This is to certify that this is a true and correct copy of Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RTA-1, RTA-2 and CD-5 Zones) Bylaw No. 841, 2018 as at Second Reading at Council Meeting No. 1476, held Tuesday, September 4, 2018.~~

~~Sheena Fraser
Manager of Corporate & Legislative Services
September 11, 2018~~

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**VILLAGE OF PEMBERTON
BYLAW No. 842, 2018**

Being a bylaw to Provide for Licencing of Businesses in the Village of Pemberton

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

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

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

PART 1: CITATION

This bylaw may be cited for all purposes as the “Village of Pemberton Business Licence Bylaw No. 842, 2018”.

PART 2: DEFINITIONS

2.1. In this Bylaw:

Bed and Breakfast means the accessory use of a detached dwelling for tourism accommodation in which a maximum of two (2) bedrooms of an owner-occupied detached dwelling are available as tourism accommodation.

Business means engaging in a trade, occupation, profession, commercial or industrial activity or an undertaking of any kind; and engaging in a trade, occupation, profession, commercial or industrial activity or any undertaking of any kind, but does not include an Employee, or an activity carried on by the Provincial Government, by corporations owned by the Provincial Government or by agencies of the Provincial Government.

Business Licence means a licence issued pursuant to this Bylaw.

Business Licence Fee means the annual fee as set out in Schedule ‘A’.

Business Name means the name, words, trademark, and/or symbol which a Business uses to identify, indicate or advertise the Business.

Bylaw Enforcement Officer means a *person* appointed to that position for the Village by the Chief Administrative Officer.

Community Charter means the *Community Charter*, S.B.C., c26.

Community Event means a public event occurring within the Village of Pemberton, is sponsored by a bona fide recognized nonprofit organization or a governmental organization and includes but is not limited to parades, festivals, celebrations and displays.

Corporate Officer means the Corporate Officer of the Village.

Council means the Municipal Council of the Village.

Employee means a *person* who is on the payroll record of a Business, which holds a *business licence*, for which Government of Canada payroll tax deductions are levied by the Business regarding that individual *person*, and shall also include a *person* who obtains no less than 85% of their yearly income from one Business only.

Farmer's Market means a minimum of 60% of market vendors who grow agricultural products and offer them for sale to the public. Farmers Markets will generally also feature locally prepared foods and artisan crafts, as well as ready-to-eat foods and beverages, entertainment, community information and education.

FOIPPA means the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996 c.165.

Licence Inspector means the *person* from time to time duly appointed by the Chief Administrative Officer as Licence Inspector for the Village of Pemberton.

MTI Bylaw means the Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 542, 2004, and as amended from time to time or superceded.

One-Stop Business Registration means the Provincial Government's online initiative which enables a Business to register with multiple public agencies in one step.

Owner means any person who is the registered owner as indicated in the records of the Kamloops, British Columbia Land Title Office, and includes any *person* in actual or apparent possession of Real Property under a lease, licence or other agreement and includes any authorized representative of the aforesaid.

Person means an individual, corporation, partnership or party, and the personal or legal representatives of a *person*, to whom the context can apply according to law.

Premises means stores, offices, warehouses, factories, buildings, houses, enclosures, yards or other places occupied, or capable of being occupied, by a Business entity for the purpose of carrying on a Business.

Provincial Government means the government of the Province of British Columbia.

Real Property means land, with or without improvements so affixed to the land as to make them in fact and law part of it.

Resident Business means a business carried on, in or from premises within the municipality;

Non-Resident Business means a business, other than a resident business, carried on within the municipality or with respect to which any work or service is performed within the municipality;

Off-Street Parking means the use of private land for the parking of motor vehicles other than on a highway.

Principal Residence means the dwelling where an individual primarily lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, vehicle registration and utility bills

Safety Standards Act means the *Safety Standards Act* S.B.C. 2003 c.39.

Secondary Suite means a separate dwelling unit which is completely contained within a detached dwelling, which meets the requirements of the *BC Building Code*, and is subordinate in size, extent or purpose to the residential principal building on the lot upon which the *secondary suite* is located.

Short-Term Vacation Rental Operator means a *person* who owns or operates a *Short-Term Vacation Rental*.

Short-Term Vacation Rental means the use of a dwelling unit, or a portion of a dwelling unit, for *tourism accommodation*, but does not include Bed and Breakfast establishment, Bed and Breakfast Inn, Hostel, Motel or Hotel as these establishments are defined in the Village of Pemberton Zoning Bylaw No. 832, 2018.

Special Event means a Business involving short term or temporary events, performances, concerts, exhibitions, entertainment or concessions that, except as provided otherwise in the bylaw, does not exceed seven (7) days with the calendar year and includes but is not limited to retail sale, auction, Trade Show, flea market, craft fair, circus or carnival.

Special Event Bylaw means the Village of Pemberton Special Event Bylaw No.750, 2014, and as amended from time to time or superceded.

Temporary Commercial Vendor means a Business which offers for sale from a stationary vehicle, or temporary stall that is not part of a permanent use on the lot, goods, other than food items for immediate consumption, otherwise permitted to be sold in the zone in which the vehicle or stall is located.

Ticket Information means a municipal ticket information issued accordance with the Municipal Ticket Information Bylaw.

Trades Contractor means a Business Type that provides service in a trade that is designated by the Advanced Education Industry Training Authority of the Province of British Columbia as a trade within which it is mandatory that journey persons hold a valid 'Certificate of Qualification' to practice their trade and apprentices must be registered through an apprenticeship agreement.

Tourism Accommodation means the use of land, buildings, or structures for providing temporary commercial lodging by visitors for a period not to exceed thirty (30) consecutive days or 182 days in a twelve (12)-month period, and specifically excludes Residential occupancy by any person other than the owner and short-term vacation rental unless specifically permitted in this Bylaw.

Vending Machine means any machine or device operated mechanically or otherwise by inserting a coin, token or slug, or operated by credit or debit card, for the sole purpose of selling or dispensing any goods, wares, merchandise, or dispensing refreshments, confections and food, tobacco products, detergents and machines or devices providing a service but does not include clothes washers/dryers.

Village means the Village of Pemberton.

PART 3: ADMINISTRATION

- 3.1. The Licence Inspector is hereby appointed to administer and carry out the provisions of this bylaw.
- 3.2. Words defining responsibilities and authority shall be construed to be an internal administration direction and not as creating a duty.

PART 4: AUTHORITY

- 4.1. The Licence Inspector is authorized to grant, issue, transfer, suspend or cancel a *business licence* as herein provide or refuse to grant, issue or transfer a *business licence*;
- 4.2. All Premises from which an applicant for a *business licence* proposes to carry on or conduct any Business in respect of which a *business licence* is required to be held pursuant to this Bylaw, shall comply with all relevant Bylaws of the Village before a *business licence* is granted; and the applicant shall upon request produce such certificates or letters of approval as may be required by Federal, Provincial or Village authorities with respect to the Business.

- 4.3. The Licence Inspector may only issue a *business licence* if the *business licence* Fee as set out in schedule 'A' has been paid.
- 4.4. The Licence Inspector may require confirmation of approval, in a form satisfactory to the Licence Inspector, from the Ministry of Health, R.C.M.P. or the Village Fire Department respecting a *business licence* application and in such cases the Licence Inspector must not issue a *business licence* until he has received such approvals. A *business licence* holder shall immediately notify the Licence Inspector of any suspension or cancellation for any such approvals and the License Inspector may suspend the *business licence* pending reinstatement of such approvals.
- 4.5. A *business licence* issued under this Bylaw is not a representation or acknowledgement by the Village to an applicant or holder of a *business licence* that the proposed Business complies with any or all applicable laws or other enactments.
- 4.6. A *person* carrying on a business within the Village must at all times comply:
- a) With this Bylaw, other Bylaws of the Village or other local government having jurisdiction over the business activity, and with any applicable enactments of the Provincial and Federal governments;
 - b) With any and all terms and conditions, restrictions, or limits of a license issued under this Bylaw and any other applicable enactment;

PART 5: APPLICATION FOR BUSINESS LICENCE

- 5.1. Every *person* applying for a *business licence* shall complete the *business licence* application as prescribed by the Licence Inspector, or if available applying online on the prescribed application form via the Provincial Government One Stop Business Registration provided however an applicant who wishes to apply online shall also provide the Village with the prescribed *business licence* Fee at the time of application and with such further information as may be requested by the Village.
- 5.2. Information provided on the *business licence* application may be subject to "*Freedom of Information and Protection of Privacy Act*" enquiries.

PART 6: ISSUING OF BUSINESS LICENCE

- 6.1. Subject to the *Community Charter*, and unless exempted under Provincial Government or Federal legislation or specifically exempted under this Bylaw, any *person* carrying on Business in the Village, whether a Resident Business or Non-Resident Business, must first hold a valid and subsisting *business licence* issued by the Village.
- 6.2. No *business, person* or representative shall advertise, solicit or promote for a Business activity without first obtaining a *business licence*.

- 6.3. No *business, person* or representative that does not have a permanent base of operations in either a home or commercial location within Pemberton shall advertise, solicit or promote for a Business activity without first obtaining a *business licence*.
- 6.4. A *business* may conduct or offer any number of different business activities within the Business for which the *business licence* is issued provided however that each business activity is disclosed and included in the *business licence* application and the *business licence* which is issued indicates that each business activity is approved.
- 6.5. At the time a *business* undertakes any new activity that would alter the information previously provided on the *business licence* application form, the holder of the *business licence* shall notify the Licence Inspector of such change, pursuant to section 8 of this Bylaw.

PART 7: INSPECTION OF PREMISES

- 7.1. Every *owner, occupier* or *business licence* holder of any Business in the Village shall give to the *Licence Inspector* access at any reasonable hour to the *premises* from which a *business* is carried on.
- 7.2. The *Licence Inspector* may inspect the *premises* for which a *business licence* application is made or a *business licence* is issued and such inspection shall be for the purpose of observing compliance with all applicable bylaws as amended from time to time.

PART 8: TRANSFER, CHANGE OR CANCELLATION OF BUSINESS LICENCE AT THE REQUEST OF THE BUSINESS

- 8.1. A holder of a *business licence* shall notify the Licence Inspector, in writing prior to:
- a) closing of the *business*;
 - b) changing the Business Name, phone number and/or fax number, emergency contact name, mailing address (Business Information);
 - c) changing the *business owner* or *business licence* holder;
 - d) changing the location of the *business*;
 - e) changing or adding to the *business*;
 - f) change to the liquor licence or addition of a liquor licence for the *business*.
- 8.2. With the exception of changes made at the time of renewal of a *business licence*, a holder of a *business licence* shall pay the applicable transfer and change fee as set out in Schedule 'A'.

- 8.3. Where more than one change is contemplated involving the *business owner*, *business location* or *business activities*, the existing *business licence* shall be deemed to be cancelled and a new *business licence* application shall be made by the *business licence* holder.

PART 9: PERIOD OF BUSINESS LICENCE

- 9.1. All Business Licences issued under this Bylaw shall be for the calendar year and will expire on December 31st except if a *business licence* is previously forfeited under this Bylaw.

PART 10: BUSINESS LICENCE FEES

- 10.1. An applicant for a *business licence* must pay to the Village the applicable *business licence fee* for that *business licence* at the time of application and a *business licence* is not valid until it has been issued by the *Licence Inspector*.
- 10.2. The Village shall refund Business Licence Fees only where a *business licence* application is withdrawn by the applicant prior to the *business licence* being issued, or the *business licence* is refused by the Village, the Village shall refund any *business licence* Fees paid on account of the *business licence* application, less an administration fee of 10% of the *business licence* Fee.

PART 11: FORM AND DISPLAY OF LICENCE

- 11.1. Every *business licence* issued pursuant to this Bylaw shall be in a form as may be prescribed by the Licence Inspector from time to time.
- 11.2. Every Business shall permanently display the current *business licence* in a prominent location within the Premises for which the *business licence* has been issued. Every *person* doing *business* in other than a fixed or permanent place of Business shall carry such *business licence* on their *person* and prior to the commencement of Business or solicitation shall display the *business Licence* in such manner as will allow the *business licence* to be viewed and read.

PART 12: RENEWAL OF BUSINESS LICENCE

- 12.1. Each *business* shall ensure that their *business licence* is renewed annually, whether notice is given by the Village or not, and the *business* shall pay the annual *business licence fee*.
- 12.2. Every business shall renew their *business licence* by January 31st of the current calendar year. In the event the Business fails to renew their *business licence* on or before January 31st, the Business shall pay, in addition to the annual *business licence fee* for the renewal period, a penalty as set out in Schedule 'A'.

PART 13: REFUSAL, SUSPENSION OR CANCELLATION OF A BUSINESS LICENCE

- 13.1. An application for *business licence* may be refused by the Licence Inspector in any specific case but:
- a) the application cannot be unreasonably refused; and
 - b) on request, the *Licence Inspector* must give written reasons for the refusal.
- 13.2. A *business licence* may be suspended or cancelled, by the Licence Inspector, for reasonable cause including, but not limited to, failure to comply with a term or condition of a *business licence* or failure to comply with this or any other Bylaw of the Village.
- 13.3. Before suspending or canceling a *business licence*, the Licence Inspector shall give written notice to the holder of the *business licence* indicating that the *business licence* is suspended or canceled and that the Business must cease operation within seven (7) days of the date of the written notice. The written notice shall indicate the reasons for the suspension or cancellation and provide instructions to the *business licence* holder for the removal of the suspension or cancellation of the *business licence*.
- 13.4. Written notice of intention to cancel or suspend shall be delivered by registered mail to the address of the Business and the address of the contact *person* as indicated on the *business licence* application.
- 13.5. No *person* shall carry on a *business* for which a *business licence* is required by this Bylaw during a period of suspension of such *business licence*.

PART 14: STREET, PARK, MOBILE OR TEMPORARY VENDING

- 14.1. Any *person* applying for a Street and Park Vending *business licence* shall provide a copy of any contract or agreement with the Village which authorizes them to operate the Business on a Village park, sidewalk or road, as the case may be.
- 14.2. Only one (1) Portable Food Vendor licence will be issued per parcel of land.
- 14.3. A maximum of five (5) Portable Food Vendors will be licenced in a calendar year.
- 14.4. Portable Food Vendors and Temporary Commercial Vendors shall:
- a) obtain written permission from the owner of the land, allowing the portable vending cart, trailer, vehicle, or temporary stall to be located on a property which is zoned to accommodate the intended use and provide a copy of such permission to the *Licence Inspector*;
 - b) obtain permission to use washroom facilities on the property or in adjacent premises, and provide a written statement indicating said permission;

- c) provide a garbage container at the location of the vending cart, trailer, vehicle, or temporary stall, and pick up all garbage and debris, within 100 meters of their location, which is a result of their Business operation;
- d) obtain a *business licence* for each separate location where the Business will be operated.

14.5. Mobile Stores shall:

- a) be fully self-contained with no service connection other than electrical service being required;
- b) be located other than on a highway, sidewalk, or boulevard, except in required off-street parking spaces, but not so as to interfere with or block any motor vehicle, pedestrian exit, or walkway;
- c) be kept in good repair;
- d) when in use for food vending, meet Provincial Health regulations, and the vendor shall provide written confirmation from a Provincial Health Inspector.

PART 15: TRADE CONTRACTORS

15.1. Any *person* applying for a Trade Contractor *business licence* shall provide proof of the mandatory Certification of Qualification or Apprenticeship Agreement along with their *business licence* application.

PART 16: COMMUNITY EVENTS

16.1. Community Events where vendors are present will be required to obtain a *business licence* that will cover all vendors participating in the Community Event and will also be required to obtain a minimum commercial liability policy of two (2) million dollars.

16.2. Where all vendors are *businesses* that have a current *business licence*, an additional *business licence* is not required for a Community Event.

PART 17: SPECIAL EVENTS

17.1. Unless otherwise provided herein, every *person* desirous of holding a Special Event shall obtain a *business licence* prior to holding the Special Event. This shall not apply to *Community Events*.

17.2. A *business licence* is not required for a Special Event held at Premises that holds a valid *business licence* for a Special Event and the Premises are zoned to hold Special Events.

- 17.3. A *business licence* for each vender is required. Where a *business* has a current *business licence*, an additional *business licence* is not required for a Special Event.
- 17.4. The applicant for a *business licence* for a Special Event being held shall submit, along with the *business licence* application, written authorization from the Village that the Special Event is in conformance with Special Event Bylaw.
- 17.5. All machines, rides and equipment to be used by the public at a carnival or circus must conform to the safety requirements of the Safety Standards Act and all elevating devices must have the Identification Label provided for under the *Safety Standards Act* visibly attached as required.
- 17.6. Any and all structures that are erected as part of a circus or carnival or music festival shall be inspected and certified by a structural engineer authorized to practice in British Columbia.
- 17.7. Any Business providing Special Events shall, at the request of the Licence Inspector:
- a) prior to the issuance or renewal of a *business licence*, a comprehensive liability insurance policy in the amount of five (5) million dollars shall be obtained from an insurance company licensed in the Province of British Columbia, naming the Village as an additional insured, and stating that the policy applies to each insured as if a separate policy had been issued to each; and/or
 - b) prior to the issuance or renewal of a *business licence* enter into a save and harmless agreement to protect, indemnify and save harmless the Village, its elected and appointed official and Employees from and against any and all losses, claims, damages, actions, costs and expenses that the Village may sustain, incur or suffer or be put to at any time with respect to the events or activities carried on pursuant to the Special Event described in the *business licence* or as a result of any matter, act or omission of the licensee or any agent, Employee, officer, director or subcontractor of the licensee.

PART 18: VENDING MACHINES

- 18.1. No *person* owning or occupying any Premises shall keep or permit to be kept therein or thereon any third-party Vending Machine or bank machine unless the Vending Machine Business or the bank machine Business holds a *business licence* and has paid the appropriate *business licence* fee for each Vending Machine or bank machine.

PART 19: NON-PROFIT ORGANIZATIONS

- 19.1. Registered Non-profit organizations are not required to obtain a *business licence* but will be required to register with the Village in a form prescribed by the Village.

PART 20: FARMER'S MARKETS

20.1. Farmer's Markets are required to obtain a *business licence* that will cover all vendors participating in the market and will be required to enter into a contract with the Village and will also be required to obtain a minimum commercial liability policy of two (2) million dollars.

PART 21: SHORT-TERM VACATION RENTALS

21.1. General Regulations

- a) A *short-term vacation rental business licence* is valid for one (1) dwelling unit only.
- b) A *short-term vacation rental operator* shall not advertise the *short-term vacation rental* prior to the issuance of a *business licence* for that *short-term vacation rental*.
- c) Every advertisement for a *short-term vacation rental* must disclose, in respect to the Short-Term Vacation Rental being advertised,
 - i. a valid *business licence* number;
 - ii. the maximum permitted guest occupancy of the *short-term vacation rental* pursuant to the Zoning Bylaw;
 - iii. the number and location of off-street parking spaces available to guests and a statement that such number is the maximum number of vehicles that paying guests of the *short-term vacation rental* are permitted to bring to the premises; and
 - iv. the Village of Pemberton Quiet Hours pursuant to the Noise Regulation Bylaw No. 699, 2012 as amended or replaced from time to time;
- d) The following information shall be provided in a notice visible upon entering a *short-term vacation rental* unit:
 - i. the *business licence* number for the *short-term vacation rental*;
 - ii. the maximum permitted guest occupancy of the *short-term vacation rental* pursuant to the Zoning Bylaw;
 - iii. the number and location of off-street parking spaces available to guests and a statement that such number is the maximum number of vehicles that paying guests of the *short-term vacation rental* are permitted to bring to the premises;

- iv. the Village of Pemberton Quiet Hours pursuant to the Noise Regulation Bylaw No. 699, 2012 as amended or replaced from time to time; and
 - v. the name, address, email and telephone number of the *Short-Term Vacation Rental Operator* and the contacts required under s. 21.3.1(c) of this Bylaw.
- e) For clarification, a requirement of this Bylaw pertaining to *short-term vacation rental* is an addition to other requirements contained herein that are generally applicable to businesses.

21.2. Principal Residence Requirement

- a) A *short-term vacation rental operator* must not operate a *short-term vacation rental* unless the *short-term vacation rental* is located in:
- i. the *principal residence* of the *short-term vacation rental operator*, or
 - ii. a *secondary suite* that is in a detached dwelling where the *short-term vacation rental operator* has their *principal residence*.

21.3. Short-Term Vacation Rental Application

- a) Any *person* making application for a *business licence* for a *short-term vacation rental* shall, at the time of making such application, in addition to the general requirements under this bylaw, provide;
- i. proof of ownership of the premises;
 - ii. proof of their principal residence of the property, which may include proof of homeowner grant, employer-issued pay stubs, voter registration, documentation showing you received provincial or federal government benefits, or income tax documentation, and a drivers licence or utility bill alone is insufficient proof of principal residence;
 - iii. the name, address and telephone number of one or two local contacts, other than the applicant, as an emergency contact; and
 - iv. proof of adequate parking pursuant to the Zoning Bylaw and a parking plan.
 - v. proof of insurance
- b) In considering an application for a business license for a *short-term vacation rental*, the *Licence Inspector* may consider whether a *short-term vacation rental business licence* held by the applicant has been previously cancelled.

21.4. Good Neighbour Agreement

- a) All *short-term vacation rental business licence* applicants must sign a Good Neighbour Agreement, in a form approved by the *Licence Inspector*, prior to the business licence being issued.
- b) Any violation of the Good Neighbour Agreement may result in the *short-term vacation rental business licence* being cancelled.

21.5. Short-Term Vacation Rental *Business Licence* Location and Allocation Cap

- a) The number of *short-term vacation rental licences* available in a calendar year shall be limited to no more than 5% of the total number of single-family dwelling units located in each neighbourhood identified in the table below and shown on the map attached as Schedule 'C':

Neighbourhood
Aspen Fields
Benchlands
The Glen
Pemberton Plateau
The Ridge
Town Centre
Sunstone Ridge

- b) If an application for a license cannot be allowed due to s. 21.6.a of this Bylaw, the application will be placed on a waiting list.
- c) The applications on the waitlist referred to in s. 21.6. (b) of this Bylaw will be considered if s. 21.6 (a) of this Bylaw allows for the application to proceed and in chronological order of when the applications were placed on the wait list.

PART 22: PENALTIES

- 22.1. Except as otherwise provided in this Bylaw, any *person* who violates any of the provisions of this Bylaw or which suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or preform any duty or obligations imposed by this Bylaw commits an offence and is liable on summary conviction to a fine of not more than \$10,000.
- 22.2. Every *person* who commits an offence of a continuing nature is liable to a fine not exceeding \$250 each day such offence is continued.
- 22.3. In addition to any other penalty, the Licence Inspector or *Bylaw Enforcement Officer* may issue Ticket Information(s) upon a *person* or a *business* for a violation of this Bylaw as set out in Schedule 'B'.

PART 23: BYLAW ENFORCEMENT

23.1. The *Licence Inspector*, their designate from time to time or a *Bylaw Enforcement Officer* may enforce the provisions of this Bylaw.

PART 24: DUTY OF CARE

24.1. This Bylaw does not create any duty of care whatsoever on the Village, its elected and appointed officials, Employees or agents in the respect of:

- a) the issuance of a *Business Licence*;
- b) inspection made by the Licence Inspector or failure to make an inspection; and/or
- c) the enforcement of this Bylaw.

PART 25: SCHEDULES

25.1. The following schedule is attached to and form part of this Bylaw and are enforceable in the same manner as this bylaw:

Schedule "A" – Permit Fees

Schedule "B" - Fines

Schedule "C" - Short-Term Vacation Rental Cap/Allocation by Neighbourhood

PART 26: SEVERABILITY

26.1. If any section, subsection, sentence, clause, sub clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

PART 27: MASCULINE/SINGULAR

27.1. Whenever the masculine is used throughout this Bylaw, it shall also mean the feminine; and whenever the singular is used throughout this Bylaw, it shall also mean the plural.

PART 28: BYLAW SHALL PREVAIL

28.1. Where the provisions of this Bylaw conflict with the provisions of any other Bylaw of the Village, the Bylaw with the most stringent provision shall prevail.

PART 29: REPEAL AND SCHEDULE

29.1. The following bylaws are hereby repealed:

Village of Pemberton Business Licence Bylaw No. 751, 2014
Village of Pemberton Business Licence Amendment (Fine Schedule) Bylaw No.
798, 2016

29.2. Despite subsection 28.1 every order made under Business Licence Bylaw No. 751, 2014 and its amendments continue in effect.

29.3. Schedules “A”, “B” and “C” are attached to and forms part of this bylaw.

READ A FIRST TIME this 2nd day of October, 2018.

READ A SECOND TIME this 2nd day of October, 2018.

READ A THIRD TIME this 2nd day of October, 2018.

ADOPTED this _____ day of _____, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

SCHEDULE 'A'

Part 8: Transfer and Change Fees

Administration Fee \$ 25.00

Part 10: Business Licence Application Fees:

Community Event \$150.00
Farmers Market \$300.00
Portable Food Vendor & Temporary Commercial Vendor \$300.00
Resident & Non – Resident Fee \$150.00
Bed and Breakfast \$150.00
Short-Term Vacation Rental \$300.00
Special Event \$100.00

Business Licence Renewal Fees:

RENEWAL	Paid on or Before January 31st	Paid after January 31st
Portable Food Vendor & Temporary Commercial Vendor	\$150.00	\$300.00
Resident & Non – Resident Fee	\$150.00	\$300.00
Bed & Breakfast	\$150	\$300.00
Short-Term Vacation Rental	\$300.00	\$600.00

Business Licence Renewal Penalty

Late Business Licence Renewals will be subject to a 100% penalty

SCHEDULE 'B'

FINES

6.2 -	Resident Business without Business Licence:	
	1 st Offence	\$ 75.00
	2 nd Offence (1 week after 1 st offence)	\$150.00
	3 rd Offence (1 week after 2 nd offence)	\$300.00
	Subsequent Offences	\$450.00
6.3 -	Non-Resident Business without Business Licence:	
	1 st Offence	\$ 75.00
	2 nd Offence (1 week after 1 st offence)	\$150.00
	3 rd Offence (1 week after 2 nd offence)	\$300.00
	Subsequent Offences	\$450.00
7.1 -	Failure to Provide Access	\$150.00
11.2 -	Failure to Display Valid Licence:	
	1 st Offence	\$ 75.00
	2 nd Offence (1 week after 1 st offence)	\$150.00
	3 rd Offence (1 week after 2 nd offence)	\$300.00
	Subsequent Offences	\$450.00
13.5 -	Carrying on Business while Suspended:	
	1 st Offence	\$150.00
	2 nd Offence (1 week after 1 st offence)	\$300.00
	3 rd Offence (1 week after 2 nd offence)	\$450.00
14.4 (d) -	Mobile Vendor without Business Licence	
	1 st Offence	\$300.00
	2 nd and Subsequent Offences	\$450.00
21.1(b) -	Short-Term Vacation Rental Advertising without a Business Licence	\$600.00
21.1(c) -	Short-Term Vacation Rental failure to display business licence number in advertisements	\$ 75.00

VILLAGE OF PEMBERTON

BYLAW NO. 843, 2018

A BYLAW TO REGULATE SMOKING IN THE VILLAGE OF
PEMBERTON

WHEREAS it has been determined that second-hand smoke is a health hazard and nuisance for many inhabitants of and visitors to the Village of Pemberton;

AND WHEREAS the Village of Pemberton has satisfied the preconditions to adopting this Bylaw set out in the *Public Health Bylaws Regulation including amendments up to B.C. Reg. 255/2016, and any amendments or replacements thereof*;

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

PART 1: CITATION

1.1. This Bylaw may be cited as “Village of Pemberton Smoking Regulation Bylaw No. 843, 2018.”

PART 2: DEFINITIONS

2.1. In this Bylaw:

Bank includes credit union, trust company, savings or loan company or other financial institution;

Building means a structure fully or substantially enclosed with walls and/or roofs, and used for the shelter or accommodation of persons, animals, chattels or things or any combination thereof;

Bylaw enforcement officer means a person appointed to that position for the Village by the Chief Administrative Officer.

Common area includes, but is not limited to, lobbies, foyers, stairwells, elevators, corridors, cloakrooms, washrooms, food fair seating areas, and other public areas of a *Building*;

Food service establishment means any place of business where food intended for public consumption is sold, offered for sale, supplied, handled, prepared, packaged, displayed, served, processed, stored,

transported or dispensed, and includes a patio used in conjunction with that place;

Fully or substantially enclosed means a *Building* or structure, vehicle or any other place having a roof or other covering where more than 50% of the wall space is enclosed by any material that does not permit air to flow easily through it.

Licensed establishment means any establishment licensed under the provisions of the *Liquor Control & Licensing Act*.

Outdoor customer service area means a part of private or public property located immediately outside of a restaurant, retail food service, neighbourhood public house or licensed lounge whether partially enclosed or unenclosed, including a balcony, patio, yard, or sidewalk that is connected to or associated with a Business or use in a *Building* or *Premises* that includes the service of food or beverages, which may include alcoholic drinks, to customers or other persons for consumption on site;

Outdoor venue means a place that is not *fully or substantially enclosed* and is used for the assembly of persons for such purposes as worship, entertainment, recreation, business or amusement;

Personal services establishment means a place of business in which a person provides a service to or on the body of another person, and includes, but is not limited to a barber shop, beauty parlour, health spa, massage parlour, tattoo shop, sauna and steam bath;

Place of public assembly means a *building* or *structure* used for the assembly of persons for such purposes as worship, entertainment, recreation, business or amusement;

Premises means a portion of a *Building* of which a person has exclusive possession;

Responsible person means a person who owns, controls, manages, supervises, operates, or holds:

- (a) A *business* or other use that occupies all or substantially all of a *building*;
- (b) A *business* or other use that occupies a *premises*;
- (c) A *business*;

- (d) An *outdoor service area*;
- (e) A *common area*;
- (f) An *outdoor venue*;
- (g) A *vehicle for hire*; or
- (h) A permit for any outdoor public event or activity that the Municipality has authorized by the issuance of a permit and to which this Bylaw applies,
- (i) And, in respect of a *common area*, includes a strata corporation or cooperative association;

Retail establishment means a *Building, Structure*, or other place where goods or services are exposed or offered for sale by retail;

School property means property that is:

- (a) owned or leased by, or operated under the authority of, a board established under the *School Act* or the *Independent School Act*, and
- (b) used for the purposes of delivering educational programs or other learning programs,

and includes real property and improvements;

Smoke or *smoking* means to inhale or exhale smoke or vapour from or burn or carry a lighted cigar, cigarette, pipe, vaporizer, electronic cigarette or other lighted or activated smoking equipment that burns or vapourizes tobacco, cannabis or other weed or substance but does not apply to the ceremonial use of tobacco in connection with a traditional aboriginal cultural activity.

Sporting event means an organized athletic competition.

Structure includes part of a structure;

Village means Village of Pemberton.

PART 3: AREAS OF SMOKING PROHIBITION

3.1. Responsible Person Obligations

- a) The *responsible person* of any of the following:

- i. a *retail establishment*;
- ii. a *personal services establishment*;
- iii. a *bank*;
- iv. a hospital or health clinic;
- v. a *food service establishment*;
- vi. a taxicab or a public bus;
- vii. a *place of public assembly*;
- viii. a billiard or pool hall;
- ix. a *licensed establishment*;
- x. any other *building, structure, vehicle, place or area* that is *fully or substantially enclosed* and:
 - (a) is a place to which the public is ordinarily invited or permitted access, either expressly or by implication, whether or not a fee is charged for entry, or
 - (b) is a prescribed place under the *Tobacco and Vapour Products Control Act (B.C.)*

must not cause, permit or allow a person to *smoke* while within any such *building, structure, vehicle, place, or area*.

b) The *responsible person* of any of the following:

- i. a *retail establishment*;
- ii. a *personal services establishment*;
- iii. a *bank*;
- iv. a hospital or health clinic;
- v. a *food service establishment*;
- vi. a *place of public assembly*;

- vii. a billiard or pool hall;
- viii. a *licenced establishment*;
- ix. any other *building, structure*, vehicle, place or area that is *fully or substantially enclosed* and:
 - (a) is a place to which the public is ordinarily invited or permitted access, either expressly or by implication, whether or not a fee is charged for entry, or
 - (b) is a prescribed place under the *Tobacco and Vapour Products Control Act* (B.C.),

must not cause, permit or allow a person to *smoke* within six (6) metres from a doorway, window or air intake of the *building, structure*, place, or area.

3.2. Recreational Areas, Transit Shelters and School Property

- a) No person shall light a cigarette, cigar, pipe or other smoking equipment, *smoke*, or use tobacco or cannabis in any other manner in, at, on or within 25 metres of any of the following:
 - i. an *outdoor venue*;
 - ii. a playground;
 - iii. a playing field;
 - iv. a place at which a *sporting event* is occurring;
 - v. a transit shelter;
 - vi. *school property*
- b) *Smoking* is prohibited in all locations in the Village of Pemberton Zoned P-1 (Public), PR-1 (Parks and Recreation), OR-1 (Outdoor Recreation) and E-1 (Education) as per Zoning Bylaw No. 832, 2018 and any amendments and replacements thereof.

PART 4: SIGN REQUIREMENTS

- 4.1. A *responsible person* shall, in respect of the *building, premises, outdoor customer service area, common area, vehicle for hire* or outdoor public event which he or she owns, controls, manages or supervises, post a sign that:
- b) is prominently displayed and maintained at the applicable location;
 - c) if the sign is posted by a door, window or air intake of a building, structure, place or area that is fully or substantially enclosed, contains the text “No Smoking within 6 Metres” in capital or lower case letters or a combination of both;
 - d) In respect of a place that is not fully or substantially enclosed, or in respect of a vehicle, contains the text “No Smoking” in capital or lower case letters or a combination of both.
 - e) Consists consist of two contrasting colours, except that if the lettering is on a clear panel, the lettering must contrast to the background colour;
 - f) includes the text “Village of Pemberton Smoking Regulation Bylaw No. 843, 2018” and “Maximum Penalty \$10,000” in letters of not less than one (1) centimetre in height.
- 4.2. A person must not remove, alter, conceal, deface or destroy any sign required under this Bylaw.

PART 5: POWER TO INSPECT

- 5.1. A *bylaw enforcement officer* has the right of entry and may enter at all reasonable hours onto any land or into any *building* to which this Bylaw applies in order to ascertain whether the provisions of this Bylaw are being complied with.

PART 6: OBSTRUCTION

- 6.1. A person must not interfere with, delay, obstruct or impede a *bylaw enforcement officer* or designate or other person lawfully authorized to enforce this Bylaw in the performance of duties under this Bylaw.

PART 7: OFFENSE, PENALTIES AND ENFORCEMENT

7.1. In respect of this Bylaw:

- a) Every person who violates a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw or any other applicable bylaw of the municipality, and is guilty of a separate offence each day that a violation continues to exist.
- b) Any person who contravenes any of the provisions of this Bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than six months or to both. Each day that an offence continues shall constitute a separate offence.
- c) Pursuant to Section 264 of the *Community Charter*, S.B.C. Chapter 26, this Bylaw may be enforced by means of a ticket issued pursuant to the Village of Pemberton Municipal Ticket Information Utilization Bylaw as replaced or amended from time to time.

PART 8: SCHEDULES

8.1. The following schedules are attached to and form part of this Bylaw and are enforceable in the same manner as this Bylaw:

Schedule "A" - Fines

PART 9: SEVERABILITY

9.1. If any section or lesser portion of this Bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of the Bylaw.

PART 10: REPEAL

10.1. Village of Pemberton "Smoking Regulation Bylaw No. 637, 2009" is hereby repealed.

PART 11: EFFECTIVE DATE

11.1. This Bylaw comes into force the day it is adopted.

READ A FIRST TIME this 2nd day of October, 2018.

READ A SECOND TIME this 2nd day of October, 2018.

READ A THIRD TIME this 2nd day of October, 2018.

ADOPTED this ____ day of _____, 2018.

DEPOSITED with the Minister of Health this ____ day of _____, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Fourth & Final Readings - October 16, 2018

SCHEDULE "A"

SMOKING OFFENCE PENALTIES

Bylaw Section	Description	Penalty	
3.1 & 3.2	Areas of Smoking Prohibition (Personal)	\$100.00	
3.1 & 3.2	Areas of Smoking Prohibition (Responsible Person)	\$200.00	
4.1	Sign Requirements	\$100.00	
4.2	Remove or deface Sign	\$100.00	
6.1	Interfere with or Obstruct Enforcement Officer	\$300.00	

Fourth & Final Readings - October 16, 2018

Village of Pemberton

BYLAW No. 844, 2018

A bylaw to establish a cross connection control program and process
for the Village of Pemberton.

WHEREAS, provincial legislation requires water suppliers to ensure that provisions are in place for the elimination and prevention of contamination between their potable water and any non-potable sources.

AND WHEREAS, the Council has established a bylaw to regulate the Village of Pemberton Waterworks System.

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

1. CITATION

1.1. This Bylaw may be cited for all purposes as Cross Connection Control Bylaw No. 844, 2018.

2. DEFINITIONS

In this Bylaw:

Approved Backflow Prevention Assembly means a backflow preventer that is designed to be tested and repaired in-line and to meet the design and testing criteria requirements of the CSA standards B64.10.01 most current edition;

Auxiliary Water Supply means any water available on or to a premise originating from a source or system, other than that from the Village of Pemberton Waterworks System;

Backflow means the flow of water or other liquids, gases or solids from any source, in the reverse direction from normal, as a result of back-siphonage or backpressure, back into the potable private water system or the Village of Pemberton *waterworks system*;

Backflow Assembly Test Report means a form provided by or approved for use by the Village to be used when testing backflow assemblies to record all pertinent information and test data;

Backflow Assembly Tester means a person holding a valid certificate from a recognized British Columbia approval agency for testing backflow prevention assemblies as approved by the Village of Pemberton;

Backflow Preventer means a mechanical apparatus installed in a water system that prevents backflow of contaminants into the potable *waterworks system* and to meet the design and installation criteria requirements of the CAN/CSA standards B64 Series most current editions;

Building Official means an individual appointed by Council under the *Building Act*;

Cross Connection means any actual or potential physical connection whereby the Village *waterworks system* is connected, directly or indirectly, with any non-potable or unapproved private water supply system, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture, or any other device which contains, or may contain, non-potable or contaminated water, liquid, gases, sewage, or other waste, of unknown or unsafe quality which may be capable of imparting a pollutant or contaminant into the public water supply as a result of backflow;

Cross Connection Control Program Guide means the Village *Cross Connection Control Program Guide*, Policies, Procedures and Specifications which provide references, guidelines, bulletins and amendments relevant to this bylaw;

CSA is the abbreviation for the Canadian Standards Association;

Consumer means a person to whom water is supplied by the Village of Pemberton;

Disconnect/Disconnection means the turning off, or a physical separation of the *Consumer Supply Line* from the Village waterworks system;

Hydrant or Temporary Use Permit means a permit issued by the Village for any Person requesting water from a fire hydrant, stand pipe, or temporary water connection for purposes other than emergency fire protection;

Inspect means an on-site review of the water use, facilities, meters, piping, equipment, operating conditions and maintenance records for the purpose of evaluating for conformity with the terms and conditions of this bylaw;

Manager means the Manager of Operations and Development Services or their designate.

Non-potable Water means water that does not meet Health Canada's Guidelines for Canadian Drinking Water Quality and is not destined for human consumption;

Non-potable Water Systems means an assembly of pipes, fittings, valves, and appurtenance that collects and is not destined for human consumption;

Owner has the same meaning as in the *Community Charter* and in respect of a Strata common property, the Strata Corporation;

Person shall, in addition to its ordinary meaning, include a firm or partnership, company or corporation. In addition, throughout this bylaw where the context requires, the singular shall be held to mean and to include the plural and the masculine, the feminine or body corporate;

Potable Water means water that meets Health Canada's Guidelines for Canadian Drinking Water Quality and is fit for human consumption;

Premise/Premises includes land, buildings and structures;

Private Water System means any privately owned pipe and fittings intended for the delivery or distribution of water within a premise or to a property and includes any domestic use,

irrigation system, greenhouse and hydroponics system, and any other use of water supplied by the Village's *waterworks system*;

Reconnect/Reconnection means to turn on, or physically connect the *Consumer Supply Line* to the Village's *waterworks system*;

Service means the supply of water from the *waterworks system* to any person, firm or corporation and includes all pipes, taps, valves, connections and other things necessary to or used for the purpose of the supply of water;

Service Connection Point means the point of physical connection between the *waterworks system* and the *private water system*. Typically the Service Connection Point is at the downstream side of the water meter and/or is located at or near the Owners property line.

Survey means a complete formal review of the potable water system(s) located within a building or property to determine the presence of any existing backflow preventers, there installation & condition and/or the existence of cross connections that could pose a health risk to occupants or the Village's *Waterworks system*;

Used Water means any potable water which is no longer in the *waterworks system* including potable water that has moved downstream or past the Water Service Connection (water meter) and/or the property line to the private water system;

Village means the Village of Pemberton

Village Official means the Chief Administrative Officer or their designate.

Water Operator means the person appointed by the Chief Administrative Officer to act on behalf of the Village for the purposes of operating the waterworks system.

Water Service Connection means a water supply pipe connected to the *waterworks system* and extending to the property line of the *Consumer* for the purpose of conveying water to the *Consumer*. A water service connection shall include a water meter and a shut-off valve and shall be the property of the Village.

Waterworks system means the water distribution system owned and operated by the Village.

3. WATER SUPPLY AND PRESSURE

3.1. The Village does not guarantee pressure or continuous supply of water, or accept responsibility at any time for the maintenance of pressure in its water mains or for increases or decreases in pressure. The Village reserves the right at any and all times, without notice, to change operating water pressure and to *shut off* the water supply for the purposes of making repairs, extensions, alterations or improvements, or for any other reason.

3.2. The Village, its officers, employees or agents shall not incur any liability of any kind what so ever by reason of the cessation in whole or in part of water pressure or water supply, or changes in operating pressures, or by reason of the water containing sediments, deposits, or other foreign matter.

- 3.3. Where steam or hot water boilers or other equipment is fed with water by pressure directly from the *waterworks system*, the Village shall not be liable for any injury or damage which may result from such pressure or from lack of such pressure or any injury or damage resulting from the improper installation of a backflow preventer.

4. INSPECTION

4.1. The Village Official shall be entitled, at its determination to:

- 4.1.1. Access the *private water system* located on private property at all reasonable hours in order to carry out *surveys* of the *premises* to determine the existence of connections or *cross connections* prohibited by this bylaw and as stated in the Village of Pemberton *Cross-Connection Control Program*.
- 4.1.2. Ensure standards are met and satisfied relating to the type of *backflow preventer* and the installation and maintenance of the same as specified by the standards and guidelines identified in the Village *Cross Connection Control Program Guide*.
- 4.1.3. Document the type of *backflow preventer*, the installation and state of maintenance and repair of the same.

5. CONDITION OF SERVICE

- 5.1. *Service* supplied by the Village to a *Consumer* shall only be provided where, in the opinion of the Village, the *waterworks system* has been effectively protected from any actual or potential *cross connections* existing at or within the *Consumer's private water system*.
- 5.2. No *Consumer* or other *person* shall *turn on* a *water valve* to provide *Service* to the occupants of any newly renovated or constructed or reconstructed *premise(s)* until the *private water system* in such *premise(s)* has been inspected for *Cross Connections and approved* by the *Water Operator* or otherwise satisfies section 5.1 of this bylaw.

6. PREVENTION OF CONTAMINATION

- 6.1. No *person* shall create a *Cross Connection* by connecting, causing to be connected, or allowing to remain connected to the Village *waterworks system*, any device, piping, fixture, fitting, container, appliance or any other chattel or thing which may under any circumstances allow non-potable water, used water, wastewater or any chemical, liquid, gas or other substance to enter the *waterworks system*.

7. CROSS CONNECTIONS PROHIBITED

- 7.1. Where any cross connection(s) or condition is found to exist which, in the opinion of the *Water Operator*, may otherwise expose the *waterworks system* to risk of contamination, the *Water Operator* may, at their discretion, take one or more of the following actions:
- 7.1.1. Give notice to the *Consumer* to correct the condition or Cross Connection(s) at the sole expense of the *Consumer* within a specified time period; or

- 7.1.2. *Disconnect / Disconnection of Service* until the condition is corrected.
- 7.2. A Person to whom a notice under section 7.1.1 applies must eliminate or control the condition or *Cross Connection* giving rise to the notice by selecting and installing a *Backflow Preventer*, conforming to the CAN/CSA B64.10 (most current) standards.
- 7.3. Neither the failure to send or deliver a notice, nor the failure to receive a notice, relieves a *Consumer* from the regulations or requirements of this bylaw.
- 7.4. Subject to reconsideration by Council, any *Consumer* to whom *Service* has been *disconnected* pursuant to this bylaw shall not have the *Service reconnected* until all requirements have been met to the satisfaction of the *Water Operator* and the *Consumer* has paid to the Village all costs associated with the *disconnection or reconnection of Service*, and the *Consumer's* default under this section has been remedied.

8. TESTING AND MAINTENANCE OF BACKFLOW PREVENTION ASSEMBLIES

- 8.1. Every *Consumer* shall provide to the Village within thirty (30) days of initial installation, repair or relocation of an approved *backflow prevention assembly* a Village *backflow assembly test report* from a certified *Backflow Assembly Tester* confirming the following:
- 8.1.1. The installation date of the *Approved Backflow Prevention Assembly*;
- 8.1.2. The specific location of the assembly and what *Cross Connection* or hazard it is intended to isolate;
- 8.1.3. The manufacturer, model, size and serial number of the *backflow preventer* installed; and
- 8.1.4. That it is an *approved backflow prevention assembly*, installed correctly and in proper operating condition.
- 8.2. Every *Consumer* must cause to be carried out a test and inspection of all *approved backflow prevention assemblies* located on his or her property, at the sole expense of the *Consumer*, by a person certified as a *Backflow Assembly Tester*, upon installation, after repair and at least once in every consecutive twelve (12) month period thereafter.
- 8.3. Where a *Consumer* fails to have an *approved backflow preventer* tested, the Village may notify the *Consumer* that the *Backflow Preventer* must be tested within a specified time period, in which case the *Consumer* must comply within that time period.
- 8.4. Any *Person* that removes a *Backflow Preventer* from a plumbing system must obtain prior written consent of the *Water Operator*. Prior written consent is not required when a *Backflow Preventer* is removed and immediately replaced with an appropriate *Backflow Preventer* and a *Backflow Assembly Test Report* is provided to the Village.
- 8.5. Where an *Approved Backflow Prevention Assembly* fails to function as designed or does not meet the test criteria set forth by the CAN/CSA B64.10.1 Manual for Maintenance and Field Testing of Backflow Preventers a *Consumer* must repair or

replace the *Backflow Preventer*, retest it and promptly provide the Village with a *Backflow Assemble Test Report*.

9. TEMPORARY WATER USE CONNECTION

- 9.1. Except for emergency fire use, no *Person* shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance to a fire hydrant, stand pipe or any other temporary water connection:
 - 9.1.1. In a manner which, under any circumstances, may allow *used water*, wastewater or any liquid or substance of any kind to enter the Village *waterworks system*;
 - 9.1.2. Without using an *Approved Backflow Prevention Assembly* which has been approved and installed in accordance standards established by Canadian Standard Association.
 - 9.1.3. Without first obtaining a *Hydrant or Temporary Water Use Permit*.
- 9.2. In addition to any other penalties that may be applicable under this bylaw, any *Person* who contravenes this section may be refused access to *Service* through the use of a fire hydrant or temporary water connection.

10. AUXILIARY AND NON-POTABLE WATER SUPPLIES

- 10.1. An *Owner* or *Occupant* of a premise that contains or has access to an *Auxiliary Water Supply* or *system* must ensure:
 - 10.1.1. Premises isolation of such facility with a *Backflow Preventer* corresponding to the degree of hazard as stipulated in the CSA B64.10.
 - 10.1.2. There shall be no direct connection between a *non-potable water system* and any other *potable water system*.
 - 10.1.3. All piping, exposed standpipes, fittings, valves and outlets for non-potable water systems must be permanently identified by a color or label and in conformance with CSA B128.1/B128.2 Design and installation of non-potable water systems/Maintenance and field testing of non-potable water systems (most current edition).

11. COMMERCIAL AND AGRICULTURAL IRRIGATION USE

- 11.1. Where a *Cross Connection* exists between the Village *waterworks system* and a private water system, in addition to other requirements of this bylaw the *Consumer* must, at the *Consumers* expense:
 - 11.1.1. Before operation of the commercial or agriculture irrigation system, cause the *Approved Backflow Prevention Assembly* to be inspected and tested by a *Backflow Assembly Tester*, in accordance with section 8;

11.1.2. Before introducing any fertilizers, chemicals or any other substance detrimental to health into an irrigation piping system, install and use an approved reduced pressure principal backflow assembly.

12. GENERAL PROVISIONS

12.1. In addition to the any other provisions of this bylaw, the *Water Operator* or *Building Official* may at any time order a *Consumer*, at the *Consumers* expense, to conduct a *backflow assembly test*, provide reports and undertake whatever other measures required to prevent the contamination of the potable water system.

12.2. Where a time frame is set out in Schedule B of this bylaw for carrying out any action, the Village may extend the time frame for compliance beyond the established time frame on approval by the *Manager*.

13. OFFENCE AND PENALTY

13.1. This Bylaw may be enforced by the Village Official, a bylaw enforcement officer, or another person designated by the Chief Administrative Officer.

13.2. Every person who contravenes any provision of this bylaw, or who causes, permits, suffers or allows any act or thing to be done in contravention of this bylaw, or who fails to do any act or thing required by this Bylaw, commits an offence against this bylaw and upon conviction of an offence, shall be liable to:

(a) pay a fine established in the Village of Pemberton Municipal Ticket Utilization Bylaw, as amended from time to time; or

(b) if proceedings are brought under the Offence Act, pay a fine and/or penalty of not less than One Hundred Dollars (\$100) and not more than Ten Thousand Dollars (\$10,000), plus the costs of prosecution, and any other order imposed.

13.3. Each day that a violation exists or is permitted to exist constitutes a separate offence.

13.4. Pursuant to section 264(1)(b) of the *Community Charter*, Bylaw Enforcement Officers are designated to enforce this Bylaw.

13.5. Pursuant to section 264(1)(c) of the *Community Charter*, the words or expression in Column 2 of Schedule A to this Bylaw designate the offence committed under the Bylaw section numbering appearing in Column 1 opposite the respective words or expression.

13.6. Pursuant to section 265(1)(a) of the *Community Charter*, the fine amount in Column 3 of Schedule A to this bylaw is the fine amount that corresponds to the section number and words or expression set out in Columns 1 and 2 opposite the fine amount.

13.7. Any disputed tickets may be dealt with by the Chief Administrative Officer, the Corporate Officer or any Bylaw Enforcement Officers.

14. FEES AND COST RECOVERY

14.1 Where a *person* fails to pay the Village's costs as required by this bylaw or where a *person* subject to an order under this bylaw fails to take action required by the order and the Village carries out the work or otherwise fulfills the requirement, the Village may recover its costs from the owner, occupier or person responsible for the work or for payment of the costs, as a debt to the Village. Money owed to the Village under this bylaw is payable upon receipt of an invoice from the Village.

14.2 If an amount owing under this bylaw for work done or services provided to land or improvements remains unpaid on December 31st of the year in which the debt was incurred, the amount is deemed to be taxes in arrear and may be collected from the owner of the land or improvements in the same manner and with the same remedies as for property taxes.

15. SCHEDULES

The following schedules are attached to and form part of this bylaw and are enforceable in the same manner as this bylaw:

- 15.1 Schedule A attached to this Bylaw form a part of this Bylaw.
- 15.2 Schedule B attached to this Bylaw form a part of this Bylaw.

READ A FIRST TIME this **2nd** day of **October, 2018.**

READ A SECOND TIME this **2nd** day of **October, 2018.**

READ A THIRD TIME this **2nd** day of **October, 2018.**

ADOPTED this **day of** , **2018.**

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Schedule A

Fine Schedule

Description of Offence	Section	Daily Fine
a. Fails to eliminate a <i>Cross Connection</i> or control a <i>Cross Connection</i> by the Installation of a Backflow Preventer upon given notice.	7.2	\$ 500.00
b. Fails to inspect and test an Approved Backflow Prevention Assembly, using a backflow assembly tester, upon installation, after repair and then every consecutive twelve (12) month period thereafter.	8.2	\$ 200.00
c. Where a Person removes a Backflow Preventer from a plumbing system without prior written consent of the Water Operator or Building Official	8.4	\$ 200.00
d. Where an Owner or Occupant Fails to repair and retest an Approved Backflow Preventer in the time period specified in a notice issued by the Village. .	8.5	\$ 200.00
e. Where a Person connects to a fire hydrant, stand pipe or other temporary water connection without using an Approved Backflow Prevention Assembly and without obtaining a hydrant or temporary water use permit.	9.1.2 & 9.1.3	\$ 200.00
f. Where an Owner or Occupant creates a direct connection with a non-potable auxiliary water system without the approval by the Water Operator.	10	\$ 500.00

Fourth & Final Reading - October 16 2018

Schedule B

Time Period Schedule

Description	Section	Time Period
1. Installation of a Backflow Preventers		
a. 2 inch and smaller devices		90 days from a notification issued by the Village of Pemberton.
b. 2 inch and larger devices		90 days from a notification issued by the Village of Pemberton
c. Fire Sprinkler System Backflow Preventer		During the next system upgrade or significant piping changes as necessary to the fire sprinkler system
2. Test required of an Approved Backflow Prevention Assembly	8.3	30 days
3. Repair of an Approved Backflow Prevention Assembly	8.5	30 days

Fourth & Final Readings - October 16 2018

VILLAGE OF PEMBERTON

Municipal Ticket Information Utilization Bylaw

BYLAW No. 845, 2018

WHEREAS Section 264 of the *Community Charter* authorizes the Council to, by Bylaw:

1. designate those bylaws which may be enforced by means of a form of ticket prescribed by regulation under Section 273;
2. designate bylaw enforcement officers for the purpose of enforcing bylaws by means of a prescribed form of ticket;
3. designate an offence against a bylaw by means of a word or expression on a ticket.
4. set certain fine amounts, not exceeding \$1,000, for contravention of designated bylaws.

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

1. TITLE

This Bylaw may be cited as "Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 845, 2018".

2. APPLICATION

2.1 The bylaws listed in Column 1 of Schedule 1 to this Bylaw may be enforced by means of a ticket in the form prescribed by the municipality for the purpose of Section 264 of the *Community Charter*.

2.2 The persons appointed to the job positions or titles listed in Column 2 of Schedule 1 to this Bylaw are designated as bylaw enforcement officers pursuant to Section 264 of the *Community Charter* for the purpose of enforcing the bylaws listed in Column 1 of Schedule 1 opposite the respective job positions.

2.3 The words or expressions set forth in Column 1 of the Schedules to this Bylaw designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.

2.4 The amounts appearing in Column 3 of the Schedules to this Bylaw are fines set pursuant to Section 265(1) of the *Community Charter* for the corresponding offences designated in Column 1.

2.5 The amounts appearing in Column 4 of Schedules to this Bylaw are reduced fines established by Council pursuant Section 265 (2) of the *Community Charter* for the corresponding fines set in Column 3, provided that Municipal Ticket Information is paid on or before thirty (30) calendar days from the date on which the Municipal Ticket Information is served.

3. SEVERANCE

If any section, subsection or clause of this Bylaw is held invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the invalid and severed section, subsection or clause.

4. REPEAL

The Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 800, 2016 is hereby repealed.

READ A FIRST TIME this 2nd day of October, 2018.

READ A SECOND TIME this 2nd day of October, 2018.

READ A THIRD TIME this 2nd day of October, 2018

RECONSIDERED AND ADOPTED this _____ day of October, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

SCHEDULE 1

In Column 2 of this Schedule, "Bylaw Enforcement Officer" means an officer appointed by the Chief Administrative Officer; other positions have the same meaning as defined in the corresponding designated bylaw identified in Column 1.

DESIGNATED BYLAW	DESIGNATED BYLAW ENFORCEMENT OFFICERS
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Unsightly Premises Bylaw No. 476, 2002

Authorized Person
Bylaw Enforcement Officer

Wildlife Attractant Bylaw No. 684, 2011

Bylaw Enforcement Officer
RCMP
Conservation Officer

Noise Regulation Bylaw No. 699, 2012

Authorized Person
Bylaw Enforcement Officer
RCMP

Boulevard Maintenance Bylaw
No. 713, 2012

Village Official
Bylaw Enforcement Officer

Blasting Bylaw No. 714, 2012

Building Official
Bylaw Enforcement Officer

Fire Prevention Bylaw No. 744, 2013

Fire Chief
Inspector
Bylaw Enforcement Officer
RCMP

Outdoor Water Use Regulation Bylaw
No. 792, 2015

Village Official
Bylaw Enforcement Officer

Public Nuisance Abatement Bylaw
No. 838, 2018

Bylaw Enforcement Officer
RCMP

Animal Control Bylaw No. 839, 2018

Bylaw Enforcement Officer
RCMP
Conservation Officer

Parking and Traffic Control Bylaw
No. 840, 2018

Manager
Bylaw Enforcement Officer
Fire Chief
RCMP

Business Licence Bylaw No. 842, 2018

Licence Inspector
Bylaw Enforcement Officer

Smoking Regulations Bylaw No.843, 2018

Bylaw Enforcement Officer
RCMP

Cross Connection Control
Bylaw No. 844, 2018

Bylaw Enforcement Officer
Village Official
Manager
Water Operator
Building Official

Fourth & Final Readings - October 16 2018

SCHEDULE 2

UNSIGHTLY PREMISES BYLAW No. 476, 2002

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Allow accumulation	4.1	\$200	\$100
Permit brush, Noxious weed, insect infestation	4.2	\$200	\$100
Deposit rubbish in open space	5.1	\$200	\$100
Allow unsightly	6.2	\$200	\$100
Failure to maintain	6.3	\$100	\$50
Failure to clear up brush/grass	6.4	\$100	\$50
Allow accumulation of materials	6.5 (a) 6.5 (b) 6.5 (c) 6.5 (d) 6.5 (e) 6.5 (f) 6.5 (g) 6.5 (h)	\$200	\$100
Storage or accumulation of materials non-compliant with screening/storage requirements	6.6 (a) 6.6 (b) 6.6 (c) (i & ii) 6.6 (d)	\$200	\$100
Place Graffiti adjacent to public place	7.1	\$200	\$100
Failure to comply with an order	11	\$500	Not Applicable
Obstruction of Authorized Person	13	\$500	Not Applicable

SCHEDULE 3

WILDLIFE ATTRACTANT BYLAW No. 684, 2011

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Improper Storage of Garbage			
First Offence	3.1, 4.2 4.3, 5.1	\$100	Not Applicable
Second Offence	3.1, 4.2 4.3, 5.1	\$200	Not Applicable
Third Offence	3.1, 4.2 4.3, 5.1	\$400	Not Applicable
Failure to Provide/Maintain Resistant Container			
First Offence	3.2, 4.1, 4.4	\$100	Not Applicable
Second Offence	3.2, 4.1, 4.4	\$200	Not Applicable
Third Offence	3.2, 4.1, 4.4	\$400	Not Applicable
Failure to Comply Pickup/Removal Times			
First Offence	3.3, 3.4	\$100	Not Applicable
Second Offence	3.3, 3.4	\$200	Not Applicable
Third Offence	3.3, 3.4	\$400	Not Applicable
Improper Disposal			
First Offense	3.5, 3.6, 3.7 3.8, 3.11, 4.2	\$100	Not Applicable
Second Offense	3.5, 3.6, 3.7 3.8, 3.11, 4.2	\$200	Not Applicable
Third Offense	3.5, 3.6, 3.7 3.8, 3.11, 4.2	\$400	Not Applicable
Improper Placement			
First Offense	3.9	\$100	Not Applicable
Second Offense	3.9	\$200	Not Applicable
Third Offense	3.9	\$400	Not Applicable
Placement of Explosive Device in bin	3.10	\$500	Not Applicable
Intentionally Feeding Wildlife			
First Offence	5.2	\$100	Not Applicable
Second Offence	5.2	\$200	Not Applicable
Third Offence	5.2	\$400	Not Applicable
Failure to Remove Attractants			
First Offence	5.4	\$100	Not Applicable
Second Offence	5.4	\$200	Not Applicable
Third Offence	5.4	\$400	Not Applicable

SCHEDULE 4

NOISE REGULATION BYLAW No. 699, 2012

OFFENCE	SECTION	FINE	REDUCTION– if paid within 30 days
Noise During Quite Hours			
First Offence	3.1	\$100	\$50
Second Offence	3.1	\$200	Not Applicable
Third Offence	3.1	\$400	Not Applicable
Permit Noise During Quiet Hours			
First Offence	3.2	\$100	\$50
Second Offence	3.2	\$200	Not Applicable
Third Offence	3.2	\$400	Not Applicable
Prohibited Noise			
First Offence	3.3	\$100	\$50
Second Offence	3.3	\$200	Not Applicable
Third Offence	3.3	\$400	Not Applicable
Construction Noise			
First Offence	5.1	\$250	\$125
Second Offence	5.1	\$500	Not Applicable

Fourth & Final Readings - October 15, 2018

SCHEDULE 5

BOULEVARD MAINTENANCE BYLAW No. 713, 2012

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Permit garbage, debris other materials to accumulate on boulevard or in ditches	3.1.1 (a)	\$150	\$100
Placement of rocks, fencing, landscaping and other materials on boulevard or in ditch adjacent to property	3.1.1 (b)	\$150	\$100
Placement of fill, landscaping debris and materials in drainage swales/ditches	3.1.1 (d)	\$250	Not Applicable
Installation of culvert extensions in drainage ditches without authorization	3.1.1 (e)	\$500	Not Applicable
Failure to maintain boulevard/ditch in clean and safe condition	3.2.1	\$150	\$100
Failure to maintain boulevard abutting property	3.2.2 (a), (b), (c), (d), (e), (f)	\$150	\$100
Undertaking improvements without permit	3.3.1	\$250	Not Applicable
Failure to comply with permit conditions	3.3.5	\$150	Not Applicable
Failure to maintain boulevard improvements	3.3.7	\$150	\$100
Failure to clear snow/ice abutting property	3.4.1	\$150	Not Applicable
Failure to address hazards conditions (snow/ice)	3.4.2	\$150	Not Applicable
Deposit of snow on Village highways, roadway, sidewalks, lanes or parking areas	3.1.1 (c) and 3.4.3	\$150	\$100
Failure to comply	4.1	\$150	Not Applicable

SCHEDULE 6

BLASTING BYLAW No. 714, 2012

OFFENCE	SECTION	FINE	REDUCTION - if paid within 30 days
Blasting without permit	3 (1)	\$500	Not Applicable
Failure to follow duties of Permit Holder	5	\$500	Not Applicable
Blasting contrary to permitted times/atmospheric conditions	5 (a)	\$500	Not Applicable
Failure to provide records when requested	5 (b)	\$200	\$100
Failure to follow safety precautions	5 (c) and (d)	\$200	Not Applicable
Failure to provide Notification	5 (e)	\$200	\$100
Failure to report incident	6	\$500	Not Applicable
Blasting after permit cancelled or suspended	7 (4)	\$1,000	Not Applicable

Fourth & Final Readings - October 16 2018

SCHEDULE 7

FIRE PREVENTION BYLAW No. 744, 2013

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Failure to provide private hydrant flow test results	6.8(a)(ii)	\$150	Not Applicable
Failure to maintain, repair, or replace private fire hydrant	6.8(b)		Not Applicable
Failure to keep private hydrant free of snow, ice, or other materials or free from mechanical damage	6.8(c)	\$150	Not Applicable
Failure to ensure access to private fire hydrant	6.8(d)	\$150	Not Applicable
Failure to report deficiencies that affect private hydrant	6.8(e)(i)	\$150	Not Applicable
Failure to bag or cover out of service private hydrant	6.8(f)	\$150	Not Applicable
Unauthorized use of fire hydrant	6.10	\$1,000	Not Applicable
Failure to paint private hydrant to City's specifications	6.11	\$150	Not Applicable
Failure to maintain minimum clearance around private hydrant	6.13	\$150	Not Applicable
Failure to maintain ground cover around private hydrant	6.15	\$150	Not Applicable
Failure to maintain clear path in front of private hydrant	6.16	\$150	Not Applicable
Failure to maintain clear view of private hydrant	6.17	\$150	Not Applicable
Removing a fire hydrant without permission	6.18	\$1,000	Not Applicable
Failure to provide, install and maintain Smoke Alarm	6.19	\$200	Not Applicable
Failure to maintain emergency/exit lighting and exit signs	6.21(a)	\$200	Not Applicable
Failure to test or maintain portable extinguisher(s)	6.21(b)	\$200	Not Applicable
Failure to provide and maintain means of egress	6.21(c)	\$200	Not Applicable
Failure to maintain exit doors	6.21(d)	\$200	Not Applicable
Failure to maintain private roadways for Pemberton Fire Rescue access in conformance with the British Columbia Fire Code	6.21(e)	\$200	Not Applicable
Failure to provide, maintain private roadways, access roads and fire lanes in conformance with Pemberton Fire Rescue criteria	6.21(f)	\$200	Not Applicable
Design and installation of gate controlling access N/At in conformance to Pemberton Fire Rescue criteria	6.21(g)	\$200	Not Applicable
Failure to maintain standpipe, hose systems, and automatic sprinkler systems in conformance with the British Columbia Fire Code	6.21(h)	\$200	Not Applicable
Failure to install and maintain commercial cooking equipment exhausts and fire protection systems in conformance with the British Columbia Fire Code	6.21(i)	\$200	Not Applicable
Exceeding the maximum occupant load contrary to the British Columbia Fire Code	6.21(j)	\$1,000	Not Applicable

Allowing combustible material(s) to accumulate in quantities or in locations contrary to the British Columbia Fire Code	6.21(k)	\$200	Not Applicable
Failure to store, handle, use or process all flammable and combustible liquids in conformance with the British Columbia Fire Code	6.21(l)	\$200	Not Applicable
Failure to maintain fire separations in conformance with the British Columbia Fire Code	6.21(m)	\$200	Not Applicable
Failure to dispose of Combustible Material or take precautions to prevent fire	6.25	\$500	Not Applicable
Failure to submit Fire Safety Plan in an acceptable format and in conformance with British Columbia Fire Code	6.29(a)	\$150	Not Applicable
Failure to submit Fire Safety Plan within 90 days	6.29(b)	\$150	Not Applicable
Failure to provide Fire Safety Plan in a location or manner acceptable to Fire Chief	6.29(c)	\$150	Not Applicable
Failure to install and maintain approved Fire Safety Plan Lock Box	6.30	\$150	Not Applicable
Failure to install and maintain approved Lock Box	6.32	\$150	Not Applicable
Failure to correctly install Lock Box	6.33(a)	\$150	Not Applicable
Failure to provide keys or devices in Lock Box	6.33(b)	\$150	Not Applicable
Failure to provide access to Fire Safety Plan Box or Lock Box	6.34	\$150	Not Applicable
Failure to allow installation or maintenance of Fire Safety Plan Box or Lock Box	6.35	\$150	Not Applicable
Starting or allowing open air fire without a permit	7.1	\$250	Not Applicable
Failure to follow terms and conditions for burning of yard waste	7.5	\$250	Not Applicable
Failure to follow terms and conditions for burning of waste created by land clearing	7.6	\$250	Not Applicable
Failure to follow terms and conditions for a hazard abatement/fuel modification burning permit	7.7	\$250	Not Applicable
Failure to follow terms and conditions for an agricultural burning permit	7.8	\$250	Not Applicable
Failure to follow terms and conditions for a residential cooking permit	7.10	\$250	Not Applicable
Using portable incinerator or other portable device for burning garbage, rubbish or waste material	7.11	\$250	Not Applicable
Discharging fireworks without a valid Notice of discharge permit	8.1	\$250	Not Applicable
Selling or offering for sale fireworks without a valid fireworks sales permit	8.4	\$250	Not Applicable
Storing, handling or discharging fireworks in an unsafe manner or as to create a nuisance	8.12	\$250	Not Applicable
Discharging fireworks on a public roadway	8.15	\$250	Not Applicable
Failure to remove or dispose of firework debris	8.16	\$250	Not Applicable
Possessing, selling or discharging of firecrackers or Noisemakers	8.19	\$250	Not Applicable
Failure to surrender fireworks	8.22(a)	\$250	Not Applicable

SCHEDULE 8

Outdoor Water Use Regulations Bylaw No. 792, 2015

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Level One			
First Offence	4.1	\$100	\$50
Second Offence	4.1	\$200	Not Applicable
Third Offence	4.1	\$300	Not Applicable
Level Two			
First Offence	4.2	\$100	\$50
Second Offence	4.2	\$200	Not Applicable
Third Offence	4.2	\$300	Not Applicable
Level Three			
First Offence	4.3	\$100	\$50
Second Offence	4.3	\$200	Not Applicable
Third Offence	4.3	\$300	Not Applicable
Level Four			
First Offence	4.4	\$250	Not Applicable
Second Offence	4.4	\$500	Not Applicable
Third Offence	4.4	\$1,000	Not Applicable

SCHEDULE 9

PUBLIC NUISANCE ABATEMENT BYLAW No. 838, 2018

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Cause a nuisance, camp in unauthorized areas, or use profane, obscene, abusive or grossly insulting language, gestures or displays	3.1	\$150	\$100
Impede or obstruct a person or vehicle	3.2	\$150	\$100
Deposit or throw bottles, broken glass, litter or other rubbish	3.3	\$150	\$100
Place graffiti on walls, fences or other surfaces	3.5	\$250	\$200
Urinate or defecate on <i>highway</i> or in <i>public place</i>	3.6	\$150	\$100
Deface, damage or destroy property in <i>public place</i>	3.7	\$250	\$200
Solicitation	3.8	\$50	\$25
Use streams, lakes or rivers for personal cleansing or washing laundry or dishes	3.9	\$150	\$100

Fourth & Final Readings - October 16, 2018

SCHEDULE 10

ANIMAL CONTROL BYLAW No. 839, 2018

CONTROL OF DOGS

OFFENCE	SECTION	FINE	REDUCTION - if paid within 30 days
Licensing of Dogs (Unlicensed Dogs)	1.1		
First Offence		\$75	\$50
Second Offence		\$100	Not Applicable
Third Offence		\$150	Not Applicable
Fourth Offence		\$300	Not Applicable
Responsibility of Owners– Dog Control	2		
First Offence		\$50	\$25
Second Offence		\$75	Not Applicable
Third Offence		\$100	Not Applicable
Fourth Offence		\$150	Not Applicable

BACKYARD HEN KEEPING

OFFENCE	SECTION	FINE	REDUCTION - if paid within 30 days
Backyard Hen Keeping without a Permit	9.2		
First Offence		\$50	\$25
Second Offence		\$75	Not Applicable
Third Offence		\$100	Not Applicable
Fourth Offence		\$150	Not Applicable
General Regulations – Backyard Hen Keeping	12		
First Offence		\$50	\$25
Second Offence		\$75	Not Applicable
Third Offence		\$100	Not Applicable
Fourth Offence		\$150	Not Applicable

SCHEDULE 11

PARKING AND TRAFFIC CONTROL BYLAW No. 840, 2018

Part 3: GENERAL REGULATIONS

OFFENCE	SECTION	FINE	REDUCTION - If paid within 30 days
Non-compliance with an officer	3.1(a)	\$100	Not Applicable
Remove Notice from vehicle, unless Owner or operator of that vehicle	3.1(b)	\$100	Not Applicable
Deface, paint, mark or damage a highway	3.1(c)	\$1,000	Not Applicable
Obstruct or damage traffic control device	3.1(d)	\$100	Not Applicable
Camping on a highway	3.1(e)	\$ 50	\$25
Park overnight to sleep in vehicle	3.1(f)	\$ 50	\$25
Abandoned a vehicle	3.1(g)	\$100	Not Applicable

Part 4: General Parking and Stopping Prohibitions

Section 4.1 - Stop, Stand or Park Vehicle or Trailer

OFFENCE	SECTION	FINE	REDUCTION – If paid within 30 days
Within 6 m of any fire hydrant	4.1(a)	\$30	Not Applicable
In an area designated as a: <ul style="list-style-type: none"> • fire lane • No parking zone • No stopping zone • loading zone 	4.1(b)(i) 4.1(b)(ii) 4.1(b)(iii) 4.1(b)(iv)	\$30 \$30 \$30 \$30	Not Applicable
In a disabled parking zone	4.1(c)	\$50	Not Applicable
Adjacent to a curb that is painted yellow	4.1(d)	\$30	Not Applicable
On a crosswalk	4.1(e)	\$30	Not Applicable
Within six (6) m of a crosswalk	4.1(f)	\$30	Not Applicable
So as to interfere with the normal flow of traffic	4.1(g)	\$30	Not Applicable
On a sidewalk, boulevard, shoulder or trail	4.1(h)	\$30	Not Applicable
Obstruct a driveway, lane, or right of way	4.1(i)	\$30	Not Applicable
Within 6 metres of any traffic control device	4.1(j)	\$30	Not Applicable
On a highway/shoulder for the purpose of: <ul style="list-style-type: none"> • Displaying a vehicle for sale • Displaying signs • Advertising, washing, greasing, repairing, wrecking or storing a vehicle or trailer except where necessitated by an emergency • Selling any goods or services 	4.1(k)(i) 4.1(k)(ii) 4.1(k)iii 4.1(k)iv	\$30 \$30 \$30 \$30	Not Applicable
On a highway except on the right-hand side; no further than thirty (30) centimeters from the <i>curb</i> or if there is no <i>curb</i> , from the edge of the roadway	4.1(l)	\$30	Not Applicable
In the opposite direction of on-coming traffic	4.1(m)	\$30	Not Applicable

In contravention of any sign or other traffic control device	4.1(n)	\$30	Not Applicable
For a period longer than seventy-two (72) hours	4.1(o)	\$30	Not Applicable
In front of a barricade used to block off a roadway or access to a roadway	4.1(p)	\$30	Not Applicable
In a public park, except in designated areas	4.1(q)	\$30	Not Applicable
On highway - no licence plate	4.1(r)i	\$30	Not Applicable
On highway – no valid insurance decal	4.1(r)ii	\$30	Not Applicable
On the roadway side of another vehicle (double parked)	4.1(s)	\$30	Not Applicable
Area reserved for bus, taxi or loading	4.1(t)	\$30	Not Applicable
Within a cycle lane	4.1(u)	\$30	Not Applicable
Over time limit parking	4.1(v)	\$30	Not Applicable
Vehicle weight exceeds 5,500 kilograms	4.1(w)	\$30	Not Applicable
Contravention of winter parking restrictions	4.2	\$30	Not Applicable

Part 5: Motor Vehicle Idling

OFFENCE	SECTION	FINE	REDUCTION – If paid within 30 days
Idling motor over 3 minutes	5.1	\$30	Not applicable

Part 6: Time-Limit Parking

OFFENCE	SECTION	FINE	REDUCTION – If paid within 30 days
Time limit Parking	6.1	\$30	Not Applicable

Part 7: Parking Lots

OFFENCE	SECTION	FINE	REDUCTION – If paid within 30 days
Parking in Village lot contrary to restrictions	7.1(a)	\$30	Not Applicable
During time period posted regulations designate the parking lot as no parking zone	7.1(b)	\$30	Not Applicable
Extends into the roadway beyond markings delineating the parking space	7.1(c) (i)	\$30	Not Applicable
Occupies more than one parking space	7.1(c)(ii)	\$30	Not Applicable
For a period longer than 72 hours	7.1(c)(iii)	\$30	Not Applicable
For camping	7.1(c)(iv)	\$50	\$25
During winter parking restrictions	7.1(c)(v)	\$30	Not Applicable

Part 8: Nuisance and Obstruction

OFFENCE	SECTION	FINE	REDUCTION – If paid within 30 days
Cause nuisance, foul or damage	8.1 (a) (i-iv)	\$30	Not Applicable
Cause accumulation of litter or discarded materials	8.1 (b)	\$30	Not Applicable
Cause discharge or escape of fuel or Noxious substance	8.1 (c)	\$500	Not Applicable
Interference with the passage due to placement of garbage or recycling container	8.1 (d)	\$30	Not Applicable

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SCHEDULE 12

BUSINESS LICENCE BYLAW No. 842, 2018

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Resident Business without Business Licence	6.2		
First Offence		\$ 75	Not Applicable
Second Offence (1 week after 1 st offence)		\$150	Not Applicable
3 rd Offence (1 week after 2 nd offence)		\$300	Not Applicable
Subsequent Offences		\$450	Not Applicable
Non-Resident Business without Business Licence	6.3		
First Offence		\$ 75	Not Applicable
Second Offence (1 week after 1 st offence)		\$150	Not Applicable
3 rd Offence (1 week after 2 nd offence)		\$300	Not Applicable
Subsequent Offences		\$450	Not Applicable
Failure to Provide Access	7.1	\$150	\$125
Failure to Display Valid Licence	11.2		
First Offence		\$ 75	\$50
Second Offence (1 week after 1 st offence)		\$150	Not Applicable
3 rd Offence (1 week after 2 nd offence)		\$300	Not Applicable
Subsequent Offences		\$450	Not Applicable
Carrying on Business while Suspended	13.5		
First Offence		\$150	Not Applicable
Second Offence (1 week after 1 st offence)		\$300	Not Applicable
3 rd Offence (1 week after 2 nd offence)		\$450	Not Applicable
Mobile Vendor without Business Licence	14.4 (d)		
First Offence		\$300	Not Applicable
Second and Subsequent Offences		\$450	Not Applicable
Short-Term Vacation Rental Advertising without a Business Licence	21.1(b)	\$600	Not Applicable
Short-Term Vacation Rental failure to display business licence number in advertisements	21.1(c)	\$ 75.00	Not Applicable

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SCHEDULE 13

SMOKING REGULATIONS BYLAW No. 843, 2018

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Areas of Smoking Prohibition (Personal)	3.1 & 3.2	\$100	\$50
Areas of Smoking Prohibition (Responsible Person)	3.1 & 3.2	\$200	\$100
Sign Requirements	4.1	\$100	\$50
Remove or deface Sign	4.2	\$100	\$50
Interfere with or Obstruct Enforcement Officer	6.1	\$300	\$200

Fourth & Final Readings - October 16 2018

SCHEDULE 14

CROSS CONNECTION CONTROL BYLAW No. 844, 2018

OFFENCE	SECTION	FINE	REDUCTION – if paid within 30 days
Fails to eliminate a <i>Cross Connection</i> or control a <i>Cross Connection</i> by the Installation of a Backflow Preventer upon given notice.	7.2	\$ 500	Not Applicable
Fails to inspect and test an Approved Backflow Prevention Assembly, using a backflow assembly tester, upon installation, after repair and then every consecutive twelve (12) month period thereafter.	8.2	\$ 200	Not Applicable
Where a Person removes a Backflow Preventer from a plumbing system without prior written consent of the Water Operator or Building Official	8.4	\$ 200	Not Applicable
Where an Owner or Occupant Fails to repair and retest an Approved Backflow Preventer in the time period specified in a notice issued by the Village. .	8.5	\$ 200	Not Applicable
Where a Person connects to a fire hydrant, stand pipe or other temporary water connection without using an Approved Backflow Prevention Assembly and without obtaining a hydrant or temporary water use permit.	9.1.2 & 9.1.3	\$ 200	Not Applicable
Where an Owner or Occupant creates a direct connection with a non-potable auxiliary water system without the approval by the Water Operator.	10	\$ 500	Not Applicable

VILLAGE OF PEMBERTON

BYLAW No. 846, 2018

Permissive Tax Exemption for Pemberton & District Search and Rescue

A Bylaw to Provide for a Permissive Tax Exemption for the Pemberton & District Search and Rescue

WHEREAS pursuant to Section 224 (2) (a) of the *Community Charter*, the Council may by bylaw, exempt certain land, improvements or both from taxation;

AND WHEREAS it is deemed advisable to enact a new bylaw granting exemption to the Pemberton & District Search and Rescue;

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

1. The land hereinafter described and the improvements thereon which are set apart and in use for not for profit activities, are hereby exempt from taxation under Section 224 (2) (a) of the *Community Charter* for ten (10) year period from 2019 – 2028:

(a) District Lot 4769, Land District 27, Neighborhood Code 560560

2. This Bylaw may be cited for all purposes as the “Village of Pemberton Tax Exemption (Pemberton Search & Rescue) Bylaw No. 846, 2018.”

NOTICE OF INTENTION TO PROVIDE a Permissive Tax Exemption to the Pemberton Search and Rescue was **PUBLISHED IN** the Pique Newsmagazine on September 20, 2018 and September 27, 2018.

READ A FIRST TIME this 2nd day of October, 2018.

READ A SECOND TIME this 2nd day of October, 2018.

READ A THIRD TIME this 2nd day of October, 2018.

ADOPTED this ____th day of _____, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer



Pamela Goldsmith-Jones

Member of Parliament
West Vancouver - Sunshine Coast - Sea to Sky Country

September 25, 2018

Village of Pemberton
Box 100
Pemberton, BC
V0N 2L0

Dear Mayor and Council

I am very pleased to let you know that the Community, Culture and Recreation (CCR) funding stream for British Columbia is now open for applications. The CCR stream will fund infrastructure projects to improve access to and quality of cultural, recreational and community spaces. The deadline is January 23, 2019. Further details can be found here:

<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/investing-in-canada-infrastructure-program/community-culture-recreation>

I am also pleased to announce that the Rural and Northern Communities (RNC) funding stream for British Columbia is open for applications. The RNC stream targets capital infrastructure projects in communities with a population of 25,000 or less and provides additional funding towards projects in communities with populations of 5,000 or less. The deadline to apply is January 23, 2019. Further details can be found here: <https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/investing-in-canada-infrastructure-program/rural-northern-communities>

For further information or assistance, please contact our staff team who is here to assist you:

In Ottawa, Morgan McCullough: pam.goldsmith-jones.a2@parl.gc.ca

In West Vancouver-Sea to Sky Corridor, Ravneet Minhas: pam.goldsmith-jones.c1c@parl.gc.ca

On the Sunshine Coast, Lucie McKiernan: pam.goldsmith-jones.c1b@parl.gc.ca

It is very helpful to us if you could please copy our office on your application submission.

Sincerely,

Pamela Goldsmith-Jones, M.P.
West Vancouver-Sunshine Coast-Sea to Sky Country

Confederation Building, Room 583 | 6367 Bruce Street
Ottawa, ON K1A 0A6 | West Vancouver, BC V7W 2G5
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Village of Pemberton
Regular Council Meeting No. 1478
Tuesday October 16 2018

From: Kuharic, Rhea MCF:EX <Rhea.Kuharic@gov.bc.ca>

Sent: October 4, 2018 2:03 PM

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

Subject: Letter from the Honourable Katrine Conroy, Minister of Children and Family Development

Ref: 239103

His Worship Mayor Mike Richman and Council

Village of Pemberton

E-mail: admin@pemberton.ca

Dear Mayor Richman and Council:

As Minister of Children and Family Development, I am honoured and delighted to once again proclaim October as Foster Family Month in British Columbia. It is the month that we acknowledge and celebrate foster caregivers for their invaluable support and commitment to children and youth placed in their care.

Foster Family Month is a marvelous opportunity to show our appreciation and thank caregivers for their incredible kindness and generosity in sharing their homes and their lives with vulnerable children and youth in care.

Since commencing my role as Minister, I have had the opportunity to travel around the province and meet with many amazing foster caregivers, as well as former and current children and youth in care. I have been continually struck by the strength of character and depth of commitment in these caregivers. They undertake heroic work which often goes unrecognized, and I invite you to help ensure these families know their work is appreciated.

The Ministry of Children and Family Development and Delegated Aboriginal Agencies provide supports and services for approximately 6,500 children and youth in care across British Columbia. Government relies on foster caregivers to provide day-to-day stability, care and support to these young people.

I encourage you to get involved – take time to host, celebrate, and participate in Foster Family Month appreciation events in your community. Please join me in recognizing the important role of foster caregivers. Extend a heartfelt thank you, express your gratitude, and acknowledge and recognize the commitment and hard work of these remarkable individuals, and their families.

A new provincial recruitment campaign was launched on October 1, 2018, and will conclude March 31, 2019. In combination with regional recruitment events, the provincial foster caregivers' recruitment campaign ensures that the ministry continues to support a vibrant and growing community of foster caregivers to meet the needs of British Columbia's children and youth in care into the future.

The campaign consists of social and digital media, radio public service announcements, and a new, streamlined Web site, FosterNow.ca, with a direct recruitment focus. The messaging emphasizes success stories of real foster families and former youth in care and how foster caregivers have supported young people to achieve their full potential.

On behalf of the Government of British Columbia, thank you for your continued recognition and support of foster caregivers in your community who care for this province's children and youth in care.

Sincerely,

Original Signed by

Katrine Conroy

Minister of Children and Family De



October 4, 2018

Mayor and Council
Village of Pemberton
PO Box 100
Pemberton BC V0N 2L0

Dear Mayor and Council:

The Province will be able to issue licences for the retail sale of non-medical cannabis on or after October 17, 2018, and we are currently in the process of assessing the applications that have been submitted to us.

Our consultations with local governments indicated you wanted to ensure that the needs of your communities were considered as part of the licensing process. We would like to take this opportunity to explain the important role local governments have in cannabis licensing.

It will be up to each municipality to determine if and where non-medical cannabis can be sold, and whether it is sold in private or government stores, or a mixture of both.

Once an application is received by the provincial government and it is deemed to contain the required information, the Province will notify the respective local government of the area where the proposed store is located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application in progress because the Province cannot issue a licence unless the local government gives a positive recommendation that the licence be issued)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence.

If the local government makes a recommendation to deny the application then the Province may not issue the licence, and if a recommendation in favour of the application is made, then the Province has discretion whether or not to issue the licence, but must consider the local government's recommendation in the decision whether to issue a licence.

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Mayor and Council
Page 2

The Province will notify local governments about applications in the order that they are confirmed as complete. This ensures that you will have all the information you need to begin your process of making a recommendation.

We would also like to remind local governments that they may delegate the recommendation decision to staff.

We invite you to review the enclosed Local Government's Role in Licensing Cannabis Retail Stores for detailed information that will help you navigate the recommendation process. If after reviewing this information you have any questions, please email Cannabis.Licensing@gov.bc.ca.

Thank you for your consideration in this important new process.

Yours truly,



David Eby, QC
Attorney General



Mike Farnworth
Minister of Public Safety
and Solicitor General

Enclosure

pc: Chief Administrative Officer



Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores

If you have any questions about this document, please contact the Liquor and Cannabis Regulation Branch toll-free at 1-866 209-2111, or email cannabisregs@gov.bc.ca. NOTE: This document will be updated from time to time as additional information surrounding the regulatory framework for cannabis retail sales becomes available. (Last updated 28 September, 2018)

Non-medical cannabis retail licence

The province will be issuing licences for non-medical cannabis retail stores. A cannabis retail store must be a standalone business. This licence requires input and a positive recommendation from a local government in whose area the proposed store is located.

The province recognizes the importance of ensuring carefully regulated access to non-medical cannabis in all areas of the province, including rural areas.

As a first step, the province will open opportunities to apply for regular retail licences. Once the regional distribution of retail non-medical cannabis stores is known, the province will consider issuing licences to service rural or remote areas that are not sufficiently served by existing retail cannabis stores.

The role of local governments in the cannabis retail store licensing process

Applicants for a non-medical cannabis retail store licence must submit a licence application to the LCRB. When an application is received, the LCRB will notify the local government of the area where the proposed store will be located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application in progress because the LCRB cannot issue a licence unless the local government gives the LCRB a positive recommendation that the licence be issue)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence. Note that:
 - if the local government chooses to make a comments and recommendation on the licensee's application to the LCRB, it must gather the views of residents
 - if it makes a recommendation to deny the application then the LCRB may not issue the licence
 - if it makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence, but must consider the local government's recommendation.

Local Governments (municipalities, regional districts or Islands Trust local trust committees) have some or all of the following regulatory powers in respect of cannabis retail store licences:

- Impose restrictions in its zoning bylaws regarding the location of cannabis retail stores
- Regulation of business (municipalities only): by terms and conditions in its business licensing bylaw, a municipality may limit the hours that cannabis retail stores can operate or impose other conditions such specifications regarding signage
- Charge the applicant fees if choosing to assess an application.

The above process applies to all relocations of existing cannabis retail stores.

Gathering residents' views

If the local government decides to consider the notice of application and to provide comments and recommendations as to the location of the proposed retail store, it must gather the views of residents of the area if the location of the proposed store may affect nearby residents. It may gather resident's views by using one or more of the following methods:

- Receiving written comment in response to a public notice of the application
- Conducting a public hearing in respect of the application
- Holding a referendum, or
- Using another method the local government considers appropriate.

It is up to the local government to determine the area, relative to the licensee's application, where resident's views must be gathered.

Please note: Gathering the views of residents of the area/providing a recommendation to the LCRB must be unique to each provincial licence application. In other words, past recommendations cannot be used in a new licensing process. Each individual application must be considered separately by the local government.

What must the local government's recommendation include?

The recommendations and comments the local government provides to the LCRB must:

- be in writing (this may or may not be in the form of a resolution)
- show that the local government has considered the location of the proposed store
- include the views of the local government on the general impact on the community if the application is approved
- include the views of residents if the local government has gathered residents' views, and a description of how they were gathered
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based.

The local government should also provide any supporting documents referenced in their comments.

What if the local government does not want to provide a recommendation?

If a local government does not want to accept the notice of application and provide a recommendation for the proposed retail location, they should notify the LCRB. A licence for a cannabis retail store will not be issued without a positive recommendation from a local government. If a response is not received, LCRB will not consider the application any further.

What if the recommendation does not meet the regulatory requirements?

If the recommendation does not meet the regulatory requirements, the LCRB will ask the local government to provide new or amended comments that address outstanding issues.

How long does the local government have to provide comments?

Unlike in the process for liquor licensing, local governments are not required to provide a recommendation on a cannabis retail store application within a specific time period. Please note that delays in the application process can have a significant impact on the applicant. If the applicant is the reason for the delay, please notify the LCRB. If the applicant is not trying to move an application forward, the application can be cancelled.

Can the local government recommend approval subject to certain conditions?

In some circumstances, the local government can recommend that the LCRB approve the application as long as certain restrictions (e.g. hours of operation) are placed on the licence. In these situations, the recommendation should clearly explain the rationale for placing restrictions.

If the local government intends to request that the LCRB impose terms and conditions on a licence, prior to sending such a recommendation the local government should consult with the LCRB so that the LCRB can determine whether it has the authority to impose the requested terms and conditions before finalizing their conditional recommendation.

The local government may also have the ability to impose other operating rules on the proposed store through the terms and conditions of the applicant's business licence, zoning or bylaw. The local government is responsible for enforcing these rules.

Floor Plans

Applicants must submit a floor plan with their licence application for approval so the LCRB can identify store features such as sales, storage and delivery areas. Unlike for some kinds of liquor licence applications, local governments are not required to provide occupant load stamps or approve the applicant's floor plans as part of the provincial licensing process for cannabis retail stores.

A municipal council or regional district board can delegate authority to their staff to provide comments and a recommendation to the LCRB

A municipal council or regional district board may delegate its powers and duties to provide comments and a recommendation to the LCRB regarding a cannabis retail store licence application. If a council or board has delegated this authority, a cannabis retail store applicant may ask for comments and recommendations made by delegated staff to be reconsidered by the local government.

Council as defined in the Vancouver Charter:

A Council, as defined in the *Vancouver Charter*, choosing to delegate to its staff must establish procedures for a reconsideration of comments and recommendations made by delegated staff, including how a cannabis retail store applicant may apply for reconsideration. In undertaking a reconsideration, the Council will have the same authority as it delegated to staff.

Right of reconsideration:

Delegated local government staff must advise the cannabis retail store licence applicant that the applicant has the right of reconsideration of the staff's recommendation by the council or board.

How local governments inform the LCRB of delegation:

A local government that has delegated authority to staff should send a copy of the delegation to the LCRB at Cannabis.Licensing@gov.bc.ca.

Revised
September
2018

October 3, 2018

Village of Pemberton Mayor and Council
PO Box 100
7400 Prospect St., Pemberton, BC V0N 2L0

Resort Municipality of Whistler Mayor and Council
4325 Blackcomb Way
Whistler, BC V8E 0X5

SLRD Board of Directors
1350 Aster St
PO Box 219, Pemberton, BC V0N 2L0

Re: Funding for New Regional Transit System

Dear Board and Councils:

This is to inform you that at the October 2, 2018 Regular Business Meeting Council passed the following motions:

THAT the Squamish-Lillooet Regional District ("SLRD") support a Regional Transit System for the Sea-to-Sky Corridor and the implementation of a motor fuel tax in the Sea-to-Sky corridor in order to assist with the funding of a Regional Transit system. The Board directs staff to write a letter to the Minister of Transportation and Infrastructure Claire Trevena and Minister of Finance Carole James requesting that the Province implement this tax on the effective date of a Sea-to-Sky Regional Transit System. The Sea-to-Sky communities are supportive of a Commission Model of Governance for the Regional Transit System in accordance with a Memorandum of Understanding between the Lil'wat Nation, Squamish Nation, District of Squamish, Resort Municipality of Whistler, Village of Pemberton and SLRD (electoral areas C & D).

The District of Squamish requests that the Squamish-Lillooet Regional District utilize up to \$50,000 from the Operational Surplus Reserve of approximately \$71,000 in the Regional Transit Planning and Infrastructure Service (Cost Centre #3201) to engage someone or an entity to further the work on the Regional Transit System - the Sea to Sky Corridor funding model / MOU. The scope / Terms of Reference for this work would be agreed upon by the parties to the MOU, as well as which party will be the primary manager of the contract (and how communication would work between the partners).

Sincerely,



Linda Glenday, CAO
District of Squamish



OCT 02 2018

His Worship
Mayor Mike Richman
Village of Pemberton
7400 Prospect Street
Pemberton BC V0N 2L0

Reference: 279876

Dear Mayor Richman,

Re: Thank you for meeting at UBCM 2018

Thank you for taking the time to meet with me at the recent Union of British Columbia Municipalities (UBCM) Convention in Whistler. I was glad to have the opportunity to discuss your support for cycling safety improvements, the Pemberton One Mile Creek Bridge, and your interest in alternate accesses to the Village and pedestrian access to the lake in Pemberton. Also, thank you for your kind words regarding the ministry's men and women and the service they provide.

The yearly UBCM gathering is a pivotal opportunity for us to come together with local leaders and look at how we can foster positive partnerships and innovative solutions to meet the transportation needs of people around the province. I am always impressed by the outstanding level of passion and dedication shown by elected representatives like yourself, who go above and beyond to make a positive impact in their communities.

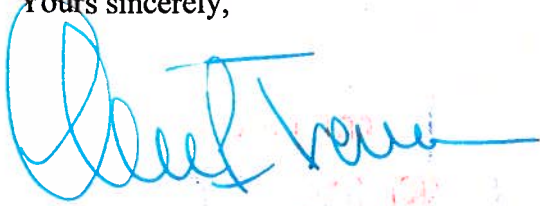
I know we share the goal of ensuring British Columbians have access to the transportation infrastructure and services they rely on to support economic growth and social development within their communities. By continuing to work together, I am confident we can succeed in delivering the improvements people want and continuing to uphold our commitment to transportation excellence.

I have asked local ministry staff to follow up with your office directly to discuss the topics you raised in more detail. If you have any questions or concerns in the meantime, please do not hesitate to contact District Manager Thomas Chhun directly by telephone at 604 527-2228 or by email at Thomas.Chhun@gov.bc.ca, as he would be pleased to assist you.

.../2

Thank you again for taking the time to meet with me.

Yours sincerely,



Claire Trevena
Minister

Copy to:

Grant Main, Deputy Minister

Deborah Bowman, Assistant Deputy Minister
Transportation Policy and Programs Department

Kevin Richter, Assistant Deputy Minister
Highways Department

Kirk Handrahan, Executive Director
Marine Branch

Thomas Chhun, District Manager
Lower Mainland District

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*

Date: October 16, 2018

To: Nikki Gilmore, Chief Administrative Officer

From: Lisa Pedrini, Senior Planner

Subject: Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018

PURPOSE

The purpose of this report is to present to Council for their consideration an amendment to Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 to clarify the Conditions of Use attached to permitting Retail Cannabis Sales establishments in the C-1 Zone.

BACKGROUND

On October 2, 2018, at their Regular Meeting No. 1447, Council adopted a Policy to guide decision making on Non-Medical (Recreational) Cannabis Retail Sales use in the Village of Pemberton and gave First and Second Reading to Zoning Bylaw No. 832, 2018, Amendment Bylaw (Cannabis, Retail) No. 847, 2018. As such, the following resolutions were passed:

Moved/Seconded

THAT Council endorses the Village of Pemberton Non-Medical (Recreational) Cannabis Retail Policy.

CARRIED

OPPOSED: Councillor Helmer

Moved/Seconded

THAT Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 be given First and Second Reading as amended to adjust the setback noted in subsection 2 (b)(ii) from 100 metres to 150 metres;

CARRIED

Moved/Seconded

THAT Staff arrange for a Public Hearing for Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 for Tuesday, October 16 at 7:00pm.

CARRIED

DISCUSSION/COMMENTS

Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 defines the difference between *Cannabis, Retail*, and *Cannabis, Dispensary*, and amends the Zoning Bylaw to permit '*Cannabis Retail*' in the Town Centre Commercial (C-1) zone under the following Condition of Use:

Cannabis, Retail is not permitted:

(a) within one hundred and fifty (150) metres of the nearest property line of a site containing a School, Community Centre, Library, Daycare, Skate Park, BMX Track or other youth-oriented facility.

While the Non-Medical (Recreational) Cannabis Retail Policy establishes a maximum of two (2) Cannabis Retail businesses at any one time; Zoning Amendment Bylaw No. 847, 2018 at Second Reading does not currently specify this as a Condition of Use (**Appendix A**). In order to provide this needed clarity to the Zoning Bylaw, Staff proposes a small amendment to the Zoning Amendment Bylaw to specifically include a *Condition of Use* that the total number of Cannabis Retail businesses permitted at any one time not exceed two (2) (**Appendix B**).

This amendment should be considered following the close of the Public Hearing.

COMMUNICATIONS

Notification of a Public Hearing for Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 was posted in the Pique Newsmagazine on Thursday, October 4, 2018 and Thursday, October 11, 2018. The notification requirements as established pursuant to section 466 of the *Local Government Act* have been met.

LEGAL CONSIDERATIONS

Consideration of Zoning Amendments meets with the legislation as set out in the *Local Government Act*.

IMPACT ON BUDGET & STAFFING

Preparation of the zoning amendment has been facilitated in-house.

INTERDEPARTMENTAL IMPACT & APPROVAL

The development of a policy and an amending bylaw has involved the departments of Operations & Development Services and Corporate and Legislative Services. The Office of the CAO has facilitated the communications elements associated with policy development and advertising of the Public Hearing.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are no impacts to the region or neighbouring jurisdictions.

OPTIONS FOR CONSIDERATION

Option 1 (recommended): Support the amendment as presented by Staff and give the Bylaw Third and Fourth Reading, as amended.

Option 2: Do not support the amendment and give the Bylaw Third and Fourth Reading.

Option 3: Another option as directed by Council.

POTENTIAL GOVERNANCE CONSIDERATIONS

The consideration of this matter is in alignment with Strategic Priority Two: Good Governance, whereby the Village is committed to citizen engagement and being an open and accountable government.

RECOMMENDATIONS

First Recommendation:

THAT Council gives Third Reading to Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018, as amended.

Second Recommendation:

THAT Council gives Fourth Reading to Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018.

Attachments:

Appendix A: Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 at Second Reading

Appendix B: Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 for Public Hearing, as Amended

Submitted by:	Lisa Pedrini, Senior Planner
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

VILLAGE OF PEMBERTON

BYLAW No. 847, 2018

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018

WHEREAS pursuant to Section 137 of the *Community Charter* a Council may amend its Zoning Bylaw from time to time;

AND WHEREAS the Council of the Village of Pemberton deems it desirable to permit Recreational Cannabis Retail Sales in its Town Centre Commercial (C-1) Zone;

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

1. CITATION

This Bylaw may be cited as “Village of Pemberton Zoning Bylaw No. 832, 2018 Zoning Amendment (Cannabis, Retail) Amendment Bylaw No. 847, 2018”.

2. Village Zoning Bylaw No. 832, 2018 be amended as follows:

a) Part 3: Definitions:

i. by adding the following in correct alphabetical order:

“**Cannabis, Dispensary** means a use of buildings or structures, in which the use of cannabis for medicinal purposes is advocated, sold or consumed, and includes a Compassion Club.”

“**Cannabis, Retail** means a use of buildings or structures, licensed under provincial authority for the retail sale of non-medical (recreational) cannabis and/or non-medical (recreational) cannabis containing products for consumption off-premises.”

b) Section 15.1. Commercial, Town Centre (C-1)

i. By adding ‘**Cannabis, Retail**’ to the list of Permitted Principal Uses in 15.1.1., as (c) and re-lettering all subsequent uses.

ii. By adding the following Conditions of Use relevant to **Cannabis, Retail**:

- **Cannabis, Retail** is not permitted:
 - (a) within one hundred and fifty (150) metres of the nearest property line of a site containing a School,

Community Centre, Library, Daycare, Skate Park, BMX Track or other youth-oriented facility.

READ A FIRST TIME this 2nd day of October, 2018.

READ A SECOND TIME this 2nd day of October, 2018.

NOTICE OF PUBLIC HEARING for Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment Bylaw (Cannabis, Retail) Amendment Bylaw No. 847, 2018 PUBLISHED IN THE Pique Newsmagazine on this day of, 2018 and on this day of, 2018.

PUBLIC HEARING HELD this day of, 2018.

READ A THIRD TIME this day of, 2018.

ADOPTED this day of, 2018.

Mayor
Mike Richman

Corporate Officer
Sheena Fraser

VILLAGE OF PEMBERTON

BYLAW No. 847, 2018

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018

WHEREAS pursuant to Section 137 of the *Community Charter* a Council may amend its Zoning Bylaw from time to time;

AND WHEREAS the Council of the Village of Pemberton deems it desirable to permit Recreational Cannabis Retail Sales in its Town Centre Commercial (C-1) Zone;

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

1. CITATION

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a) Part 3: Definitions:

i. by adding the following in correct alphabetical order:

“**Cannabis, Dispensary** means a use of buildings or structures, in which the use of cannabis for medicinal purposes is advocated, sold or consumed, and includes a Compassion Club.”

“**Cannabis, Retail** means a use of buildings or structures, licensed under provincial authority for the retail sale of non-medical (recreational) cannabis and/or non-medical (recreational) cannabis containing products for consumption off-premises.”

b) Section 15.1. Commercial, Town Centre (C-1)

i. By adding ‘**Cannabis, Retail**’ to the list of Permitted Principal Uses in 15.1.1., as (c) and re-lettering all subsequent uses.

ii. By adding the following Conditions of Use relevant to **Cannabis, Retail**:

(a) **Cannabis, Retail** is not permitted within one hundred and fifty (150) metres of the nearest property line of a site containing a School, Community Centre, Library,

Daycare, Skate Park, BMX Track or other youth-oriented facility.

(b) Not more than two (2) Cannabis, Retail uses will be permitted at any one time.

READ A FIRST TIME this 2nd day of October, 2018.

READ A SECOND TIME this 2nd day of October, 2018.

NOTICE OF PUBLIC HEARING for **Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment Bylaw (Cannabis, Retail) Amendment Bylaw No. 847, 2018 PUBLISHED IN THE Pique Newsmagazine** on this 4th day of October, 2018 and on this 11th day of October, 2018.

PUBLIC HEARING HELD this day of , 2018.

READ A THIRD TIME this day of , 2018.

ADOPTED this day of , 2018.

Mayor
Mike Richman

Corporate Officer
Sheena Fraser