

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

Agenda for the **Regular Meeting** of Council of the Village of Pemberton to be held Tuesday, April 2, 2019 at 5:30 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1490.

“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	
a) Regular Council Meeting No. 1489, Tuesday, March 19, 2019	5
Recommendation: THAT the minutes of Regular Council Meeting No. 1489, held Tuesday, March 19, 2019, 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	11
a) Advisory Design Review Commission Draft Meeting Minutes – March 14, 2019.	
Recommendation: THAT the Advisory Design Review Commission DRAFT meeting minutes, dated March 14, 2019, be received for information.	
8. DELEGATIONS	
There are no Delegation presentations.	
9. REPORTS	
a) Office of the Chief Administrative Officer	
i. CAO Verbal Report:	
a) ICBC Application for Crosswalk Lights at Signal Hill Elementary	
b) Emergency Operations Centre Improvements funding	
ii. Crabapple Tree Removal and Replacement Project Update	17
Recommendation: THAT the Crabapple Tree Removal and Replacement Project Update be received.	

b) **MAYOR'S Report**

c) **COUNCILLORS' Reports**

10. BYLAWS

a) **Bylaw for First and Second Reading**

- i) **Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 862, 2019** 24

Recommendation: THAT the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 862, 2019 be given First and Second Reading.

And THAT Council provide direction on holding a Public Hearing.

b) **Bylaws for First, Second and Third Reading**

NOTE: Due to a delay in receiving the Revised Roll from the BC Assessment Authority the following Bylaws will be provided on Monday, April 1.

- i) **2019-2023 Five Year Finance Plan Bylaw No. 857, 2019** 166

Recommendation: THAT the 2019-2023 Five Year Financial Plan Bylaw No. 857, 2019 be given First, Second and Third Readings.

- ii) **2019 Tax Rates Bylaw No. 858, 2019** 174

Recommendation: THAT the 2019 Tax Rates Bylaw No. 858, 2019 be given First, Second and Third Readings.

- iii) **Water Frontage Tax Amendment Bylaw No. 859, 2019** 176

Recommendation: THAT the Water Frontage Tax Amendment No. 859, 2019 be given First, Second and Third Readings.

- iv) **Sewer Frontage Tax Amendment Bylaw No. 860, 2019** 177

Recommendation: THAT the Sewer Frontage Tax Amendment No. 860, 2019 be given First, Second and Third Readings.

- v) **2019 Sewer Rates Bylaw No. 861, 2019** 178

Recommendation: THAT the Sewer Rates Amendment No. 861, 2019 be given First, Second and Third Readings.

11. CORRESPONDENCE

a) **For Action**

- i. **Gail Talbot, Committee Member, Pemberton Red Devils Alumni Association, request for donation to support the Day of the Devils annual fundraising event on Saturday April 27, 2019, in support of Pemberton Secondary School's sports teams.** 181

Recommendation: THAT Council provide direction with respect to a contribution.

- ii. **Golf Tournament Planning Committee, Rotary Club of Pemberton and Pemberton & District Chamber of Commerce, request for donation and participation at the 2019 annual golf tournament on Friday June 7th.** 182

Recommendation: THAT Council provide direction.

- iii. **Courtney Marchment, Village of Pemberton, dated March 26, 2019, expressing concerns regarding the Village's Animal Control Bylaw.** 185

Recommendation: THAT Council refer the Bylaw to Staff for review.

b) For Information

- i. **Thomas Barnes, Municipal Insurance Association of BC, dated March 14, 2019, recognizing the Village for winning an Excellence in Risk Management Award.** 189

- ii. **Lisa Helps, Mayor, City of Victoria, dated March 13, 2019, forwarding Victoria City Council's resolution supporting observed inhalation sites for overdose prevention.** 190

- iii. **Lisa Helps, Mayor, City of Victoria, dated March 13, 2019, forwarding Victoria City Council's resolution supporting revitalizing Island Rail.** 192

- iv. **Lisa Helps, Mayor, City of Victoria, dated March 13, 2019, forwarding Victoria City Council's resolution supporting a safer drug supply in British Columbia.** 194

- v. **Lisa Helps, Mayor, City of Victoria, dated March 13, 2019, forwarding Victoria City Council's resolution supporting shifting investment to low-emission transportation.** 196

- vi. **Lisa Helps, Mayor, City of Victoria, dated March 13, 2019, forwarding Victoria City Council's resolution supporting protection of old growth forests.** 197

- vii. **Lisa Helps, Mayor, City of Victoria, dated March 13, 2019, forwarding Victoria City Council's resolution in support of promoting and enabling greenhouse gas reductions.** 199

- viii. **Sherry Ridout, Citizens for Safe Technology, dated March 25, 2019, providing a press release in favour of community-owned fiber optic cable.** 200

- ix. **Phillip Germuth, Mayor, District of Kitimat, dated March 25, 2019, seeking support for graduated licensing for motorcycles.** 202

- x. **Tracy Takahashi, Deputy Corporate Officer, City of Port Moody, received March 27, 2019, forwarding City of Port Moody Council resolutions regarding greenhouse gas limits.** 204

Recommendation: THAT the above correspondence be received for information.

12. DECISION ON LATE BUSINESS

13. LATE BUSINESS

14. NOTICE OF MOTION

15. QUESTION PERIOD

214

16. IN CAMERA

THAT pursuant to Section 90 (1) (c) Labour Relations and (g) Litigation 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. ADJOURNMENT

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

Minutes of the Regular Meeting of Council of the Village of Pemberton held on Tuesday, March 19, 2019 at 9:00 a.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1489.

IN ATTENDANCE: Mayor Mike Richman
Councillor Ted Craddock
Councillor Leah Noble
Councillor Ryan Zant

ABSENT Councillor Amica Antonelli

STAFF IN ATTENDANCE: *Nikki Gilmore, Chief Administrative Officer
Sheena Fraser, Manager of Corporate & Legislative Services
Lena Martin, Manager of Finance & Administration
Jill Brooksbank, Senior Communications & Grant Coordinator
Elysia Harvey, Legislative Assistant

Public: 2

*attended by phone

1. CALL TO ORDER

At 9:05 a.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. ADOPTION OF MINUTES

a) Regular Council Meeting No. 1488, Tuesday, March 5, 2019

Moved/Seconded
THAT the minutes of Regular Council Meeting No. 1488, held Tuesday, March 5, 2019 be adopted as circulated.
CARRIED

4. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING

There was no business arising.

5. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE MEETING

There was no business arising.

6. COMMITTEE MINUTES – FOR INFORMATION

There were no Committee Minutes presented.

7. DELEGATIONS

There were no Delegations.

8. REPORTS

a) Corporate and Legislative Services

i. Lower Mainland Local Government Association – Resolutions for Consideration

Request for First Nations participation on Commissions

Moved/Seconded

THAT the following resolution be submitted for consideration by the Lower Mainland Local Government Association (LMLGA):

WHEREAS the Village of Pemberton, in partnership with the regional district, other local governments, and First Nations in the Sea to Sky area are working collaboratively to develop a regional transit commission to establish a regional transit system to connect Mt. Currie to Metro Vancouver;

AND WHEREAS the current provincial transit commission model does not allow for representation from First Nations which does not allow for an equal representation or an equitable decision making platform process;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia amend the legislation respecting the representation on commissions to include First Nations.

CARRIED

Request for Non-Treaty First Nations eligibility for emergency preparedness grant funding through UBCM

Moved/Seconded

THAT the following resolution be submitted for consideration by the Lower Mainland Local Government Association (LMLGA):

WHEREAS the Village of Pemberton, in partnership with the regional district, and First Nation in the Pemberton Area are working collaboratively on emergency preparedness and response initiatives;

AND WHEREAS in order to identify and prepare response and put in place mitigation measures, significant costs are associated with the work;

AND WHEREAS UBCM offers grant funding through the Community Emergency Preparedness Fund for such initiatives that are available to local governments, but not to Non-Treaty First Nations;

THEREFORE BE IT RESOLVED THAT UBCM [or the Province of BC or both] amend the eligible applicants to include Non-Treaty First Nations.

CARRIED

Moved/Seconded

THAT the resolutions regarding the request for Non-Treaty First Nations eligibility for emergency preparedness grant funding through UBCM and request for First Nations participation on Commissions be provided to appropriate local government and First Nations partners in the Sea to Sky Corridor for their information.

CARRIED

b) MAYOR'S Report

Mayor Richman reported on the following meetings and events:

- The Pemberton Secondary School Senior boys and girls basketball teams competed and did well at the provincial basketball tournament in Abbotsford.
- Attended a meeting with Susan Chapelle, former Squamish Councillor, regarding cannabis micro processing and production.
- The Village's Downtown Enhancement Project Open House will be taking place on Tuesday, March 26, from 5-7pm.

- M.P. Pamela Goldsmith-Jones will be holding a local meet and greet on March 28th, 2019.

c) COUNCILLOR Reports

Councillor Antonelli

Councillor Antonelli was absent.

Councillor Craddock

Councillor Craddock suggested that a Pemberton /Lil'wat Joint Council meeting be arranged.

Moved/Seconded

THAT an invitation be extended to Lil'wat Council for a joint Council Meeting at a time that is convenient.

CARRIED

Councillor Noble

Councillor Noble reported on the Pemberton Valley Trails Association meeting and noted that use of the Community Barn for an upcoming event was discussed.

Councillor Zant

Councillor Zant reported on the following:

- Pemberton Valley Utilities & Services Meeting
- Tourism Pemberton marketing strategy
- Extended thanks to Staff for the letter that went out regarding the Village's memorial crabapple trees

9. BYLAWS

There were no Bylaws for reading or adoption.

10. CORRESPONDENCE

a) For Action

- i. Tom Ralphs and Janice McWilliam, Pemberton Self Storage owners, dated March 13, 2019, regarding taxation concerns at the Industrial Park.**

Moved/Seconded

THAT the correspondence be referred to Staff for response.

CARRIED

b) For Information

- i. Lisa Helps, Mayor, City of Victoria, dated March 6, 2019, advising of Victoria City Council's resolution in support of a surtax on vacant properties to local governments.**
- ii. Lisa Helps, Mayor, City of Victoria, dated March 7, 2019, requesting other local governments' consideration and support of Victoria City Council's resolution to support recovering municipal costs arising from climate change.**
- iii. Lisa Helps, Mayor, City of Victoria, dated March 7, 2019, advising of Victoria City Council's resolution to support allowing Permanent Residents to vote in BC municipal elections.**
- iv. Lisa Helps, Mayor, City of Victoria, dated March 7, 2019, advising of Victoria City Council's resolution advocating a Universal Healthy School Food Program supported by the provincial government.**
- v. Pamela Goldsmith-Jones, Member of Parliament, received March 8, 2019, regarding the Federal Lands Initiative.**
- vi. Arjun Singh, President, Union of BC Municipalities, providing the Province's response to Village of Pemberton Council's resolution from 2018.**

Moved/Seconded

THAT the above correspondence be received for information.

CARRIED

11. DECISION ON LATE BUSINESS

There was no late business for consideration.

12. LATE BUSINESS

There was no late business.

13. NOTICE OF MOTION

There was no notice of motion.

14. QUESTION PERIOD

Sandy Ryan, Village of Pemberton, inquired about the appropriate contact at the Village office to direct questions regarding tax assessments.

Joel Barde, Pique Newsmagazine, requested to speak with Mayor Richman following the Council meeting.

15. ADJOURNMENT

Moved/Seconded

THAT the Regular Council Meeting be adjourned.

CARRIED

At 9:48 a.m. the Regular Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

**VILLAGE OF PEMBERTON
ADVISORY DESIGN REVIEW COMMISSION MINUTES**

Minutes for the Advisory Design Review Commission of the Village of Pemberton held Thursday March 14, 2019 at 6:00 pm, at 7400 Prospect Street.

MEMBERS IN ATTENDANCE: Lisa Ames
Jacaranda Kruckewitt (Chamber Representative)
Allie Shiell
Brian Dorgelo

ABSENT MEMBERS: Caroline McBain
Annie Oja

STAFF IN ATTENDANCE: Nikki Gilmore, Chief Administrative Officer (CAO)
Lisa Pedrini, Senior Planner (minutes)
Cameron Chalmers, Planning Contractor
Andrew Robertson, ISL Landscape Architect

PROJECT REPRESENTATIVES:

DPm Pemberton Hotel
Dennis Maguire, Architect
De En De, Bison Group (Pemberton Hotel)
Olga Prokopenko, Pemberton Hotel Manager

GENERAL PUBLIC: 0

ORIENTATION

At 6:06 pm Cameron Chalmers, Contract Planner, facilitated an orientation session for the new members and a refresher for others. The Presentation outlined the role of the ADRC (advisory capacity not decision-making), expected decorum, consensus-based decision making, formulating resolutions, format of development application review, and how ADRC recommendations are handled by Staff.

The Commission meeting format will be as follows:

- a) Staff Presentation
- b) Questions of Clarification

- c) Applicant Presentation
- d) Go around the table twice to give individual Commission members to ask questions of the Applicant or Staff
- e) Formulate Resolution.
- f) Mover, Seconder and Vote (“All in Favour”?)

1) CALL TO ORDER AND ELECTION OF CHAIR

At 6:20 pm the meeting was called to order. A round of introductions was made. Election of Chair took place, as no nominations were received, volunteers were sought. Lisa Ames volunteered to act as Chair for 2019.

Moved/Seconded

THAT Lisa Ames be appointed Chair of the ADRC for 2019.

CARRIED

2) APPROVAL OF THE AGENDA

Lisa Pedrini, Senior Planner requested that item no. 7 – Presentation of Downtown Enhancement Plan - be moved ahead to item no. 4.

Moved/Seconded

THAT the agenda be approved as amended to move item No. 7, Downtown Enhancement Plan presentation to follow the adoption of the minutes.

CARRIED

3) MINUTES

Moved/Seconded

THAT the minutes of the Advisory Design Review Commission Meeting, held Wednesday, November 21, 2018, be approved as presented.

CARRIED

4) PRESENTATION OF THE DOWNTOWN ENHANCEMENT PROJECT

Nikki Gilmore, CAO, presented an overview of the Downtown Enhancement Project explaining the purpose is to rehabilitate roads, improve walkability and create storm water management in the Downtown. The project consists of new paving, installing pervious paving surfaces on Frontier Street South, decommissioning the failing asbestos concrete watermain in John Currie Lane and replacing it with PVC piping, creating green infrastructure such as detention ponds, bioswales in order to recycle and reduce run-off, installing sidewalks, street trees and new lighting to improve pedestrian safety. Gilmore advised that as this is an infrastructure project it is exempt from the Development Permit requirements.

Gilmore presented a project timeline which shows the work beginning with mobilization on March 26, 2019 and a phased approach by street, with an overall project deadline of October 31, 2019.

Discussion took place regarding the following:

- Timing of the proposed Fougberg Park parking lot development: Gilmore explained that completing the Downtown Enhancement Project is the priority. Once the enhancement project is complete, Staff will be in a better position to assess the need for additional parking spaces. If it is determined that there is a need to consider more parking spaces in the downtown core, the development of a small parking lot at Fougberg Park would be considered through the Development Permit process which will include referral to the ADRC and a Public Information Session.
- Project Budget
- Electric Car charging stations in the Downtown: Staff advised that the project does not contemplate charging stations but that two new charging stations are proposed for the Village's Park and Ride, planned for the parking lot to be located on Lot 13 – the future Agricultural Park next to Signal Hill Elementary.
- Vision of the Detention Ponds: Andrew Robertson, ISL Engineering, explained that these will basically be vegetated basins with plantings and boulders within; on the south side of Birch the smaller detention pond will be 1.2 m deep to meet pipe elevations; on the north side in front of the barn, the pond will be 2.5 m deep to contain the cistern. The purpose of these detention ponds is to allow natural stormwater infiltration, and reuse the water for irrigation purposes.

5) MINOR DEVELOPMENT PERMIT: DPm113 Pemberton Hotel – Prospect Street

Lisa Pedrini, Senior Planner, provided the background on the application and advised that the applicants were applying for a minor Development Permit in order to make exterior improvements to the Pemberton Hotel to facilitate six new Hotel Rooms and a Cannabis Retail Store. The exterior changes include new windows and doors, new shingle cladding to the rear exterior application to match the existing North Wall and landscaping at the rear to screen the parking lot.

Ms. Pedrini introduced Dennis Maguire, Architect for the Pemberton Hotel project, to further present the changes and rationale to the ADRC.

Discussion took place respecting the following:

- The small size of some hotel rooms. It was explained that the Architect had to work within the constraints of the load bearing pillars and this limited the dimensions of some of the hotel rooms
- The question was raised as to whether hotel rooms constitute habitable space and if this is impacted by the Flood Construction Level (FCL). Staff advised that normally commercial space is not held to the same occupancy standard as a dwelling unit, unless the Village of Pemberton had a special policy, but this will be confirmed. The Architect noted that if a flood were to occur, occupants could vacate and would not risk the type of personal damage experienced by a home owner. The owner of the Hotel would incur the damage, rather than the hotel guest(s).¹
- It was noted that the height of the stairs to each building entrance is 14” above the sidewalks. Staff will determine if the FCL is impacted.
- It was noted that the proposal calls for screening in the form of a landscaped buffer at the rear of the building, but there is no landscaping proposed at the front of the building. Staff noted that the Hotel frontage is at 0m of the property line and therefore any landscaping would have to be located on the municipal right-of-way (sidewalk), which is being widened and will include a utility strip with new trees being planted as part of the Downtown Enhancement Project taking place this year.
- The additional hotel rooms located at the front of the property do not allow for much separation from room to street, similar to a motel and the front is rather stark being devoid of plantings. The Architect explained that he is working with existing structural openings and has designed the entrances to be recessed into the building to allow an interior landing.
- Would the changes impact the amount of required parking? Pedrini explained that given the age of the building and since the original footprint of the building has not been extended, the parking is grandfathered under a previous bylaw. Maguire also noted that the required number of parking spaces for a hotel room is one (1) per room, which is less than the required number of parking spaces for retail space per square metre.

Moved/Seconded

THAT the ADRC recommends that the Interim Manager of Development Services approve the Minor Development Permit (DPm) No. 113 to facilitate exterior improvements to the Pemberton Hotel based on the following conditions:

1. Submission of a satisfactory landscaping plan including details of the proposed irrigation;

¹ STAFF NOTE: It has been confirmed that hotel rooms are considered habitable space by the Village’s Chief Building Official.

2. Submission of a quote & bonding in the amount of 120% of the cost of installing the landscaping improvements;
3. Confirmation from Staff that the hotel room portion of the project either meets the flood construction level (FCL) or is exempt (not considered habitable space under the Building Code).

CARRIED

6) MAJOR DEVELOPMENT PERMIT – Preliminary Review Harmony Reach Village (Mixed Use Development) - Wye Lands

Cameron Chalmers, Planning Consultant, provided information and background on the proposed mixed use development in the Town Centre zone. The property is known as the Wye Lands and is located at the terminus of Prospect, Pioneer and Frontier Streets, and the developable portion is bounded by the CN Railway ROW and the Pemberton Creek dyke. A Major DP application was received in January 2019. An earlier iteration of the proposal was returned to the applicant as the design was not prepared by a Registered Architect in the Province of BC (as required by the *Architects Act*.)

The DP has been referred to internal and external stakeholders but is not yet ready for full ADRC referral. At this time, Staff is presenting the proposal to the ADRC for information and preliminary review comments. The Planning Consultant presented a slide show showing the proposed site plan, building elevations and landscape plan.

Discussion took place respecting the following:

- How much commercial space is required by the Zoning Bylaw? This development appears to focus more on townhouses than commercial uses. Micro-commercial would be a new concept for Pemberton and would suit lone business people (accountants, bookkeepers, office use, massage therapy, etc.)
- The density of the project (80 units) seems reasonable given the size of the property but not in its present form.
- The lack of different building typologies is concerning, need a better mix of unit types.
- There must be a better way to place the buildings on the land to respond to the shape of the property and take into account the context of the site. Something “less blocky”.
- Having one robust playground / communal greenspace / centre courtyard would be better than having three small play areas that appear to be sited on left-over bits of land.
- Driveway aprons and exterior parking close to the units are essential to the Pemberton lifestyle as everyone stores their “toys” in the garage.

- Difficult to determine who the target market for the project is – are these geared toward low income families? Will they be marketed as affordable housing? Marketing support would be helpful to understand the Pemberton market better.

Moved/Seconded

THAT the Advisory Design Review Committee recommends to Council that Staff continue to work with the applicant to advance the Development Permit Application, with particular regard to the following recommendations before formal consideration by the ADRC:

1. Reconsider massing of townhouse blocks, the linear orientation and lack of articulation of buildings;
2. Include a range of unit types and building typologies;
3. Revisit communal greenspace and consolidate smaller spaces into one large space to serve the entire neighbourhood;
4. Consider solar orientation for buildings and public spaces;
5. Consider driveway parking;
6. Consider a range of materials;
7. Additional details and consideration of architectural features;
8. Reconsider buildings' architectural approach to something that is authentic to Pemberton;
9. Focus on livability and the Pemberton lifestyle.

CARRIED

7) NEW BUSINESS

There was no new business.

8) NEXT MEETING

Ms. Pedrini suggested the Commission members set a monthly standing date for the ADRC meeting, to avoid conflicts. If there were no items the meeting could be cancelled. Staff will bring this item back for full ADRC discussion at the next meeting. In the meantime, Staff will conduct a Doodle Poll to find a suitable date for the next meeting.

ADJOURNMENT

At 8:31pm the meeting was adjourned.

Lisa Ames
Chair

Date: Tuesday, April 2, 2019
To: Nikki Gilmore, Chief Administrative Officer
From: Jill Brooksbank, Sr. Communications & Grants Coordinator
Subject: Crabapple Tree Removal and Replacement Project Update

PURPOSE

The purpose of this report is to provide an update on the crabapple trees removal and related communications.

BACKGROUND

The Crabapple Memorial Treeway was conceived by Mayor Shirley Henry to honour community members past and present for their contributions and dedication to Pemberton and area. The Treeway was started on Earth Day in 1990 when the Village maintenance crew and Mayor Henry planted the first tree in honour of the Mayor's first grandson. The remaining Trees were planted by community members and donors in two phases; May 11, 1991 and May 15, 1992. One hundred crabapple trees were planted during the two phases.

As the trees matured over the years, the crabapple harvest increased. In 2014, Stewardship Pemberton Society (SPS) began the Feasting for Change Crabapple Tree Project, which saw nearly one tonne of crabapples picked by SPS's volunteers and community members in its first year. The Society used the crabapples to make crabapple jelly, with proceeds going back into Feasting for Change program. This program continued to be successful for both fundraising for SPS and to manage the fruit harvest from the trees. However, despite the efforts to keep up with the picking, bear activity in this area increased, resulting in several public complaints to the Conservation Officer Service. As a result, the Service issued three notices of non-compliance between 2002 and 2018, in addition to a Dangerous Wildlife Protection Order in 2002.

In October 2018, the Village received a final Notice of Non-Compliance which requires the Village to:

- Remove all Ornamental and Non-Ornamental Crab Apple Trees located on Portage Rd, Pemberton
- OR
- To secure Ornamental and Non-Ornamental Crab Apple Trees located on Portage Rd, Pemberton by either:
 - Installation of electric fencing
 - Removal of all fruit from trees as soon as trees bear fruit yearly.

Staff carefully reviewed the above three options and determined that electric fencing could cause public safety concerns and would not be cost effective. Picking the fruit had also proven not to be effective as the harvest was too large. Ultimately, it was determined that removal of the trees was most feasible.

DISCUSSION & COMMENTS

In an effort to ensure those honoured with a memorial tree continue to be recognized and to preserve the aesthetics of Portage Street's streetscape, the Village will be replacing the crabapple trees with a non-fruit bearing species of tree, that, once grown, will provide a welcoming entrance to Pemberton's downtown. Additionally, the Village will erect permanent site signage with the tree recipient names, and will explore options for repurposing the wood from the trees that are removed.

The Village plans to undertake this project this Spring, with tree removal to commence in early April' tree replacement will commence shortly thereafter. To offset the costs of the tree replacement, the Village applied for, and received funding in the amount of \$5,000 from the Tree Canada/BC Hydro Fund.

Staff received several inquiries regarding the cost of transplanting the crabapple trees. Public Works obtained a quote for \$3,000 per tree, for a minimum removal of four trees. It was indicated that many of the trees are not able to be removed via transplanting due to their location under the hydro lines.

COMMUNICATIONS

Due to the nature of this project, Staff has put considerable effort into reaching out to the community and known tree recipients or their family to notify them of this project. The Village issued a Letter to Memorial Crabapple Tree Recipients (see Appendix A) and sent an email directly to known tree recipients. The letter was also published on the Village's website, Facebook, in the eNews, and also sent to the Village's community group email list.

LEGAL CONSIDERATIONS

There are no legal, legislative or regulatory considerations at this time.

IMPACT ON BUDGET & STAFFING

A total of \$30,000 has been allocated in the 2019 budget to undertake the removal of the crabapple trees. In March 2019, the Village was awarded \$5,000 from Tree Canada/BC Hydro fund for planting new trees.

INTERDEPARTMENTAL IMPACT & APPROVAL

The crabapple tree removal and related communications fall within the day-to-day tasks of the departments of Operations and Office of the CAO and can be accommodated.

Interdepartmental Approval by:	Nikki Gilmore, Interim Operations Manager
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IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are not impacts on other jurisdictions.

ALTERNATIVE OPTIONS

There are no alternative options for consideration.

POTENTIAL GOVERNANCE CONSIDERATIONS

The removal of the crabapple trees is aligned with the Village of Pemberton’s Strategic Priority Four: Social Responsibility, whereby the Village strives to create a strong and vibrant community, recognizing the importance and benefits of healthy, engaged citizens as well as an accessible and well-managed natural environment.

RECOMMENDATIONS

THAT the Crabapple Tree Removal and Replacement Project Update be received.

ATTACHMENTS:

- Appendix A: Letter to Memorial Crabapple Tree Recipients and Family Members
- Appendix B: Conservation Officer Service Notice of Non-Compliance dated October 19, 2018.

Prepared	Jill Brooksbank, Sr. Communications & Grants Coordinator
Manager Approval:	Nikki Gilmore, Chief Administrative Officer



Village of PEMBERTON

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March 18, 2019

Dear Crabapple Tree Recipient or Family Member,

The crabapple trees that line Portage Road in honour of our past and current community members have created a welcoming gateway to downtown, and more importantly, paid tribute to locals who have had a personal impact on the people who have lived here or who have contributed to the betterment of Pemberton.

The trees have also been the source of Stewardship Pemberton's Crabapple Project; an important fundraising initiative which greatly assisted the Village in the maintenance of the trees, while reducing the bear attractants in this very busy area.

Unfortunately, even with the success of the Crabapple Project and the continual efforts to keep up with the removal of crabapples, bear activity in this area has increased due to the habitual nature of our area bears. This in turn has resulted an increase in human wildlife conflicts and safety concerns for residents and students walking to and from school.

In October 2018, the Village of Pemberton received a 'Letter of Non-Compliance' (the Notice) from the Province of BC's Conservation Officer Service (the Service) stating that the Village must take immediate and appropriate action to ensure the Village does not continue to operate in contravention of the *BC Wildlife Act* by removing all ornamental and non-ornamental crabapple trees located along Portage Road, or by installing electric fencing around the trees.

The Notice (attached) states that the Service has received numerous complaints with respect to bears feeding on both the ornamental and non-ornamental trees, and that the bears pose a safety risk and could be destroyed if they continue to return to this area. Therefore regrettably, the Village must remove the trees.

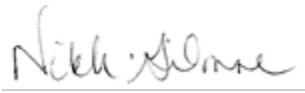
However, to ensure those honoured with a memorial tree continue to be recognized and to preserve the aesthetics of Portage Street's streetscape, the Village will be planting new non-fruit bearing species, that, once grown, will provide a welcoming entrance to Pemberton's downtown. Additionally, the Village will erect site signage with the tree recipient names and will explore options for repurposing the wood from the trees that are removed.

The Village plans to undertake this project this Spring, with tree removal to commence in April. Tree replacement will commence shortly after removal in May. To offset the costs of the tree replacement, the Village applied for, and received funding from Tree Canada/BC Hydro Fund. Due to the nature of this project, we are making every effort to contact each tree recipient or their family to notify them of this project. We encourage you to share this letter with anyone you know who has a memorial tree, or has obtained one in honour of a family/community member. We greatly appreciate your assistance with sharing this information.

Should you have any questions regarding this project, we encourage you to contact Jill Brooksbank at the Village of Pemberton at 604.894.6135 x230 or at jbrooksbank@pemberton.ca.

Yours Sincerely,

VILLAGE OF PEMBERTON

A handwritten signature in black ink, appearing to read "Nikki Gilmore", enclosed within a thin black rectangular border.

Nikki Gilmore
Chief Administrative Officer



British Columbia

RECEIVED
OCT 19 2018
VILLAGE OF PEMBERTON

October 19th, 2018

File # 201807657

Attention: Village of Pemberton
Box 100, 7400 Prospect Street, Pemberton, BC V0N 2L0

RE: Notice of Non-Compliance

This letter is to address concerns the Conservation Officer Service has in regards to the Ornamental and Non Ornamental Crab Apple Trees located on Portage Rd, Pemberton, BC. The Conservation Officer Service has previously addressed non-compliance with the Village of Pemberton in regards to the Crab Apple Tree attractants on;

- October 2, 2002
- September 7, 2010
- September 6, 2018

A Dangerous Wildlife Protection Order was also issued to the VOP on 2002-10-21.

Conservation Officers have received numerous public complaints in regards to bears feeding on these trees including both ornamental and non-ornamental. The Conservation Officer Service understands the importance of these memorial trees to the community however this wildlife attractant has a significant risk to safety of the residents and visitors of Pemberton.

The above incidents are in non-compliance with the following legislation:
Wildlife Act section 33.1 (2) – Attract dangerous wildlife to land or premises.

The Wildlife Act defines "**attractant**" as any of the following:

(a) Food or food waste, compost or other waste or garbage that could attract dangerous wildlife;

The Conservation Officer Service is concerned with bears becoming food conditioned and habituated to people as a result of being attracted to this highly populated area. Every year, bears are destroyed because they pose a public safety risk or they cause significant damage to property.

It is compulsory that you take immediate and appropriate action to ensure that the Village of Pemberton does not continue to operate in contravention of the BC Wildlife Act. To this end, the Village of Pemberton is required to:

- Remove all Ornamental and Non Ornamental Crab Apple Trees located on Portage Rd, Pemberton
OR
- To secure Ornamental and Non Ornamental Crab Apple Trees located on Portage Rd, Pemberton. Securing the Ornamental and Non Ornamental fruit trees would be by one of the following;
 - Installing of electric fencing
 - Removal of **all** fruit from trees **as soon as** trees bear fruit yearly.

For your reference, a copy of the Wildlife Act can be found at the following web address:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96488_01

Please be advised that this letter should not be received as a waiver of any violations and is without prejudice to any further legal action that the Conservation Officer Service may take under the BC Wildlife Act.

If you have any questions or wish to discuss this matter further, please contact, Conservation Officer Brittany Mueller at: 604-966-1028

Sincerely,



Brittany Mueller
Conservation Officer
Ministry of Environment and Climate Change Strategy
Brittany.Mueller@gov.bc.ca

pc:

Sgt. Simon Gravel, Conservation Officer Service, Ministry of Environment,
Simon.Gravel@gov.bc.ca

Inspector Murray Smith, Conservation Officer Service, Ministry of Environment,
Murray.J.Smith@gov.bc.ca

Date: April 2, 2019

To: Nikki Gilmore, Chief Administrative Officer

From: Lisa Pedrini, Manager of Development Services
Cameron Chalmers Consulting, Contract Planner

Subject: General Housekeeping Text Amendments to Zoning Bylaw No. 832, 2018

PURPOSE

The purpose of this report is for Council to consider Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 862, 2019, to make Village initiated text amendments to Zoning Bylaw No. 832, 2018. The changes are necessary to address errors and omissions and further clarify various sections of the Zoning Bylaw.

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. As such, at the Regular Meeting No. 1476, held September 4 2018, Staff brought forward amendments to the Sunstone and The Ridge Amenity Zones and to the Comprehensive Development (CD-5) Zone that pertains to Tiyata and as a result Council passed the following resolution:

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

At the Regular Meeting No. 1478, held October 16, 2018, Council passed the following resolutions:

Moved/Seconded

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

CARRIED

Moved/Seconded

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.

CARRIED

Moved/Seconded

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

CARRIED

DISCUSSION & COMMENTS

Since the Zoning Bylaw was adopted in July 2018 and amended in October 2018, Staff has been monitoring minor inconsistencies, noting interpretation issues and making a list of suggested changes to improve, clarify and update existing regulations. It appears that in translating the information to the new Zoning Bylaw No. 832, 2018, some information was inadvertently omitted or erroneous. The majority of the amendments proposed are intended to reflect the zoning entitlements that existed before the introduction of Zoning Bylaw 832, 2018.

Staff feels that in order to ensure the continued effectiveness of the Village's Zoning Bylaw, at this time it is necessary to address a number of various and sometimes unrelated issues in one amendment bylaw. All the proposed modifications are relatively minor and are therefore considered to be housekeeping in nature.

The specific details of the proposed housekeeping amendments, along with the Staff rationale, have been described in a table attached as **Appendix A**. A copy of the tracked changes version of the Consolidated Zoning Bylaw is attached as **Appendix B**.

A copy of Zoning Amendment Bylaw No. 862, 2018 which itemizes all the proposed changes in a Bylaw format, is being presented for Council's consideration of First and Second Reading and Waiving of a Public Hearing. This 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, Council may consider waiving the Public Hearing advertising this decision as per the *Local Government Act*.

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 all zones.

Staff advise that the 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 Development Services department and has 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

Option 1 (recommended): Support the proposed housekeeping amendments included in Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 862, 2019 as presented by Staff and give First and Second Reading to the Bylaw, pass a resolution to waive the Public Hearing and direct staff to advertise this decision as per the *Local Government Act*;

Option 2: Support the proposed amendments included in Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 862, 2019 as presented by Staff and direct Staff to arrange for a Public Hearing for the Bylaw to be held in Council Chambers on Tuesday April 23, 2019 at 7:00pm;

Option 3: Another Option as directed by Council.

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

THAT the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 862, 2019 be given First and Second Reading.

THAT Council provide direction on holding a Public Hearing.

Attachments:

- Appendix A: Table Summarizing Amendments and Rationale
- Appendix B: Tracked changes version of Zoning Bylaw No. 832, 2018
- Appendix C: Zoning Bylaw No.832, 2018, Amendment (Housekeeping) Amendment Bylaw No. 862, 2019, as amended.

Prepared by:	Lisa Pedrini, Manager of Development Services Cameron Chalmers, Contract Planner
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

APPENDIX A

Part / Section	Page/Sub-Section	Change	Rationale
PART 3: Definitions			
<i>Adventure Tourism Business</i>	p. 13	Add definition of "Adventure Tourism Business"	To add a definition in keeping with the uses permitted at the Adventure Ranch
<i>Combined Commercial Residential</i>	p. 19	Add definition of "Combined Commercial Residential"	To continue to define this use, as previously defined under Zoning Bylaw No. 466, 2001
<i>Composting Facility</i>	p. 20	Add definition of "Composting Facility"	Omission: Every term noted as a permitted use in the Zoning Bylaw requires a definition
<i>Farm Stand</i>	p. 22	Add definition of "Farm Stand"	Omission: Every term noted as a permitted use in the Zoning Bylaw requires a definition
<i>Forestry</i>	p. 23	Add definition of "Forestry"	To clarify the meaning of forestry as it applies to the CWP-1 and RES – 1 Zone
<i>Mixed Use Building</i>		Amendment (add "residential" to the definition of Mixed Use Building; and change the reference numbering	To add clarity & consistency with 4.7 Floor Area explanation
<i>Public Parking Lot</i>		Add a definition of a "Public Parking Lot"	To add clarity as it refers to a civic use proposed as permitted in all zones
PART 4: Measurements and Calculations			
<i>Gross Floor Area</i>	4.9 (b)	Replace the word "side" with the word "face"	To add clarity on how to calculate GFA for energy efficient (i.e., passive house) construction
<i>Projections into Required Setback and Exceptions to Siting Requirement</i>	4.13 (a) (viii)	Replace the word "uncovered" with "permanent" in reference to swimming pools	To add clarity
PART 5: Establishment of Zones			

Zone Names	5.3	Add corresponding Numbers behind Zones names	Omission
<i>Zone Names</i>	5.3	Add two Zones that were erroneously omitted - Resource 1 (RES-1) and Community Watershed Protection 1 (CWP-1)	Omission
PART 6: General Regulations			
Uses Permitted in All Zones	6.3 (a)(xvii)	Add "Public Parking Lot" to the list of uses permitted in all zones	Add clarity
PART 7: Additional Zoning Regulations for Certain Uses			
Accessory Residential Dwelling	7.3 (a)(ii)	To add language to specify that only the Industrial 1 (M-1) zone is allowed up to four (4) accessory residential dwellings per lot	Add clarity (there is now more than one Industrial zone, and this use is not permitted in M-2 (Resource Industrial 2))
Bed and Breakfast	7.8	To add language to make the sentence easier to interpret	To add clarity
Bed and Breakfast Inn	7.9	To add language to make the sentence easier to interpret	To add clarity
Combined Commercial Residential	7.11	Add regulations for <i>Combined Commercial Residential Use</i>	To specify the regulations of this use, identical to the regulations under Zoning Bylaw No. 466, 2001
Fences	7.15	Remove the terms " <i>Screening and Retaining Walls</i> "	Regulations for Screening and Retaining Walls are covered under separate sections (7.22 & 7.21, respectively)
Short-Term Vacation Rental	7.24 (a)(iii)	Add the words " <i>three (3) bedrooms accommodating</i> " to the third bullet	To clarify the maximum number of bedrooms as well as guests
Temporary Use Permits	7.27 (a)	Add " <i>institutional</i> " to the list of zones where temporary use permits may apply	To broaden the Village's ability to consider temporary

			uses in Civic and Institutional Zones
Above-Ground Swimming Pools, Spas and Hot Tubs	7.30 (i)(ii)(iv)	Delete language referring to restricting the siting within side and rear setbacks, the maximum height of pool, and the maximum parcel coverage of such uses	To avoid being overly prescriptive with respect to these uses
PART 8: Parking and Loading Requirements			
Industrial Parking Requirements	8.5 (l)	Replace the word "Aggregate" with "Resource"	Consistency of terms
Industrial Parking Requirements	8.5 (p) and (q)	Add parking requirements for two Industrial uses to the Industrial Table	Error Correction – these two industrial uses were misplaced under Civic and Institutional Uses
Industrial Parking Requirements	8.6 (g) and (h)	Delete parking requirements for two Industrial uses from the Civic, Institutional and Recreation Table	Error Correction – these two industrial uses were misplaced under Civic and Institutional Uses
PART 10: Agricultural Zones			
A-1 Agriculture 1 Permitted Principal Uses	10.1.1	Addition of "Farm Residence (subject to Conditions of Use and <i>Adventure Tourism Business (subject to Conditions of Use)</i> to the list of Permitted Principal Uses	To allow the Adventure Ranch to be permitted the same uses they had under SLRD Area C Zoning Bylaw No. 765, 2002, TC-1 Zone
A-1 Permitted Accessory Uses	10.1.2 (b)(c) (g)	Addition of " <i>Subject to Conditions of Use</i> " language to several accessory uses	To clarify that these accessory uses are subject to conditions listed in 10.1.3
A-1 Conditions of Use	10.1.3 (b)	Replace the word "house" with "residence" as in " <i>Farm Residence</i> " (instead of Farm House)	Consistency of terminology
A-1 Conditions of Use	10.1.3 (e)	Addition of Site Specific Conditions of Use for " <i>Adventure Tourism Business</i> " to limit the	Omission – correction to recognize long standing permitted uses on the Adventure

		size of a permitted guest lodge to a maximum of 40 guests and 1,500 m ² .	Ranch property as per SLRD Area C Zoning Bylaw No. 765, 2002. These conditions of use equate to the conditions placed on the Non-Farm Use Permission as per the still intact ALC decision (Resolution #465, 2002). The property was incorporated into the Village in 2011 and these uses continued until the adoption of Bylaw 832, 2018.
PART 11: Residential Zones, Detached			
R-1 / Residential – 1 Building Regulations (Conditions of Use)	11.1.5	Addition of language to regulate the interior lot lines setbacks in the R-1 Zone	Omission; correction to match previous Zoning Bylaw
R-2 / Small Lot Residential 2 Permitted Accessory Uses	11.2.5	Addition of Conditions of Use to limit size of an Accessory Building in the Small Lot Zone	Omission; correction to match previous Zoning Bylaw
RC-1 / Residential Country Inn 1 Permitted Principal Uses / Permitted Accessory Uses	11.4.1 / 11.4.2	Addition of “ <i>Bed and Breakfast Inn</i> ” to list of Permitted Principal Uses; Removal of <i>Bed and Breakfast Inn</i> from the list of the Permitted Accessory Uses	Bed and Breakfast Inn is a Principal Use, not an Accessory Use in the Residential Country Inn Zone
MHP-1 Mobile Home Park 1 Building Regulations	11.5.5	Add Accessory Building Setbacks & Maximum Lot Coverage	Omissions; corrections to match previous Zoning Bylaw
PART 12: Residential Zones, Multi-Family			
RM-1 Multi-Family Residential 1	12.1.4	Addition of Minimum Lot Width	Omission; correction to match previous Zoning Bylaw
RM- 1 Multi-Family Residential 1	12.1.5	Addition of language to add Accessory Building Setbacks	Correction to distinguish setbacks for Principal vs Accessory Buildings in the RM-1 zone
PART 15: Commercial Zones			

C-1 Town Centre Commercial 1 Principal Permitted Uses	15.1.1(v)	Addition of " <i>Combined Commercial Residential</i> " (subject to site specific Conditions of Use) to the list of Permitted Principal Uses in the C-1 Zone. [This use would apply only to the Wye Lands.]	The former Zoning Bylaw No. 466, 2001 permitted " <i>Combined Commercial Residential</i> " use in the C-1 Zone. The term was changed to <i>Mixed Use Building</i> under the new Bylaw. The Village erroneously omitted this use and wishes to continue to permit the former use, on a site specific basis, as defined & regulated under Bylaw No. 466, 2001, in keeping with staff conversations regarding this proposal which began under the former Bylaw.
C-3 Portage Road Commercial 3	15.3.1 (d)	Add "Dwelling Unit, Townhouse/Stacked Townhouse" to the list of Permitted Principal Uses	Omission
C-3 Portage Road Commercial 3	15.3.1 (h) and 15.3.3 (b)	Delete reference to "Conditions of Use"	Correction. Subject to Part 7, Additional Zoning Regulations, not Conditions of Use
C-5 Portage Road Commercial 3	15.5.1 (i)	Replace " <i>Commercial Residential</i> " with " <i>Mixed Use Building</i> "	Consistency of Terminology
PART 16: Industrial and Airport Zones			
M-1 Industrial Park	16.1.1 (bb), (jj) and (pp)	Add "Pet Grooming", "School, Vocational or Craft" and "Wholesale Bakery" to the list of Permitted Principal Uses in the M-1 Zone	Omissions; corrections to match previous Zoning Bylaw
M-1 Industrial Park	16.1.5 (c) and (e)	Change the <i>Minimum Rear Setback</i> and <i>Exterior Side Setback</i> from 7.5 m to 3 m	Corrections to match previous Zoning Bylaw

M-2 Resource Industrial	16.2.1 (c)	Add "Log Home and Prefabricated Home Construction Assembly" to the list of Permitted Principal Uses	Omission; correction to match previous Zoning Bylaw
M-2 Resource Industrial	16.2.3 (a)	Replace the wording pertaining to Required Screening	Corrections to match previous Zoning Bylaw
AP-1	16.3.3 (c) and (d)	Reductions to Minimum <i>Interior Side Setbacks</i> and <i>Exterior Side Setbacks</i>	Setbacks in the AP-1 Zone apply to leasehold lots, and this reduction is more reasonable for airplane hangers
PART 17: Civic, Institutional and Recreation Zones			
17.2 Parks and Recreation	17.2.1 (c)	Add " <i>Campground</i> " to the list of Permitted Principal Uses	
17.3 Outdoor Recreation	17.3.1 (f)	Remove Reference to Motocross Track	Redundant - This use is included under the definition of <i>Speedway</i>
E-1 Education	17.4.1	Add " <i>Private School</i> " and " <i>Sporting and Leisure Camps</i> " to the list of Permitted Principal Uses	To clarify and correction an omission
RES-1 Resource Management	17.5	Add Resource Management Zone to Village Zoning Bylaw	Omission; correction to match zone depicted on the Zoning Map
CWP-1 Community Watershed Protection	17.6	Add Community Watershed Protection Zone to Village Zoning Bylaw	Omission; correction to match zone depicted on the Zoning Map
PART 18: Comprehensive Development (CD) Zones			
CD-5 Tiyata	18.5.2(a)ix.	Corrections to Maximum Lot Size (m ²) from 465 to 790 for Single Family Dwellings and from 558 to 830 for Duplex Dwellings	Errors; Corrections to match previous Zoning Bylaw (approved by Council via Zoning Amendment Bylaw No. 761, 2014)

ZONING BYLAW

VILLAGE OF PEMBERTON

BYLAW No. 832, 2018

Fourth & Final Readings
July 24, 2018



OFFICE CONSOLIDATION: April 2, 2019

This document is an office consolidation of the Village of Pemberton Zoning Bylaw No. 832, 2018 (adopted July 24, 2018) and subsequent amendments adopted by Village Council.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application that original bylaw should be consulted.

The Village of Pemberton will, in no event, be liable or responsible for damages of any kind arising out the use of this consolidation.

This is not the official version of the Village of Pemberton Zoning Bylaw No. 832, 2018, nor is it admissible in a court of law. For such purposes, official certified copies can be obtained from the Village Office or by contacting us at: admin@pemberton.ca.

List of Amending Bylaws

BYLAW NO.	SECTION	DESCRIPTION	ADOPTED
841	Part 13 & Part 14	Correct Provisions of the RSA-1, RTA-1, RSA-2 and RTA-2	October 16, 2018
847	Part 3 & Part 15.1	Define and add ' <i>Cannabis, Retail</i> ' as a permitted use in the C-1 Zone	October 16, 2018
8XX	Various	Housekeeping Amendments	Date, 2019

**VILLAGE OF PEMBERTON
ZONING BYLAW NO 832, 2018**

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**Village of Pemberton
Zoning Bylaw No. 832, 2018**

**A BYLAW TO REGULATE THE ZONING AND DEVELOPMENT OF REAL PROPERTY
WITHIN THE VILLAGE OF PEMBERTON**

WHEREAS section 479 of the *Local Government Act* authorizes a local government to enact a Bylaw respecting Zoning;

AND WHEREAS section 482 of the *Local Government Act* authorizes a local government to offer density benefits for the provision of amenities, affordable housing and special needs housing;

AND WHEREAS section 492 of the *Local Government Act* authorizes a local government to designate a Temporary Use Permit Area in a Zoning Bylaw;

AND WHEREAS section 523 of the *Local Government Act* authorizes a local government to create runoff control requirements;

AND WHEREAS section 525 of the *Local Government Act* authorizes a local government to create off-street parking and loading requirements;

AND WHEREAS section 527 of the *Local Government Act* authorizes a local government to create screening and landscaping requirements;

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

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PART 1: Application

1.1 Title

- (a) This Bylaw may be cited for all purposes as the “Village of Pemberton Zoning Bylaw No. 832, 2018” or “Zoning Bylaw No. 832, 2018”.

1.2 Schedules

- (a) The following schedules are attached to and form a part of this Bylaw:
 - i. Schedule A (Zoning Map)

1.3 Purpose

- (a) The principal purpose of this Bylaw is to regulate *land use* and *development* within the Village of Pemberton for the benefit of the community; and
- (b) For the implementation of the long-term goals of the Village’s *Official Community Plan Bylaw, No. 654, 2011*.

1.4 Application of Bylaw

- (a) This Bylaw applies to all *lands*, including the surface of water, and the *use* of all *land, buildings* and *structures* located within the boundaries of the Village of Pemberton, and as shown on Schedule “A”, the Zoning Map, which is attached to and forms part of this Bylaw.

1.5 Violation

- (a) Any person who:
 - i. Violates any of the provisions of this Bylaw;
 - ii. Causes or permits any act or thing to be done in contravention or violation of any provision of this Bylaw;
 - iii. Neglects to do or refrains from doing any act or thing which is required to be done by any provisions of this Bylaw;
 - iv. Carries out, causes or permits to be carried out any *development* in a manner prohibited by or contrary to this Bylaw;
 - v. Fails to comply with an order, direction or notice given under this Bylaw; or
 - vi. Prevents or obstructs or attempts to prevent or obstruct the authorized entry of any of the Enforcement persons noted in Section 1.8 below,

commits an offence against this Bylaw and is liable to the penalties imposed under the Village of Pemberton’s Municipal Ticket Utilization Bylaw.

- (b) Each day that an offence of this Bylaw is caused to continue, allowed to continue, constitutes a separate offence.

1.6 Penalty

- (a) Where a specific penalty has not otherwise been designated, shall be liable to a fine and/or penalty of not less than One Hundred Fifty Dollars (\$150) and not more than Ten Thousand Dollars (\$10,000), plus the costs of prosecution, any other order imposed or any combination thereof;
- (b) The penalties and remedies imposed under subsection (a) shall be in addition to, and not in substitution for, any other penalty or remedy imposed by or permissible under this Bylaw or any other enactment.
- (c) Where a person fails to pay a penalty 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.
- (d) 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.

1.7 Severability

- (a) If any part, section, subsection, paragraph, sentence, clause, phrase or schedule of this Bylaw is for any reason found invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Bylaw or the validity of the Bylaw as a whole.

1.8 Enforcement

- (a) The Chief Administrative Officer of the Village of Pemberton, or his or her designate, is hereby appointed by Council to administer this Bylaw.

PART 2: Interpretation

2.1 Interpretation

- (a) All references to Bylaws of the Village of the Pemberton, or provincial or federal statutes and regulations refer to the most current version, as amended from time to time.
- (b) Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word "person" includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual.
- (c) Words have the same meaning whether they are capitalized or not.
- (d) Words defined in this Bylaw that contain multiple words separated by a comma in the definition carry the same definition if the words are reversed. For example, "Grade, Natural", and "Natural Grade" carry the same meaning.
- (e) The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.
- (f) Words, phrases, and terms neither defined in this section nor in the *Local Government Act* shall be given their usual and customary meaning.
- (g) The definitions of *uses* group individual *land uses* into a specified number of classes, with common functional or physical impact characteristics. They define the range of *uses* which are *principal* and secondary, with or without conditions, within various *zones* of this Bylaw.
- (h) The following guidelines shall be applied in interpreting the *use* class definitions:
 - i. Typical *uses* listed in the definitions as examples are not intended to be exclusive or restrictive; and
 - ii. Where a specific *use* does not conform to the wording of any *use* class definition or generally conforms to the wording of two or more definitions, the *use* conforms to and is included in that *use* class which is most appropriate in character and purpose.

2.2 Explanatory Notes and Figures

- (a) All text in this Bylaw which are italicized except titles of legislative acts, statutes and regulations, and explanatory figures have a definition specified in this Bylaw, and for clarity, the definitions in this Bylaw apply whether the word is italicized or not.
- (b) Where a conflict between explanatory notes and figures and a regulation in this Bylaw occurs, the regulation shall be taken as correct.

2.3 Conflicting Regulations

- (a) Where this Bylaw contains two or more regulations that could apply to a situation, the most restrictive regulation shall apply to the extent of any conflict. Where this Bylaw conflicts with other regulations the restrictive legislation shall apply, unless the conflict is outside of the responsibility of the Municipal Council.
- (b) Where a graphic used to illustrate a requirement of this Bylaw is in conflict with the text description of the regulation, the text description shall prevail.

2.4 General and Specific Regulations

- (a) Where this Bylaw contains both general and specific regulations that could apply to a situation, the more specific regulation shall apply.

2.5 Bylaw Format

- (a) The format of this Bylaw follows a simple layout intended to facilitate its use. Major divisions within the Bylaw are called Parts and major divisions within Parts are called Sections and major divisions within Sections are called Sub-Sections.

2.6 Covenants Against Buildings, Structures, Subdivision or Use

- a) Where under this Bylaw an owner of *land* or a *building* or *structure* is required or authorized to grant a covenant restricting *subdivision*, strata plan registration, *use* or *development* of *land*, the covenant shall be granted to the Municipality and registered pursuant the *Land Title Act*, with priority over all financial charges, and under the terms of the covenant the owner shall indemnify the Municipality for any fees or expenses the Municipality may incur as a result of a breach of the covenant by the owner.

PART 3: Definitions

The following words, terms, and phrases, are italicized wherever they occur in this Bylaw, and shall have the meaning assigned to them as follows:

Accessible

means that a person with disabilities is, with or without assistance, able to approach, enter, pass to and from one area to another and make use of an area and its facilities.

Accessory (Use)

means the *use of land, buildings, or structures* for a *use* that is customarily incidental, subordinate in area, extent and purpose and ancillary to the conforming *principal use* on the same *lot*.

Accessory Building or Structure

means a *detached building or structure*, the *use* of which is, or is customarily incidental, subordinate in size, extent or purpose and ancillary to the conforming *principal building or land use* on the same *lot*.

Accessory Residential Dwelling

means an *accessory dwelling unit*, for *residential use* only, primarily intended for the caretaking, management, staffing, or security of the *principal non-residential building* on the same *lot*.

Accessory Retail Sales

means the *accessory use* of a maximum of 20% portion of the *gross floor area* of a *permitted principal commercial, industrial, civic, or artisan use* for the *retail sales* directly related to the *principal use*.

Adventure Tourism Business

means the *commercial use of land, buildings and structures* intending to offer *quests horseback tours, river boat tours and a guest lodge for tourism accommodation* of a total size not to exceed *1,500 m²*.

Affordable Housing

means *dwelling units* constructed and occupied under the terms of a registered housing agreement approved pursuant to section 483 of the *Local Government Act*.

Agriculture

means the *use of the land, buildings and structures* for the growing, producing, raising or keeping of animals and plants including:

- i. Livestock (cattle, bison, sheep, goats, hogs, horses)
- ii. Poultry production (chickens, turkeys, waterfowl)
- iii. Dairy operations

- iv. Apiculture (beekeeping)
- v. Agroforestry
- vi. Grapes, berries, tree fruits, nuts, grains, oilseeds, mushrooms, forage crops, ornamentals, and vegetables (field or Greenhouse).
- vii. The processing of agricultural products harvested, reared or produced by the farm business, and the *retail* sales of the products
- viii. Horse-riding, training and boarding
- ix. Greenhouse and Nursery
- x. Alcohol Production Facilities (breweries, cideries, distilleries, meaderies, wineries)

Agri-tourism Activity

means the *use of land* that is classified as a farm under the *BC Assessment Act* for tourism related activities on the farm, such as agricultural displays, farming demonstrations, and agricultural exhibits subject to the regulations of section 7.5 of this Bylaw and to the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Agri-tourism Accommodation

means the provision of *tourism accommodation*, on a property classified as farm under the *BC Assessment Act*, up to a maximum of ten (10) sleeping *units*. Typical *uses* include, but are not limited to, seasonal farm *cabins*, campsites/recreational vehicle sites and are subject to the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Agricultural Land Commission (ALC)

means *Agricultural Land Commission* pursuant to British Columbia *Agricultural Land Commission Act*.

Agricultural Land Reserve (ALR)

means *Agricultural Land Reserve* pursuant to British Columbia *Agricultural Land Commission Act*.

Arts and Culture

means a *use* which provides for the presentation and display of artistic and cultural creations, and includes art galleries, museum, theatres, and *accessory retail* of goods and articles that are produced primarily by local artists.

Airport

means the *use of land, buildings and structures* for runways for the takeoff and landing of airplanes and includes airstrips, terminal *buildings or structures*, hangars, *airport related business*, and *accessory uses*.

Airport Related Business

means the *use of land, buildings, or structures* for *commercial* operations directly related to the operation, maintenance, and storage of aircraft, or business *uses* that necessarily rely upon or support aviation *uses* or the *Airport*, but specifically excludes *tourism accommodation*.

Alter

means, in relation to *land*, the removal or deposit of soils or other materials or clearing of natural vegetation, and in relation to *buildings* or *structures*, means any change that would result in either a change to the appearance of the *building* or *structure*, an increase or decrease to the *gross floor area* or both.

Animal Kennel

means the *use of land, buildings* or *structures* in which domestic animals are kept, boarded, bred, cared for or trained for *commercial* gain.

Approving Officer

means the Village of Pemberton Approving Officer appointed pursuant to the *Land Title Act*.

Artisan

means the *use of a building* or *structure* by an artist or group of artists who create or produces artistic goods.

Assembly

means the *use of land, buildings, or structures* for *civic*, cultural, educational, political, public recreational, religious or social purposes; and includes *Schools, Places of Worship*, auditoriums, council chambers, community centres, arenas, youth centres, day care centres, and similar *uses*.

Automotive and Recreational Vehicle Sales

means the *use of land, buildings, or structures* for the *retail* sale of automobiles, trucks, boats, recreational vehicles and related parts and accessories.

Automotive Salvage

means the *use of land, buildings, or structures* for towing, storage, or dismantling of automobiles, trucks, boats, and recreational vehicles, and may include the *accessory retail sale* of automobile parts.

Automotive Service Shop

means a *use* providing for the general repair, servicing and maintenance of motor vehicles including brakes, mufflers, tire repair and change, tune-ups and transmission work, provided it is conducted within a completely enclosed *building* or *structure*.

Basement

means the floor of a *building* or *structure* that is 50% or more below the *average finished grade* level and is unused, or used for *utilities*, laundry, storage or other non-habitable space *accessory* to the *principal building*, specifically excluding *residential* or *commercial* use.

Bed and Breakfast

means the *accessory use* of a *dwelling, detached* for *tourism accommodation* in which a maximum of two (2) bedrooms of an owner-occupied *dwelling, detached* are available as *tourism accommodation* in accordance with section 7.8 of this Bylaw and the Village of Pemberton *Business License Bylaw*.

Bed and Breakfast Inn

means the *accessory use* of a *dwelling, detached* in which three (3) or more, but a maximum of five (5) bedrooms, are available for *tourism accommodation* in accordance with section 7.9 of this Bylaw and the Village of Pemberton *Business License Bylaw*.

BMX Race Track

means a facility or track for BMX (off-road) bicycle racing, consisting of a starting gate, a groomed dirt race course made of various jumps and rollers and a finish line, but specifically excludes *use* by motorized vehicles.

Boarding School

means the *use of land, buildings, or structures* for a *school* where students and staff reside on the same or immediately adjacent *lot* and includes *tourism accommodation* for groups *accessory* to the *principal school use*.

Brewery, Cidery, Distillery and Winery

means the *use of land, buildings and structures*, licensed under the *Liquor Control and Licensing Act*, on which there is small scale manufacturing of beer, ale, cider, spirits or wine, and may include the *accessory uses* of *wholesaling*, *tours*, *tastings*, *retail sales* and a manufacturer's lounge, and the sale of related non-liquor products.

Buffer

means a landscaped, or naturally vegetated area intended to separate and screen *land uses, buildings, structures*, or properties from one another.

Building

means a *structure* or any portion thereof, including affixed mechanical devices, intended to be used for sheltering a *use* or occupancy.

Building Area

means the horizontal area of a *building* or *structure* within the outside surface of the exterior walls or within the outside surface of the exterior walls and the centre line of firewalls for all *storeys* and includes the non-habitable areas such as the *basement, garages* and *carports*.

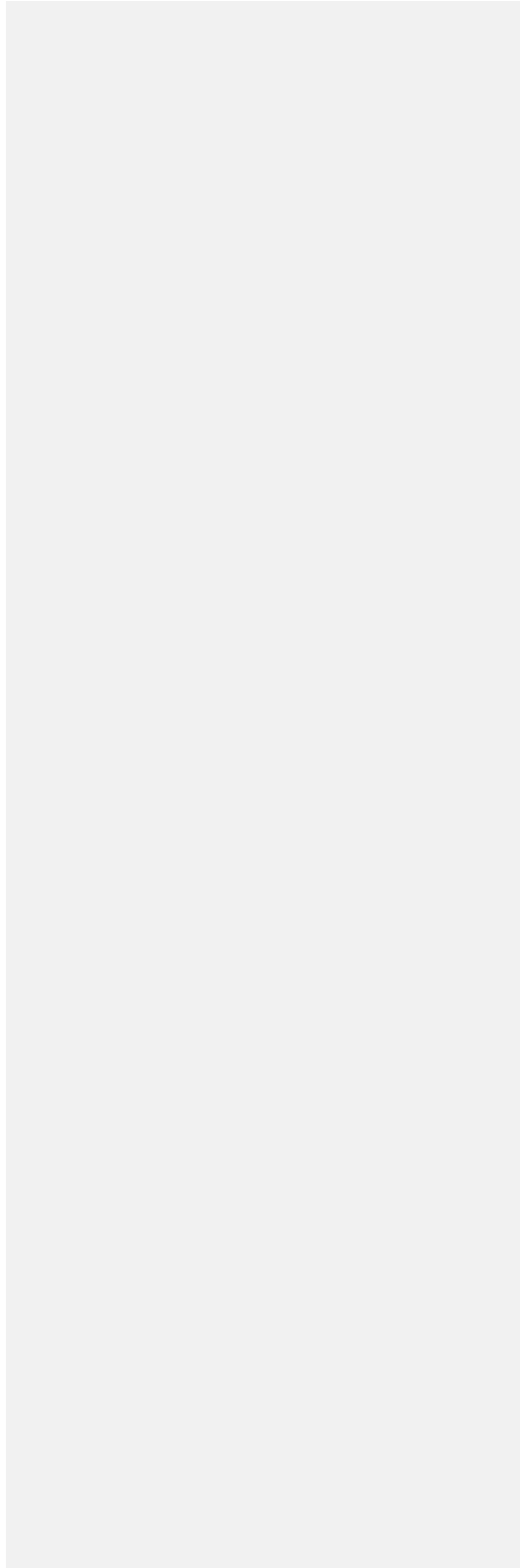
Building Footprint

means the total area of a *lot* occupied by a *building* or *structure*, measured from the outside of exterior walls, and includes *garages* and *carports*, but excludes covered exterior stairwells.

Building Official

means the individual appointed or under contract as the Building Official for the Village of Pemberton.

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Building Supply

means the *use of land, buildings or structures* for the supply and sale of *building* materials, fixtures, hardware, equipment and other similar goods related to construction and home improvement, and requires storage outside of a *building*.

Bulk Storage

means the *use of land, buildings or structures* for above or below ground storage containers, or any combination thereof, of petroleum, petroleum products, water, chemicals, gases, or similar substances for subsequent resale to distributors, *retail* dealers or outlets, and includes card-lock and bulk sales.

Cabin

means a detached *building or structure* providing *tourism accommodation* in a rural or remote setting, associated with a motel, bed and breakfast inn or campground, and includes cottages.

Campground

means the *use of land*, managed as a *unit* and includes the *buildings and structures* for a range of camping experiences which provides *tourism accommodation* for any or all of the following:

- i. Cabins,
- ii. Yurts,
- iii. Tenting sites,
- iv. Tent trailers,
- v. Travel trailers,
- vi. Recreational vehicle sites and campers, and
- vii. *Accessory uses* and *structures* such as administration offices, laundry facilities or general washroom facilities,
- viii. but excludes the habitation of manufactured homes, modular homes or any other *buildings or structures*, conveyances or motor vehicles for residential *use*.

Cannabis

has the same meaning as outlined in the *Government of Canada* regulations.

Cannabis, Dispensary (Amendment Bylaw No. 847, 2018/Adopted October 16, 2018)

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

Cannabis, Production Facility

means the *use of buildings and structures* for the purposes of growing, processing, packaging, testing, destroying, storing or shipping *cannabis* as authorized by a license issued under *Government of Canada* regulations.

Cannabis, Retail (Amendment Bylaw No. 847, 2018/Adopted October 16, 2018)

means the use of buildings or structures, licenced under provincial authority for the retail sale of non-medical (recreational) cannabis and/or non-medical (recreational) cannabis containing products for consumption off-premises.

Carriage House

means an *accessory dwelling unit* situated above or attached to a *detached garage* that is separate from the *principal dwelling, detached*, but located on the same *lot* in accordance with section 7.10 of this Bylaw.

Carpport

means an open or partially enclosed *structure* attached to the *principal building* or *structure* for the use of covered parking or temporary storage of private motor vehicles.

Catering Establishment

means an establishment that prepares and supplies food to be consumed off premises.

Chief Administrative Officer

means the individual appointed as the Chief Administrative Officer of the Village of Pemberton.

Child Care Centre

means the *use of land* and *buildings* for provincially-licensed care and supervision of children through a prescribed program.

Civic

means the *use of land, buildings, or structures* for functions provided by a government body and service clubs, includes federal, provincial and municipal offices, and *works yards, schools* and colleges, hospitals, community centres, swimming pools, libraries, museums, *parks*, playgrounds, day cares, cemeteries, police and fire stations, fire training grounds and waterways.

Combined Commercial Residential

means the use of land, buildings or structures for both commercial and residential multi-family dwellings, subject to the regulations in section 7.11 of this Bylaw.

Commercial (Use)

means the *use of land, buildings, or structures* for an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

Community Care Facility

means the *use of buildings or structures* where a person provides care of three (3) or more persons and is under permit by the Provincial Government pursuant to the *Community Care and Assisted Living Act*.

Community Garden

means a *lot*, or portion thereof, that is provided for public *use* for the purposes of growing fruits, vegetables and flowers.

Community Sewer System

means a system of waste water collection, treatment and disposal that is serving two (2) or more *lots*.

Community Watershed

means all or part of the drainage area above the most downstream point of diversion for a water *use* that is for human consumption and that is licensed under the *Water Act*, for a domestic purpose or a waterworks purpose as defined under the *BC Forest and Range Practices Act*.

Community Water System

means a system for the distribution of fresh potable water serving two (2) or more *lots*.

Composting Facility

means the use of land, buildings or structures to transform waste organic material into a biologically stable product which includes the creation of noise, dust, and odour in the process and the bulk storage of compost, sand and residuals. Composting facilities are permitted to produce energy to either use on-site, or sell, and process wood waste and residuals.

Convenience Store

means the *use* of a building for the sale of a limited line of groceries, food and drink for immediate consumption, and other items intended for the convenience of the neighbourhood.

Council

means the *Council* of the Village of Pemberton.

Entertainment

Means the use of land, buildings and structures for commercial recreational or social use, such as but not limited to a bowling alley, movie theatre, pool hall, video game arcade or dance hall.

Development

means any of the following:

- i. Altering the *land*,
- ii. Changing the landform, from a natural state to a semi natural state,
- iii. Subdividing the *land*,
- iv. Applying for a *land use* change,
- v. Changing in the *use* of any *building* or *structure*, and

- vi. Carrying out of any, engineering or the construction, addition or alteration of any *building* or *structure*.

Density

means a measure of the intensity of *development* on a *lot*, including the number of *units* on a *lot* measured in maximum *units* or *units* per hectare, or *floor area ratio* as determined in section 4.8 of this Bylaw.

Disabled Vehicle

means all or part of any irreparable or salvageable vehicle or all or part of any motor vehicle which is not validly registered and licensed in accordance with the *Motor Vehicle Act*, and which is not located in a *garage* or *carport*.

Drive Through Business

means the *commercial use of land, buildings and structures* for providing goods and services, from a *use* otherwise *permitted* on the *lot*, to customers in their vehicles, such as a fast food *restaurant* or bank.

Dwelling Unit

means a self-contained set of habitable rooms capable of occupancy by one (1) or more persons, including provisions for living, sleeping, cooking, and sanitation facilities and not more than one kitchen facility. Unless specifically *permitted*, *use of a dwelling unit for tourism accommodation* or rental for a period of less than thirty (30) days is prohibited. The *use* is as a residence for the occupant and includes but is not limited to the following types:

- i. Accessory Residential Dwelling,
- ii. Apartment,
- iii. Carriage House,
- iv. Detached Dwelling,
- v. Duplex Dwelling,
- vi. Manufactured Home
- vii. Mobile Home,
- viii. Row House,
- ix. Secondary Suite, and
- x. Townhouse.

And specifically excludes the occupancy of any of the following:

- i. Buses,
- ii. *Cabins* or Cottages,
- iii. Motor Vehicle,
- iv. Tents,

- v. Yurts, and
- vi. Recreational Vehicles

Dwelling Unit, Apartment (Apartment) - means a *residential building* other than a *townhouse* containing three (3) or more individual *dwelling units*, where each *dwelling unit* has its *principal* access from an entrance or hallway that is common to at least one (1) other *dwelling unit* on the same *storey*.

Dwelling Unit, Detached (Detached Dwelling) - means a *residential building* designed exclusively for single family *residential use*, separated from other *dwelling units* by open space, and includes a modular home.

Dwelling Unit, Duplex (Duplex) - means a *residential building* containing two (2) separate *dwelling units* either placed one above the other or attached by a common wall, each of which has direct access to the outside.

Dwelling Unit, Farm Help – means a *residential building accessory* to an *agricultural use* and carries the same meaning as under the *Agricultural Land Reserve Act*.

Dwelling Unit, Manufactured Home

means a factory built *detached dwelling unit*, certified prior to a placement on the *lot* as having been built:

- i. as a modular home in accordance with CSA A277 *building*; or
- ii. as a mobile home in accordance with CAN/CSA Z240 building regulations and registered in the BC Manufactured Home Registry, arriving at the *lot* ready for occupancy apart from incidental operations and connections into a *community sewer* and *community water system*.

Dwelling Unit, Mobile Home – means a *residential dwelling* built upon an integrated chassis and wheels that is assembled at a place other than but moved to a *lot*.

Dwelling Unit, Multi-family (Multi-family Dwelling) - means a *residential building* containing three (3) or more separate *dwelling units*, and includes *apartments*, *townhouses*, and *row houses*.

Dwelling Unit, Row House (Row House Dwelling) - means a *residential building* containing a minimum of three (3) *dwelling units* attached to each in a row with each *dwelling unit* located on its own *lot*.

Dwelling Unit, Townhouse (Townhouse Dwelling) - means a *residential building* containing three (3) or more *dwelling units*, each of which has its own separate access, not located through a common lobby or corridor, and includes *dwelling units* stacked vertically.

Ecological Reserve

means *land* that is retained in its natural or semi-natural state for the purposes of protecting and preserving natural ecosystems and the biological diversity.

Equipment Sales, Servicing, Rental and Repair Shop

means the *use of land, buildings, or structures* for the *retail* sale, servicing, rental, and repair of small motorized equipment such as chainsaws, landscaping equipment, lawnmowers, and recreational equipment such as snowmobiles, all-terrain vehicles and similar uses.

Farm Residence

means the *principal detached dwelling* that accommodates one *dwelling unit* and located on a *lot* within the *Agricultural Land Reserve*.

Farm Residential Facilities, Accessory

means the following *buildings, structures, or improvements* associated with a *principal farm residence* and/or additional *farm residence* on a farm:

- i. Attached or detached garages or carports,
- ii. Driveways to residences,
- iii. Decorative landscaping,
- iv. Attached or *detached* household *greenhouse* or sunroom,
- v. *Residential*-related workshop, tool and storage sheds,
- vi. Artificial ponds not serving farm drainage, irrigation needs, or aquaculture *use*.

Farm Stand

means a permanent or semi-permanent *structure* typically located at or near the farm entrance which offers for sale products harvested from the land upon which it stands.

Farmers' Market

means the *use of land, buildings, or structures* for *retail* sales featuring foods sold directly by farmers to consumers and typically consisting of booths, tables or stands, outdoors or indoors, where farmers sell their *agricultural* products and sometimes prepared foods and beverages. It may include mobile *food trucks* and the sale of arts and crafts.

Fence

means a protective, enclosing or visual barrier made of wood, metal or other material that is constructed for any purpose, such as marking the boundary of a *lot* and enclosing a *lot*, except as required elsewhere in this Bylaw; it generally is providing privacy; preventing access by people or animals; or dividing a *lot* into sections. This excludes the *use* of hedges, trees, and other types of vegetation.

Financial Institution

means an institution providing financial or banking services including a bank, credit union, payday loan office, currency exchange, mortgage office or automated teller machine (ATM).

Fitness Centre

means the *use of land, buildings, or structures* for *commercial* fitness, and includes health clubs, gyms, yoga studios, and similar *uses*.

Flanking Street

means a street, excluding a *lane*, abutting a *lot line* not being the front or rear *lot line*.

Floor Area

means the total usable floor space of a *building or structure* on all *storeys* excluding the *basement*, corridors, and service areas, as measured in accordance with section 4.7 of this Bylaw.

Floor Area Ratio (FAR)

means a ratio between the *floor area* of a *building or structure* and the *lot size*, measured in accordance with section 4.8 of this Bylaw.

Floor Area, Gross (GFA)

means the total area enclosed by the exterior walls of a *building or structure* on all *storeys*, measured in accordance with 4.9 of this Bylaw.

Food Truck

means the *use of* a licensed vehicle equipped with facilities for the preparation, cooking and serving of food to consumers from a temporary location, and may include a mobile food cart or converted vehicle capable of dispensing food, subject to the regulations in section 7.15 of this Bylaw and the *Village of Pemberton Business License Bylaw*.

Forestry

means *forestry* practices consistent with the *BC Forest and Range Practices Act: Forest Planning and Practices Regulation*.

Garden Centre

means the *use of land, buildings, or structures* for the purpose of *retail* sales of trees, plants, flowers, and associated gardening or landscaping supplies and outdoor garden equipment.

Garage

means an *accessory building, structure* or that portion of a *permitted building or structure* that is used for the parking of one (1) or more motor vehicles and is totally enclosed with a roof, walls, and one (1) or more doors.

Gasoline Station

means a facility limited to *retail* sales to the public of motor fuel products, motor oil, lubricants, minor automobile accessories, travel aides and convenience food items, but specifically excludes automobile repair services.

Gathering for an Event

means the *use of land, buildings, or structures* for a gathering of people on a farm for the purpose of a wedding, a music festival, or other event other than an *Agri-tourism* related event or family-related celebration which is *permitted* as a non-farm use in the *Agricultural Land Reserve* in accordance with the regulations in section 7.12 of this Bylaw:

Golf Course

means the *use of land* for playing golf, consisting of a least nine holes, with each hole generally consisting of tees, greens, fairways and hazards, and the following *accessory uses, buildings, and structures*:

- i. Club house (licensed Restaurant),
- ii. Pro shop (*retail* sales of golf equipment),
- iii. Driving range,
- iv. Putting green,
- v. Mini putt area, and
- vi. Golf Schools.

Grade, Building

means, in relation to a *building, or building height*, the lowest of the average levels of grade of the *natural grade* or *finished grade* adjoining each exterior wall of a *building*, excluding localized depressions such as for vehicle or pedestrian entrances.

Grade, Finished

means, in relation to a *building or structure*, the elevation of the ground surface, or the angled plane of a sloped *lot*, after *development*.

Grade, Natural

means, in relation to a *building or structure*, the elevation of the ground surface, or the angled plane of a sloped *lot*, in its natural or semi-natural state, prior to any *development*.

Greenhouse

means a *building or structure* covered with translucent material and used for the purpose of agriculture and horticulture.

Height

means with respect to a *building or structure*, the vertical distance between the *building grade*, and the highest point of the *structure* of a flat roof, or the mid- point of a sloping roof, measured in accordance with section 4.4 of this Bylaw.

Highway

means a public street, road, trail, *Lane*, bridge, trestle, any other public way or any other *land* or improvement that becomes or has become a *highway* as per the British Columbia *Transportation Act*.

Home Occupation

means the *use* of a *residential dwelling unit* for a licensed *commercial* occupation, profession or craft by the primary occupant of the *residential unit* that is contained entirely within the *permitted residential use* and conducted in accordance with the regulations in section 7.16 of this Bylaw.

Hostel

means the *use* of a *building* for *tourism accommodation* in which dormitory style sleeping *units* are provided along with common bathrooms, cooking areas, and communal spaces.

Hotel

means *use* of a *building* for *tourism accommodation* in which four (4) or more furnished accommodation *units* are provided, with separate entrances to each room from a common corridor, operated and staffed from an on-site office or lobby, and may include publicly *accessible accessory uses* such as *restaurant*, health club, liquor primary establishment, or *retail* store not to exceed a maximum of 33% of the *gross floor area* of the first *storey*.

Impervious Surface

means the total area of a *lot* that is incapable of allowing precipitation to penetrate to underlying soils due to the presence of *buildings* or *structures* or other impermeable surfaces, except impermeable surfaces that are naturally occurring on the *lot*.

Industrial

means the *use* of *land*, *buildings*, or *structures* providing for the manufacturing, processing, fabricating, assembling, storage, transporting, distributing, *wholesaling*, warehousing, testing, servicing, reduction, repairing, wrecking, or salvaging of articles, substances, or commodities or any other treatment thereof to change the form, character or appearance.

And specifically excludes any of the following *uses*:

- i. The burning of any salvaged or recycled materials,
- ii. Any *uses* for which a permit is required under the *Environmental Management Act* or *Regulations*,
- iii. The burning of any vehicles, and
- iv. Refuse and garbage dumps.

Intermodal Storage Container

means a standardized intermodal freight container that can be used as a reusable transport and storage *unit* for moving products and raw materials between locations.

Lane

means a *highway* flanking a rear or side *lot line* with a maximum width of 6.0 metres.

Land

means real property without improvements and includes the surface of water.

Land Use

means the regular *use of land* for an intended purpose or *principal use*.

Licensed Premises

means premises licensed as a *Liquor Primary* or *Food Primary* establishment to serve liquor under the *Liquor Control and Licensing Act*.

Liquor License, Food Primary

means a liquor license issued under the *Liquor Control and Licensing Act* for a *commercial* business where the service of food, rather than liquor, is the primary purpose.

Liquor License, Liquor Primary

means a liquor license issued under the *Liquor Control and Licensing Act* for a *commercial* business where the service of liquor is the primary purpose, and includes neighbourhood pubs, bars, lounges, and night clubs, with *accessory* food service.

Liquor Store

means the *use of a building or structure* for the *retail* sale of liquor, beer or wine for consumption off premises, and includes government liquor stores and *liquor store, private retail* outlets.

Liquor Store, Private

means the *commercial use of a building or structure* for the *retail* sale of liquor, beer or wine for consumption off premises, and includes an agency outlet.

Livestock

means chickens, horses, turkeys, cattle, mules, hogs, rabbits, sheep, goats, bison, llamas and alpacas as well as any other animal or fowl used in the production of food, fur or similar products.

Lot

means a parcel of *land* with boundaries registered in the *Land Title Office* Registry and includes strata *lots* created by Bare Land Strata *subdivision*, but specifically excludes *land* dedicated as road or *park* on a plan of *subdivision*.

Corner Lot means a *lot* which abuts two or more intersecting *highways*.

Lease Lot means a *lot* defined by lease boundaries registered in the *Land Title Office*.

Panhandle Lot – means any *lot* which achieves access to a *highway* only by means of a narrow strip of *land* or access strip.

Through Lot - means a *lot* abutting two parallel or approximately parallel *highways* or any combination of *highway* common property access route and a body of water.

Lot Coverage

means the portion of a *lot*, expressed as a percentage, covered by the footprint of all *buildings* and *structures* on the *lot*.

Lot Depth

means the average distance between the front *lot line* and the rear *lot line* of a *lot*, measured along the side *lot lines*, and at ten (10) metre intervals in between.

Lot Line

means a line that is used to mark the boundaries of a *lot* on a survey, lease boundary, or other description registered in the *Land Title Office* to identify the boundaries of a *lot* as follows:

Exterior Side Lot Line – means the *lot line(s)* common to the *lot* and an abutting *Highway*, other than a path, *Lane*, walkway, trail, which is not the front *lot line*.

Front Lot Line – means the property boundary line of the *lot* and the *highway* it abuts and gains primary access from, however:

- i. in the case of a *corner lot*, means the shortest *lot line* abutting the *highway*;
- ii. in the case of a *panhandle lot*, means the *lot line* or lines common to a *lot* and an abutting *highway* and the *lot line* approximately parallel to such line at the end of the *panhandle* access strip; and
- iii. in the case of a through *lot*, means both the *lot lines* abutting two parallel or approximately parallel *highways* or combination of *highway*, common property access route or the water.

Interior Side Lot Line – means the *lot line(s)* connecting the front and rear *lot lines*, common to the *lot* and another *lot* or *lane*.

Rear Lot Line – means the *lot line* furthest from, and opposite to, the front *lot line*, and, in the case of a triangular shaped *lot*, a line 3 m (10 ft.) in length entirely within the *lot*, parallel to and at a maximum distance from the front *lot line*.

Side Lot Line – means an *exterior side lot line* or *interior side lot line* interchangeably as defined in this Bylaw.

Lot Width

means the average distance between the *side lot lines*, measured at the front and rear *lot lines*, and at five (5) metre intervals in between, excluding the access strip of a *panhandle lot*.

Market Garden

means the *use of land* for *commercial* growing and harvesting, which contributes to the production of *agricultural*, *floricultural*, or *horticultural* products for on-site or off-site sales.

Materials Recovery Facility

means a solid waste management facility that processes recyclable materials to sell to manufacturers as raw materials for new products and may accept other municipal waste. Such facilities assist in reducing the waste stream, the demand for raw materials, and pollution associated with the manufacturing of new products.

Minimum Lot Size

means the minimum area of a *lot* that can be created by *subdivision* under the regulations in this Bylaw.

Mixed Use Building

means the *use* of a *building* for both *commercial* and *residential multi-family dwellings*, subject to the regulations in section 7.48-19 of this Bylaw.

Motel

means a *building*, or group of *buildings* on the same *lot*, providing four (4) or more separate guest rooms, with or without cooking facilities, for *tourism accommodation*, with the entrance to each room being to the outside of the *building*, with parking provided in close proximity to the guest rooms, and operated from a staffed office on-site.

Motocross Track

means the *use* of *land* for a constructed off-road circuit used for motorcycle riding and racing.

Motor Vehicle

means any vehicle that is designed to be self-propelled including passenger cars, trucks, recreational vehicles, vans, busses, motorcycles but does not include a motor assisted bicycle or scooter, but includes inoperable and abandoned vehicles.

Municipality

means the Village of Pemberton.

Natural Boundary

means

- i. the visible high watermark of any body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the water body a character distinct from its banks, in vegetation, as well as in the nature of the soil itself, and
- ii. the edge of the dormant side channels of the water body.

Neighbourhood Pub

means an establishment licensed to serve liquor in conjunction with or without live entertainment as a *liquor-primary* establishment under the *Liquor Control and Licensing Act* and shall offer full lunch and dinner menus.

Nursery

means the *use of land, buildings, or structures* for the purpose of growing and propagating plants, and includes *retail* nurseries, *wholesale* nurseries, private nurseries which supply the needs of institutions or private estates, and the sale of gardening *retail* items are *permitted*. Nurseries in the ALR are subject to the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Office, Business

means the *use of a building*, outside of a *home occupation*, for conducting business in an office environment, but does not generate a continuous flow of customers, and may include a tourism booking offices, *industrial* related offices, design offices, technology offices, or consulting offices, but specifically excludes medical and dental offices, real-estate, and insurance offices.

Office, Professional

means the *use of a building*, outside of a *home occupation*, for conducting business in an office environment for any purpose.

Off-Street Parking

means the *use of private land* for the parking of motor vehicles other than on a *highway* and includes the parking spaces, loading spaces and the maneuvering aisle.

Outdoor Storage

means the *use of land or structures* for the keeping of any goods, material, merchandise or vehicles associated with a *permitted use*, in an unroofed area or a roofed area with unenclosed sides, and on the same *lot* for more than twenty-four (24) consecutive hours.

Park

means *land* used or intended to be used for active and passive public *use*, and includes *land* dedicated as "*Park*" on a legal plan or otherwise created or designated by any instrument at the *Land Title Office*.

Parking Lot, Public

means the use of *land* for the short-term parking of *vehicles* that it is provided to the general public free of charge.

Permitted

means the permissible purpose for which *land, buildings or structures*, may be used under the regulations of this Bylaw.

Personal Service Establishment

means the *use of a building or structure* where non-medical related personal services are provided and goods *accessory* to the provision of such services may be sold, and includes but is not limited, to the following:

- i. Barber shop,
- ii. Beauty salon,
- iii. Dry cleaning and or laundromat,
- iv. Dog groomer,
- v. Electrical appliance repair,
- vi. Esthetics,
- vii. Clothing or shoe repair,
- viii. Photography studio,
- ix. Psychic reader,
- x. Tattoo parlour,
- xi. Travel agency,
- xii. Tanning salon,
- xiii. Spa facility
- xiv. Printing shop, and
- xv. Other similar services.

Place of Worship

means the *use* of a *building* or *structure* wherein persons assemble for religious worship, and *accessory uses*, and which is maintained and controlled by a religious body which is recognized as exempt from taxation under the *Canadian Income Tax Act*.

Principal Building

means a *building* or *structure* which contains the *principal use* of the *lot* and shall include attached *garages* or *carports*, but does not include an *accessory building*.

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.

Principal Use

means the main purpose for which *land*, *buildings* or *structures* are ordinarily used.

Public Art

means an original work of art in a publicly *accessible* location and created with the intention of reflecting and/or engaging the community. *Public art* works may be permanent, temporary or mobile, may be integrated into a site, or may be a stand-alone piece and may have functional and/or aesthetic qualities.

Recreation, Indoor

means the *use of a building or structure* for recreational pursuits primarily undertaken within the *building or structure* that require either a minimum two-storey interior space or a minimum of 186 m² of *gross floor area*, such as a bowling alley, climbing gym, gymnastics, parkour or trampoline facility.

Recreation, Outdoor

means the *use of land and accessory buildings and structures*, for *commercial* or club organized *non-motorized outdoor recreational* pursuits such as *gun range, motocross and stock car racing, paintball, standing wave surf park and whitewater kayaking facility*, where the primary recreation activity occurs outdoors.

Recreational Facility

means the *use of land, buildings or structures* for recreation, sports and leisure activities and *Assembly uses* and may include but is not limited to any or a combination of the following:

- i. Sports Academy,
- ii. Playing Fields,
- iii. Aquatic Centre,
- iv. Skating and/or Curling Rink,
- v. Field house.
- vi. Gymnasium,
- vii. Concession,
- viii. Fitness Studio; and
- ix. Equipment Rentals.

and *accessory uses* but specifically excludes *campgrounds, golf course, BMX track, motocross track, riding academy, and speedway*.

Recycling Facility

means the *use of buildings or structures* for the collection, packaging, and distribution of materials regulated under the *Environmental Management Act Product Stewardship* program, but specifically excludes the recycling of vehicle tires, outdoor storage, and processing.

Refuse Disposal Site

means the *use of land, buildings or structures* as a sanitary landfill, modified sanitary landfill, hazardous waste management facility, or dry waste site approved or registered pursuant to the *Environmental Management Act*, for the processing, treatment, storing, recycling or *land filling* of municipal, hazardous or *industrial* waste, but does not include automobile wrecking yard.

Resource Extraction

means the *use of land* for provincially licensed mining, quarrying, digging, or removal of natural materials from either the surface or below the surface of a *lot*, including the following:

- i. Earth, soil, peat, sand and gravel,
- ii. Rock and natural substances that are used for a construction purpose on *land* that is not within a mineral title or group of mineral titles from which the rock or natural substance is mined,
- iii. Forestry, and
- iv. Rock or a natural substance prescribed under the *Mineral Tenure Act*.

Resource Processing

means the *use of land, buildings, or structures* for the processing of extracted quarry materials which includes but is not limited to one or more of the following:

- i. Value added wood processing,
- ii. Material sorting,
- iii. Crushing,
- iv. Screening,
- v. Stockpiling,
- vi. Washing,
- vii. Truck loading,
- viii. The on-site operation of a portable asphalt or cement plant, and
- ix. Wholesaling of resource products.

Residential

means the *use of a building or structure* as a fixed place of living, and unless expressly *permitted* under this Bylaw, specifically excludes any *tourism accommodation* and *short-term vacation rental*, and includes the following *buildings* and *structures*:

- i. Accessory residential dwelling,
- ii. Accessory residential suite,
- iii. Apartments,
- iv. Carriage houses,
- v. Detached dwelling,
- vi. Duplex *dwelling*,
- vii. Manufactured homes,
- viii. Secondary suite, and
- ix. Townhouse dwelling.

Restaurant

means an eating establishment where food is prepared and served, in a *building* on the same *lot*, for sale to the public for consumption primarily at tables within the *building* or on a patio on the same *lot*, specifically excluding drive through *uses*, neighbourhood pubs and liquor primary establishments.

Retail

means the *commercial* selling goods, wares, articles, or merchandise to the ultimate consumer for personal consumption or household *use*, and not for resale purposes, but specifically excluding personal services, outdoor sales, *convenience store* and mobile vending.

Retail, Industrial

means the *use of land, buildings and structures* for the *retail of industrial, automotive, or agricultural* related products and equipment, and may include *uses* such as automotive and *agricultural* parts, specialty tools, manufacturing, moving and other similar *uses*.

Retail, Recreation and Leisure

means a *retail* store that specializes in the selling, renting and repairing of goods and articles that are used in the pursuit of recreation and leisure activities of the outdoor variety, such as skiing, snowboarding, cycling and mountain biking, hiking, camping, mountain climbing, kayaking, canoeing, and other similar activities.

Riding Academy

means the *use of land, buildings or structures* for the boarding and care of horses, and includes instruction for riding, jumping and showing, horse rentals, and *accessory* equestrian related events or shows, but excludes a *commercial* horse racing track. *Riding Academies* in the *ALR* are subject to the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

School

means the *use of land, buildings or structures* for the provision of education to children or adults, and includes pre-school, kindergarten, elementary, middle, secondary and post-secondary institutions, as well as language and other professional or technical education.

Screening

means a continuous planting of vegetation or other similar solid *fence* like barriers or any combination thereof, which effectively obstructs the view or denies physical access to *land* or a portion thereof and may be broken by driveways or walkways.

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.

Setback

means the minimum distance, measured from the respective *lot line*, that a *building or structure* shall be set back from that *lot line*.

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*.

Speedway

means the *use* of *land* as an outdoor stadium or track for automobile (i.e., stock car) or motorcycle racing.

Storage Facility, Self-Service

means the *use* of *land*, *building* or *structure* for the *commercial* purpose of providing individual storage spaces for the public.

Storage Facility, Outdoor Equipment

means the *use* of *land* for the storage of equipment, vehicles, products and materials outside the *principal* or *accessory buildings* on a property.

Storey

means the same meaning as under the *BC Building Code*.

Storey, First

means the lowest *storey* of a *building* or *structure*, excluding a *basement*, but having its floor not more than two (2) meters above *building grade*.

Storey, Half

means a *storey* of a *building* or *structure* where the *floor area*, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling *height* of 1.2 m, does not exceed 50% of the *storey* immediately below.

Structure

means anything that is constructed, fixed to, supported by, or sunk into *land* or water.

Subdivision

means the division of *land* or *lots* into two (2) or more *lots*, whether by plan, apt descriptive words or otherwise and includes a long-term land lease, boundary adjustment, consolidation of two (2) or more *lots*, or creation of bare land strata *lots*.

Temporary Use

means a temporary *commercial* or *industrial use permitted* under a *temporary use permit* issued pursuant to section 7.26 of this Bylaw and the *Local Government Act*.

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.

Unit

means a *building*, or a portion thereof that is individually demised by interior or exterior walls and has a separate entrance, which may be leased or sold individually.

Utilities

means a *use* providing for the essential servicing of the Village of Pemberton with water, sewer, electrical, telephone and similar services where such *use* is established by the Village, by another governmental body or by a person or company regulated by and operating under federal and provincial legislation and includes broadcast transmission facilities but excludes a *works yard*.

Veterinary Clinic

means the *use of land* or a *building* or *structure* in which animals are medically treated or hospitalized.

Watercourse

means a river, creek, stream, *Wetland* or other body of water as defined by the British Columbia *Riparian Area Regulation*.

Waste Transfer Station

means the *use of land*, or a *building* or *structure* for the temporary deposition of waste and the deposit of recyclable materials intended for removal in vehicles.

Wetland

has the same meaning as under the *Riparian Areas Regulation*.

Wholesale

means the sale of goods to *retail* operators or to other *wholesale* operators or to contractors or manufacturers for resale or for incorporation into other products.

Works Yard

means the *use of land, buildings and structures* operated by, or on behalf of, the Village of Pemberton, Province of British Columbia or Government of Canada, for the interior and exterior storage, maintenance or repair of *buildings* or *structures*, infrastructure, materials or equipment, include office space but specifically excludes communication towers and electrical sub-stations.

Zone

means an area of *land* established under Part 5 and the Schedules of this Bylaw and subject to regulations in this Bylaw.

PART 4: Measurements and Calculations

4.1 Measurement Guidelines

- (a) All dimensions and measurements in this Bylaw are expressed in the Standard International Units (metric) system.
- (b) Any imperial conversions are provided for convenience and have no force or effect.
- (c) All maximum dimensions shall mean equal to or less than, and all minimum dimensions shall mean equal to or greater than.
- (d) In the event of any conflict between measurements in this Bylaw, the more onerous measurement shall apply.
- (e) In the event of a conflict between a measurement stated in this bylaw and a graphic illustration of that measurement, the text description shall prevail.

4.2 Abbreviations

- (a) For the purposes of this Bylaw, the following units of measure may be abbreviated as specified in brackets:
 - i. Metre (m);
 - ii. Square metre (sq. m or m²);
 - iii. Cubic metre (m³);
 - iv. Hectare (Ha);
 - v. *Units* per hectare (u/Ha);
 - vi. Percent (%).

4.3 Metric Conversion, Measurements and Abbreviations

- (a) The following metric conversions are provided for the convenience of the reader of this Bylaw:

1 m = 3.28 feet	1 sq. ft. = .093 sq. m
1 foot = 0.33 m	1 hectare (ha) = 2.47 acres
1 sq. m (m ²) = 10.76 sq. ft.	1 acre = 4047 sq. m or 0.405 ha
1.5 m = 4.92 feet	3 m = 9.84 feet
4.6 m = 14.76 feet	7.5 m = 24.60 feet
10.5 m = 34.45 feet	18 m = 59.06 feet
1,400 sq. m = 15,064 sq. ft. or 0.34 acres	2,000 sq. m = 21,520 sq. ft. or 0.49 acres
4,047 sq. m = 43,560 sq. ft. or 1 acre	2 ha = 4.94 acres
4 ha = 9.88 acres	20 ha = 49.4 acres

4.4 Building and Structure Height

- (a) Where a *zone* or regulation establishes a maximum *height* for a *building* or *structure*, the *building* or *structure* shall be constructed no higher than the maximum *height* as determined by this Bylaw.
- (b) *Height* shall be measured by a vertical line from the *building grade* to the point of the roof *structure* determined by the roof type as follows:
 - i. For flat or domed roofs, *height* shall be measured to the highest point of the roof *structure*.
 - ii. For sloped, pitched, butterfly, or gambrel roofs, *height* shall be measured to the mid-point between the top of the exterior wall to the highest point of the roof *structure*.
 - iii. For roofs with dormers, *height* shall be measured to the mid-point between the top of the exterior wall forming the dormer and the highest point of the roof *structure*.
- (c) For clarity:
 - i. the maximum *building height* in a zone may vary according to the *use* of the *building* or *structure*, as specified in the zone;
 - ii. where the regulation refers to a specific type of *building* or *structure*, the regulation shall be applied to that type of *building* or *structure* only.
- (d) Despite the *height* regulations in any *zone* or regulation, the maximum *building height* may be exceeded for the following features, provided that portions of, or projections from, *buildings* or *structures* shall not exceed 18.0 m:
 - i. Communication towers and antennas;
 - ii. Architectural feature such as a clock tower, water tower, etc.;
 - iii. Chimneys;
 - iv. Flag poles;
 - v. Elevator shafts;
 - vi. Stair and hose towers;
 - vii. Micro-wind turbines; and
 - viii. Solar panels.
- (e) *Agricultural buildings and structures* constructed on *land* zoned *Agricultural (A-1)* are exempt from the *building height* requirements.

4.5 Fence Height

- (a) The *height* of a fence, wall or similar screen shall be determined by measurement from the ground level at the average *natural grade* level within 1.0 m of both sides of such *fence*, wall or similar screen.

4.6 Density Calculation with Land Dedication

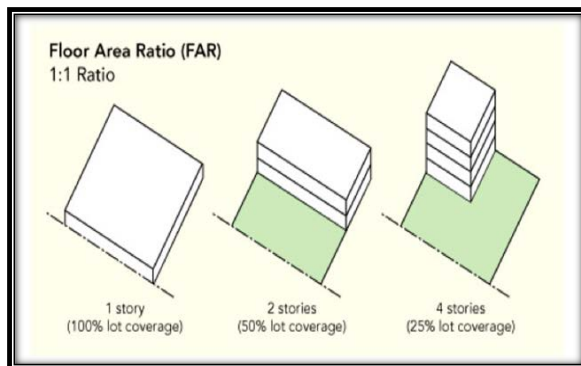
- (a) When calculation of *density* involves the dedication of *land* to any government agency for environmental, *park*, or other public purpose, the *density* calculation shall be based on the area of the *lot* before dedication.

4.7 Floor Area

- (a) Where a *zone* or regulation establishes a maximum *floor area* for a *building*, the *floor area* of the *building* shall not be greater than the established maximum.
- (b) *Floor area* is a measurement of the usable floor space of the interior of a *building* including all *storeys* and *half-storeys*, measured as follows:
 - i. *Floor area* is measured from the mid-point of each exterior wall.
 - ii. Basements, common corridors providing access to individual *units*, interior stairwells, elevator shafts, common mechanical and electrical rooms, laundry rooms, *under-building* parking, unenclosed decks, and other similar common areas necessary to service the *building* or its inhabitants are excluded from the calculation of *floor area*.
 - iii. *Buildings and structures* utilizing energy efficient *building* techniques that result in thicker wall construction, may calculate *floor area* from a point midway between the mid-point of the exterior wall and interior face of the exterior walls.
- (c) The area of an amenity provided in a *building* under the terms of *density* bonus provisions in any amenity *zone* is excluded from the calculation of maximum *floor area*.

4.8 Floor Area Ratio (FAR)

- (a) Where a *zone* or regulation establishes a maximum *Floor Area Ratio* (FAR), the *floor area* of the *buildings* or *structures* shall not exceed the maximum FAR.
- (b) The calculation of FAR is a measure of *density* and is determined as follows:
 - i. FAR is the ratio of *floor area* of the *principal* and *accessory buildings and structures* on a *lot* to the *lot* area, and shall be calculated by dividing the *floor area* of the *buildings* on a *lot* by the total gross area of the *lot*, expressed as a ratio.



4.9 Gross Floor Area (GFA)

- (a) *Gross floor area* is measured from mid-point of all exterior walls of the *building* or *structure* and includes a *garage*.
- (b) *Buildings and structures* utilizing energy efficient *building* techniques that result in thicker wall construction, may calculate *floor area* by determining mid-point of the exterior walls, and calculating *floor area* from the interior *sideface* of the exterior wall.

4.10 Lot Coverage

- (a) Where a *zone* establishes maximum *lot coverage*, the *building footprints* of all *buildings and structures* shall not exceed the maximum specified in any *zone* or regulation.
- (b) *Lot coverage* shall be calculated by dividing the sum of the *building footprints* for all *buildings and structures* on the *lot* by the total area of the *lot*, expressed as either an area or a percentage.

4.11 Maximum Number, Size, and Density

- (a) Where a *zone* or regulation establishes a maximum number of *buildings, structures, or units*, there shall be no greater number of *buildings, structures, or units* than the specified maximum.
- (b) When calculation of *density* involves a number of *units per lot* and yields a fractional number, the required number of *units permitted* shall be rounded down to the lowest whole number.
- (c) Measures of *density* in this Bylaw include the following measures established in any *zone* or regulation:
 - i. Maximum number of *buildings or structures*;
 - ii. Maximum number of *units*, including *units per hectare (UPH)*;
 - iii. Maximum *floor area*;
 - iv. Maximum percentage of a *lot, building or structure*;
 - v. Maximum *lot coverage*;
 - vi. Maximum *floor area ratio (FAR)*.

4.12 Minimum Lot Size and Dimensions

- (a) Where a *zone* or regulation *establishes a minimum lot size*, the minimum *lot size* is the minimum area of a *lot* that may be created by *subdivision in that zone*.
- (b) Where a *zone or regulation establishes minimum parcel dimensions for lot width and lot depth*, the minimum dimensions are the minimum dimensions of a *lot* that may be created by *subdivision* in that zone.
- (c) For *lots* fronting a cul-de-sac, or having an irregular *lot* boundary, the *lot width* frontage shall be measured from a point on each side *lot line* 7.5 metres from the intersection of the side and front *lot lines*.
- (d) For *panhandle lots*, the front *lot line* measurement includes the width of the access strip and the front *lot line*.
- (e) For *panhandle lots*, a maximum of 10% of the measurement of *lot* area may be comprised by the area of the access strip. For clarity, the area of the *panhandle* may be

greater than 10%, but only maximum of 10% shall be included in the calculation of *lot* area for the purpose of measuring the minimum *lot* size.

4.13 Projections into Required Setback and Exceptions to Siting Requirements

- (a) Every part of any *setback* required by this Bylaw shall be open and unobstructed by any *building* or *structure*, except that, a *setback* may contain architectural or functional *structures* or a *building* or *structure* feature such as but not limited to; window sills, sunlight control projections, balconies, cornices, eaves, gutters, chimneys, pilasters, canopies, ornamental features or window bays, provided that:
- i. No such *structure* or feature shall project more than 0.6 m into any required *setback*;
 - ii. The total combined length of all projections shall not exceed 40% of the length of each applicable facade on each storey;
 - iii. A fence that complies with the Height restrictions of this Bylaw is allowed along any *lot line*, or between a *lot line* and a *permitted building* or *structure* for the purpose of establishing a barrier between any setback area;
 - iv. Stairs accessing a deck, porch or veranda may be located within a front setback, exterior side setback, or rear setback but shall not be located within any interior side *setback*;
 - v. *Structures* necessary to ensure that a *building* or *structure* and its facilities can be approached, entered, and used by persons with physical or sensory disabilities in accordance with the BC *Building Code*, may project into any required front, rear or side *setback* provided that the *structure* is not closer than 0.3 m from any side *lot line*;
 - vi. An uncovered patio or terrace no greater than 0.6 m above grade, which may be open or enclosed, may be sited in any portion of a *lot* except as otherwise provided for in this Bylaw;
 - vii. ~~An uncovered~~ permanent swimming pool may project into a front, side or rear *setback* area provided that the pool shall not be constructed within 1.8 m of a *lot line*;
 - viii. A retaining wall to a maximum *height* of 1.2 m may be sited on any portion of a *lot*.

4.14 Setback from Lot Line

- (a) Where a *zone* or regulation establishes a minimum or maximum *setback* for front, side or rear *lot line setbacks*, *buildings and structures* must be located outside of the minimum *setback*, or inside the maximum *setback*.
- (b) *Setback* shall be determined in accordance with the following measurement guidelines in any *zone*:
- i. *setback* shall be the minimum distance between the closest point of a *building* or *structure* and the *lot line* measured perpendicular to the *lot line*.
 - ii. the minimum *setback* for *buildings and structures* in the *Airport Zone* shall be measured from the leasehold boundaries.
 - iii. Fences are exempt from *setback* unless a *setback* is specifically established

in this Bylaw.

4.15 Sight Line Requirements at Intersections

- (a) For *corner lots*, nothing shall be constructed or maintained, nor shall any type of hedge be maintained or allowed to grow, exceeding a *height* greater than 1.0 m above the *finished grade* of the *highway* or otherwise so as to obstruct the clear vision and/or sight triangle lines formed by extending 6.0 m in an area bounded by the intersecting *lot lines* at a street corner and a line joining points along said *lot lines*.

PART 5: Establishment of Zones

5.1 Creation of Zones

- (a) The entire Village of Pemberton is divided into zones, the location of which is depicted on Schedule A (Zoning Map), which is attached to and forms a part of this Bylaw.

5.2 Zone Boundaries

- (a) The official version of the zoning map shown as Schedule A is kept in electronic form in the Municipality's GIS System. In the case of conflict between the contents of a paper document copy of the zoning map and the electronic form of the zoning map, the contents of the electronic version shall prevail;
- (b) Where a *zone* boundary follows a *highway*, *lane*, railway, pipeline, power line, utility right-of-way, or easement, it follows the centre line, unless otherwise clearly indicated on the zoning map;
- (c) Any dashed zoning boundary lines used in Schedule A must be interpreted as if they were solid lines.
- (d) Where a *lot* is divided by a *zone* boundary, the areas created by such division must be regulated based upon the requirements of each zoning boundary.
- (e) Where a *zone* boundary is shown as approximately following the edge, shoreline, or high-water mark of a river, lake, or other water body, it follows that line. In the event of change, it moves with the edge or shoreline;
- (f) Where a *zone* boundary is shown as approximately following a property line, it follows the property line;
- (g) Where a *zone* boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line;
- (h) In circumstances not covered above, the *zone* boundary shall be determined by the scale of the zoning map.
- (i) When any street is closed, the roadway *lands* have the same zoning as the abutting *land*. When abutting *lands* are governed by different *zones*, the centre of roadway is the *zone* boundary unless the *zone* boundary is shown clearly following the edge of the roadway. If the roadway is consolidated with an adjoining parcel, the parcel's zoning designation applies to affected portions of the roadway.

5.3 Zone Names

(a) The zoning boundaries, as shown on Schedule A, are as follows:

Agricultural Zones	Abbreviation
<i>Agriculture 1</i>	A-1
<i>Rural Residential 1</i>	RR-1
Detached Residential Zones	
<i>Residential 1</i>	R-1
<i>Small Lot Residential 2</i>	R-2
<i>Duplex Lot Residential 3</i>	R-3
<i>Residential Country Inn 1</i>	RC-1
<i>Residential Manufactured Home Park 1</i>	MHP-1
Multi-Family Residential Zones	
<i>Multi-Family Residential 1</i>	RM-1
<i>Multi-Family Residential 2</i>	RM-2
Residential Amenity 1 Zones, Sunstone	
<i>Residential Amenity 1</i>	RSA-1
<i>Residential Townhouse Amenity 1</i>	RTA-1
Residential Amenity 2 Zones, The Ridge	
<i>Residential Amenity 2</i>	RSA-2
<i>Residential Townhouse Amenity 2</i>	RTA-2
Commercial Zones	
<i>Town Centre Commercial 1</i>	C-1
<i>Tourism Commercial 2</i>	C-2
<i>Portage Commercial 3</i>	C-3
<i>Service Commercial 4</i>	C-4
<i>Neighbourhood Pub Commercial 5</i>	C-5
Industrial and Airport Zones	
<i>Industrial Park</i>	M-1
<i>Resource Industrial</i>	M-2
<i>Airport 1</i>	AP-1
Civic, Institutional, and Recreation Zones	
<i>Public</i>	P-1
<i>Parks and Recreation</i>	PR-1
<i>Outdoor Recreation</i>	OR-1
<i>Education</i>	E-1
<i>Resource</i>	RES-1
<i>Community Watershed Protection</i>	CWP-1

5.4 Comprehensive Development Zones

- (a) Comprehensive Development Zones shall be numbered in sequence, prefaced by "CD-", and be attached to and form part of this Bylaw.

Comprehensive Development Zones	Abbreviation
<i>Creekside</i>	CD-1
<i>Mountain Trails</i>	CD-2
<i>Cottonwood Court</i>	CD-3
<i>Pioneer Junction</i>	CD-4
<i>Tiyata at Pemberton</i>	CD-5

PART 6: General Regulations

6.1 General Compliance

- (a) No person shall use, occupy or permit any person to use or occupy any *land, building* or *structure* in contravention of this Bylaw.
- (b) Nothing contained within this Bylaw relieves any person from the responsibility to seek and comply with other legislation applicable to that *use, activity* or other matter regulated under this Bylaw.
- (c) Every *use of land, buildings* or *structures permitted* in each *zone* shall conform to all the regulations of the applicable *zone* and all other regulations of this Bylaw.
- (d) A *use* is only *permitted* if lawfully established and ongoing in accordance with:
 - i. Any applicable conditions of use, as identified in each zone; and
 - ii. Such further general regulations applicable to the use, as identified throughout this Bylaw.
 - iii. A lot shall not be created by subdivision unless such lot is equal to or greater than the minimum lot size and minimum lot width specified for the zone in which it is located in accordance with the Zoning Map, unless otherwise specified in this Bylaw.
- (e) A *building* or *structure* shall not be constructed, sited, moved or altered unless it complies with the following:
 - i. The General Regulations of this Bylaw; and
 - ii. All regulations and requirements specified for the *zone* in which it is located.
- (f) A *building* or *structure* shall not be constructed, sited, moved, or altered unless its *screening* requirements are provided as specified for the *zone* in which it is located, unless otherwise specified in this Bylaw.
- (g) A continuation of a non-conforming *use, building, or structure* shall be subject to the provisions of the *Local Government Act*.

6.2 General Prohibitions

- (a) Any *use of land, buildings* or *structures* not expressly *permitted* in this Bylaw is prohibited in every *zone*, and where a particular *use* is expressly *permitted* in one *zone*, such *use* is prohibited in every *zone* where it is not expressly *permitted*.

6.3 Uses Permitted in All Zones

- (a) Except as otherwise stated in this Bylaw, the following *land uses* are *permitted* in all *zones* subject to compliance with all regulations that apply to such *uses* under this Bylaw and, if uses are in the ALR, subject to compliance with the *Agricultural Land Commission Act* and *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*:
 - i. *accessory uses, buildings, and structures*, or works customarily incidental to a *permitted use*, provided they are located on the same *lot* or within the same strata plan as the *permitted use* and includes show homes and sales offices;
 - ii. Community garden, horticulture;
 - iii. Any approved environmental protection, restoration and enhancement

- project;
- iv. Flood control works undertaken by a government agency;
- v. Highway;
- vi. Landscaping, landscape buffer, *screening, fence*;
- vii. Park;
- viii. Utility services, excluding offices, maintenance *garages* and storage areas;
- ix. Temporary *buildings, structures* or storage of materials to a maximum of one for an approved construction project on the same *lot* provided such temporary *buildings, structures* and storage areas are removed within thirty (30) days of the completion of the project;
- x. Temporary occupancy of a mobile home or recreational vehicle by an owner of a *lot* during construction of a *permitted residential dwelling* on the same *lot*, that is hooked up to a *community water* and *community sewer* system and approved by the Village of Pemberton;
- xi. Trails, subject to approval of the *Agricultural Land Commission* if located in the *Agricultural Land Reserve*;
- xii. Government Services;
- xiii. Ecological Reserves;
- xiv. Watershed Protection;
- xv. Filming;
- xvi. Places of Worship-
- ~~xvi-xvii.~~ *Public Parking Lot.*

Commented [1]: To recognize Public Parking Lot as a permitted use in all zones

6.4 Uses Prohibited in Zones

- (a) A person shall not keep or permit on any *lot* in any *zone*, any object or chattel which is unsafe, unsightly, or adversely affects the amenities of the *zone*. This includes but is not limited to dismantled or wrecked motor vehicles, and any excavation, stockpiling or storage of materials, explosives, flammable liquids, diesel fuel and gasoline products, unless otherwise *permitted* in this *Bylaw*;
- (b) For greater certainty, the following *uses* are prohibited in all *zones* except where *permitted* for in this *Bylaw*:
 - i. A track for the racing of motor vehicles;
 - ii. The on-street parking of personal water craft and other watercraft trailers, campers, utility trailers and recreation vehicles;
 - iii. Storage of explosives, unless authorized by government agencies under the *Canada Explosive Act*; and
 - iv. A *use* involving the storage of scrap metal, disabled vehicles, disused items, or as an automobile salvage and wrecking yard;
 - v. Short-Term Vacation Rental;
 - vi. *Cannabis, Dispensary.*

- (c) The following *uses and structures* are prohibited in all *residential, commercial, and civic use zones* except where *permitted* for in this Bylaw:
- i. the slaughtering, rendering or processing of any fish or animal products or by-products;
 - ii. barb wire fencing;
 - iii. a shipping/cargo container or other form of container unless it is listed as a *permitted use* in the respective zone;
 - iv. any *land use* which produces malodorous, toxic or noxious matter, or generates vibrations, heat, glare or radiation discernible beyond the boundaries of the *lot*;
 - v. Recycling facility unless it is listed as a *permitted use* in the respective zone;
 - vi. Refuse disposal site unless it is listed as a *permitted use* in the respective zone;
 - vii. Waste transfer station unless it is listed as a *permitted use* in the respective zone;
 - viii. Resource processing; and
 - ix. Gaming and gambling establishments, other than charity gaming.

6.5 Subdivision of Land

- (a) No *lot* shall be created by *Subdivision* that has less than the minimum dimensions and area established by this Bylaw.
- (b) No *lot* shall be created by *subdivision* that has less than 10% of its perimeter fronting on a *highway*.
- i. Notwithstanding the minimum frontage requirement, Council, or Council's delegate, may exempt parcels of land from the 10% minimum frontage requirement;
 - ii. Notwithstanding the minimum frontage requirement, the minimum frontage for lots of land in a cul-de-sac may be less than 10% of the perimeter of the lot, provided that the minimum frontage is not less than 7.5 m and the width of the lot is not less than 10 m measured 5 m back in a perpendicular manner from the front lot line.
- (c) The consolidation of two (2) or more *lots* into a single *lot* is exempted from minimum *lot* size requirements in any *zone*.
- (d) The realignment of *lot lines* to adjust the boundaries between two (2) or more *lots* may be *permitted* provided that:
- i. the number of new *lots* created by *subdivision* would be equal to or less than the number of *lots* that existed prior to the *subdivision*;
 - ii. the boundary change would not result in the creation of a *lot* having less than 80% of the area of any of the original *lots* for *lots* conforming to minimum *lot* size requirements;
 - iii. the boundary change would result in equal parcel areas equivalent to the original *lots* for *lots* that do not conform to minimum *lot* size requirements.

- (e) Unless the pattern of existing *subdivision* precludes it, and unless it is impracticable, side *lot lines* shall be perpendicular or radial to the adjoining *highway*.
- (f) A *panhandle lot* shall not be created where the access strip is narrower than 10 m.
- (g) Subdivision in the Agricultural Land Reserve is subject to compliance with the Agricultural Land Commission Act and Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

6.6 Undersized Lots

- (a) In each zone, all lots that have a lesser lot area, frontage or depth than required in this Bylaw, and that were lawfully created and registered at the BC Land Title Office prior to the date of adoption of this Bylaw, are hereby deemed conforming to the parcel dimension and size requirements of this Bylaw.

6.7 Conversion of Buildings or Structures

- (a) Buildings or structures may be converted, altered or remodeled for another use, provided that:
 - i. The Building Official certifies that the building or structure is structurally suitable for such conversion;
 - ii. The converted building or structure conforms to all provisions and regulations of the zone in which the lot is located; and
 - iii. The parking requirements for the intended *use* are met.

PART 7: Additional Zoning Regulations For Certain Uses

7.1 Accessory Buildings or Structures and Uses

(a) *Accessory buildings, structures or uses* shall comply with the following:

- i. An *accessory building or structure* shall not be situated on a *lot* unless the *permitted building or structure*, to which the *accessory building or structure* is incidental, has already been erected or will be erected simultaneously with the *accessory building or structure* on the same *lot*, with the exception of one (1) *accessory building or structure* not exceeding 25 m² of *gross floor area*, used only for storage purposes;
- ii. A *garage or carport* attached to a *permitted building or structure*, by an enclosed, heated area that is not more than five (5) metres in length, is deemed to be a portion of the *permitted building or structure*;
- iii. *Land* comprising the common property in a strata plan may be used for purposes *accessory* and customarily incidental to permitted *uses* on the strata *lots* within the same strata plan. For the purposes of *accessory buildings or structures* that may be constructed on common property, the same *setback, building height, lot coverage* and other *building or structure* standards apply as those which apply to strata *lots* in the same *zone*;
- iv. No part of an *accessory building or structure* shall be used for *residential use* purposes or *short-term vacation rental*, except as otherwise provided for in this Bylaw; and
- v. No *accessory building* shall be located in the front yard except a *garage or carport*.
- vi. Unless otherwise stated in this Bylaw, *accessory buildings and structures* shall comply with the following *lot line setbacks*:
 - a. Rear lot line: 1.5m
 - b. Interior side lot line 1.5m
- vii. *Accessory buildings* shall have the same *exterior side lot line setback* as the *principal building*.

7.2 Accessory Greenhouse

(a) *Accessory greenhouse* shall comply with the following:

- i. On *lots* zoned for *residential uses* that are less than 0.4 Ha in area, the combined total area of greenhouses shall not exceed 25% of the *lot* area;
- ii. *Greenhouses* associated with *agriculture use* shall comply with the following required *lot line setbacks*:

Building	Maximum Front & Exterior Side Setback	Maximum Interior Side & Rear Setback
Greenhouse	7.5 m	4.5 m

7.3 Accessory Residential Dwellings

- (a) If an accessory residential *dwelling* unit is permitted in a commercial, institutional or industrial zone, the accessory residential *dwelling* shall comply with the following regulations:
 - i. Only one (1) *accessory residential dwelling* is permitted per *commercial* or *institutional unit*;
 - ii. A maximum of four (4) *accessory residential dwelling units* per *lot* are permitted in ~~the industrial~~ Industrial 1 (M-1) zones.
 - iii. An *accessory residential unit* shall not exceed 20% of the *gross floor area* of the *principal use*.

7.4 Agricultural Uses Permitted and Prohibited in the Agriculture Zone

- (a) Activities explicitly designated as *farm uses* pursuant to the *Agricultural Land Use, Subdivision* and Procedure Regulation, BC Regulation 171/2002, are *permitted* in all *Agricultural Zones* within the *Agricultural Land Reserve*;
- (b) Unless an activity is explicitly designated a *farm use*, or *permitted* by this Bylaw pursuant to the *Agricultural Land Use, Subdivision* and Procedure Regulation, BC Regulation 171/2002, the *use* is prohibited unless approval has been granted by the *Agricultural Land Commission* for a *non-farm use* or is subject to Section 23(1) of the *Agricultural Land Commission Act*, and the *non-farm use* is *permitted* by this Bylaw;
- (c) Activities *permitted* by this Bylaw pursuant to the *Agricultural Land Use, Subdivision* and Procedure Regulation, BC Regulation 171/2002, are explicitly identified as *permitted uses* within individual *Agricultural Zones*; for such activities, conditions of *use* apply in accordance with this Bylaw.

7.5 Agri-tourism

- (a) *Agri-tourism* shall be carried out only on land within the *Agricultural Land Reserve* and as a use accessory to an agricultural use.
- (b) The use shall be carried out on land that is classified as a *farm* under the *BC Assessment Act* and shall not use, construct or erect any permanent facilities for *Agri-tourism activities* without an approved *non-farm use* application from the *Agricultural Land Commission* and a valid building permit for assembly use.
- (c) *Agri-tourism activities* shall be temporary and seasonal and promote or market farm products grown, raised, or processed on the farm.
- (d) *Agri-tourism* may include the following tourism related activities on a farm:
 - i. *Agri-tourism accommodation*
 - ii. An *agricultural* heritage exhibit display
 - iii. Farm tour or farm operation demonstration
 - iv. Cart, sleigh or tractor rides on the land comprising the farm
 - v. Activities that promote or market livestock from the farm, (e.g. horseback rides, cattle show, petting zoo)
 - vi. Dog trials held at the farm (agility and stock dog events)

- vii. Harvest festivals and other seasonal events (e.g. pumpkin patch, garlic festival or corn mazes) for the purpose of promoting farm products produced on the farm
 - viii. Temporary services ancillary to the *Agri-tourism* activities that support or enhance the activity such as portable washrooms, ticket booths, and eating areas.
- (e) The following activities are specifically excluded:
- i. Bistros, Cafes and *Restaurants*
 - ii. Paint ball
 - iii. Dirt Bike/ATV trails
 - iv. Mini-trains or model airplane runways
 - v. Activities operated as a *commercial* business
 - vi. Any other activity not considered by the *Agricultural Land Commission* to be an *Agri-tourism activity*.

7.6 Backyard Hen Keeping

- (a) For *lots* on which backyard hen keeping is *permitted*, the following regulations apply:
- i. Backyard hen keeping is *permitted* on *lots* greater than 600 m² and less than 0.4 ha in area; on *lots* that are 0.4 ha or greater, backyard hen keeping shall comply with regulations and conditions of *use* for *Agriculture*;
 - ii. A maximum of five (5) hens is *permitted* and no roosters are *permitted*; and
 - iii. An enclosure for the keeping of hens shall be provided.
- (b) *Buildings, structures* and enclosures used for the keeping of hens shall:
- i. Not be located within a *front yard* and within three (3) m of a *side* or *rear lot line*;
 - ii. Not occupy an area in excess of 10 m²;
 - iii. Not exceed a *height* of 2.5 m; and
 - iv. Be secured by electric fencing.
- (c) *Backyard hen keeping* shall not create a nuisance of any kind.
- (d) *Backyard hen keeping* shall comply with all other Municipal Bylaws including applicable Animal Control Bylaws.

7.7 Backyard Bee Keeping

- (a) For *lots* on which backyard bee keeping is *permitted*, the following regulations apply:
- i. backyard bee keeping is *permitted* on *lots* greater than 600 m² and less than 0.4 ha in area; on *lots* that are 0.4 ha or greater, backyard bee keeping shall comply with regulations and conditions of *use* for *Agriculture*;
 - ii. An enclosure for the keeping of bees shall be provided.
- (b) *Buildings, structures* and enclosures used for the keeping of bees shall:
- iii. Not be located within a *front yard* and within three (3) m of a *side* or *rear lot*

line;

- iv. Not occupy an area in excess of 10 m²;
 - v. Not exceed a *height* of 2.5 m; and
 - vi. Be secured by electric fencing.
- (c) Backyard bee keeping shall not create a nuisance of any kind.
- (d) Backyard bee keeping shall comply with all other Municipal Bylaws including applicable Animal Control Bylaws.

7.8 Bed and Breakfast

- (a) Where *permitted* in a *zone*, one (1) *bed and breakfast use per lot* is *permitted* in a *detached dwelling* subject to the following regulations:
- i. The *bed and breakfast use* is *accessory* to the *principal residential use*, occurs in the *principal* residence of the land owner, and operated by a full-time and present resident;
 - ii. A maximum of two (2) bedrooms in a *detached dwelling* are used for *bed and breakfast*;
 - iii. One (1) additional parking space per bedroom rented out as *bed and breakfast* is required; and
 - iv. A *bed and breakfast use* cannot be combined with any other *home occupation*.
- (b) The area designated for *bed and breakfast use* (including guest rooms and any common room provided outside of the residential occupant's personal area) must not contain cooking facilities and must not contain ~~or~~ refrigerators in excess of six (6) cubic feet.
- (c) A *bed and breakfast* shall not be combined with any other *tourism accommodation use*.
- (d) A valid Village of Pemberton business license is required.

Commented [i2]: Add clarity

7.9 Bed and Breakfast Inn

- (a) Where *permitted* in a *zone*, one (1) *bed and breakfast inn use per lot* is *permitted* in a *detached dwelling* subject to the following regulations:
- i. The *bed and breakfast inn use* is *accessory* to the *principal residential use*, and operated by a full-time and present resident;
 - ii. A minimum of three (3) and a maximum of five (5) bedrooms in a *detached dwelling* are used for *bed and breakfast inn*, except if the bed and breakfast inn is located in the Agricultural Land Reserve (ALR), then the maximum is four (4) bedrooms;
 - iii. One (1) additional parking space per bedroom rented out as *bed and breakfast inn* is required;
 - iv. A *bed and breakfast inn use* cannot be combined with any other *home occupation*.
- (b) The area designated for *bed and breakfast inn use* (including guest rooms and any common room provided outside of the residential occupant's personal area) must not contain cooking facilities ~~or~~ and must not contain refrigerators in excess of six (6) cubic feet.

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- (c) A valid Village of Pemberton business license is required.

7.10 Carriage Houses

- (a) Where *permitted* in a *zone*, *carriage houses* shall be subject to the following regulations:
- i. The distance between the *permitted dwelling unit* and the *carriage house* shall be a minimum of 3.0 m;
 - ii. The *carriage house* shall be located on the second story or on the first story of a *detached accessory building*;
 - iii. Notwithstanding any other regulation in a *zone*, *accessory buildings* with a *carriage house* may be constructed to a maximum *height* of 7.6 m;
 - iv. The gross floor area of the residential dwelling in a *carriage house* shall not exceed 90 m²;
 - v. A *carriage house* shall be connected to a community sewer system and a community water system; and
 - vi. There shall be either an *accessory residential suite* or a *carriage house* located on the same *lot* as the *principal residential dwelling unit*, but not both.

7.11 Combined Commercial Residential Use

- (a) Where a lot is used for a combined Commercial and Residential use, unless otherwise specified in the applicable zone, the residential uses shall be permitted only in conformity with the following provisions:
- i. If located within the same building, the commercial use shall be situated on the first storey with the residential use being situated above the first storey;
 - ii. If located within separate buildings, the building containing the commercial use shall not occupy less than 100% of the highway frontage with the residential uses being situated to the rear of the commercial use;
 - iii. The residential units have a completely separate outside entrance at ground level; and
 - iv. The floor on which any residential dwelling units are located shall be used exclusively for residential purposes within all levels above the first.
- (b) Where a lot is used for combined commercial and residential use, unless otherwise specified herein, the type of commercial use shall be limited to the commercial uses that are specifically permitted in that particular zone.

7.447.12 Compost Bins

- (a) Compost bins and composting shall:
- i. Be located at least 3.0 m from any *lot line*; however, this *setback* may be reduced to 0.0 m when opaque *screening* is in place or a solid bin is in use; and
 - ii. Only consist of plant, plant-based material, or animal manure and shall not utilize any mechanized processes.

7.427.13 Gathering for a Farm Event

- (a) On *land* designated as farm under the *BC Assessment Act*, gathering for an event is

subject to the following regulations:

- i. Permanent facilities are not to be constructed or erected in connection with the event;
- ii. Parking for those attending the event shall be available on the farm, but shall not be permanent nor interfere with the farm's agricultural productivity;
- iii. No more than one hundred and fifty (150) people, excluding residents and employees of the farm may be gathered on the farm at one time for the purpose of attending the event;
- iv. The event shall be of no more than twenty-four (24) hours duration;
- v. No more than ten (10) gatherings for an event of any type may occur on the farm within a single calendar year;
- vi. Gathering for an event is subject to the *Agriculture Land Commission Act* and the *Agricultural Use, Subdivision and Procedure Regulation*.

7.137.14 Farm Stands

- (a) For zones within which a farm stand is a *permitted use*, the farm stand shall:
 - i. Offer for sale food products grown and produced on the *land*, and if on *lots* located within the *Agricultural Land Reserve*, in accordance with the *Agricultural Land Use, Subdivision and Procedure Regulation, BC 171/2002* and *ALC Policy L-02: Farm Retail Sales in the ALR*;
 - ii. Be *permitted* within a required *setback*; however, the *structure* shall not obstruct any vision or sight lines to and from a *highway, driveway or lane* and may need permission from the Ministry of Transportation and Infrastructure;
 - iii. Not occupy a *lot* area in excess of 10 m², except on *lots* located within the *Agricultural Land Reserve* in accordance of the *Agricultural Land Use, Subdivision and Procedure Regulation, BC 171/2002*;
 - iv. Not exceed 2.5 m in *height*; and
 - v. Not involve any external display or advertisement of the business other than a maximum of one (1) non-illuminated sign, which shall not exceed 0.4 m² in area.

7.147.15 Fences, Screening and Retaining Walls

- (a) Except as otherwise specifically stated in this Bylaw;
 - i. The *height* of a fence or wall shall be measured to the highest point from, and perpendicular to, a line representing the average *natural grade* level at its base, including where a *fence* or wall is constructed above a retaining wall;
 - ii. The maximum *height* of a *fence* shall not exceed 1.2 m in a front yard and not more than 1.8 m on all other parts of a *lot* in a *residential zone*.
- (b) Notwithstanding paragraph (a) above;
 - i. the *fence height* may be increased to 2.0 m in a front yard provided transparent mesh is used for the portion of *fence* that is more than 1.2 m in *height*;
 - ii. the maximum *height* of a *fence* shall not exceed 2.5 m in any other *zone*;

Commented [15]: Screening and Retaining Walls and are covered in separate Subsections

- iii. *Fences* used in association with recreational uses, such as playing fields, golf courses, driving ranges and tennis courts shall not be limited in *height*, provided such fences are constructed of materials that permit visibility, such as transparent mesh; and
 - iv. *Fences* may be constructed on any portion of a *lot*, including within a required *setback* area, except closed *fences* and *landscape* screens shall be less than 2.0 m in *height* when sited in a required *setback* area from a *lot line* adjoining any *residential use*.
- (c) The use of barbed wire, razor wire, construction *fences* used as a permanent *fence*, electric current, or any hazardous material for *fencing* is prohibited within all zones designated by this Bylaw, except where such *fencing* is required in conjunction with activities explicitly designated as farm uses pursuant to the *Agricultural Land Use, Subdivision and Procedure Regulation, 171/2002*.

7.457.16 Food Truck

- (a) *Food trucks* may be *permitted* in any non-*residential zone* and are subject to the following regulations:
- i. *Food trucks* shall not occupy a *highway* for a period of more than eight (8) consecutive hours in any day;
 - ii. *Food trucks* shall not locate in manner that impedes pedestrian or vehicle traffic on a *highway*;
 - iii. The *food truck* operator shall have a valid and current business license issued by the Village of Pemberton and shall have a valid Vancouver Coastal Health Authority food service permit;
 - iv. *Food trucks* in the ALR are subject to the *Agricultural Land Commission Act* and the *Agricultural Use, Subdivision and Procedure Regulation*.

7.467.17 Home Occupation

- (a) In any *zone* in which a *home occupation use* is *permitted*, the following conditions shall be satisfied:
- i. The activities shall be conducted entirely within the *principal building* or *accessory building* except where such activity involves horticulture or a family day care;
 - ii. The *home occupation* shall not involve external structural alterations to the *dwelling unit* or show any exterior indications that the *dwelling unit* is being utilized for any purpose other than that of a *dwelling unit*;
 - iii. The *use* shall not involve the storing, exterior to the *building* or *buildings*, of any materials used directly or indirectly in the processing or resulting from the processing or any product of such craft or occupation;
 - iv. The *use* may involve the display and the sale of a commodity that is produced on the premises; however retailing of the commodity be *accessory* to the *home occupation use*;
 - v. The *use* within the *principal building* shall occupy no more than 20% of the *floor area* of the *principal building*, up to a maximum of 50 m², except in the A-1 Zone, it is *permitted* up to a maximum of 100 m²;

- vi. The *use* within one or more *accessory buildings* shall occupy a total of not more than 50 m²;
 - vii. In no case shall the *gross floor area* of all *buildings* used for *home occupation use* exceed 50 m² on a parcel of *land*;
 - viii. The total display area of any outdoor advertising sign shall not exceed 0.4 m²;
 - ix. Not more than the equivalent of two (2) full-time persons shall be engaged in a *home occupation*, one (1) of which shall be a resident of the *dwelling unit*;
 - x. The *use* shall provide parking in accordance with the requirements in the applicable *zone*;
 - xi. No automobile, boat, or other machinery servicing or repair is *permitted* as a *home occupation use*; and
 - xii. A valid Village of Pemberton business license is required.
- (b) In addition to the above, a home occupations use shall not discharge or emit the following across lot lines:
- i. odorous, toxic or noxious matter or vapours;
 - ii. heat, glare, electrical interference or radiation;
 - iii. recurring ground vibration; and
 - iv. noise levels that exceed any applicable noise regulations created by the Village of Pemberton.

7.177.18 Intermodal Storage Containers

- (a) *Intermodal storage containers* may be used for storage in *Agricultural, Industrial, Airport, Public, Parks and Recreation* and *Outdoor Recreation Zones*. Where permitted, *intermodal storage containers* shall:
- i. be used for *accessory* storage purposes only;
 - ii. be limited to a maximum two (2) per *lot* in *Agricultural, Public, Parks and Recreation*, and *Outdoor Recreation Zones*, and one (1) per leasehold for the *Aerodrome use* at the *Airport*;
 - iii. not be reconstructed, altered or modified in any way to be used for living accommodation or human habitation for either personal or business purposes;
 - iv. not be used to store animals, trash, refuse, contaminated or hazardous materials;
 - v. not be stacked one upon another; or laid out in a row, unless authorized by a *Building Permit*;
 - vi. be placed on a hard, dust free surface pad area made with either concrete, asphalt or similar materials and shall not be permanently fixed to the ground;
 - vii. be used for temporary storage during the construction of a permitted *building* or *structure*, only when included in the *Building Permit* issued for the *principal building*;
 - viii. not occupy any required parking or loading spaces, or interfere with the circulation of motor vehicles or pedestrians;

- ix. not be located in the front yard of a *lot*;
 - x. comply with the *setback* requirements for any *accessory buildings* or *structures* in the applicable *zone*; and
 - xi. comply with all other applicable regulations contained within this Bylaw.
- (b) For the purposes of this Bylaw, railroad cars, truck vans, converted manufactured homes, travel trailers, cube vans, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than *storage* are not permitted as *accessory storage buildings* or *structures*.

7.187.19 Mixed Use Buildings

- (a) Where a *building* is used for a combined *commercial* and *residential use*, unless otherwise specified in the applicable *zone*, the *residential use* shall:
- i. be contained in the same *building* as the at-grade *commercial use*; and
 - ii. have a separate entrance from the *commercial use*.
- (b) Residential and commercial uses shall not be mixed on the same storey unless expressly permitted in the applicable *zone*.

7.197.20 Outdoor Equipment Storage Facility

- (a) *Outdoor equipment storage* is only *permitted* in accordance with the following requirements:
- i. The yard is enclosed by durable *fencing* whereby stored materials are screened from adjacent properties with significant buffering or a dark mesh/slat insert;
 - ii. All storage areas shall be of a hard (i.e. paved or compacted/treated) dust-free surface; and
 - iii. Site drainage shall not negatively impact adjacent properties or watercourses.

7.207.21 Retaining Walls

- (a) In a *residential zone*, a single retaining wall shall:
- i. Not exceed a Height of 1.2 m measured from the average *natural grade* level at its base; and
 - ii. Not be located within 0.6 m, measured horizontally, of any other retaining wall.

7.217.22 Screening

- (a) Where a *lot* is developed for a *commercial, industrial, or civic use* as *permitted* within a *commercial, industrial, civic* or Comprehensive Development *zone*, and where such a *development* shares a *lot line* with an adjacent *lot* that is either:
- i. Within a residential *zone*; or
 - ii. Occupied with a *residential use*;

the owner shall provide *screening* along such *lot line*. The *screening* shall be not less than 1.8 m in *height* or more than 2.0 m in *height*, except where the *screening* consists of 100% plant material, in which case there is no maximum *height*.

- (b) Notwithstanding the paragraph (a) above, screening will not be required along the shared lot line in cases where:
 - i. A *building* or *structure* is built on the *lot line*; or
 - ii. A *residential use* is developed on a *lot* that is Zoned *commercial, industrial* or *Community* at the time of adoption of this Bylaw.
- (c) Notwithstanding paragraph (a) above, where a *lot* is developed for a *commercial, industrial* or *civic use* as *permitted* within a *commercial, industrial, civic* or *Comprehensive Development zone* and where such a *lot* is separated by a *lane* from a *lot* that is:
 - i. within a residential zone; or
 - ii. occupied with a *detached, duplex, or townhouse residential dwelling*;the owner shall provide *screening* along the entire *lot line* abutting the *lane*. The *screening* shall be not less than 1.8 m in *height* nor more than 2.0 m in *height*, except where the *screening* consists 100% of plant material, in which case there is no maximum *height*;
- (d) Where a *lot* in a non-agricultural zone is developed; the owner shall provide *screening* along the entire length of any *lot line* adjoining *land* in the *Agricultural Land Reserve*. The *screening* shall be designed to minimize any potential *land use* conflicts with the *permitted agricultural use*. The *screening* shall not be not less than 1.8 m in *height* or more than 2.0 m in *height*, except where the *screening* consists of 100% plant material, in which case there shall be no maximum *height*.
- (e) Notwithstanding paragraph (a), (b) and (c) above, *screening* will not be required for the points of *motor vehicle* ingress and egress and for a distance of 3.0 m on either side of the points of ingress and egress; and
- (f) *Screening*, where required by this Bylaw, shall be maintained at all times by the owner of the *lot* on which they are required.

7.227.23 Secondary Suites

- (a) *Secondary suites* are permitted only in *detached dwelling units* and are *accessory* to the *principal residential use*.
- (b) Unless a *zone* specifically provides for otherwise, only one (1) *secondary suite* is permitted on a lot;
- (c) A *secondary suite* shall not have more than two (2) bedrooms;
- (d) Where a lot is not serviced by the municipal community sewer system, written confirmation from the applicable licensing body that the capacity of the sewer system will not be compromised by the presence of a *secondary suite* is required;
- (e) In *detached dwellings, accessory residential dwellings* shall have a total *gross floor area* of not more than 90 m² and shall have an area less than 40% of the habitable *gross floor area* of the *detached dwelling unit*.
- (f) *Secondary suites* shall not be subdivided or strata-titled from the *building* or *structure* of which it is part.

- (g) One (1) off-street parking space in addition to those required for the *permitted use* shall be provided per *secondary suite*.

7.237.24 Short-Term Vacation Rental

- (a) Where *permitted* in a *zone*, *short-term vacation rental use* shall be subject to the following regulations:
 - i. *Short-term vacation rental* is only permitted in a lawful dwelling unit that is a *principal residence*, or a *secondary suite*, but not both;
 - ii. *Short-term vacation rental* is not *permitted* in an *accessory building* or vehicle, recreation vehicle, tent or trailer, other than a *carriage house*;
 - iii. Occupancy shall not exceed two (2) persons per available bedroom, to a maximum of three (3) bedrooms accommodating six (6) guests;
 - iv. One (1) off-street parking space shall be provided for each bedroom used as *short-term vacation rental*;
 - v. Any person intending to operate a *short-term vacation rental* shall hold a valid and current business license from the Village of Pemberton.

7.247.25 Subdivision to Provide a Residence for a Relative

- (a) The minimum size for a *lot* that may be *subdivided* shall be that prescribed under the *Local Government Act*.
- (b) Subdivision in the ALR is subject to the *Agricultural Land Commission Act* and the *Agricultural Land Use, Subdivision and Procedure Regulation*.

7.257.26 Subdivision of Lots Separated by Roads or another Lot

- (a) Notwithstanding the minimum *lot* area provisions of each *zone*, where a portion of a *lot* is physically separated from the remainder of the *lot* by a *highway* or another *lot*, which separation was in existence as of the date of adoption of this Bylaw, the physically separated portion may be subdivided from the remainder of the *lot* provided that:
 - i. the *highway* or other *lot* is used as the subdivision boundary;
 - i. if the *lot* lies in the *Agricultural Land Reserve*, the approval of the *Agricultural Land Commission* has first been obtained; and
 - ii. no *lot* created pursuant to this section shall be less than 1 Ha in area where connection to a *community water system* is not available and 0.4 Ha in an area where *community water system* connections are made to each *lot*.

7.267.27 Temporary Use Permits

- (a) Temporary *commercial* and *industrial uses* may be allowed under Section 493 of the *Local Government Act* within all *commercial*, *institutional* and *industrial zones*.
- (b) In considering the issue of a *Temporary Use Permit*, the Council or its delegate shall consider the following:
 - i. Whether the proposed *use* is consistent with the Official Community Plan designation for the *land*;
 - ii. Whether the proposed *use* is consistent with any other relevant Village of

Commented [i6]: To broaden the Village's ability to consider temporary uses in P-1, PR-1, OR-1, E-1 Zones

- Pemberton policies;
- iii. In the case of any proposed *use* that is not consistent with any such plan or *Council* policy, the nature and extent of any community benefit from the *use*;
 - iv. Whether the proposed *use* is of a temporary nature or whether it would be more appropriate for the Village to consider permitting the *use* by rezoning;
 - v. The suitability and compatibility of the proposed *use* with the surrounding area, including its operation, function, appearance and intensity of *use*; and
 - vi. The impact of the proposed *use* on the operation of adjacent *uses*, including future *land uses permitted* by the Zoning Bylaw and designated by the Official Community Plan.

7-277.28 Temporary Buildings or Structures During Construction

- (a) A temporary *building* or *structure* may be temporarily placed on a *lot* during construction of a *detached dwelling* on the same *lot*, for a period not to exceed the duration of the expiry of the *Building* Permit, or construction completion, whichever is less. If the *lot* is in the *ALR*, this use is subject to approval from the *Agricultural Land Commission*.
- (b) An owner of a *lot* may *use* a *mobile home* or *recreational vehicle* (RV) while in the process of constructing a *detached dwelling* on the same *lot*, provided that all of the following conditions are met:
 - i. the *mobile home* or RV occupancy shall not commence until a *Building* Permit has been issued for the construction of a *detached dwelling* located on the same *lot*;
 - ii. the period of mobile home or RV occupancy shall not extend beyond the life of the *Building* Permit;
 - iii. occupancy of the mobile home or RV shall cease within thirty (30) days of the date upon which occupancy is granted for the newly constructed *detached dwelling*;
 - iv. sewage shall be disposed of at approved off-site locations, or if it is disposed of on-site, in a location and manner that is *permitted* by the jurisdiction having authority or hooked into a community sewer system;
 - v. the mobile home or RV shall not be located closer than 4.5 m to any *lot line*;
 - vi. no extensions to the *building* permit or the temporary occupancy are *permitted*, without the expressed approval of the *Building* Official;
 - vii. the owner of the *lot* agrees to and enters into a restrictive covenant in favour of the *Municipality* pursuant to the *Land Title Act*, to the effect that the owner undertakes to remove the existing *detached dwelling* or render it uninhabitable to the satisfaction of the *Building* Official following the granting of the certificate of occupancy for the new *detached dwelling unit*.
 - viii. The covenant shall specify that an Irrevocable Letter of Credit or other security satisfactory to the *Municipality*, in the amount of \$10,000, shall be issued in favour of the *Municipality* by the owner, to be forfeited to the *Municipality* in the event that the other terms of the covenant are not complied with. If the funds are forfeited the *Municipality* shall *use* the \$10,000 to offset any costs of legal action to obtain compliance. The Irrevocable Letter of Credit term shall be for the entire term noted in the required covenant.

7.287.29 Temporary Use of an Existing Detached Dwelling Unit During Construction

- (a) Despite a restriction under this Bylaw on the number of *dwellings permitted* on a *lot*, an owner of a *lot* which already has an existing *detached residential dwelling unit* located on it, while in the process of constructing a new *detached residential dwelling unit* and with an approved Building Permit on the same *lot*, may continue to occupy the existing *detached residential dwelling unit* during construction of the new *detached residential dwelling unit*, subject to the following conditions being met:
- i. the owner of the *lot* agrees to and enters into a restrictive covenant in favour of the *Municipality* pursuant to the *Land Title Act*, to the effect that the owner undertakes to remove the existing *detached dwelling unit* or render it uninhabitable to the satisfaction of the Building Official following the granting of the certificate of occupancy for the new *detached dwelling unit*.
 - ii. when a covenant is required in accordance with subparagraph i., the covenant shall specify that an Irrevocable Letter of Credit or other security satisfactory to the *Municipality*, in the amount of \$10,000, shall be issued in favour of the *Municipality* by the owner, to be forfeited to the *Municipality* in the event that the other terms of the covenant are not complied with, in which case the *Municipality* shall use the \$10,000 to offset any costs of legal action to obtain compliance. The Irrevocable Letter of Credit term shall be for the entire term noted in the required covenant; and
 - iii. that the actions required by covenant under Subparagraph i) shall be completed within a maximum time period of two (2) years from the date of issuance of the Building Permit to completion and occupancy of the new *detached dwelling unit*, and that this time period shall be specified in the covenant; and
 - iv. if the lot is in the ALR, this use is subject to compliance with the *ALC Policy L-10: Building New Residence While Occupying Existing Residence*.

7.297.30 Above-Ground Swimming Pools, Spas and Hot Tubs

- (a) Where a *residential use* is *permitted*, an above ground swimming pool, spa or hot tub is *permitted* as an *accessory use*, in accordance with the following provisions:
- i. any above ground swimming pool, spa or hot tub shall not be located within 7.5 m of a front *lot line*; ~~or within a required side or rear lot line setback;~~
 - ii. ~~above ground pools shall have a maximum height of 2.5 m;~~
 - iii.ii. swimming pools shall be enclosed in a *structure* or surrounded by a fence not less than 1.5 m and not more than 1.8 m in *height*, designed to prevent climbing, and where equipped with gates, be operated by hinges and a lock and be able to be opened freely only from the inside; ~~and~~
 - iv. ~~the combined area of the swimming pools, spa or hot tub shall not exceed 15% of the total lot area.~~

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PART 8: Parking and Loading Requirements

8.1 Off-Street Parking General Requirements

- (a) Minimum off-street parking spaces and facilities shall be provided in accordance with the following table below and the requirements of this section. Where a specific use is not identified, a similar use to one listed in the following table shall be selected as an applicable standard.
- (b) Parking stalls may be provided as off-street parking, or as cash-in-lieu of parking payments for on-street parking as set out below in this Bylaw.
- (c) When off-street parking is required, a plan of the proposed parking arrangement, drawn at a reasonable scale, showing the off-street parking spaces and access driveways shall be part of the site plan submitted as a part of the application package, if this is not possible then it shall be filed with the Building Official prior to issuance of a Building Permit.
- (d) Where the calculation of required off-street parking spaces results in a fractional number, the number of required spaces shall be the nearest whole number above that calculation.
- (e) Where a *building* or *structure* or a *lot* contains more than one (1) function or *use*, the required number of parking spaces shall be the total sum of the requirements for each function or *use*.
- (f) Where seating accommodation is the basis for a *unit* of measurement and consists of benches, pews, booths or similar seating accommodation, each 0.5 m² of seating area shall be deemed to be one seat.
- (g) All multiple *unit residential* and *mixed-use residential* and *commercial development* shall provide bicycle parking at a rate of 20% of the required vehicle parking.
- (h) All multiple *unit residential*, *mixed-use residential* and *commercial developments* requiring at least ten (10) parking spaces shall provide one (1) electric vehicle for every ten (10) parking stalls required, which is readily accessible for charging a vehicle in a required parking space.
- (i) For any *use* required to be accessible to persons with a disability by the *BC Building Code*, a minimum of one (1) parking space for a person with a disability shall be provided.
- (j) Where ten (10) or more parking spaces are required by this Bylaw, the required spaces shall be accessible to persons with a disability, as outlined in the table below:

Total Required Parking Stalls	Required Number of Disability Parking Spaces
10-20	1
21-50	2
81-110	4
111-140	6
141-170	8

- (k) The parking requirements established in this section do not apply to a *building* or *structure* or *use* existing prior to the adoption date of this Bylaw, provided there is no change, expansion or addition to the *building* or *structure* or *use* that requires more parking spaces than were required for the existing *building* or *structure* or *use* when this Bylaw was adopted. If there is an expansion or addition to an existing *use* or *building* or *structure*, then the provisions of this section apply to the expansion or addition.
- (l) For the purposes of this Bylaw the required parking spaces have been broken into the

following categories of *uses*:

- i. Residential;
- ii. Commercial;
- iii. Industrial;
- iv. Civic.

8.2 Measurement

(a) For the purposes of **Part 8 Parking and Loading Requirements**, in this Bylaw, units of measure shall be interpreted as follows:

- i. where the sum of the calculation of the required total stall or special stall designation results in a fraction, the required stalls are to be the next higher whole number if the fraction is 0.5 or greater, and the next lower whole number if less than 0.5.

8.3 Residential Vehicular Parking Requirements

<p>Apartment Dwelling</p> <p>One Bedroom Two Bedroom Three Bedroom Visitor parking</p>	<p>1 per <i>dwelling unit</i> 1.75 per <i>dwelling unit</i> 2 per <i>dwelling unit</i> 0.25 per <i>dwelling unit</i></p>
<p>Detached Dwelling</p> <p><i>Detached Dwelling Unit</i> <i>Duplex</i> <i>Bed and Breakfast</i> <i>Bed and Breakfast Inn</i> <i>Secondary Suite</i> <i>Short-Term Vacation Rental</i> <i>Manufactured Home</i></p>	<p>2 per <i>dwelling unit</i> 2 per <i>dwelling unit</i> +1 per available bedroom +1 per available bedroom +1 per <i>unit</i> +1 per available bedroom 2 per <i>dwelling</i></p>
<p>Townhouse Dwelling</p> <p>One Bedroom Two Bedroom Three Bedroom Visitor Parking</p>	<p>1 per <i>dwelling unit</i> 2 per <i>dwelling unit</i> 2 per <i>dwelling unit</i> 0.25 spaces per <i>dwelling unit</i></p>

8.4 Commercial Vehicular Parking Requirements

a) <i>Veterinarian Clinic</i>	1 space per 35 m ² of GFA
b) <i>Financial Institution</i>	1 space per 20 m ² of GFA
c) <i>Campground</i>	1 space per campsite 0.25 spaces per campsite site visitor parking
d) <i>Liquor Primary Establishment</i>	1 space per 4 seats
e) <i>Gasoline Station</i>	1.25 spaces per 50 m ² of GFA
f) <i>Golf Course</i> (excludes <i>Restaurant/Lounge</i>)	4 spaces per hole and 1 per 2 employees
g) <i>Golf Course Driving Range</i>	1 space per tee
h) <i>Fitness Centre</i>	1 space per 20 m ² of GFA plus .25 per employee
i) <i>Automotive Service Shop</i>	1 space per 50 m ² of GFA space
j) <i>Tourism Accommodation</i>	1 space per room plus 1 space per 4 seats for any <i>Restaurant</i> or <i>Bar</i>
k) <i>Laundromat</i>	1 space per 4 washing machines
l) <i>Personal Service Establishment</i>	1 space per 28 m ² of GFA
m) <i>Neighbourhood Pub</i>	1 space per 4 seats
n) <i>Nurse/Garden Centre</i>	1 space per 15 m ² of GFA
o) <i>Office – Medical and Dental</i>	4 spaces per dentist/doctor
p) <i>Office – All Other</i>	1 space per 28 m ² of GFA
q) <i>Restaurant, Food Primary Establishment</i>	1 space per 4 seats
r) <i>Retail Store</i>	1 space per 28 m ² of GFA
s) <i>Liquor Store, Private Liquor Store</i>	3.25 per 140 m ² of GFA
t) <i>Neighbourhood Commercial</i>	.25 per 100 m ² of GFA
u) <i>Equipment Sales, Servicing, Rental and Repair</i>	1 space per 28 m ² of GFA

8.5 Industrial Parking Requirements

General Industrial	
a) Manufacturing	1 space per 93 m ² of GFA ¹
b) Service and/or Repair	1 space per 50 m ² of GFA
c) Warehousing or Storage	1 space per 106 m ² of GFA
d) Wholesale Bakery	1 space per 93 m ² of GFA
e) Catering Establishment	1 space per 93 m ² of GFA
f) Laboratory	1 space per 50 m ² of GFA
g) Radio, Television or Recording	1 space per 50 m ² of GFA
h) <i>Equipment Sales, Servicing, Rental and Repair</i>	1 space per 28 m ² of GFA
i) <i>Accessory Retail</i>	1 space per 28m ² of GFA
j) <i>Brewery, Cidery, Distillery or Winery</i>	1 space per 100 m ² of GFA
k) Cold Storage	1 space per 100 m ² of GFA
l) <u>Aggregate Resource</u> Processing	.75 per employee
m) Building Supply	1 space per 20 m ² <i>Retail Floor Area</i>
n) Car Wash	2 stacking spaces per wash bay
o) Cannabis Production	1 space per 93 m ² of GFA
p) <u>Industrial Composting Facility</u>	<u>.75 per employee</u>
q) <u>Recycling Facility</u>	<u>.75 per employee</u>

8.6 Civic, Institution, and Recreation Parking Requirements

a) All Community uses (unless listed)	1 space per 37 m ² of GFA
b) Places of Worship	1 space per 8 seats
c) Day Care	1 space per employee
d) School <ul style="list-style-type: none"> a. Elementary 	2 spaces per classroom

b. Secondary	5 spaces per classroom
c. Craft or Vocational	5 spaces per classroom
e) <i>Indoor Recreation</i>	1 space per 20 m ² of GFA
f) <i>Outdoor Recreation</i>	Not Applicable
g) Industrial Composting	.75 per employee
h) Recycling	.75 per employee

8.7 Affordable and Rental Housing Parking

- (a) Where a multiple family *building* is subject to a Housing Agreement for the provision of affordable purchased or rental housing, the parking ratios may be reduced by 0.25 stalls per unit.

8.8 Cash-in-Lieu of Parking

- (a) As an alternative to meeting the parking standards of this Bylaw for a change to an existing use or a new *development* that would result in an increase in the number of required parking spaces, cash in lieu may be paid to the *Municipality* by the owner or occupier of the *land* subject to the following requirements:

- i. the cash-in-lieu of parking payments collected will be placed into the *Municipal Parking Reserve Fund*; and
- ii. if Cash-in-lieu is to be provided it shall be in accordance with the following table, which represents 2018 dollars, and adjusted in accordance with Subparagraph iii);

\$9,100.00

- iii. the cash-in-lieu amount shall be adjusted for inflation each year beginning in 2018, according to the *British Columbia Consumer Price Index*, annual average for "all items", as published by BC Stats each January.

8.9 Parking for Persons with a Disability

- (a) Each parking space designated as a disability vehicular parking stall shall be signed and pavement marked with the International Symbol of Accessibility for the handicapped.
- (b) Disability vehicular parking stalls shall be located as near as practical to the *building* or *structure* entrance designed for handicapped persons.
- (c) Changes in elevations between the entrance and the parking space shall be non-existent, and be surfaced with material conducive to providing access for wheelchairs.

8.10 Tandem Parking

- (a) Tandem parking in a garage is permitted only in dwelling units with a floor area of less than 110 m².

8.11 Off-Street Parking Design Criteria, Development and Maintenance

(a) The minimum required dimensions for parking spaces and drive aisles shall be in accordance with the table below and the other requirements of this section:

Angle of Parking	Parking Space Width	Parking Space Length	Drive Aisle Width
30	3.05 M	6.10 M	3.50 M
45	3.05 M	6.10 M	4.20 M
60	3.05 M	6.10 M	5.60 M
90	3.05 M	6.10 M	6.40 M
Parallel	2.60 M	6.70 M	6.40 M

- (b) Where three or more parking spaces are required, 33% of the required parking spaces may be reduced to 4.6 m in length provided that such spaces are clearly marked **small vehicle only** within the parking space or on the facing wall or fence, if available.
- (c) Despite the minimum required dimensions for parking spaces in paragraph (a), all parking spaces for persons with a disability shall be a minimum of 4 m in width.
- (d) Where any required parking space abuts, along its length any portion of a Fence, *building* or *structure*, the minimum parking space width shall be increased by 0.3 m for that space only.
- (e) Except for *residential uses*, *highway* access or egress from parking areas shall be not less than 15 m from the nearest point of intersection of any two *highways*.
- (f) The required parking spaces are not *permitted* to be located within 1 m of a *lot line* adjoining any *highway*.
- (g) All parking areas shall be provided with adequate curbs to retain all *motor vehicles* within such *permitted* parking area and to ensure that adjacent *buildings* or *structures*, *fences*, walkways and landscaped areas are protected from the parked *motor vehicles*.
- (h) The maximum grade and cross slope for a parking space or parking area required by this Bylaw shall not exceed 8%.
- (i) Each parking stall shall be surfaced with asphalt, concrete, or permeable drivable surface, such as but not limited to the following:
 - i. porous pavers;
 - ii. cobblestones;
 - iii. turf block;
 - iv. honeycomb grid; or
 - v. crushed gravel.
- (j) All parking areas required for *commercial*, *multiple-family dwelling*, and *industrial uses* shall include one or more oil-water separators, and it shall be the responsibility of the owner to properly maintain the oil-water separators in good working order, regularly removing oils for proper disposal.
- (k) If any lighting is used to illuminate any parking area it shall be arranged to direct light upon such parking area and not onto any adjoining *lots* or *lands*.
- (l) That portion of any *lot* used as a driveway from the *lot line* to a required parking area shall not exceed a grade of 20%.
- (m) All the required parking spaces for all *uses* shall be located on the same *lot* as the *uses* they serve.

- (n) Each parking area shall be graded and drained in accordance with best engineering practices. In no case shall drainage be allowed to cross a sidewalk.
- (o) Within any *commercial* or *industrial zone*, *off-street parking* areas shall not be located within 60 m of a *lot line* of any *lot* that adjoins a *residential zone*.
- (p) The access to all *off-street parking* from a *highway* shall not be less than 6 m and not more than 9 m wide.

8.12 Off-Street Loading Requirements

- (a) Minimum off-street loading spaces and facilities shall be provided in accordance with the following table below and the requirements of this section:

Use of Lot, Building or Structure	Minimum Number of Off-Street Loading Spaces
<i>Commercial or Industrial</i>	1 space for the 300 m ² to 500 m ² of GFA or 2 spaces for 501 m ² to 2,500 m ² of GFA, and 1 space for each GFA above 2,500 m ² or fraction thereof
Office Building	1 space for the 300 m ² to 3,000 m ² of GFA and 1 space for each GFA above 3,000, or fraction thereof
<i>Cannabis Production Facility</i>	1 space for the 300 m ² to 500 m ² of GFA or 2 spaces for 501 m ² to 2,500 m ² of GFA, and 1 space for each GFA above 2,500 m ² or fraction thereof

- (b) A minimum of one (1) off-street loading space shall be provided on each *lot* in a *commercial, mixed-use, industrial* or *community use zone*.
- (c) Off-street loading spaces shall not be credited against the requirements for any off-street parking.
- (d) Each off-street loading space involving the receipt and delivery of goods or materials by vehicles shall be not less than 3 m wide, 9.2 m in length and have a vertical clearance of not less than 4.3 m.
- (e) Each off-street loading space shall always have access to an aisle that intersects with a *highway*.
- (f) Each off-street loading space shall be surfaced with asphalt, concrete, or similar hard surface to provide a durable, dust-free surface, and shall be graded and drained to properly dispose of all surface water.
- (g) Any lighting used to illuminate any loading area shall be so arranged to direct light upon such parking area and not onto any adjoining *lands* or *lots*.
- (h) Loading areas shall include one (1) or more oil-water separators, and it shall be the responsibility of the owner to properly maintain the oil-water separators in good working order, regularly removing oils for proper disposal.
- (i) The loading requirements established in this section do not apply to any *use* or a *building* or

structure that existed prior to the adoption date of this Bylaw. However, if there is an expansion or addition to an existing *use, building* or *structure*, then the provisions of this section apply to such expansion or addition.

8.13 Alternative to Off-Street Parking

- (a) As an alternative to meeting the parking standards of this Bylaw for a change to an existing use or new development that would result in an increase in the number of required parking spaces, the additional required off-street parking spaces may be located on a lot other than that upon which the use, building or structure intended to be served are located, provided the off-site parking is secured by an agreement which shall include the following:
 - i. the location and number of parking spaces provided off-site;
 - ii. the terms of any lease or rental agreement between the owner of the off-site parking area and the owner of the *building, structure* or *use* requiring off-site parking spaces;
 - iii. terms for the maintenance and where applicable the construction of the off-site parking area; and
 - iv. The agreement shall require the approval of the Municipality and the Municipality shall be a co-signatory.
- (b) All costs associated with preparing the agreement shall be paid by the owner of the *use, building* or *structure* that the off-site parking spaces are intended to serve.

PART 9: Zoning Boundaries and Regulations

9.1 Zones

- (a) Zones, as shown on Schedule A (Zoning Map), which is attached to and forms part of this Bylaw, have the following the regulations assigned to each zone as outlined in the following parts.

PART 10: Agricultural Zones

10.1 Agriculture 1 (A-1)

The Agriculture 1 Zone provides for the use of land, buildings and structures for agricultural, residential, and accessory uses on land within the Agricultural Land Reserve.

10.1.1. Permitted Principal Uses

- (a) Agriculture
- (b) Agri-tourism Activity
- (c) Agri-tourism Accommodation
- (d) Cannabis, Production Facility
- (e) Dwelling, Detached
- ~~(e)~~(f) Farm Residence (subject to Conditions of Use)
- ~~(f)~~(g) Farm Stand
- ~~(g)~~(h) Gathering for an Event
- (i) Riding Academy
- ~~(h)~~(i) Adventure Tourism Business (subject to Conditions of Use)

Commented [i8]: Omission

Commented [i9]: To recognize permitted uses that existed for the Adventure Ranch under SLRD Area C Zoning Bylaw No. 765, 2002 and as per the ALC Decision, Resolution #465, 2002

10.1.2. Permitted Accessory Uses

- (a) Bed and Breakfast
- (b) Bed and Breakfast Inn (subject to Conditions of Use)
- (c) Dwelling Detached, for Farm Help (subject to Conditions of Use)
- (d) Home Occupation
- (e) Secondary Suite
- (f) Storage, Intermodal Storage Containers
- (g) Temporary Farm Worker Housing (subject to Conditions of Use)

Commented [i10]: To add clarity

Commented [i11]: To add clarity

Commented [i12]: To add clarity

10.1.3. Conditions of Use

- (a) *Bed and Breakfast Inn Use*: The maximum number of bedrooms in a *Bed and Breakfast Inn* in the ALR is four (4).
- (b) *Farm House Residence*: The maximum gross floor area of a farm house residence shall not exceed 350 m².
- (c) *Dwelling, Detached, for Farm Help*: On lots greater than 4 Ha, a second detached dwelling for farm help is permitted.
- (d) *Temporary Farm Worker Housing*: Temporary Farm Worker Housing shall not

Commented [i13]: Consistency of terminology

Commented [i14]: To add clarity

exceed 100 m².

- (e) Adventure Tourism Business: This use is only permitted on lands legally described as Lot 1, DL 204, LLD, Plan 32712 at the time of adoption of this Bylaw. The Guest Lodge use is limited in size to a maximum of ten (10) units temporarily accommodating a maximum of four (4) guests per unit; to a total of forty (40) guests, provided that the area of the land, or floor area of the building or structure does not exceed 1,500 m².

Commented [i15]: To recognize permitted uses that existed for the Adventure Ranch under SLRD Area C Zoning Bylaw No. 765, 2002 and as per the ALC Decision, Resolution #465, 2002

10.1.4. Lot Regulations

- (a) Minimum Lot Size: 2 Ha

10.1.5. Building Regulations

(a) Minimum <i>Front Setback</i> :	7.5m
(b) Minimum <i>Rear Setback</i> :	7.5m
(c) Minimum <i>Interior Side Setback</i> :	7.5m
(d) Minimum <i>Exterior Side Setback</i> :	7.5m
(e) Maximum <i>Building Height, Principal Dwelling, Detached</i> :	10.5m
(f) Maximum <i>Building Height, Accessory</i> :	4.5m
(g) Maximum <i>Building Height, Farm</i> :	Nil

10.2 Rural Residential 1 (RR-1)

The Rural Residential 1 Zone provides for the use of land, buildings and structures for agricultural, Residential, and accessory uses on land outside the Agricultural Land Reserve.

10.2.1. Permitted Principal Uses

- (a) Agriculture
- (b) Dwelling, Detached
- (c) Farm Stands
- (d) Resource Extraction
- (e) Riding Academy

10.2.2. Permitted Accessory Uses

- (a) Bed and Breakfast
- (b) Bed and Breakfast Inn
- (c) Home Occupation
- (d) Secondary Suite
- (e) Storage, Intermodal Storage Containers

10.2.3. Lot Regulations

- (h) Minimum Lot Size: 2 Ha

10.2.4. Building Regulations

a) Minimum Front Setback:	7.5m
b) Minimum Rear Setback:	7.5m
c) Minimum Interior Side Setback:	7.5m
d) Minimum Exterior Side Setback:	7.5m
e) Maximum Building Height, Principal:	10.5m
f) Maximum Building Height, Accessory:	10.5m

PART 11: Residential Zones, Detached

11.1 Residential 1 (R-1)

The Residential 1 (R-1) Zone is intended to accommodate *detached dwellings* within residential neighbourhoods.

11.1.1. Permitted Principal Uses

- (a) *Dwelling, Detached*

11.1.2. Permitted Accessory Uses

- (a) *Bed and Breakfast*
(b) *Home Occupation*
(c) *Secondary Suite*
(d) *Short-Term Vacation Rental*

11.1.3. Lot Regulations

a) Minimum Lot Size:	700 m ²
b) Minimum Lot Width:	18 m

11.1.4. Building Regulations

a) Minimum Principal Building Width:	7.6 m
b) Minimum Front Setback:	6 m
c) Minimum Rear Setback:	5 m
d) Minimum Interior Side Setback: <u>(subject to Conditions of Use):</u>	1.5 m
e) Minimum Exterior Side Setback:	4.6 m
f) Maximum Lot Coverage:	40%
g) Maximum Number of Principal Buildings:	1
h) Maximum Number of Accessory Buildings:	2
i) Maximum Building Height, Principal:	10.5 m
j) Maximum Building Height, Accessory:	4.6 m

11.1.5. Conditions of Use:

- (a) The total of two interior lot lines setbacks shall not be less than 4.5 m with at least one of the interior lots line setbacks not being less than 1.5 m.

11.2 Residential 2, Small Lot (R-2)

The Small Lot Residential Zone is intended to accommodate *detached dwellings* on small lots within residential neighbourhoods.

11.2.1. Permitted Principal Uses

- (a) *Dwelling, Detached*

11.2.2. Permitted Accessory Uses

- (a) *Home Occupation*

11.2.3. Lot Regulations

a) Minimum Lot Size:	350 m ²
b) Minimum Lot Width:	12 m

11.2.4. Building Regulations

a) Minimum Principal Building Width:	6 m
b) Minimum Front Setback:	6 m
c) Minimum Rear Setback:	5 m
d) Minimum Interior Side Setback:	1.5 m
e) Minimum Exterior Side Setback:	2.7 m
f) Maximum Lot Coverage:	50%
g) Maximum Number of Principal Buildings:	1
h) Maximum Number of Accessory Buildings:	1
i) Maximum Building Height, Principal:	Two (2) storeys
j) Maximum Building Height, Accessory:	4.6 m

11.2.5. Conditions of Use:

- (a) The maximum size of an Accessory Building shall not exceed 10 m².

11.3 Residential 3, Duplex Lot (R-3)

The Residential, Duplex Lot 3 (R-3) Zone is to accommodate *single detached dwellings*, *stacked duplex*, and *side-by-side duplex dwellings* on *lots* within *residential* neighbourhoods.

11.3.1. Permitted Principal Uses

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

11.3.2. Permitted Accessory Uses

- (a) *Bed and Breakfast*
- (b) *Home Occupation*
- (c) *Secondary Suite*
- (d) *Short-Term Vacation Rental*

11.3.3. Conditions of Use

- (a) *Secondary Suite* and *Short-Term Vacation Rental* uses are permitted only in *detached dwelling* units.
- (b) Side by side *duplex dwellings* shall only be *permitted* on *lots* with the following minimum dimensions:

a) Minimum Lot Size:	1,050 m ²
b) Minimum Lot Width:	27 m

11.3.4. Lot Regulations

a) Minimum Lot Size:	700 m ²
b) Minimum Lot Width:	18 m

11.3.5. Building Regulations

a) Minimum Principal Building Width:	7.6 m
b) Minimum Front Setback:	6 m
c) Minimum Rear Setback:	5 m
d) Minimum Interior Side Setback:	1.5 m
e) Minimum Exterior Side Setback:	4.6 m
f) Maximum Lot Coverage:	40%
g) Maximum Number of Principal Buildings:	1
h) Maximum Number of Accessory Buildings:	2
i) Maximum Building Height, Principal:	10.5 m
j) Maximum Building Height, Accessory:	4.6 m

11.4 Residential Country Inn (RC-1)

The Residential Country Inn (RC-1) Zone is to accommodate *single detached dwellings* that provide for *tourism accommodation uses* in both *Bed and Breakfast Inns* and *Short-Term Vacation Rentals*.

11.4.1. Permitted Principal Uses

- (a) *Dwelling, Detached*
- (b) *Bed and Breakfast Inn*

Commented [i16]: Correction, this is considered a principal, not an accessory use in the RC-1 Zone

11.4.2. Permitted Accessory Uses

- ~~(a) *Bed and Breakfast Inn*~~
- (a) *Home Occupation*
- (b) *Secondary Suite*
- (c) *Short-Term Vacation Rental*

11.4.3. Lot Regulations

a) Minimum Lot Size:	800 m ²
b) Minimum Lot Width:	18 m

11.4.4. Building Regulations

a) Minimum Principal Building Width:	7.6 m
b) Minimum Front Setback:	5 m
c) Minimum Rear Setback:	5 m
d) Minimum Interior Side Setback:	1.5 m
e) Minimum Exterior Side Setback:	3 m
f) Maximum Lot Coverage:	40%
g) Maximum Number of Principal Buildings:	1
h) Maximum Number of Accessory Buildings:	2
i) Maximum Building Height, Principal:	10.5 m
j) Maximum Building Height, Accessory:	4.6 m

11.5 Residential Manufactured Home Park 1 (MHP-1)

The Residential Manufactured Home Park 1 Zone is to accommodate *Manufactured and Mobile Home Dwellings* in a residential setting.

11.5.1. Permitted Principal Uses

- (a) *Dwelling, Manufactured Home*
- (b) *Dwelling, Mobile Home*

11.5.2. Permitted Accessory Uses

- (a) *Home Occupation*

11.5.3. Density Regulations

- (a) Maximum *Density*: 20 units per Hectare

11.5.4. Lot Regulations

a) Minimum Lot Size:	5,000 m ²
b) Minimum Lot Width:	100 m

11.5.5. Building Regulations

a) Minimum <i>Front Setback, Principal Use:</i>	7.5 m
b) Minimum <i>Rear Setback, Principal Use:</i>	4.5 m
c) Minimum <i>Interior Side Setback, Principal Use:</i>	4.5 m
d) Minimum <i>Exterior Side Setback, Principal Use:</i>	4.5 m
e) Minimum <i>Front Setback, Accessory Use:</i>	<u>7.5 m</u>
f) Minimum <i>Rear Setback, Accessory Use:</i>	<u>3 m</u>
g) Minimum <i>Interior Side Setback, Accessory Use:</i>	<u>3 m</u>
h) Minimum <i>Exterior Side Setback, Accessory Use:</i>	<u>3m</u>
i) Maximum <i>Lot Coverage:</i>	<u>40%</u>
Ⓣj) Maximum Number of <i>Accessory Buildings:</i>	1 per unit
Ⓣk) Maximum <i>Building Height, Principal:</i>	7.6 m
Ⓣl) Maximum <i>Building Height, Accessory:</i>	4.6 m

Commented [117]: All corrections to match previous Zoning Bylaw

PART 12: Residential Zones, Multi-Family

12.1 Residential, Multi-Family 1 (RM-1)

The Residential Multi-Family 1 (RM-1) Zone is to provide for Multi-Family Townhouse and Row House dwelling units.

12.1.1. Permitted Principal Uses

- (a) Dwelling, Detached
- (b) Dwelling, Duplex
- (c) Dwelling, Townhouse
- (d) Dwelling, Row House

12.1.2. Permitted Accessory Uses

- (a) Home Occupation

12.1.3. Density Regulations

- (a) Maximum Density: 25 units per Hectare

12.1.4. Lot Regulations

a) Minimum Lot Size:	700 m ²
b) Minimum Lot Width:	18 m

Commented [i18]: Omission; correction to match previous Bylaw

12.1.5. Building Regulations

a) Minimum Front Setback, <u>Principal:</u>	6 m
b) Minimum Rear Setback, <u>Principal:</u>	7.5 m
a)c) Minimum Interior Side Setback, <u>Principal:</u>	4 m
b)d) Minimum Exterior Side Setback, <u>Principal:</u>	7.5 m
e)e) Minimum Front Setback, <u>Accessory:</u>	6m
d)f) Minimum Rear Setback, <u>Accessory:</u>	3 m
g) Minimum Interior Side Setback, <u>Accessory:</u>	3 m
h) Minimum Exterior Side Setback, <u>Accessory:</u>	3 m
i) Maximum Building Height, <u>Principal:</u>	10.5 m
j) Maximum Building Height, <u>Accessory:</u>	4.6 m

Commented [i19]: Omissions; All corrections to match previous Bylaw

12.2 Residential, Multi-Family 2 (RM-2)

The Multi-Family Residential 2 Zone is to provide for *Multi-Family Apartment and Townhouse dwelling units*.

12.2.1. Permitted Principal Uses

- (a) *Dwelling, Apartment*
- (b) *Dwelling, Detached*
- (c) *Dwelling, Duplex*
- (d) *Dwelling, Townhouse*
- (e) *Dwelling, Row House*

12.2.2. Permitted Accessory Uses

- (a) Home Occupation

12.2.3. Density Regulations

- (a) Maximum Density: 1.5 FAR

12.2.4. Lot Regulations

a) Minimum Lot Size:	939 m ²
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12.2.5. Building Regulations

a) Minimum Principal <i>Building Width</i> :	7.6 m
b) Minimum <i>Front Setback</i> :	6 m
c) Minimum <i>Rear Setback</i> :	7.5 m
d) Minimum <i>Interior Side Setback</i> :	4 m
e) Minimum <i>Exterior Side Setback</i> :	7.5 m
f) Maximum <i>Building Height, Principal</i> :	10.5 m
g) Maximum <i>Building Height, Accessory</i> :	4.6 m

PART 13: Residential Amenity 1 Zones (Sunstone)

(Amendment Bylaw No. 841, 2018; Adopted October 16, 2018)

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) *dwellings* (which includes an *accessory dwelling unit*) may be located on a *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 90m².
- (e) The minimum lot sizes as a base density are as follows:
 - i. *Detached Dwelling* 20,000 m²
 - ii. *Bed and Breakfast* 20,000m²
- (f) The minimum lot size where the requirements identified in Section 13.1.3 (g) have been fulfilled are as follows:
 - i. *Detached Dwelling* 930 m²
 - ii. *Bed and Breakfast* 930 m²
- (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 *detached dwelling* 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) Minimum <i>Principal Building Width</i> :	7.6 m
b) Minimum <i>Front Setback</i> :	5 m
c) Minimum <i>Rear Setback</i> :	5 m
d) Minimum <i>Interior Side Setback</i> :	1.5 m
e) Minimum <i>Exterior Side Setback</i> :	3 m
f) Maximum <i>Lot Coverage</i> :	40%
g) Maximum Number of <i>Principal Buildings</i> :	1
h) Maximum Number of <i>Accessory Buildings</i> :	2
i) Maximum <i>Building Height, Principal</i> :	10.5 m
j) Maximum <i>Building Height, Carriage House</i> :	Two (2) storeys
k) 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.

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

(Amendment Bylaw No. 841, 2018; Adopted October 16, 2018)

The Residential Townhouse Amenity 1, Sunstone (RTA-1) Zone is to provide for Small Lot 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, up to a maximum size of 10m², is permitted on a lot.
- (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 Single Residential 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:
 - 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 have been provided through a payment of \$9,165 per detached dwelling 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, Detached:</i>	n/a
b) Maximum <i>Density, Townhouse:</i>	25 units per Ha

13.2.5. Lot Regulations

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

13.2.6. Building Regulations

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

PART 14: Residential Amenity 2 Zones (The Ridge)

(Amendment Bylaw No. 841, 2018; Adopted October 16, 2018)

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, and to provide density incentives earned by the provision of certain amenities.

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 accessory residential dwelling units on the same *lot*.
- (b) No more than two (2) dwellings (which include an accessory suite) may be located on a *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. *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 Section 14.1.3(f) providing contributions toward community amenities have been provided through a voluntary contribution of \$9,165 per detached dwelling or bed & breakfast lot, payable either:
 - i. in cash prior to the registration of a plan of subdivision and to be held in a

reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and 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) Minimum <i>Front Setback</i> :	5 m
b) Minimum <i>Rear Setback</i> :	5 m
c) Minimum <i>Interior Side Setback</i> :	1.5 m
d) Minimum <i>Exterior Side Setback</i> :	3 m
e) Maximum <i>Lot Coverage</i> :	40%
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 <i>Building Height, Carriage House</i> :	Two (2) storeys
j) Maximum <i>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.

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

(Amendment Bylaw No. 841, 2018; Adopted October 16, 2018)

The *Residential Townhouse Amenity 2, The Ridge (RTA-2) Zone* is to provide for Small Lot *Detached Dwellings* and *Residential Townhouse* development 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) *Home Occupation*
- (b) *Secondary Suite*

14.2.3. Conditions of Use

- (a) *Secondary suites* are permitted only on *lots* created and developed as *Detached Dwelling units*.
- (b) A maximum of one (1) *secondary 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:
 - i. *Minimum Lot Size:* 700 m²
 - ii. *Minimum Lot Width:* 18 m
 - iii. *Maximum Floor Area Ratio* 0.50
- (h) The densities may be increased from the requirements identified in Section 14.2.3 (e) to the requirements identified in Section 14.2.3(f) and Section 14.2.3 (g) providing contributions toward community amenities have been provided through a voluntary contribution 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 Lot Size, <i>Detached</i> :	700 m ²
b) Minimum Lot Size, <i>Townhouse</i> :	700 m ²
c) Minimum Lot Width, <i>Detached</i> :	18 m
d) Minimum Lot Width, <i>Townhouse</i> :	n/a

14.2.6. Building Regulations:

a) Maximum Lot Coverage:	40%
b) Minimum Front Setback, <i>Detached</i> :	5 m
c) Minimum Front Setback, <i>Townhouse</i> :	7.5 m
d) Minimum Rear Setback, <i>Detached</i> :	5 m
e) Minimum Rear Setback, <i>Townhouse</i> :	5 m
f) Minimum Interior Side Setback, <i>Detached</i> :	1.5 m
g) Minimum Interior Side Setback, <i>Townhouse</i> :	3 m
h) Minimum Exterior Side Setback, <i>Detached</i> :	3 m
i) Minimum Exterior Side Setback, <i>Townhouse</i> :	3 m
j) Maximum Building Height, <i>Detached or Townhouse</i> :	10.5 m
k) Maximum Building Height, <i>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.

PART 15: Commercial Zones

15.1 Commercial, Town Centre (C-1)

The Town Centre *Commercial Zone* is to guide use of land, buildings and structures in the Town Centre of the Village of Pemberton.

15.1.1. Permitted Principal Uses

- (a) Arts and Culture
- (b) Automotive Service Shop (subject to Conditions of Use)
- (c) Catering Establishment
- (d) Cannabis, Retail (**Amendment Bylaw No. 847, 2018; Adopted October 16, 2018**)
- (e) Civic
- (f) Combined Commercial Residential (subject to Conditions of Use)
- ~~(g)~~ Convenience Store
- ~~(h)~~ Equipment Sales, Servicing, Rental and Repair Shop (subject to Conditions of Use)
- ~~(i)~~ Financial Institution
- ~~(j)~~ Fitness Centre (subject to Conditions of Use)
- ~~(k)~~ Food Truck
- ~~(l)~~ Garden Centre
- ~~(m)~~ Gasoline Station (subject to Conditions of Use)
- ~~(n)~~ Glass Shop (subject to Conditions of Use)
- ~~(o)~~ Hostel
- ~~(p)~~ Hotel
- ~~(q)~~ Laundromat
- ~~(r)~~ Liquor License, Liquor Primary
- ~~(s)~~ Liquor License, Food Primary
- ~~(t)~~ Liquor Store
- ~~(u)~~ Liquor Store, Private
- (v) Mixed Use Building
- ~~(w)~~ Office, Business
- ~~(x)~~ Office, Professional
- ~~(y)~~ Personal Service
- ~~(z)~~ Restaurant
- ~~(aa)~~ Retail
- ~~(bb)~~ Veterinary Clinic

15.1.2. Permitted Accessory Uses

- (a) Accessory Retail
- (b) Accessory Residential Dwelling
- (c) Home Occupation

15.1.3. Conditions of Use

- (a) *Automotive Service Shop*: The *Automotive Service Shop use* is permitted only on *lands* legally described as Lot 1, DL 203, LLD, Plan KAP58517 at the time of adoption of this Bylaw.
- (b) *Equipment Sales, Servicing, Rental and Repair Shop*: The *Equipment Sales, Servicing, Rental and Repair Shop use* is permitted only on *lands* legally described as Lot 7, Block 2, DL 203, LLD, Plan 1624 at the time of adoption of this Bylaw.
- (c) *Fitness Centre*: The maximum permitted floor area of a *fitness centre use* is 300 m²
- (d) *Gasoline Station*: The *Gasoline Station use* is permitted only on *lands* legally described as Lot 1, DL 203, LLD, Plan 38251, at the time of adoption of this Bylaw.
- (e) *Glass Shop*: The *Glass Shop use* is only permitted on *lands* legally described as Lot B, DL 7796, LLD, Plan EPP66105, at the time of adoption of this Bylaw.
- (f) For uses permitted under sections 15.1.1(b), 15.1.1(f), 15.1.1(k) and 15.1.1(l) all outdoor storage and waste disposal areas shall be visually screened.
- (g) *Cannabis, Retail*: The *Cannabis, Retail use* 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. **(Amendment Bylaw No. 847, 2018; Adopted October 16, 2018)**
- (h) *Cannabis, Retail*: Not more than two (2) *Cannabis, Retail uses* will be permitted at any one time. **(Amendment Bylaw No. 847, 2018; Adopted October 16, 2018)**
- (i) *Combined Commercial Residential*: The *Combined Commercial Residential Use* is permitted only on *lands* legally described as Lot 1, DL 7926, LLD, Plan KAP77917 and Lot A, DL 203, LLD, EPP46358.

Commented [i20]: To recognize this former permitted use under Zoning Bylaw No. 466, 2001 for the Wye Lands

15.1.4. Density Regulations

- (a) Maximum Density: 2.5 FAR

15.1.5. Lot Regulations

a) Minimum Lot Size:	220 m ²
b) Minimum Lot Width:	12 m

15.1.6. Building Regulations

a) Maximum Lot Coverage:	100%
b) Minimum Front Setback:	0 m

c) Minimum <i>Rear Setback</i> :	4.5 m
d) Minimum <i>Interior Side Setback</i> :	0 m
e) Minimum <i>Exterior Side Setback</i> :	0 m
f) Maximum <i>Building Height, Principal</i> :	10.5 m
g) Maximum <i>Building Height, Accessory</i> :	4.6 m

15.2 Commercial, Tourism (C-2)

The Tourism *Commercial (C-2) Zone* is to accommodate tourist and *tourism accommodation* related uses.

15.2.1. Permitted Principal Uses

- (a) *Arts and Culture*
- (b) *Civic*
- (c) *Convenience Store*
- (d) *Drive Through Business (subject to Conditions of Use)*
- (e) *Food Truck*
- (f) *Gasoline Station*
- (g) *Hostel*
- (h) *Hotel*
- (i) *Motel*
- (j) *Office, Business*
- (k) *Personal Service*
- (l) *Restaurant*
- (m) *Retail, Recreation and Leisure*

15.2.2. Permitted Accessory Uses

- (a) *Accessory Retail*
- (b) *Accessory Residential Dwelling*
- (c) *Home Occupation*

15.2.3. Conditions of Use

- (a) *Drive Through Business:* The *Drive Through Business Use* is only permitted on lands legally described as Lot A, Plan KAP74508, DL 203, LLD, at the time of adoption of this Bylaw.

15.2.4. Density Regulations

- (a) *Maximum Density:* 1.5 FAR

15.2.5. Lot Regulations

a) <i>Minimum Lot Size:</i>	900 m ²
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15.2.6. Building Regulations

a) Maximum <i>Lot Coverage</i> :	50%
b) Minimum <i>Front Setback</i> :	7.5 m
c) Minimum <i>Rear Setback</i> :	3 m
d) Minimum <i>Interior Side Setback</i> :	3 m
e) Minimum <i>Exterior Side Setback</i> :	4.5 m
f) Maximum <i>Building Height, Principal</i> :	10.5 m
g) Maximum <i>Building Height, Accessory</i> :	4.6 m

15.3 Commercial, Portage Road (C-3)

The Portage Commercial (C-3) Zone is to guide use of land, buildings and structures in the Portage Road area of the Village of Pemberton.

15.3.1. Permitted Principal Uses

- (a) Arts and Culture
- (b) Civic
- (c) Dwelling Unit, Apartment
- ~~(d) Dwelling Unit, Townhouse/Stacked Townhouse~~
- ~~(e) Fitness Centre (subject to Conditions of Use)~~
- ~~(f) Food Truck~~
- ~~(g) Hotel~~
- ~~(h) Mixed Use Building (subject to Conditions of Use)~~
- ~~(i) Office, Business~~
- ~~(j) Office, Professional~~
- ~~(k) Personal Service~~
- ~~(l) Restaurant~~
- ~~(m) Retail, Recreation and Leisure~~

15.3.2. Permitted Accessory Uses

- (a) Accessory Retail
- (b) Accessory Residential Dwelling
- (c) Home Occupation

15.3.3. Conditions of Use

- (a) Fitness Centre: The maximum permitted floor area of a fitness centre use is 300 m².
- ~~(b) Mixed-use building is subject to the conditions of use specified in Section 7.18.~~

15.3.4. Density Regulations

- (a) Maximum Density: 1.5 FAR

15.3.5. Lot Regulations

a) Minimum Lot Size:	900 m ²
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15.3.6. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	4.5 m
c) Minimum Rear Setback:	3 m
d) Minimum Interior Side Setback:	3 m
e) Minimum Exterior Side Setback:	4.5 m
f) Maximum Building Height, Principal:	10.5 m
g) Maximum Building Height, Accessory:	4.6 m

15.4 Commercial, Service (C-4)

The Service Commercial (C-4) Zone guides the use of land, buildings and structures for Commercial service uses.

15.4.1. Permitted Principal Uses

- (a) Automotive Service Shop
- (b) Food Truck
- (c) Garden Centre
- (d) Gasoline Station

15.4.2. Permitted Accessory Uses

- (a) Accessory Retail
- (b) Accessory Residential Dwelling
- (c) Home Occupation

15.4.3. Density Regulations

- (a) Maximum Density: 0.5 FAR

15.4.4. Lot Regulations

a) Minimum Lot Size:	500 m ²
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15.4.5. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	7.5 m
c) Minimum Rear Setback:	4.5 m
d) Minimum Interior Side Setback:	4.5 m
e) Minimum Exterior Side Setback:	4.5 m
f) Maximum Building Height, Principal:	10.5 m
g) Maximum Building Height, Accessory:	4.6 m

15.5 Commercial, Neighbourhood Pub (C-5)

The Neighbourhood Pub *Commercial Zone* is to guide use of *land, buildings and structures* for *neighbourhood pub, tourist and tourism accommodation uses*.

15.5.1. Permitted Principal Uses

- (a) *Arts and Culture*
- (b) *Catering Establishment*
- (c) *Civic*
- (d) *Drive Through Business*
- (e) *Food Truck*
- (f) *Hotel*
- (g) *Liquor License, Liquor Primary*
- (h) *Liquor License, Food Primary*
- (i) *Mixed Commercial Residential Use Building*
- (j) *Motel*
- (k) *Neighbourhood Pub*
- (l) *Personal Service*
- (m) *Retail, Recreation and Leisure*
- (n) *Restaurant*
- (o) *Spa*

Commented [i21]: Consistency of Terminology

15.5.2. Permitted Accessory Uses

- (a) *Accessory Liquor Store, Private*
- (b) *Accessory Retail*
- (c) *Accessory Residential Dwelling*
- (d) *Home Occupation*

15.5.3. Conditions of Use

- (a) *Drive Through Business: The Drive Through Business Use is only permitted on lands legally described as Lot 2, Plan KAP74065, DL 203, LLD at the time of adoption of this Bylaw.*

15.5.4. Density Regulations

- (a) *Maximum Density:* 0.5 FAR

15.5.5. Lot Regulations

a) Minimum Lot Size	900 m ²
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15.5.6. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	4.5 m
c) Minimum Rear Setback:	7.5 m
d) Minimum Interior Side Setback:	3 m
e) Minimum Exterior Side Setback:	3 m
f) Maximum Building Height, Principal:	10.5m
g) Maximum Building Height, Accessory:	4.6m

PART 16: Industrial and Airport Zones

16.1 Industrial Park (M-1)

The *Industrial Park Zone* is to permit a range of *industrial* and *service uses* in the Pemberton *Industrial Park*.

16.1.1. Permitted Principal Uses

- (a) *Animal Kennel*
- (b) *Artisan*
- (c) *Automotive and RV Sales*
- (d) *Automotive Salvage*
- (e) *Automotive Service Shop*
- (f) *Building Supply*
- (g) *Bulk Storage*
- (h) *Cannabis Production Facility*
- (i) *Catering Establishment*
- (j) *Car Wash*
- (k) *Civic*
- (l) *Convenience Store*
- (m) *Dance Studio*
- (n) *Equipment Sales, Service, Rental and Repair*
- (o) *Fitness Centre*
- (p) *Food Truck*
- (q) *Garden Centre*
- (r) *Gasoline Station*
- (s) *Industrial*
- (t) *Industrial Fuel Facility*
- (u) *Industrial Publishing and Printing*
- (v) *Laboratory*
- (w) *Laundromat*
- (x) *Materials Recovery Facility*
- (y) *Brewery, Cidery, Distillery and Winery*
- (z) *Nursery*

(aa) *Office, Business*

(bb) *Pet Grooming*

(aa)(cc) *Outdoor Storage*

Commented [i22]: Correction to match previous Bylaw

- ~~(bb)~~(dd) Photography
- ~~(ee)~~(ee) Radio, TV, Recording Studio
- ~~(dd)~~(ff) Recreation, Indoor
- ~~(ee)~~(gg) Recycling Facility
- ~~(ff)~~(hh) Restaurant
- ~~(gg)~~(ii) Retail, Industrial
- (jj) School, Craft or Vocational
- ~~(hh)~~(kk) Storage Facility, Self-Serve
- ~~(ii)~~(ll) Storage Facility, Outdoor Equipment
- ~~(jj)~~(mm) Trade Contractor Facilities
- ~~(kk)~~(nn) Veterinary Clinic
- ~~(ll)~~(oo) Waste Transfer Station
- (pp) Wholesale Bakery
- ~~(mm)~~(qq) Works Yard

Commented [i23]: Correction to match previous Bylaw

Commented [i24]: Correction to match previous Bylaw

16.1.2. Permitted Accessory Uses

- (a) Accessory Liquor Store, Private
- (b) Accessory Retail
- (c) Accessory Residential Dwelling
- (d) Home Occupation
- (e) Storage, Intermodal Storage Container

16.1.3. Density Regulations

- (a) Maximum Density: 0.5 FAR

16.1.4. Lot Regulations

a) Minimum Lot Size:	1,800 m ²
b) Minimum Lot Width:	36 m

16.1.5. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	7.5 m
c) Minimum Rear Setback:	7.53 m
d) Minimum Interior Side Setback:	3 m
e) Minimum Exterior Side Setback:	7.53 m
f) Maximum Building Height, Principal:	10.5 m

Commented [i25]: Correction to match previous Bylaw

Commented [i26]: Correction to match previous Bylaw

g) Maximum <i>Building Height, Accessory</i> :	4.5 m
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16.2 Industrial, Resource (M-2)

The Resource *Industrial Zone* is to guide use of land, buildings and structures for larger *Industrial uses* in the Village of Pemberton.

16.2.1. Permitted Principal Uses

- (a) Bulk Storage
- (b) Composting Facility
- (c) Log Home and Prefabricated Home Construction Assembly
- ~~(d)~~ Materials Recovery Facility
- ~~(e)~~ Recycling Facility
- ~~(f)~~ Resource Extraction
- ~~(g)~~ Resource Processing
- ~~(h)~~ Waste Transfer Station
- ~~(i)~~ Works Yard

Commented [i27]: Correction to match previous Bylaw

16.2.2. Permitted Accessory Uses

- (a) Accessory Retail
- (b) Storage, Intermodal Storage Container

16.2.3. Conditions of Use

~~(a)~~ All uses in the Resource *Industrial Zone* on land that ~~front is visible from~~ Highway 99 shall provide a natural or landscaped and irrigated continuous screening buffer for the length of the property, at a width of not less than twenty (20) metres ~~from the Highway.~~

Commented [i28]: Corrections to match existing Bylaw

16.2.4. Density Regulations

- (b) Maximum Density: 0.5 FAR

16.2.5. Lot Regulations

a) Minimum Lot Size:	3,600 m ²
b) Minimum Lot Width:	36 m

16.2.6. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	7.5 m
c) Minimum Rear Setback:	7.5 m
d) Minimum Interior Side Setback:	3 m
e) Minimum Exterior Side Setback:	7.5 m

f) Maximum <i>Building Height, Principal:</i>	10.5 m
g) Maximum <i>Building Height, Accessory:</i>	4.6 m

16.3 Airport (AP-1)

The Airport Zone regulates the use of land, buildings and structures at the Pemberton Airport for Airport related uses.

16.3.1. Permitted Principal Uses

- (a) Agriculture
- (b) Airport
- (c) Airport Related Business
- (d) Animal Kennel
- (e) Civic
- (f) Food Truck

16.3.2. Permitted Accessory Uses

- (g) Accessory Retail
- (h) Storage, Intermodal Storage Container

16.3.3. Building Regulations

a) Minimum Front Setback:	7.5 m
b) Minimum Rear Setback:	7.5 m
c) Minimum Interior Side Setback:	3 -1.5 m
d) Minimum Exterior Side Setback:	7.5 3 m

PART 17: Civic, Institutional, and Recreation Zones

17.1 Public (P-1)

The Public Zone accommodates a range of *civic* facilities for the community.

17.1.1. Permitted Principal Uses

- (a) *Arts and Culture*
- (b) *Artisan*
- (c) *Assembly*
- (d) *BMX Track*
- (e) *Campground*
- (f) *Child Care Centre*
- (g) *Civic*
- (h) *Community Care Facility*
- (i) *Concession Stand*
- (j) *Farmers Market*
- (k) *Fitness Centre*
- ~~(l)~~ *Food Truck*
- (m) *Golf Course*
- ~~(n)~~ *Picnic Grounds*
- (o) *Recreation, Indoor*
- ~~(p)~~ *Recreation, Outdoor*
- (q) *Recreational Facility*
- ~~(r)~~ *School*

17.1.2. Permitted Accessory Uses

- (a) *Accessory Retail*
- (b) *Storage, Intermodal Storage Container*

17.1.3. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	5 m
c) Minimum Rear Setback:	3 m
d) Minimum Interior Side Setback:	3 m
e) Minimum Exterior Side Setback:	3 m
f) Maximum Building Height, Principal:	10.5 m

g) Maximum <i>Building Height, Accessory</i> :	4.6 m
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17.1.4. Conditions of Use

The lands legally described as Lot 1, DL 203, LLD, Plan EPP1760 shall have no *minimum setbacks*.

Commented [i29]: Correction to match previous Bylaw.

The lands legally described as Lot 1, DL 203, LLD, Plan EPP1760 shall have no *maximum lot coverage*.

Commented [i30]: Correction to match previous Bylaw.

17.2 Parks and Recreation (PR-1)

The Parks and Recreation Zone accommodates a range of park and recreation facilities for the community.

17.2.1. Permitted Principal Uses

- (a) Agriculture
- (b) Assembly
- (c) Campground
- ~~(d)~~ Child Care Centre
- (e) Civic
- ~~(f)~~ Concession Stand
- ~~(g)~~ Farmers Market
- ~~(h)~~ Fitness Centre
- ~~(i)~~ Food Truck
- ~~(j)~~ Golf Course
- ~~(k)~~ Picnic Grounds
- ~~(l)~~ Recreation, Indoor
- ~~(m)~~ Recreation, Outdoor
- ~~(n)~~ Recreational Facility

Commented [i31]: Add to the list of Permitted Uses in PR-1 Zone; Omission

17.2.2. Permitted Accessory Uses

- (a) Accessory Retail
- (b) Storage, Intermodal Storage Container

17.2.3. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	5 m
c) Minimum Rear Setback:	3 m
d) Minimum Interior Side Setback:	3 m
e) Minimum Exterior Side Setback:	3 m
f) Maximum Building Height, Principal:	10.5 m
g) Maximum Building Height, Accessory:	4.6 m

17.3 Outdoor Recreation (OR-1)

The Outdoor Recreation Zone accommodates a range of *outdoor recreation uses* for the community.

17.3.1. Permitted Principal Uses

- (a) Assembly
- ~~(a)~~(b) BMX Track
- ~~(b)~~(c) Campground
- ~~(c)~~(d) Civic
- ~~(d)~~(e) Concession Stand
- ~~(e)~~(f) Food Truck
- ~~(f)~~ Motocross Track
- (g) Picnic Grounds
- (h) Recreation, Outdoor
- (i) Riding Academy
- ~~(i)~~(j) Speedway

Commented [i32]: Included under definition of Speedway

17.3.2. Permitted Accessory Uses

- (a) Accessory Retail
- (b) Storage, Intermodal Storage Container

17.3.3. Building Regulations

a) Maximum Building Height, Principal	10.5m
b) Maximum Building Height, Accessory	4.6 m

17.4 Education (E-1)

The Education Zone accommodates public and/or private educational facilities for the community.

17.4.1. Permitted Principal Uses

- (a) Agriculture
- (b) Assembly
- (c) Boarding School
- (d) Child Care Centre
- (e) Civic
- (f) Recreation, Indoor
- (g) Recreation, Outdoor
- (h) School, Private
- (~~h~~)(i) Sporting and Leisure Camps

17.4.2. Permitted Accessory Uses

- (a) Accessory Retail

17.4.3. Lot Regulations

a) Minimum Lot Size:	1,850 m ²
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17.4.4. Density Regulations

- (a) Maximum Density: 1.0 FAR

17.4.5. Building Regulations

a) Maximum Lot Coverage:	50%
b) Minimum Front Setback:	7.6 m
c) Minimum Rear Setback:	7.6 m
d) Minimum Interior Side Setback:	3 m
e) Minimum Exterior Side Setback:	6 m
f) Maximum Building Height, Principal:	10.5m
g) Maximum Building Height, Accessory:	4.6m

17.5 Resource Management (RES-1)

The Resource Management Zone accommodates resource management uses on Crown Land.

17.5.1. Permitted Principal Uses

- (a) Forestry
- (b) Resource Extraction

Commented [i33]: Omission

17.6 Community Watershed Protection (CWP-1)

The Community Watershed Protection Zone accommodates uses compatible with watershed management for the protection of domestic drinking water sources on Crown Land.

17.6.1. Permitted Principal Uses

(a) Conservation

(b) Forestry

Commented [i34]: Omission

PART 18: Comprehensive Development (CD) Zones

18.1 CD-1: Comprehensive Development Zone 1 (Creekside)

The intent of this zone is to accommodate a townhouse development on a specific piece of property.

18.1.1. Permitted Land Uses

	Minimum Lot Size	Minimum Lot Width
<i>Townhouse</i>	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

18.1.2. Buildings and Structures

	Maximum Number	Maximum Density	Maximum Height
<i>Principal Building</i>	14 (a)	54 units (b)	10.5 m
<i>Accessory Building/Structures</i>	n/a	n/a	4.6 m

- (a) Not more than four (4) *dwelling units* shall be contained within a *principal building*.
- (b) Not more than fifty-four (54) *dwelling units* shall be developed on any one parcel of land.

18.1.3. Building Setbacks

- (a) All *buildings* shall be sited in accordance with the Site Plan that is attached to this zoning district.

18.1.4. Off-Street Parking

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

18.1.5. Maximum Lot Coverage: 16%

18.2 CD-2: Comprehensive Development Zone 2 (Mountain Trails)

The intent of this zone is to accommodate multiple family dwellings.

18.2.1. Permitted Land Uses

	Minimum Lot Size	Minimum Lot Width
<i>Stacked Townhouses</i>	n/a	n/a
<i>Accessory Building</i>	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

18.2.1.18.2.2. Buildings and Structures

	Maximum Number	Maximum Density	Maximum Height
<i>Principal Building</i>	5, 12 (a)	46 (b)	10.5 m
<i>Accessory Building</i>	n/a	n/a	4.6 m

- (a) Not more than five (5) *principal buildings* shall be erected, constructed, placed or maintained on any one parcel of land and not more than twelve (12) *dwelling units* shall be contained within a *principal building*.
- (b) Not more than forty-six (46) *dwelling units* shall be developed on any one parcel of land.

18.2.3 Building Setbacks

- (a) All buildings shall be sited in accordance with the Site Plan that is attached to this zoning district.

18.2.4 Off-Street Parking

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

18.2.5 Maximum Lot Coverage: 20%

18.3 CD-3: Comprehensive Development Zone 3 (Cottonwood Court)

The intent of this zone is to accommodate a townhouse development on a specific piece of property.

18.3.1. Permitted Land Uses

	Minimum Lot Size	Minimum Lot Width
<i>Townhouses</i>	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

18.3.2. Buildings and Structures

	Maximum Number	Maximum Density	Maximum Height
<i>Principal Building</i>	10 (a)	38 units (b)	10.5 m
<i>Accessory Building/Structures</i>	n/a	n/a	18.5m

- (a) Not more than four (4) *dwelling units* shall be contained within a *principal building*, except for the *principal building* that was constructed prior to 1994.
- (b) Not more than thirty-eight (38) *dwelling units* shall be developed on any one parcel of land.

~~18.3.1.~~18.3.3. Building Setbacks

- (a) All buildings shall be sited in accordance with the Site Plan that is attached to this zoning district.

~~18.3.2.~~18.3.4. Off-Street Parking

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

~~18.3.3.~~18.3.5. Maximum Lot Coverage: 30%

18.4 CD-4: Comprehensive Development Zone 4 (Pioneer Junction)

The intent of this zone is to accommodate a variety of townhouse type units on a specific piece of property.

18.4.1. Permitted Land Uses

	Minimum Lot Size	Minimum Lot Width
<i>Townhouse</i>	n/a	n/a
<i>Stacked Townhouse</i>	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

18.4.2. Buildings and Structures

	Maximum Number	Maximum Density	Maximum Height
<i>Principal Building</i>	17, 4 (a)	80 (b)	10.5 m
<i>Accessory Building/Structures</i>	n/a	n/a	4.6 m

- (a) Not more than seventeen (17) *principal buildings* shall be constructed within this zone, and not more than four (4) dwelling units shall be contained within a *principal building*, except for a maximum of three (3) *principal buildings* in which case the maximum number of dwelling units within a *principal building* shall not exceed twelve (12).
- (b) Not more than eighty (80) dwelling units shall be constructed within this zone.

~~18.4.1.18.4.3.~~ Building Setbacks

- (a) All buildings shall be sited generally in accordance with the Site Plan that is attached to this zoning district and the setback requirements of the Residential Multi-Family (RM-1) zone as specified in this Bylaw.

~~18.4.2.18.4.4.~~ Off Street Parking

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

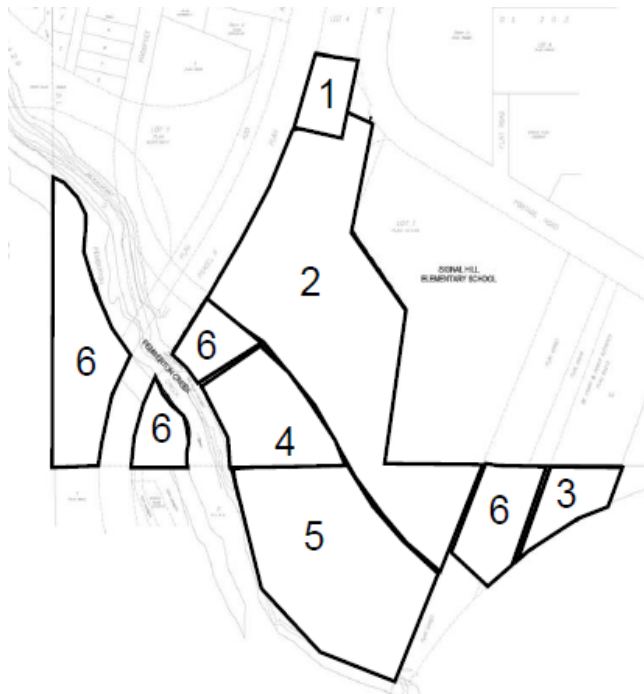
~~18.4.3.18.4.5.~~ Maximum Lot Coverage: 20.7%

18.5 CD-5: Comprehensive Development Zone 5 (Tiyata at Pemberton)

(Amendment Bylaw No. 841, 2018; Adopted October 16, 2018)

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
i. Principal Uses of Land, Buildings and Structures						
Single Family Dwelling		•		•	•	
Duplex Residential Dwelling		•		•	•	
Townhouse / Stacked Townhouse			•			
Apartment (subject to Conditions of Use)	•		•			
Business and Professional Office	•					
Personal Service Establishment	•					
Park	•	•	•	•	•	•
Assembly	•					
ii. Accessory Uses of Land, Buildings and Structures						
Uses Accessory to Principal Uses	•	•	•	•	•	•
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
i. Maximum Lot Coverage						
Single Family Dwelling		50%		50%	50%	
Duplex Residential		50%		50%	50%	
Townhouse			40%			
Apartment	50%		50%			
Commercial	50%					
Assembly	50%					
ii. 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					
iii. Maximum Unit Size						
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 m ²			
Apartment	95 m ²		95 m ²			

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
iv. Maximum Number of Dwelling Units	12	80	60	20	50	
v. Maximum Amount of Commercial Floor Area	2,230 m ²		5% GFA			
vi. Maximum Building Height (meters / storeys)						
Single Family <i>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					
vii. 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	
viii. Minimum Lot Size (m²)						
Single Family <i>Dwelling</i>		350		350	350	
Corner Lot		375		375	375	
Duplex Residential		465		465	465	
ix. Maximum Lot Size (m²)						
Single Family <i>Dwelling</i>		<u>465790</u>		<u>465790</u>	<u>465790</u>	
Duplex Residential		<u>558830</u>		<u>558830</u>	<u>558830</u>	
x. 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	<u>1.5 m</u>

Commented [i35]: Error Correction

Commented [i36]: Error Correction

(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 (Tiyata at Pemberton) 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*.

PART 1: Repeal

The Village of Pemberton Zoning Bylaw, 466, 2001, and all its amendments, and all previous zoning Bylaws are hereby repealed upon adoption of this Bylaw.

READ A FIRST TIME THIS 12th day of June, 2018.

READ A SECOND THIS 12th day of June, 2018.

NOTICE OF PUBLIC HEARING for **Village of Pemberton Zoning Bylaw No. 832, 2018** **PUBLISHED IN THE PIQUE NEWSMAGAZINE** on this 14th day of June, 2018 and on this 21st day of June, 2018.

PUBLIC HEARING HELD THIS 26th day of June, 2018.

READ A THIRD TIME AS AMENDED THIS 10th day of July, 2018.

APPROVED BY THE MINISTER OF TRANSPORTATION PURSUANT TO SECTION 52 of the *Transportation Act* this 20th day of July, 2018.

ADOPTED THIS 24th day of July, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

**VILLAGE OF PEMBERTON
BYLAW No. 862, 2019**

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 prepare a housekeeping amendment bylaw to amend the Zoning Bylaw to address a variety of necessary corrections and omissions;

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 (Housekeeping) Bylaw No. 862, 2019”.

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

That **Part 3: Definitions** be amended to add the following definitions in alphabetic order:

Adventure Tourism Business

means the *commercial use of land, buildings and structures* intending to offer guests horseback tours, river boat tours and a guest lodge for *tourism accommodation* of a total size not to exceed 1,500 m².

Combined Commercial Residential

means the *use of land, buildings or structures* for both *commercial* and *residential multi-family dwellings*, subject to the regulations in section 7.11 of this Bylaw.

Composting Facility

means the *use of land, buildings or structures* to transform waste organic material into a biologically stable product which includes the creation of noise, dust, and odour in the process and the bulk storage of compost, sand and residuals. Composting facilities are permitted to produce energy to either use on-site, or sell and process wood waste and residuals.

Entertainment

Means the use of land, buildings and structures for *commercial* recreational or social use, such as but not limited to a bowling alley, movie theatre, pool hall, video game arcade or dance hall.

Farm Stand

means a permanent or semi-permanent *structure* typically located at or near the farm entrance which offers for sale products harvested from the land upon which it stands.

Forestry

means *forestry* practices consistent with the *BC Forest and Range Practices Act; Forest Planning and Practices Regulation*.

Mixed Use Building

means the *use* of a *building* for both *commercial* and *residential multi-family dwellings*, subject to the regulations in section 7.19 of this Bylaw.

Public Parking Lot

means the *use* of *land* for the short-term parking of vehicles that it is provided to the general public free of charge.

Recreation, Outdoor

means the *use* of *land* and *accessory buildings* and *structures*, for *commercial* or club organized non-motorized *outdoor recreational* pursuits such as gun range, paintball, standing wave surf park and whitewater kayaking facility, where the primary recreation activity occurs outdoors.

That Part 4: **Measurements and Calculations** be amended as follows:

Section 4.9 (b) is deleted and replaced with the following clause:

(b) *Buildings and structures* utilizing energy efficient *building* techniques that result in thicker wall construction, may calculate *floor area* by determining mid-point of the exterior walls, and calculating *floor area* from the interior **face** of the exterior wall.

Section 4.13 (a) (vii) is deleted and replaced with the following clause:

- i. A **permanent** swimming pool may project into a front, side or rear *setback* area provided that the pool shall not be constructed within 1.8 m of a *lot line*;

That Part 5: **Establishment of Zones** be amended as follows:

Section 5.3 is amended to add corresponding numbers to the Zone names; and to add the following two zones to the bottom of the list under Civic, Institutional and Recreation Zones:

Resource (RES-1)
Community Wildfire Protection (CWP-1)

That Part 6: **General Regulations** be amended as follows:

Section 6.3 is amended to add (xvii) *Public Parking Lot*.

That Part 7: **Additional Zoning Regulations for Certain Uses** be amended as follows:

Section 7.3 (a) (ii) is deleted and replaced with the following:

- ii. A maximum of four (4) *accessory residential dwelling units* per lot are permitted in the Industrial 1 (M-1) zone.

Section 7.8 (b) is deleted and replaced with the following:

- (b) The area designated for *bed and breakfast* use (including guest rooms and any common room provided outside of the residential occupant's personal area) must not contain cooking facilities and must not contain refrigerators in excess of six (6) cubic feet.

Section 7.9 (a) (ii) is deleted and replaced with the following:

- ii. A minimum of three (3) and a maximum of five (5) bedrooms in a *detached dwelling* are used for *bed and breakfast inn*, except if the bed and breakfast inn is located in the *Agricultural Land Reserve (ALR)*, then the maximum is four (4) bedrooms;

Section 7.9 (b) is deleted and replaced with the following:

- (b) The area designated for *bed and breakfast inn* use (including guest rooms and any common room provided outside of the residential occupant's personal area) must not contain cooking facilities and must not contain refrigerators in excess of six (6) cubic feet.

Section 7.11 be inserted with the following and that all sections under section 7.11 be renumbered sequentially:

- (a) Where a lot is used for a combined *Commercial* and *Residential* use, unless otherwise specified in the applicable zone, the *residential uses* shall be permitted only in conformity with the following provisions:
 - i. If located within the same building, the commercial use shall be situated on the first storey with the residential use being situated above the first storey;
 - ii. If located within separate buildings, the building containing the commercial use shall not occupy less than 100% of the

- highway frontage with the residential uses being situated to the rear of the commercial use;
- iii. The residential units have a completely separate outside entrance at ground level; and
 - iv. The floor on which any residential dwelling units are located shall be used exclusively for residential purposes within all levels above the first.

- (b) Where a lot is used for combined commercial and residential use, unless otherwise specified herein, the type of commercial use shall be limited to the commercial uses that are specifically permitted in that particular zone.

Section 7.15 (title) be deleted and replaced with Fences.

Section 7.24 (a)(iii) be deleted and replaced with the following:

- iii. Occupancy shall not exceed two (2) persons per available bedroom, to a maximum of three (3) bedrooms accommodating six (6) guests;

Section 7.27 (a) be deleted and replaced with the following:

- (a) Temporary *commercial* and *industrial uses* may be allowed under Section 493 of the *Local Government Act* within all *commercial, institutional and industrial zones*.

Section 7.30 (a) be deleted and replaced with the following:

- (a) Where a *residential use* is *permitted*, an above ground swimming pool, spa or hot tub is *permitted* as an *accessory use*, in accordance with the following provisions:
 - i. any above ground swimming pool, spa or hot tub shall not be located within 7.5 m of a front *lot line*;
 - ii. swimming pools shall be enclosed in a *structure* or surrounded by a fence not less than 1.5 m and not more than 1.8 m in *height*, designed to prevent climbing, and where equipped with gates, be operated by hinges and a lock and be able to be opened freely only from the inside.

That **Part 8: Parking and Loading Requirements** be amended as follows:

Section 8.5 (l) be deleted and replaced with the following:

- (l) Resource Processing.

Section 8.5 be amended to add the following:

- p) Industrial Composting Facility 0.75 per employee

q) Recycling Facility	0.75 per employee
Section 8.6 (g) Industrial Composting be deleted.	0.75 per employee
Section 8.6 (h) Recycling be deleted.	0.75 per employee

That **Part 10: Agricultural Zones** be amended as follows:

Section 10.1.1 is amended to insert the following:

- (f) *Farm Residence* (subject to Conditions of Use)
- (i) *Adventure Tourism Business* (subject to Conditions of Use)

and that all subsection clauses under section 10.1.1 (f) be renumbered sequentially.

Section 10.1.2 (b), (c) and (g) be amended to add the clause “subject to Conditions of Use” following the original clause.

Section 10.1.3 (b) is amended to replace the word “House” with the word “*Residence*”.

Section 10.1.3 (c) is amended to insert the clause “for Farm Help” after the words “*Dwelling, Detached*”.

Section 10.1.3 is amended to add to the following to the bottom of the list:

- (e) *Adventure Tourism Business*: This *use* is only permitted on *lands* legally described as Lot 1, DL 204, LLD, Plan 32712 at the time of adoption of this Bylaw. The *Guest Lodge use* is limited in size to a maximum of ten (10) units temporarily accommodating a maximum of four (4) guests per unit; to a total of forty (40) guests, provided that the area of the *land*, or *floor area* of the *building* or *structure* does not exceed 1,500 m².

That **Part 11: Residential Zones, Detached** be amended as follows:

Section 11.1.5 is added include the following:

11.1.5 Conditions of Use

- (a) The total of two interior lot line setbacks shall not be less than 4.5 m with at least one of the interior lot lines setbacks not being less than 1.5 m.

Section 11.2.5 is added to include the following:

11.2.5 Conditions of Use

- (a) The maximum size of an accessory building shall not exceed 10 m².

Section 11.4.1 is amended to add the following in sequential order:

- (a) Bed and Breakfast Inn

Section 11.4.2 is amended to delete the following and that all subsection clauses under section 11.4.2 be renumbered sequentially:

- (a) Bed and Breakfast Inn

Section 11.1.4 (d) is amended to include (subject to Conditions of Use)

Section 11.1.5 (a), (b), (c) and (d) is amended to add the clause “Principal Use” at the end of each clause and that the following be added and that all subsection clauses under 11.1.5 be renumbered sequentially:

- (e) Minimum *Front Setback, Accessory Building* 7.5 m
- (f) Minimum *Rear Setback, Accessory Building* 3 m
- (g) Minimum *Interior Side Setback, Accessory Building* 3 m
- (h) Minimum *Exterior Side Setback, Accessory Building* 3 m
- (i) Maximum *Lot Coverage* 40%

That **Part 12: Residential, Multi-Family Zones** be amended as follows:

Section 12.1.4 is amended to add the following in sequential order:

- (b) Minimum Lot Width 18 m

Section 12.1.5 (a), (b), (c) and (d) is amended to add the clause “Principal Use” at the end of each clause and that the following be added and that all subsection clauses under 12.1.5 be renumbered sequentially:

- (e) Minimum *Front Setback, Accessory Building* 6 m
- (f) Minimum *Rear Setback, Accessory Building* 3 m
- (g) Minimum *Interior Side Setback, Accessory Building* 3 m
- (h) Minimum *Exterior Side Setback, Accessory Building* 3 m

That **Part 15: Commercial Zones** be amended as follows:

Section 15.1.1 be amended to add the following:

- (f) *Combined Commercial Residential (subject to Conditions of Use)*

and that all subsection clauses under section 15.1.1 (f) be renumbered sequentially.

Section 15.1.3 be amended to add the following:

- (i) *Combined Commercial Residential: The Combined Commercial Residential Use* is permitted only on *lands* legally described as Lot 1, DL 7926, LLD, Plan KAP77917 and Lot A, DL 203, LLD, EPP46358.

Section 15.3.1 is amended to add the following:

- (d) *Dwelling Unit, Townhouse/Stacked Townhouse*

and to delete the clause “subject to Conditions of Use” from 15.3.1 (h) and that all subsection clauses under section 15.3.1 (d) be renumbered sequentially.

Section 15.3.3 is amended by deleting the following clause in its entirety:

- (b) Mixed use building is subject to conditions of use specified in Section 7.18.

Section 15.5.1(i) is amended to delete and replace with the following:

- (i) Mixed Use Building

Section 16.1.1 is amended to add the following in sequential order:

- (bb) *Pet Grooming*
- (jj) *School, Vocational or Craft*
- (pp) *Wholesale Bakery*

and that all subsection clauses under section 16.1.1 (bb) be renumbered sequentially.

Section 16.1.5 (c) and (e) is deleted and replaced with the following:

- (c) Minimum *Rear Setback* 3 m
- (e) Minimum *Exterior Side Setback* 3 m

Section 16.2.1 is amended to add the following in sequential order:

- (c) *Log Home and Prefabricated Home Construction Assembly*
- (h) *Sawmill*
- (i) *Top Soil Blending*

and that all subsection clauses under section 16.2.1 (c) be renumbered sequentially.

Section 16.2.3 (a) is deleted and replaced with the following:

- (a) All *uses* in the Resource *Industrial Zone* on *land* that is visible from Highway 99 shall provide a natural or landscaped and irrigated

continuous *screening* buffer for the length of the property, at a width of not less than twenty (20) metres.

Section 16.3.3 (b), (c) and (d) are deleted and replaced with the following:

Rear Setback	10 m
Interior Side Setback	1.5 m
Exterior Side Setback	3 m

That **Part 17: Civic, Institutional and Recreation Zones** be amended as follows:

Section 17.2.1 is amended by adding the following:

(c) Campground

and that all subsection clauses under section 17.2.1 (c) be renumbered sequentially.

Section 17.3.1 is amended by deleting the following:

(f) Motocross Track

and that all subsection clauses under section 17.3.1 (b) be renumbered sequentially.

Section 17.4.1 is amended by adding the following:

h) School, Private

i) Sporting and Leisure Camps

Section 17.5 is added as follows:

17.5 Resource Management (RES-1)

The Resource Management Zone accommodates resource management uses on Crown Land.

17.5.1 Permitted Principal Uses

(a) *Forestry*

(b) *Resource Extraction*

Section 17.6 is added as follows:

17.6 Community Watershed Protection (CWP-1)

The Community Watershed Protection Zone accommodates uses compatible with watershed management for the protection of domestic drinking water sources on Crown Land.

17.6.1 Permitted Principal Uses

(a) Conservation

(b) *Forestry*

That **Part 18: Comprehensive Development (CD) Zones** be amended as follows:

Section 18.5.2 (a) (xi) is deleted and replaced with the following:

ix. Maximum Lot Size (m²)	Area 1	Area 2	Area 3	Area 4	Area 5
Single Family Dwelling		790		790	790
Duplex Residential		830		830	830

READ A FIRST TIME this day of , 2019.

READ A SECOND TIME this day of , 2019.

NOTICE OF INTENT TO WAIVE THE PUBLIC HEARING TO AMEND the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 862, 2019 was **PUBLISHED IN THE** Pique Newsmagazine on _____, 2019 and on _____, 2019.

READ A THIRD TIME this day of _____, 2019.

ADOPTED this _____ day of _____, 2019.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

VILLAGE OF PEMBERTON

BYLAW No. 857, 2019

A bylaw of the Village of Pemberton respecting the Five Year Financial Plan beginning with the year 2019.

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

1. Schedule "A" attached hereto and made part of this Bylaw is hereby adopted and is the Village of Pemberton Five Year Financial Plan established with the year ended December 31, 2019.
2. This Bylaw may be cited for all purposes as the "Village of Pemberton 2019-2023 Five Year Financial Plan Bylaw No. 857 2019."

READ A FIRST TIME this 2nd day of April, 2019.

READ A SECOND TIME this 2nd day of April, 2019.

READ A THIRD TIME this 2nd day of April, 2019.

ADOPTED this _____ day of May, 2019.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

**Village of Pemberton
Five Year Financial Plan Bylaw No. 857, 2019
2019-2023 Consolidated Statement of Operations**

Village of Pemberton					
Statement of Operation ending December 31					
Consolidated	2019	2020	2021	2022	2023
	Budget	Budget	Budget	Budget	Budget
Revenues:					
Taxation	2,220,877	3,161,034	3,210,362	3,409,152	3,505,721
Water and sewer user rates	1,776,090	1,850,022	1,933,375	2,018,016	2,103,985
User charges	2,026,485	2,183,174	2,185,978	2,240,290	2,296,157
Penalties and interest income	24,354	24,414	24,476	24,540	24,605
Government transfers:					
Provincial	5,488,240	383,000	1,704,803	383,000	383,000
Federal	1,160	2,000	2,000	2,000	2,000
Other local governments	1,177,186	5,133,117	1,555,318	1,623,932	1,660,284
Investment income	23,033	26,150	27,119	28,229	29,598
Other revenues	325,502	825,160	119,013	1,204,889	95,787
Collections on behalf of other governments	2,481,520	2,555,966	2,632,645	2,711,624	2,792,973
	15,544,447	16,144,037	13,395,088	13,645,672	12,894,110
Expenditures:					
General government	3,045,483	3,048,942	3,091,692	3,132,364	3,112,328
Fire protection services	680,366	726,196	743,750	959,871	978,335
Development and planning services	604,913	601,612	607,110	608,073	614,515
Public works and parks	1,140,171	1,271,510	1,164,493	1,195,548	1,219,388
Recreation	790,653	1,385,084	1,369,440	1,392,248	1,416,050
Water utility	987,302	897,488	918,380	937,743	950,532
Sewer utility	1,062,331	1,090,702	1,112,950	1,135,865	1,159,468
Airport services	113,225	114,989	84,248	86,119	88,047
Transfers to other governments	2,481,520	2,555,966	2,632,645	2,711,624	2,792,973
	10,905,964	11,692,489	11,724,708	12,159,456	12,331,635
Annual (Surplus) / Deficit	(4,638,483)	(4,451,548)	(1,670,380)	(1,486,216)	(562,475)
ADJUSTMENTS REQUIRED TO BALANCE FINANCIAL PLAN TO CONFORM WITH LEGISLATIVE REQUIREMENTS					
Non-cash items included in Annual (Surplus)/Deficit					
Amortization on tangible capital assets	(1,065,874)	(1,177,055)	(1,121,862)	(1,095,372)	(1,007,617)
Cash items NOT included in Annual (Surplus)/Deficit					
Capital expenditures	6,038,812	5,800,404	3,764,302	7,562,500	992,501
Loan proceeds	(44,442)	(1,020,000)	(2,100,000)	(6,250,000)	(400,000)
Long term debt payments	217,263	225,945	226,242	226,544	343,531
Capital Equipment payments	257,039	348,808	353,145	297,405	242,136
Transfers to/from Statutory Reserves	(50,000)	(315,540)	-	(100,000)	-
Transfers from Non-Statutory Reserves	(745,880)	(200,000)	(250,000)	-	(500,000)
Transfers to Non-Statutory Reserves	812,690	788,987	798,553	845,140	891,924
Transfers to/(from) Unappropriated Surplus	(781,125)	-	-	-	-
Financial Plan Balance	0	0	(0)	0	(0)

**Village of Pemberton
Five Year Financial Plan Bylaw No. 857, 2019
2019 Revenue Policy Disclosure**

- The table below shows the proportion of proposed 2019 revenue raised from each funding source. One column shows the proposed revenue including Transfer to Other Governments and the other excluding the Transfers to Other Governments. *Transfers to Other Governments are funds requisitioned by other government or government agencies for specifically defined projects (SLRD, School Tax, Police Tax, MFA, BCAA).*

The Village has a bylaw to charge specific administrative fees for various tasks, such as tax certificates, titles searches, rentals as well as other tasks including a 10% administrative fee and annual consumer price index (CPI) increase. This bylaw was last updated December 18th, 2012. By billing these fees to individual users, this allows a more realistic tax levy as the tax payers are not subjected to funding these miscellaneous expenses.

In June of 2019, the Village of Pemberton will become the primary manager of Recreation Services (PVUS). Revenue sources for these services will not change and continue to be a combination of taxes, grants and user fees, from the Village of Pemberton and Electoral Area C of the Squamish-Lillooet Regional District (SLRD).

The Village of Pemberton will continue to seek other sources of revenue to reduce the reliance on property taxes.

In 2007, Council realized that the creation of a Capital Reserve Bylaw was prudent to reducing potential tax rate increases and borrowing for future capital projects. Since that time, Council has also committed General Reserve Allocations for asset renewal for Roads, Water and Sewer. As such the Village will endeavor to build up reserves to fund major capital projects. Borrowing will be considered when a capital project will provide benefits to taxpayers over a long period.

Frontage and/or Parcel Taxes are taxes levied for the purpose of paying the debt on the Municipality's Infrastructure, such as the Sewer Treatment Plant and the Well. The rates are reviewed annually to determine if they meet the required debt payment schedule for the upcoming fiscal year. In 2019, amendments were brought forward to the Parcel Tax Review Panel for the addition of new parcels to the parcel tax roll.

Revenue Sources 2019	% Total Revenue (\$16,384,769) Including Transfers to Other Governments*	% Total Revenue (\$13,903,249) Excluding Transfers to Other Governments
Property Taxes	35.9%	24.4%
User Fees & Charges	23.2%	27.4%
Grants	33.5%	39.5%
DCCs	0.3%	0.4%
Other Revenues	2.3%	2.7%
Proceeds from Borrowing	0.3%	0.3%
Reserve Transfers	4.6%	5.4%
Total	100.0%	100%

**Village of Pemberton
Five Year Financial Plan Bylaw No. 857, 2019
2019 Revenue Policy Disclosure**

2. a) The Provincial Class Multiples are established by the Provincial Government by British Columbia Regulations 426/2003 and 439/2003. These rates are used to calculate the tax rates for other government bodies (Collections for Other Governments) with the exception of the Squamish-Lillooet Regional District (SLRD). Both the Village and the SLRD's tax rates are established by the multiples set by Council. Following is a comparison of the two multiples with the variance identified in bold:

Village Multiples	Provincial Multiples
1.00	1.00
5.63	3.50
3.40	3.40
2.25	2.45
1.00	1.00
1.00	1.00

- b) In addition, the Ministry also sets a ceiling for the maximum allowable rate for Class 2 (Utilities). Following is the regulation:

BC Regulation 329/96 defines a rate ceiling for class 02 property for 2000 and subsequent years. The regulation states:

“2. In setting the tax or levy rate for class 2 property for general municipal purposes, a municipality must not exceed the greater of

- a) \$40 for each \$1,000 of assessed value, and
- b) 2.5 times the rate applicable to class 6 property for general municipal purposes in the municipality for the same taxation year.”

- c) Furthermore, those properties that were included in the 2011 Boundary Extension (Order in Council No. 165) under Class 2 (*Utility), the tax rate is set each year as per Sections 5 and 6 of the Taxation (Rural Area) Act Regulation, BC Reg. 387/82.

The following table outlines the distribution of taxes between the property tax classes.

Property Class	Municipal Tax Rates	% of Total Property Assessment Value (\$871,996,895)	% of Total Property Tax
Residential (Class 01)	1.6107	81.12%	64.81%
Utilities (Class 02)	9.0599	0.18%	0.80%
Utilities (Class 02) Rural	3.9300	1.62%	3.15%
Light Industry (Class 05)	5.4762	1.27%	3.44%
Business/Commercial (Class 06)	3.6240	15.18%	27.29%
Rec/Non-Profit (Class 08)	1.6107	0.59%	0.47%
Farm (Class 09)	1.6107	0.04%	0.03%
Total		100%	100%

* The 2018 Class 2 (Utility) Rural Tax Rate is 3.93 per each \$1,000 of actual value of property. This rate is set each year as per Sections 5 and 6 of the Taxation (Rural Area) Act Regulation, BC Reg. 387/82 as per Order in Council No. 165 (2011) Village Boundary Extension.

Village of Pemberton
Five Year Financial Plan Bylaw No. 857, 2019
2019 Revenue Policy Disclosure

3. Following is a list of permissive exemptions granted for the taxation year and the amount of municipal tax revenue forgone:

Municipal Land and Buildings	\$5,074
United Church (Land only)	454
Pemberton Childcare Society	1,214
Pemberton Lion's Society	1,777
Stewardship Pemberton	324
Pemberton Search and Rescue	176
Total Municipal Tax Revenue Forgone	<u><u>\$9,018</u></u>

In 2013, Council updated the Permissive Tax Exemption Policy to clarify the criteria, establish timelines for submission and to include an application form which will provide clear guidelines and deliverables for both Staff and the Applicant. Following is the updated Policy and Purpose:

Permissive Tax Exemption Policy:

The Village of Pemberton recognizes the significant value of organizations and groups in our community who provide worthwhile programs and services to our residents

The purpose of this policy is to ensure that the organizations applying for a permissive tax exemption meet the criteria and that the application process is consistent and meets the goals, policies and general operating principles of the Village. The sources of Municipal revenue are limited and a request for an exemption must be considered in concert with other needs of the Village. Council will determine the amount of revenue to be foregone by permissive tax exemptions for non-profit organizations. Council at its sole discretion may grant varying percentages of tax exemptions up to 100% of the tax exemption.

Exemptions are not given to services that are otherwise provided on a private or for profit bases. This would provide an unfair competitive advantage and is not permitted as per Section 25 of the *Community Charter*.

Requests for permissive tax exemptions for organizations whose facilities are outside the boundaries of the Village of Pemberton will not be considered.

Further information, including the complete Policy and Application can be found on the following link on Village website:

http://www.pemberton.ca/media/177127/Permissive_Tax_Exempt_Policy-Jun2013.pdf

Village of Pemberton
Five Year Financial Plan Bylaw No. 857, 2019
Notes to the Village of Pemberton's
Financial Plan

Note 1

General 2019 Assumptions:

1. Municipal tax revenues increased by 6.32% (\$92,583) in 2019 to provide for the addition of the new Provincial Employer Health Tax (EHT) and a one-time contingent legal liability.
2. The change in overall assessment value from 2018 to 2019 is 27%; which is made up of new construction assessments of 7.13% and 19.87% in market change.
3. Frontage tax is calculated on \$4.246 per meter for water and \$5.875 per meter for sewer. Frontage tax is amended based on the retiring or securing of debt.
4. The Industrial Park Parcel Taxes equal the debt based on the overall costs of the project to install the water infrastructure to the Industrial Park in 2007. Only those properties that did not choose to commute (pay upfront) their cost are levied.
5. User fees for water rates in 2018 will be set as per the Kerr Wood Leidal (KWL) Implementation of Water Rates 2014 – 2019 Report under Alternative 1. This report can be found on the Village website at the following link: <http://www.pemberton.ca/municipal-hall/reports-and-publications/>
6. User fees for sewer have a \$40,000 budget increase in 2019 for a new Sewer Capital Reserve.

General 2019-2023 Assumptions:

1. A 10% Administration Fee will be charged to individual user requests and tasks.
2. Capital Reserves will continue as part of an Asset Management Plan for future capital expenditures and to reduce future debt financing as infrastructure retires.
3. General Operating expenses will be increased for inflation by 3% per year as set by the BC CPI index at December 31st.
4. Water rates will be increased by 7% (see number 3 above) in 2019, and will be reassessed for 2020. Sewer Rates will be increased by \$40,000 in order to build a sewer reserve for future capital expenditures.
5. General debt collections, frontage and/or parcel taxes, will equal the general debenture interest and principle payments. This tax is paid by all property owners within the Village of Pemberton who have the ability to connect to the Village's Infrastructure.

**Village of Pemberton
Five Year Financial Plan Bylaw No. 857, 2019
Notes to the Village of Pemberton's
Financial Plan**

Note 2

2019 Capital Projects:

Administrative and Financial Services

Vadim Upgrade	\$2,150
Computer Workstation Upgrades (4)	8,000
Website Upgrades	30,000
Emergency Operations Grant	27,045
Municipal Hall Office/Fire Upgrades	5,000
Economic Development Strategy	25,000
Senior Housing Needs Grant	10,000
Rural Dividend Grant (SLRD, Chamber of Commerce)	125,000
Municipal Hall Design Plan	10,000
	\$242,195

Development

Hillside Development Standards Guidelines	\$5,000
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Public Works & Parks

PW Building Washroom	\$30,000
Bike BC Cycling Network Grant	15,000
Train Station Washroom upgrade	5,000
Crab Apple Tree Replacement and Grant	30,000
Pemberton Sign upgrade	3,000
Snow Blower Skid Steer	7,000
Friendship Trail Connector	25,000
Summer Student Grant	12,000
Asset Management Phase II	55,000
Downtown Enhancement	5,871,200
	\$6,053,200

Fire Department

SCBA Tank upgrades	\$7,500
Rope Rescue Equipment	10,000
Radio Repeater	5,000
Fire Extinguisher Training Equipment	16,000
AED (3)	10,000
	\$48,500

Water

Hydrant Replacement	\$20,000
Backup Genset	100,000
Cross Connection Control Valves	10,000
Water Rates Study	20,000

\$150,000

Sewer

Confined Space Program	\$3,000
Scada Computer	20,000
Outfall Cleaning	10,000
Lift Station Scada (2)	8,000
Environmental Monitoring Program	12,000

\$53,000

Total Capital Project Costs 2019

\$6,551,895

VILLAGE OF PEMBERTON

BYLAW No. 858, 2019

A bylaw for the levying of annual tax rates for Municipal, Regional District and Sea to Sky Regional Hospital District purposes for the year 2019.

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

1. The following rates are hereby imposed and levied for the year 2019:
 - (a) For all lawful general purposes of the municipality on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "A" of Schedule "A" attached hereto and forming a part hereof.
 - (b) For purposes of the Squamish-Lillooet Regional District on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "B" of Schedule "A" attached hereto and forming a part hereof.
 - (c) For purposes of the Sea to Sky Regional Hospital District on the assessed value of land and improvements taxable for hospital purposes, rates appearing in column "C" of Schedule "A" attached hereto and forming a part hereof.
2. The minimum amount of taxation upon a parcel of real property shall be One Dollar (\$1.00).
3. This bylaw may be cited as the "Village of Pemberton Annual Tax Rates Bylaw No. 858, 2019."

READ A FIRST TIME this 2nd day of April, 2019.

READ A SECOND TIME this 2nd day of April, 2019.

READ A THIRD TIME this 2nd day of April, 2019.

ADOPTED this _____ day of _____, 2019.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

**Village of Pemberton
Schedule "A"
Bylaw No. 858, 2019**

2019 Tax Rates

Tax Rates (dollars of tax per \$1,000 taxable value)

PROPERTY CLASS	A General Municipal (Includes Reserves, CEF & CIOF)	B Regional District (RD)	C Sea to Sky Regional Hospital District (STSRHD)
1 Residential	1.6107	0.9968	0.0309
2 Utility	9.0599	5.6120	0.1081
5 Light Industry	5.4762	3.3891	0.1050
6 Business/Other	3.6240	2.2428	0.0757
8 Rec/Non-Profit	1.6107	0.9968	0.0309
9 Farm	1.6107	0.9968	0.0309

*The rate for those properties that were included in the 2011 Boundary Extension (Order in Council No. 165) under Class 2 (Utility), is set each year as per Sections 5 and 6 of the Taxation (Rural Area) Act Regulation, BC Reg. 387/82. The rate established for 2018 is \$3.93 per \$1,000 of actual value of property.

VILLAGE OF PEMBERTON

BYLAW No. 859, 2019

Water Frontage Tax Amendment Bylaw

**Being a bylaw to amend “The Village of Pemberton Bylaw No. 137, 1979
Amendment Bylaw No. 829, 2018”**

WHEREAS it is deemed expedient and necessary to amend tax on frontage of owners of land by amending Bylaw No. 137, 1979 Amendment Bylaw No. 829, 2018;

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

1. This bylaw may be cited as “Village of Pemberton Bylaw No. 137, 1979 Water Frontage Tax Amendment Bylaw No. 859, 2019.”
2. a. Section 2 of “The Corporation of the Village of Pemberton Bylaw No. 137, 1979” is hereby deleted and the following substituted therefore:
 - b. The annual rate shall be Three Dollars and Eighty Eight Cents (\$3.88) per meter of taxable frontage.
3. The “Village of Pemberton Water Frontage Tax Amendment Bylaw No. 829, 2018” is hereby repealed.

READ A FIRST TIME this 2nd day of April, 2019.

READ A SECOND TIME this 2nd day of April, 2019.

READ A THIRD TIME this 2nd day of April, 2019.

ADOPTED this _____ day of _____, 2019.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

VILLAGE OF PEMBERTON

BYLAW No. 860, 2019

Sewer Frontage Tax Amendment Bylaw

Being a bylaw to amend “The Village of Pemberton Sewer Frontage Tax Bylaw No. 136, 1979 Amendment Bylaw No. 830, 2018”

WHEREAS it is deemed expedient and necessary to amend tax on frontage of owners of land by amending Bylaw No. 136, 1979 Amendment Bylaw No. 830, 2018,

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

1. This bylaw may be cited as “Village of Pemberton Bylaw No. 136, 1979 Sewer Frontage Amendment Bylaw No. 860, 2019.”
2. Section 3 (b) of “The Corporation of the Village of Pemberton Bylaw No. 136, 1979” is hereby deleted and the following substituted therefore:
 - b. The annual rate shall be Five Dollars and Eighty Eight Cents (\$5.88) per meter of taxable frontage.
3. The “Village of Pemberton Water Frontage Tax Amendment Bylaw No. 830, 2018” is hereby repealed

READ A FIRST TIME this 2nd day of April, 2019.

READ A SECOND TIME this 2nd day of April, 2019.

READ A THIRD TIME this 2nd day of April, 2019.

ADOPTED this ____ day of _____, 2019.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

VILLAGE OF PEMBERTON

BYLAW No. 861, 2019

A bylaw to amend the Village of Pemberton Sewer Rates Bylaw No. 826, 2018.

WHEREAS it is deemed necessary to amend the rates and charges and billing system for the use of the Sanitary Sewer System to meet increased operational costs of the system;

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

1. Schedule "A" of, Amendment Bylaw No. 826, 2018 is hereby deleted and replaced with a new Schedule "A" which is attached hereto and forms part of this bylaw, and which takes effect on January 1, 2019.
 - c) Utility billing is done on an annual basis providing residents the option to pay monthly, quarterly or annually before the tax due date of the billing year.
 - d) A 10% penalty will be added to such rates, rents and charges remaining unpaid after the tax billing due date of the billing year.
2. This bylaw may be cited for all purposes as the "Village of Pemberton Sanitary Sewer System Regulation Connection and Rates Amendment Bylaw No. 861, 2019."

READ A FIRST TIME this 2nd day of April, 2019.

READ A SECOND TIME this 2nd day of April, 2019.

READ A THIRD TIME this 2nd day of April, 2019.

ADOPTED this _____ day of _____, 2019.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

2019 Annual Sewer Rates

Flat Rates (Billed Annually)			
		<u>Domestic</u>	
	1. Seniors housing projects	\$	339.04
	2. Single family dwellings & trailers	\$	517.24
	-In addition, per residential suite in a S/F dwelling	\$	258.48
	3. Apartments/Duplexes/Multi-family dwellings - per unit	\$	517.24
	4. Bed & Breakfast service, guest/rooming house	\$	739.38
	-in addition, per rental room for > 2 rooms	\$	119.42
	- in addition, per residential suite	\$	258.48
	5. Swimming Pool	\$	-
		<u>Commercial</u>	
	1. Motels, Hotels, Inns, Lodges	\$	743.89
	- per room (with or without bath)	\$	103.23
	- per room (with kitchen)	\$	119.42
	- for each pool &/or hot tub	\$	-
	2. Strata Hotel	\$	743.89
	- per room (with or without bath)	\$	103.23
	- per room (with kitchen)	\$	119.42
	- per room (with kitchen and laundry)	\$	258.48
	- laundry facility	\$	295.38
	- for each pool or hot tub	\$	-
	3. Beauty parlours and barber shops (per chair)	\$	631.36
	4. Cafe, restaurant, coffee shop or dining room	\$	-
	-40 seats maximum (including seasonal/outdoor seating)	\$	1,567.13
	-over 40 seats	\$	2,326.41
	5. Food & Beverage preparation facilities < 1000 sq. ft.	\$	631.36
	-total area = 1,000 - 2,000 sq. ft.	\$	946.66
	-total area = > 2,000 sq. ft.	\$	1,262.45
	6. Medical/Dental Practice - one practitioner	\$	1,015.91
	- per additional practitioner	\$	507.95
	7. Retail stores, < 1000 sq. ft.	\$	631.36
	- > 1000 sq. ft.	\$	1,577.47
	8. Banks, offices < 1,000 sq. ft.	\$	708.33
	- > 1,000 sq. ft.	\$	2,144.88
	9. Service stations, garages, card locks, etc.	\$	1,422.48
	-in addition - for unmetered vehicle wash facility	\$	-
	10. Laundries - for each washing machine	\$	295.38
	(or minimum annual charge)	\$	1,477.96
	11. Unmetered industrial/commercial usage	\$	1,034.49
	12. Beverage rooms, lounges, pubs	\$	2,368.61
	13. Greenhouse or Nursery (adjusted seasonal rate)	\$	631.36
	14. Water Bottling - unmetered	\$	631.36

		<u>Institutions</u>	
		1. Schools, per classroom	\$ 832.00
		2. Churches (flat rate)	\$ 631.36
		3. Hospitals, Emergency Services Stations	\$ 1,746.00
		-hospitals, in addition per bed	\$ 140.93

Metered Rates (Billed Quarterly)			
	1. Inside Municipal Boundaries - Statutory Declaration Program		
	a) Residences with Suite		
		Fixed Quarterly Meter Charge	\$ 29.38
		Plus Volumetric Rate (m3)	\$ 1.07
	b) Industrial/Commercial Users		
		Fixed Rate (under 300m3)	\$ 220.60
		Volumetric Rate (m3 after 300m3)	\$ 1.13
	c) Industrial/Commercial Users		
		Flat Rate (for Units with non-functioning or no meters)	\$ 282.32
	d) *Bulk Water Rate (m3)		\$ 4.55
	2. Outside Municipal Boundaries		
	a) Residential/Commercial/Industrial		
		Fixed Rate (under 300m3)	\$ 261.42
		Volumetric Rate (m3 after 300m3)	\$ 1.45
	b) Residential/Commercial/Industrial		\$ -
		Flat Rate (for Units with non-functioning or no meters)	\$ 246.19
*Large bulk sewer disposals require individual negotiated agreements.			

RED DEVILS ALUMNI ASSOCIATION PRESENTS

DAY OF THE EVILS



Donation Request Letter

**Red Devils Alumni Association Fundraiser to support
student participation on school sports teams at Pemberton Secondary School**

To Whom It May Concern:

Participating on a school sports team has become increasingly more expensive. The combination of increased travel costs and a decline in government funding has created challenging financial situations for many of our students and their families. The Red Devils Alumni Association has a goal of bringing the community together to ensure that our youth continue to have access to athletic opportunities.

On **Saturday, April 27, 2019** the *Red Devils Alumni Association* will be hosting their fourth annual **Day of the Devils** at the Big Sky Golf Club and Pemberton Secondary School. We are hopeful that 300+ people will participate in the Golf Tournament, Casino Night, and Dinner/Dance. We will be supplying awards for the Golf Tournament and Casino Night, and hosting both a silent and live auction during the Dinner/Dance. To make our fundraising event successful, we are looking for support!

We ask that you consider supporting our events by donating merchandise, gift certificates, or sponsoring a hole at the golf tournament. From your donation, you will receive community exposure and advertising. Your company name and donation will be included in our social media campaign, on signage at the events, and in a thank you advertisement placed in the Whistler Question.

If you wish to participate, please contact me at the email address below. For more information you may also visit our website: www.reddevilsalumni.com.

Thank you in advance for considering our request!

Regards,

Gail Talbot
Committee Member, Pemberton Red Devils Alumni Association
gail_talbot@hotmail.com
604-906-1224

Rotary Club of Pemberton and Pemberton & District Chamber of Commerce 14th Annual Golf Tournament

Dear Business Owner,

The Pemberton & District Chamber of Commerce along with Rotary Club of Pemberton are in the planning stages of the 2019 golf tournament to be held at Big Sky Golf Club on Friday June 7th. We would like to invite you to have the opportunity to join us as both as a sponsor and participant in our event. This is our 14th annual event and funds from this tournament go to support initiatives and groups within our community - It is our single largest fundraiser and very well attended.

Last year was our most successful year-to-date and this year is shaping up to be even better! We have a wonderful afternoon of golf planned followed by what is sure to be a fun evening with dinner, live music, and auction. This year we are also focusing on growing the networking aspect of the tournament by encouraging more non-golfers to participate in the après and dinner portion of the event.

We look forward to hearing from you and thank you for considering a sponsorship position within this event.

Sincerely,

The Golf Tournament Planning Committee

Dave Den Duyf, Danielle Menzel, Steve McCloskey, Richard Megeney & Julie Kelly

Proceeds from this tournament are divided between
Rotary Club of Pemberton and Pemberton & District Chamber of Commerce



2019 Golf Tournament.

BIG SKY GOLF CLUB ON JUNE 7 2019

2019 Golf Tournament.

BIG SKY GOLF CLUB ON JUNE 7 2019

Rotary Club of Pemberton and Pemberton & District Chamber of Commerce 14th Annual Golf Tournament

June 7th, 2019 Big Sky Golf Club

Golfers - \$135pp (includes a round of golf, cart, live music, canapes & dinner)

Dinner and Social - \$50pp (includes live music, canapes & dinner)

Registrations may be made as an individual or as a team.

SPONSORSHIP OPPORTUNITES

Platinum Sponsor- \$5,000

Includes: 8 golfers, logo in all advertising and title recognition, unlimited signage, a banner on tee box, sponsor and presentation of "Longest Drive" or "KP" awards. Microphone for 5 minutes during presentations to promote your business.

Gold Sponsor - \$2,500

Includes: 4 golfers, Logo in thank you-ad, 4 company signs, 1 at tee box and 1 at putting green. Recognition during live speech.

Silver Sponsor - \$1,000

Includes: 2 golfers, logo in thank-you ad, 2 company signs 1 at tee box. Recognition during live speech.

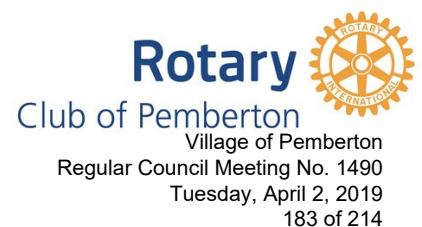
There are limited opportunities available to showcase your product at a hole, with sampling, prizes, contests, etc. Available on a first come basis - please contact us for more information if you are interested in this opportunity. These opportunities are available at the Silver, Gold & Platinum levels.

Bronze Sponsor - \$500

Includes: 1 golfer, Logo in thank you ad, 1 company sign at tee box & recognition during live speech.

Sponsorship Details:

Confirmation and contract deadline for sponsorship: May 1, 2019. Signs and banners need to be provided by the sponsors one week prior to the event. PDF version of logo needs to be provided 2 weeks prior to the event.



Village of Pemberton
Regular Council Meeting No. 1490
Tuesday, April 2, 2019
183 of 214

2019 Golf Tournament.

BIG SKY GOLF CLUB ON JUNE 7 2019

Rotary Club of Pemberton and Pemberton & District Chamber of Commerce 14th Annual Golf Tournament

June 7th, 2019 Big Sky Golf Club

REGISTRATION FORM

FORMS CAN ALSO BE FILLED OUT AND PAID ONLINE

visit www.pembertonchamber.com/golf

Registrations may be made as an individual or as a team.

Sponsorship Opportunities

Platinum (Incl. 8 Golfers)	_____	x	\$5,000.00	=	_____
Gold (Incl. 4 Golfers)	_____	x	\$2,500.00	=	_____
Silver (Incl. 2 Golfers)	_____	x	\$ 1,000.00	=	_____
Bronze (Incl. 1 Golfer)	_____	x	\$ 500.00	=	_____

Golfers (additional to those included in sponsorship)

Golfers	_____	x	\$135.00	=	_____
Apres & Dinner Only	_____	x	\$50.00	=	_____

TOTAL = _____

Contact Person

Phone #

Business Name (if Applicable)

Email Address

Sponsorship Deadline May 1, 2019

Registration deadline by May 25, 2019

Please email your forms to: golf@pembertonchamber.com
and for any inquiries please email golf@pembertonchamber.com or call Danielle 604-698-5128

Note: Please make all Cheques payable to "Pemberton & District Chamber of Commerce"
Pemberton & District Chamber of Commerce, Box 370, Pemberton, B.C., V0N 2L0



Village of Pemberton
Regular Council Meeting No. 1490
Tuesday, April 2, 2019
184 of 214

March 26, 2019

To the Office of the Chief Administration Officer, Mayor Mike Richman, and the Village of Pemberton Council,

RE: Changes needed to the Bylaw No. 839, 2018 (Animal Control Bylaw)

I am writing to you because my family has had a very frustrating experience dealing with an aggressive dog in our community, and we believe that Bylaw No. 839, 2018 lacks clarity as presently written. We are hoping you will consider amending the bylaw to make it clearer and to prevent other residents from going through what we have experienced.

Namely, there are three areas that we believe require clarification:

1. The use of the terms Dangerous Dog and Aggressive Dog
2. The consequences of the Aggressive Dog distinction; and
3. The application of the bylaw to private lands.

1: Dangerous Dog and Aggressive Dog

Bylaw No. 839, 2018 uses each of the terms “dangerous dog” and “aggressive dog”.

In its definitions, Bylaw No. 839 states the following:

Dangerous Dog has the meaning defined in section 49 of the Community Charter

Section 49 of the Community Charter of BC defines Dangerous Dog as the following:

“dangerous dog” means a dog that
(a) has killed or seriously injured a person,
(b) has killed or seriously injured a domestic animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog, or
(c) an animal control officer has reasonable grounds to believe is likely to kill or seriously injure a person.

In its definitions, Bylaw No. 839 also states:

Aggressive Dog means:

- a) A dog that, being over the age of 3 months, has without provocation bitten or attacked a person or domestic animal, resulting in at least a minor injury;*
- b) A dog that has, when not on the property of its owner, approached or pursued any person in an aggressive or menacing manner;*

- c) *A dog owned or harboured primarily or in part for the purpose of dog fighting, or a dog trained for dog fighting; or*
- d) *A dog with a demonstrated propensity, tendency or disposition to attack without provocation other domestic animals or humans.*

These types of dogs are dealt with differently throughout the bylaw with varying levels of detail. Section 4 addresses aggressive dogs and Section 7 addresses dangerous dogs.

The inconsistency with the level of detail between the types of dogs is confusing, which we will discuss later in this letter. However, in our review of other municipalities' bylaws, we noted that they typically had one single category for dogs that are aggressive/dangerous, which simplifies things greatly.

For example, the District of Squamish's Animal Control Bylaw (Bylaw 2124, Updated July 2014) has ONLY the Dangerous Dog designation, which is defined as:

"Dangerous Dog" means:

- (i) *a dog which has killed or seriously injured a person or animal;*
- (ii) *a dog which has a known propensity, tendency or disposition to attack animals or humans without provocation;*
- (iii) *a dog which has bitten, attacked or aggressively pursued a person or animal without provocation;*
- (iv) *a dog, which has been trained for or is owned for the purpose of dog fighting*

The Resort Municipality of Whistler's Consolidated Animal Control Bylaw No. 1555, 2001 also has ONLY the Dangerous Dog designation, which is defined as:

"Dangerous Dog" means:

- *a dog with a known propensity, tendency, or disposition to attack, without provocation, a person or another animal; or*
- *a dog which has bitten, attacked, or aggressively pursued, without provocation, a person or another animal;*

The City of Vancouver's Animal Control By-Law No. 9150 ONLY has the Aggressive Dog designation, which is defined as:

"aggressive dog" means:

- a) *a dog with a known propensity, tendency, or disposition to attack without provocation other domestic animals or human beings, or*
- b) *a dog which has bitten another domestic animal or human being without provocation*

We believe that the Village of Pemberton should also consider grouping dangerous and aggressive dogs in one single definition, as is done in other municipalities.

2. The Consequences of the Aggressive Dog Designation

As it is currently written, the aggressive dog designation has a lot of grey areas. A Bylaw Enforcement Officer can essentially, at their discretion, designate a dog as an aggressive dog. One of the ways they are able to do so is based on a written complaint about a dog that provides reasonable grounds for the designation, but little information is given about what this means.

In the situation we have dealt with, we are aware of three different written complaints to the VOP that were written about the same dog, each submitted by a different party (two in 2016, one in 2019). It seems that the Bylaw Enforcement Officer has dismissed each of these complaints, but there is a lack of transparency regarding why they have been dismissed. In fact, when we filed our complaint in 2019, we were told that one of the reasons the dog we were complaining about would not receive the aggressive dog designation was because “the Village has received no other official complaints respecting [the dog]”. We discovered that this was untrue during discussions with our neighbours and, in fact, we received copies of the prior complaints to the VOP. The VOP’s statements appears to contradict the facts and we feel we were misled here.

Another grey area is the consequences of being designated an Aggressive Dog. Section 4.2 merely says that the Bylaw Enforcement Officer can deliver “to the owner... written notice advising that the dog has been so designated. The notice may stipulate measures the person must take to prevent incidents of harm to other animals or to any person.” The bylaw does not provide further clarification about these stipulated measures.

In contrast, with respect to Dangerous Dogs, the bylaw clearly states factors such as Section 7.3, “When such dog is off the property of the owner, the owner shall ensure that it is properly fitted with a muzzle and on a leash not longer than one (1) metre and that it is under the control of a responsible person over the age of eighteen”.

Similarly, Section 4 does not discuss what will happen if an Aggressive Dog’s owner does not oblige by the stipulated measures, whereas Section 7 clearly states the consequences of an owner being unwilling or unable to comply with the requirements of the section.

If the Aggressive Dog designation is left as-is (that is, is not combined with the Dangerous Dog designation as we propose), more clarification is needed as to how a dog can be deemed aggressive and what happens if this designation occurs. This will make it clearer to members of the public who believe they are dealing with an aggressive dog and want to know what options are available to them to deal with the matter. It will also hold the VOP accountable by being transparent with its processes.

3. Private vs. Public Lands

As it is currently written, the VOP Bylaw No. 839, 2018 does not make a clear distinction between which sections apply to public lands and which sections apply to private lands (e.g., on the common areas of a townhome complex).

There is no statement in the Animal Control bylaw that suggests it applies only to public property. Section 2.6 of the bylaw states, “No owner of a dog shall permit his or her dog to a) chase, bite or attack any person or animal; or b) cause damage to any property.” Nothing is stated in this section, or elsewhere, that implies that this only applies to public property. Further, several sections of the bylaw, implicitly or explicitly, address private lands (e.g., in the nuisance definition, it says “... any act, activity or condition that unreasonably interferes with the use and enjoyment of a property owner’s parcel of land or of rights common to all...”; Section 7.4 outlines rules for an owner to follow when a dangerous dog is on the owner’s own property; and Sections 9 onward all apply to dogs kept in an owner’s own backyard).

However, the Bylaw Enforcement Officer has told us that the Aggressive Dog designation applies only to public land. If this is indeed the case, we would suggest clarifying the bylaw to reflect this.

For example, the City of Vancouver Animal Control Bylaw states in Section 4.2, “A person who keeps a dog must not permit, suffer, or allow the dog **to be on a street or other public place** unless the dog is under the immediate charge and control of a competent person by means of a leash that is not more than 2.5 m long...” and in Section 4.3, “a person who keeps an aggressive dog must not permit, suffer, or allow the dog **to be on a street or other public place or on any other property that such person does not own or control** unless such person has muzzled the dog to prevent it from biting another animal or a person...”

Additionally, the RMOW Animal Control Bylaw states in Section 20 “No person shall permit a dangerous dog to be **off the owner’s property, on a highway, or in a public place** unless the dog is kept on a leash or tether not exceeding two metres in length, is securely muzzled so as to prevent the dog from biting a person or another animal, and is under the immediate care and control of a competent person.”

If the intent of the VOP Animal Control Bylaw is to apply only to public areas, then we propose that the relevant sections specify so, as is done in these other municipalities.

Thank you for your time on this matter. This is the first time we have dealt with anything of this nature and we have found that due to the ambiguity of the bylaw, the formal courses of action have been extremely time-consuming and unproductive. Our primary aim has been to keep the members of our community safe from a dog who has repeatedly attacked several people and dogs in Pemberton, but several road blocks have prevented us from being able to do so.

We look forward to working with you to resolve this matter.

Best regards,
Courtney, Michael, and Moose Marchment

**Municipal Insurance
Association of British Columbia**

200 - 429 West 2nd Ave.
Vancouver, BC V5Y 1E3

Toll-Free: 1-855-683-6266
Fax: 604-683-6244

miabc.org



March 14, 2019

Wendy Olsson
Executive Assistant/HR Coordinator
Village of Pemberton
Box 100,
Pemberton, BC, V0N 2L0

Dear Wendy,

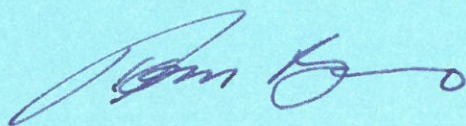
Re: Excellence in Risk Management Awards

Congratulations! Your submission to the MIABC's Excellence in Risk Management Awards competition has won the third place prize: \$1,000 in risk management grant funds.

Through the MIABC's Excellence in Risk Management Awards, we recognize our members who have shown excellence in the advancement of the practice of risk management. Submissions are rated based on efficiency, risk reduction, innovation, and community gains. Your project "the Water Testing and Communication Project" rated third highest of all the submissions. You, and your staff, should feel very proud of the work that was put into this project.

We hope that a Village representative will attend the banquet at our 2019 Risk Management Conference to accept the award.

Regards,



Thomas W. Barnes
Chief Executive Officer
Municipal Insurance Association of BC



March 13, 2019

Dear Premier Horgan,

I am writing on behalf of Victoria City Council to request favourable consideration and resolutions of support for observed inhalation sites for overdose prevention.

At the February 7, 2019 Council Meeting, Council approved the following resolution:

Resolution: Observed Inhalation Sites for Overdose Prevention

WHEREAS British Columbia is currently experiencing an unprecedented public health emergency due to an unpredictable and highly-toxic drug supply;

WHEREAS smoking or inhalation is the second most common mode of consumption among all people who have died from a suspected illicit drug overdose and the most common mode of consumption among men and those between the ages of 15 and 29;

WHEREAS observed consumption services (i.e. supervised consumption services and overdose prevention services) are evidence-based harm reduction approach shown to reduce overdose-related harm;

WHEREAS there is not adequate access to observed consumption services that provide space for inhalation where communities are facing crisis;

THEREFORE BE IT RESOLVED THAT to ensure that people at risk of overdose across B.C. have access to observed consumption services that provide space for inhalation, that the Province of British Columbia work through local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions and the Ministry of Health to fund and provide these services as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery.

We look forward to your support on this matter.



Sincerely,

A handwritten signature in cursive script, appearing to read 'L. Helps'.

Lisa Helps
Victoria Mayor

- cc. Honourable Adrian Dix, Minister of Health
Honourable Judy Darcy, Minister of Mental Health and Addictions
Honourable Selina Robinson, Minister of Municipal Affairs and Housing
The Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention
The Union of British Columbia Municipalities (UBCM) Annual Convention
British Columbia Municipalities and Regional Districts



March 13, 2019

Dear Premier Horgan,

I am writing on behalf of Victoria City Council to request favourable consideration and resolutions of support to revitalize Island rail.

At the February 7, 2019 Council Meeting, Council approved the following resolution:

Resolution: Revitalizing Island Rail

WHEREAS one of the conditions of the original Order-in-Council establishing the Esquimalt and Nanaimo (E&N) now Island Corridor Foundation (ICF) railway corridor is that if the corridor is no longer needed or used for railway purposes, it goes back to the original owner;

AND WHEREAS assembling a similar multi-modal corridor connecting the Alberni Inlet to the Comox Valley to Greater Victoria in the context of current land values and land uses would be impossible to replicate;

AND WHEREAS repair of the railway infrastructure can only reasonably be accomplished by way of capital investment from senior levels of government, in co-operation with First Nations and local governments and respecting first nations interests

AND WHEREAS rail transport and a parallel trail system are integral sustainable transportation options for Indigenous and non-indigenous peoples in the context of climate change, including the option of electrified rail for the sustainable movement of people and goods on the island;

THEREFORE BE IT RESOLVED that the Province of British Columbia take immediate actions to provide sufficient funding in a timely manner to restore the railway infrastructure of Vancouver Island and ensure that the corridor remains intact and available to future generations of Indigenous and non-indigenous peoples.

We look forward to your support on this matter.

THE CITY OF VICTORIA



OFFICE OF THE MAYOR

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Helps".

Lisa Helps
Victoria Mayor

cc. Honourable Claire Trevena, Minister of Transportation and Infrastructure
Vancouver Island MLA's
The Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention
AVICC Member Local Governments



March 13, 2019

Dear Premier Horgan,

I am writing on behalf of Victoria City Council to request favourable consideration and resolutions of support for a safer drug supply to save lives in British Columbia.

At the February 7, 2019 Council Meeting, Council approved the following resolution:

Resolution: Safer Drug Supply to Save Lives British Columbia

WHEREAS It has been two years since BC declared a public-health emergency due to increased overdoses, yet the death toll for those consuming substances continues to rise due to an unpredictable and highly-toxic drug supply;

WHEREAS people with opioid use disorder, a chronic relapsing medical condition, are at high risk of overdose-related harms including death;

WHEREAS an estimated 42,200 people inject toxic substances in British Columbia;

WHEREAS it is not possible for the treatment system to rapidly increase services fast enough to manage this number of people as “patients” within a medical treatment model given the many challenges in achieving and retaining the people on opioid use disorder treatment;

WHEREAS people at risk of overdose in British Columbia do not have access to a safer alternative to the unpredictable, highly-toxic drug supply;

THEREFORE BE IT RESOLVED THAT, in an effort to save lives and reduce harm due to an unpredictable and highly-toxic drug supply, and as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery, that the Province of British Columbia work with local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions, and the Ministry of Health ensure that people at risk of overdose harm have access to safer alternatives.

THE CITY OF VICTORIA



OFFICE OF THE MAYOR

We look forward to your support on this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Helps".

Lisa Helps
Victoria Mayor

- cc. Honourable Adrian Dix, Minister of Health
Honourable Judy Darcy, Minister of Mental Health and Addictions
Honourable Selina Robinson, Minister of Municipal Affairs and Housing
The Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention
The Union of British Columbia Municipalities (UBCM) Annual Convention
British Columbia Municipalities and Regional Districts



March 13, 2019

Dear Member Local Government,

On behalf of Victoria City Council, I am requesting your favourable consideration and resolutions of support for shifting investment to low-emission transportation.

At the January 31, 2019 Council Meeting, Council approved the following:

Resolution: Shifting Investment to Low-Emission Transportation

WHEREAS the Prime Minister of Canada and the Premiers of BC and most provinces signed the Pan-Canadian Framework on Clean Growth and Climate Change in 2016, endorsing a policy shift that could substantially reduce greenhouse gas (GHG) pollution from transportation while funding public transit improvements, including inter-city and commuter bus and rail service;

AND WHEREAS the transportation sector is the second-largest contributor of GHG pollution in Canada, representing 23% of total emissions;

THEREFORE BE IT RESOLVED that local governments call on the Governments of Canada and British Columbia to fully implement their commitment in the Pan-Canadian Framework on Clean Growth and Climate Change, to shift investments “from higher to lower-emitting types of transportation”.

We look forward to your support on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Helps'.

Lisa Helps
Victoria Mayor

cc. The Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention
The Union of British Columbia Municipalities (UBCM) Annual Convention
AVICC and UBCM Member Local Governments



March 13, 2019,

To Association of Vancouver Island and Coastal Communities Members,

I am writing on behalf of Victoria City Council, requesting favourable consideration and resolutions of support for the protection of old growth forests.

At the January 31, 2019 Council Meeting, Council approved the following resolution:

WHEREAS old-growth forest has significant economic, social and environmental value as wildlife habitat, tourism resource, carbon sink, drinking watersheds and much more;

AND WHEREAS old-growth forest is increasingly rare on Vancouver Island and current plans on provincial Crown land call for logging the last remaining old-growth forest, outside of protected areas, Old-Growth Management Areas, and similar reserves, over the next 10-20 years;

THEREFORE BE IT RESOLVED THAT the old-growth forest on provincial Crown Land on Vancouver Island be protected from logging, beginning with a moratorium and followed by amendments to the Vancouver Island Land Use Plan;

AND BE IT FURTHER RESOLVED THAT the Provincial government work with First Nations, local communities, labour organizations and industry to pursue a just transition and expanded economic opportunities through sustainable management of second-growth forests and value-added production of forest products.

We eagerly look forward to your support on this matter.

Sincerely,

Lisa Helps
Victoria Mayor

cc. The Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention



March 13, 2019

Dear AVICC Member Government,

On behalf of Victoria City Council, I am requesting your favourable consideration and resolutions of support for promoting and enabling GHG reductions.

At the January 31, 2019 Council Meeting, Council approved the following:

Resolution: Promoting and Enabling GHG Reductions

WHEREAS the world's leading climate scientists have warned that we have less than 12 years to meet our climate targets, and early action is required to avoid significant costs and impacts to social and environmental well-being in our communities, and worldwide.

AND WHEREAS local governments are uniquely positioned to enable this mobilisation effort, in a coordinated and integrated fashion across sectors, enabling individual action with timely and accurate information, incentives, directions, coordination, tools, targets and scalable, impactful programs.

AND WHEREAS local governments GHG reduction plans will be effectively and expeditiously realised through a dedicated focus on cutting the most impactful GHG sources, including: retrofitting existing buildings to high-efficiency standards; renewable electricity; elimination of fossil fuel heating sources; shifting people to transit, active transportation, and renewably powered mobility options; and the electrification of commercial and passenger vehicle fleets.

AND WHEREAS the complexity and pace/progress of GHG reductions in both local governments and community require additional resources and planning to reduce risks of missing interim and longer GHG and renewable energy targets.

THEREFORE BE IT RESOLVED that local governments call on the Governments of Canada and British Columbia to pursue the following immediate sector actions to promote and enable GHG reductions and realize important social and economic co-benefits:



1. Make available all ICBC municipal vehicle km/make/model/fuel economy information.
2. Continue the development and implementation of world-class low carbon fuel standards.
3. Fully invest in delivery of the zero-emission vehicles sales targets as established in the CleanBC Plan.
4. Continue progressive and direct funding programs and partnerships for municipal low-carbon initiatives, including building retrofit, transportation, waste management and other priority and shared GHG reduction programs.

We look forward to your support on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Helps".

Lisa Helps
Victoria Mayor

cc. The Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention
AVICC Member Local Governments

From: s.ridout@shaw.ca <s.ridout@shaw.ca>

Sent: March 23, 2019 12:06 PM

To: connected.communities.ca@gmail.com

Subject: Fiber SMARTER than 5G ~ Wired to Deliver Community Fiber Website

Dear Mayor and Councillors,

This week, BC Minister of Citizens' Services [Jinny Sims](#) called rural [internet](#) the 'railroad of the 21st century.' Unfortunately, in [this article](#) she promoted wireless 5G as a viable and more economical alternative to fiber-to-the-premises. 5G is not a viable rural solution due to the short distances and the way millimeter waves travel. Wireless 5G requires fiber optic cable to be connected to every transmitter. These transmitters need to be replaced every few years, adding to the cost of deployment. Extending the fiber and connecting it directly to every premise is the truly smart way to build a telecommunications infrastructure. As well as the financial concerns cyber security (the recent Huawei scandal) and health issues need to be considered. The safety of 5G has not been established. 5G resonates on the same wavelengths as all living things. If 5G is found to distort these living frequencies there will be physical and mental health issues arising in the future.

Wired fiber is the fastest, safest and most energy-efficient and reliable rural connectivity option. With the [Connected Coast](#) project bringing a sub-sea fiber optic cable to 154 rural BC communities over the next 2 years, investing in a fiber-to-the-premises last mile is the best way for BC's rural communities to build a 21st century information highway.

Connected Communities - a site that provides local governments with tools for building community-owned wired fiber networks is here! [Connected Communities ~ Wired fiber for Sustainable Last-Mile Solutions](#)

Rural broadband is now a provincial and federal funding priority. The time is ripe to bring the many benefits of wired fiber to your community. Wiring fiber to every premise is the smart way to build a telecommunications infrastructure, and it is the fastest, safest and most energy-efficient and reliable rural connectivity option.

To learn more and get started I would ask that you please read the press release below or attached. Thank you for all you do for your communities.

Sherry Ridout
Victoria, B.C.

WIRED TO DELIVER:

New Site Promotes Community Fiber not Industry-Driven 5G

FOR IMMEDIATE RELEASE – March 23, 2019

CONTACT: connected.communities.ca@gmail.com

While last week's launch of the federal spectrum auction gave the green light to 5G in Canada, many communities across North America are choosing to build and operate their own fiber-to-the-premises networks. An innovative new Canadian website – [Connected Communities](#) – explains the many benefits of community-owned fiber, and provides a blueprint for how towns and cities can make it happen.

Why Community-owned Wired Fiber?

- Wired fiber is faster, safer, cheaper, greener, more reliable, and more data secure than wireless 5G – the 5th generation of cellular technology. [This in-depth report](#) explains why.
- Community owned fiber keeps telecommunications infrastructure in local hands and keeps it responsive to local needs. From improved emergency services and economic opportunities to resource monitoring and distributing locally generated renewable energy – the manifold benefits of community-owned fiber make it the truly smart choice.

A Smarter Choice than Wireless 5G

As Senator Blumenthal uncovered in [this Senate hearing](#), 5G is being unleashed with no pre-market safety testing. Wired fiber can essentially fill the same functions as wireless 5G, without the risks.

- The Globe and Mail's European Bureau Chief Eric Reguly discusses the health risks of 5G [here](#).
- In the wake of the Huawei scandal, [this article](#) reveals the sinister cyber and national security risks of 5G.

Beneath the marketing hype, it is unlikely wireless 5G will fulfill its promises. (Learn more [here](#).) Rather than heralding the future, 5G is shaping it to telecom's advantage.

Success Stories

Cities like [Chattanooga](#) Tennessee, [Portland](#) Oregon, [Olds](#) Alberta, [San Francisco](#) and [Seattle](#) - cities that value data privacy, autonomy, local prosperity and wellbeing - have chosen or are choosing community-owned fiber. The telecommunications highway today fulfills the same function that roads and railways once filled for trade and commerce. It is essential that this infrastructure be not for meeting corporate interests, but for the public good.

To learn more, visit [Connected Communities](#) and spread the word – wired networks offer safe, net neutral, fast and reliable connectivity for years to come.

March 25, 2019



District of Kitimat
270 City Centre
Kitimat, British Columbia
Canada V8C 2H7

Phone 250.632.8900
Fax 250.632.4995

Dear Mayor and Council

VIA EMAIL

On March 3, 2005, a motorcycle accident occurred that would forever change the life of Ms. Denise Lodge. Her 21-year old son Corey bought his first motorcycle, a high speed 1000cc racing sport bike. He wrote his learners license on the same day. In less than 24 hours he was involved in a fatal accident on the Malahat Highway. Unable to navigate the turn, the worst possible outcome was realized.

From this fateful event grew a movement affectionately known as The Coalition of Riders Educating Youth (C.O.R.E.Y). This alliance was organized by a mother who vowed to change an outdated system of motorcycle laws in an effort to advance motorcycle safety initiatives. Over the past 14 years C.O.R.E.Y has been working with the Government asking for them to give New Riders the Skills to have a safe ride.

In 2016, C.O.R.E.Y started working with the RCMP and RoadSafetyBC, presenting to over 7,900 Grade 9 – 12 high school students in Northern and Central BC. The interactive discussion brings full awareness of motorcycles to the new drivers as half of the deaths occur because the driver of the other vehicle does not see the motorcyclist. To further highlight the need of this program a recent statistic from the coroner indicates that there were thirty (30) motorcyclist deaths from January to July 2018. This is a 114% increase over the number of motorcyclist deaths occurring from January to July 2017.

At the 2016 UBCM Conference the following resolution was submitted by the District, and adopted by the North Central Local Government Association at the conference in Dawson Creek. Due to time constraints the resolution was not considered by the UBCM membership; however, it was endorsed post-conference by the UBCM Community Safety Committee:

Graduated Licensing for Motorcycles

DISTRICT OF KITIMAT

WHEREAS many changes and improvements have occurred regarding the operation of motorcycles including: increased fines for dangerous behavior while riding, mandatory approved helmet laws, and new seating regulations which require that the passenger's feet must remain on the foot pegs to prevent children who are too small from riding as passengers;

AND WHEREAS motorcycles make up three per cent of BC's insured vehicles, yet they are involved in approximately eleven per cent of all road fatalities:

THEREFORE BE IT RESOLVED that the Provincial Government implement the final phase of the graduated licensing program for motorcycles including power restrictions and mandatory training.

As the program has not yet been implemented, The District of Kitimat Mayor and Council are requesting letters of support be written to the Province to finalize and implement the Graduated Licensing Program for Motorcycles (GLP-M), including Power Restrictions and Mandatory Training.

We ask that letters of support be forwarded to:

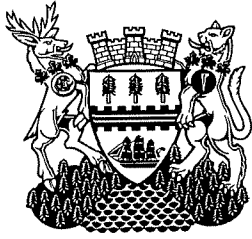
Honourable Mike Farnworth, MLA
pssg.minister@gov.bc.ca

CoreySafe Society
coreysafe@outlook.com

Sincerely,

A handwritten signature in black ink that reads "Phillip Germuth". The signature is written in a cursive style with a large initial "P".

Mayor Phillip Germuth
District of Kitimat



City of Port Moody

Report/Recommendation to Council

Date: February 26, 2019 File No. 01-0360-20-55-00

Submitted by: Climate Action Committee

Subject: Union of BC Municipalities Resolution – Greenhouse Gas Limits for New Buildings

Purpose / Introduction

To bring forward a Union of British Columbia Municipalities resolution regarding greenhouse gas limits for new buildings and seek Council endorsement to advance the resolution to the Lower Mainland Local Government Association (LMLGA) and the Union of British Columbia Municipalities (UBCM) for consideration, as recommended by the Climate Action Committee.

Recommended Resolutions

THAT the following resolution regarding Greenhouse Gas Limits for New Buildings be submitted to the Lower Mainland Local Government Association, for subsequent submission to the Union of BC Municipalities, as recommended in the report dated February 26, 2019 from the Climate Action Committee regarding Union of BC Municipalities Resolution – Greenhouse Gas Limits for New Buildings:

WHEREAS climate change is recognized to be an urgent concern requiring rapid decarbonization of energy across all sectors, including buildings, in order to achieve 45% GHG emissions reductions by 2030 and net-zero GHG emissions by mid-century, as noted by the IPCC Special Report on 1.5C;

AND WHEREAS the British Columbia Energy Step Code establishes targets for increasing energy efficiency of new construction, but these may not result in the necessary levels of GHG emissions reductions to support local government GHG reduction targets nor BC's legislated GHG emissions reduction targets;

AND WHEREAS new buildings can last for many decades and are difficult, expensive, and disruptive to retrofit for renewable energy after construction;

AND WHEREAS near-zero GHG emissions mechanical systems are well proven and can be cost-effectively incorporated in new buildings, while also improving efficiency;

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February 26, 2019

THEREFORE BE IT RESOLVED THAT the Province include GHG limits for new construction as an enforceable element in Division B of the British Columbia Building Code, including a pathway to achieve zero GHG emissions for new construction in a timeline commensurate with the science of climate change and BC’s reduction targets;

AND BE IT FURTHER RESOLVED THAT the Province’s goal in the CleanBC Plan to “make every new building constructed in BC “net-zero energy ready” by 2032” be revised to “make every new building constructed in BC “zero emissions” and “net-zero energy ready” by 2032”;

AND THAT a request be sent to local governments in British Columbia for staff to advise their Councils to support the City of Port Moody’s forthcoming resolution “Greenhouse Gas Limits for New Buildings” at the Lower Mainland Local Government Association conference on May 8-10, 2019 and the Union of BC Municipalities conference on September 23-27, 2019.

Executive Summary

The Province of British Columbia (BC) has committed to reducing greenhouse gas (GHG) emissions by at least 40% below 2007 levels by 2030, 60% by 2040, and 80% by 2050. In BC, most GHG emissions come from creating and using energy. Major energy-related sources of GHG emissions include transportation, such as driving cars, and stationary combustion sources, such as heating buildings.

New buildings can last for many decades and are difficult, expensive, and disruptive to retrofit for renewable low-carbon energy solutions after construction. The sooner new buildings achieve near zero emissions, the fewer buildings there will be that require costly and challenging deep energy retrofits to achieve GHG reduction targets.

While the BC Energy Step Code establishes a provincial framework for reducing energy use in new buildings, it does not explicitly address GHG emissions from buildings. As buildings represent up to half of GHG emissions at the community level, there is a need to develop an effective policy framework to achieve emissions reductions.

The Climate Action Committee recommends advancing a resolution to the LMLGA and subsequently to the UBCM, calling on the Province to mandate GHG limits for new buildings as an enforceable element of Division B of the British Columbia Building Code (BCBC). The resolution also asks that the provincial goal in the CleanBC Plan “to make every new building constructed in BC net-zero energy ready by 2032” be revised to “make every new building constructed in BC net-zero energy ready and zero emissions by 2032”.

As the proposed resolution will support other BC communities in achieving GHG emissions reductions, the Climate Action Committee further recommends that local government staff in BC be requested to advise their Councils to support the City of Port Moody’s forthcoming resolution

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February 26, 2019

“Greenhouse Gas Limits for New Buildings” at the LMLGA May 8-10, 2019 and UBCM September 23-27, 2019 conferences.

Background

At the February 25, 2019 Climate Action Committee meeting, staff provided a presentation on the BC Energy Step Code (Step Code), including an overview of GHG emissions modelling in relation to the Step Code, how greenhouse gas intensity (GHGI) is calculated, the reasoning for focusing on GHGs in new buildings, and introduced the proposed UBCM resolution (**Attachment 1**).

After the staff presentation, the Climate Action Committee passed a resolution in support of the proposed UBCM resolution and seeking support from other municipalities. This resolution is included as the recommended resolution in this report.

Discussion

Climate Change and Greenhouse Gas Emissions

In October of 2018, the Intergovernmental Panel on Climate Change (IPCC) published a special report on the impacts of global warming of 1.5°C¹ above pre-industrial levels and related global greenhouse gas emission pathways. The report states that human activities are estimated to have caused approximately 1.0°C of global warming above pre-industrial levels and that global warming is likely to reach 1.5°C between 2030 and 2052 if it continues to increase at the current rate. Global warming reflecting current nationally stated mitigation goals until 2030 is estimated to result in global warming of about 3°C by 2100, with warming continuing afterwards due to past and ongoing emissions.

Impacts on natural and human systems from global warming have already been observed as many land and ocean ecosystems and some of the services they provide have already changed due to global warming. In addition, climate-related risks to health, livelihoods, food security, water supply, and economic growth are projected to increase with global warming of 1.5°C and increase further with 2°C and 3°C (**Attachment 2**).

Warming from anthropogenic emissions from the pre-industrial period to the present will persist for centuries to millennia and will continue to cause further long-term changes in the climate system, such as sea level rise. The IPCC special report states that reaching and sustaining net zero global anthropogenic CO₂ emissions is necessary to halt anthropogenic global warming on multi-decadal time scales.

The IPCC advises that pathways limiting global warming to 1.5°C would require rapid and far-reaching transitions in energy, land, urban, and infrastructure, including transportation and buildings, and industrial systems in order to achieve 45% GHG emissions reductions by 2030 and net-zero GHG emissions by mid-century.

¹ https://www.ipcc.ch/site/assets/uploads/sites/2/2018/07/SR15_SPM_version_stand_alone_LR.pdf

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Provincial Goals

The Province has committed to reducing GHG emissions by at least 40% below 2007 levels by 2030, 60% by 2040, and 80% by 2050. In BC, most GHG emissions come from creating and using energy. Major energy-related sources of GHG emissions include transportation, such as driving cars, and stationary combustion sources, such as heating buildings.

Building-related emissions account for almost half of community GHG emissions in most of B.C. As such, reducing building-related emissions can have a significant impact on meeting provincial and community GHG emissions reduction targets.

New buildings can last for many decades and are difficult, expensive, and disruptive to retrofit for renewable low-carbon energy solutions after construction. The sooner new buildings achieve near zero emissions, the fewer buildings there will be that require costly and challenging deep energy retrofits to achieve GHG reduction targets. Low-carbon mechanical systems that provide space heating, cooling, and domestic hot water heating are available in the market today for all of BC's climate and building needs. Most low-carbon energy systems can be cost-effectively incorporated into new buildings.

The BC Energy Step Code

The BC Energy Step Code was introduced in April 2017 as a voluntary energy-efficiency standard in the *British Columbia Building Code (BCBC)*. As an optional compliance path within the *BCBC*, any builder can choose to build to the requirements of the Step Code, and local governments can implement bylaws or policies that require compliance with the Step Code. To comply, builders must use energy modelling software and on-site testing to demonstrate that both their design and the constructed building meet the energy efficiency requirements of the Step Code. The Step Code establishes targets for increasing energy efficiency of new construction, but does not explicitly address GHG emissions.

Greenhouse Gas Emissions in BC Buildings

Rapidly reducing GHG emissions is an important objective for BC and local governments to reach GHG emission reduction targets consistent with the science of climate change. While Step Code establishes a framework for reducing energy use in new buildings, it does not explicitly address GHG emissions from buildings.

There are many examples of buildings constructed throughout the region using a variety of low-carbon heating and cooling systems. These include air source heat pumps, ground source heat pumps, waste heat recovery systems, biomass systems, and solar collectors. There are multiple options for most building types including single-family, multi-family and commercial buildings, including building-scale and district energy systems. These systems are cost-competitive with more carbon-intensive systems, and can be reliably designed, installed, and operated.

The City of Vancouver has requirements to limit GHG emissions in new buildings, and a number of other local governments have introduced Step Code policies that include a low-carbon energy system option with a lower step (including Surrey, Richmond, Burnaby, New Westminster, and

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the Township of Langley), while others are considering a similar approach. This low-carbon system “option” approach may result in more low-carbon buildings, but GHG reduction is not guaranteed, and a more rigorous and standardized approach is needed.

In order to better understand the relationship between energy efficiency performance and GHG emissions, as well as policy options, the Provincial Ministry of Housing and Affairs is commissioning a study to explore the range of possible GHG emission reductions in new buildings at each step of the Step Code in relation to common and/or emerging energy systems in buildings, and to provide policy options on how to optimize GHG emission reductions from new buildings.

CleanBC Plan

CleanBC, released in December 2018, outlines the Province’s plan for a more prosperous, balanced, and sustainable future. CleanBC includes a target for GHG reduction for buildings of 40% by 2030, and notes the need for further electrification of buildings and support of low-carbon approaches. The CleanBC plan also recognizes the benefits of living and working in greener buildings, like greater comfort, lower energy use, and better air quality – both indoors and in communities. The plan establishes a goal to make every new building constructed in BC net-zero energy ready by 2032.

However, CleanBC does not specifically outline a policy pathway to achieve the 40% target, nor state a long-term goal of zero-carbon buildings. Therefore, policies and regulations that achieve GHG reduction as well as energy efficiency are consistent with both provincial and local government interests.

Encouraging Zero-Carbon Buildings

Although population growth in Port Moody has been moderate in the past, the number of development applications has increased with the addition of the Evergreen Line extension in recent years, making Port Moody an attractive and accessible location. With minimal opportunity for new development, redevelopment has become the focus. As redevelopment in Port Moody continues to grow, an opportunity exists to reduce community GHG emissions by ensuring replacement buildings are equipped with low-carbon solutions.

There is no current governing plan or policy that outlines Port Moody’s targets or commitments to building-related emissions reduction. Local governments in BC are required through the *Green Communities Statutes Amendment Act* (Bill 27) to include targets, policies, and actions for the reduction of GHG emissions in their Official Community Plans (OCP). Both the OCP and the Master Transportation Plan (MTP) refer to a community emissions database that is outdated, as well as an interim GHG reduction target of 10% below 2007 levels by 2017, that is past due.

The City has identified a number of climate action goals and initiatives in the OCP that signal Council’s commitment to a low-carbon building stock, outlined in **Attachment 3**.

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Union of BC Municipalities Resolution – Greenhouse Gas Limits for New Buildings

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Port Moody continues to show support for zero-carbon buildings by encouraging and prioritizing low-carbon development applications using the Sustainability Report Card, exploring early adoption of the Step Code, and leading by example through investments in energy efficient upgrades to civic facilities.

Clear direction and leadership in climate policy will strengthen Port Moody's local green economy, and contribute to reaching climate change goals.

Next Steps

The Climate Action Committee is recommending to advance a resolution to the LMLGA and subsequently to UBCM, calling on the Province to mandate GHG limits for new buildings as an enforceable element of Division B of the *British Columbia Building Code*. The resolution also asks that the provincial goal in the CleanBC Plan “to make every new building constructed in BC net-zero energy ready by 2032” be revised to “make every new building constructed in BC net-zero energy ready and zero emissions by 2032”.

As the proposed resolution will support other BC communities in achieving GHG emissions reductions, the Climate Action Committee recommends that local government staff in BC be requested to advise their Councils to support the City of Port Moody's forthcoming resolution “Greenhouse Gas Limits for New Buildings” at upcoming 2019 LMLGA and UBCM conferences.

Other Options

THAT the report dated February 26, 2019 from the Climate Action Committee regarding Union of BC Municipalities Resolution – Greenhouse Gas Limits for New Buildings be received for information.

Financial Implications

There are no financial implications associated with the recommendations in this report.

Communications and Civic Engagement

No communications or civic engagement initiatives are required by the recommendations in this report.

Council Strategic Plan Objectives

Advancing the UBCM resolution regarding GHG limits in new buildings is consistent with the strategic outcomes in the areas of Community Planning and Preserving the Environment identified in the 2015-2018 Council Strategic Plan.

Attachments:

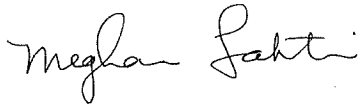
1. UBCM Resolution Regarding GHG Limits in New Buildings.
2. Global Warming Impacts Based on the IPCC Special Report.
3. OCP Policies to Support Zero-Emission New Buildings.

Report/Recommendation to Council

Union of BC Municipalities Resolution – Greenhouse Gas Limits for New Buildings

February 26, 2019

Prepared by:



Councillor Meghan Lahti
Chair

UBCM Resolution

Greenhouse Gas (GHG) limits in the British Columbia Building Code

City of Port Moody

WHEREAS climate change is recognized to be an urgent concern requiring rapid decarbonization of energy across all sectors, including buildings, in order to achieve 45% GHG emissions reductions by 2030 and net-zero GHG emissions by mid-century, as noted by the IPCC Special Report on 1.5C;

AND WHEREAS the *British Columbia Energy Step Code* establishes targets for increasing energy efficiency of new construction, but these may not result in the necessary levels of GHG emissions reductions to support local government GHG reduction targets nor BC's legislated GHG emissions reduction targets;

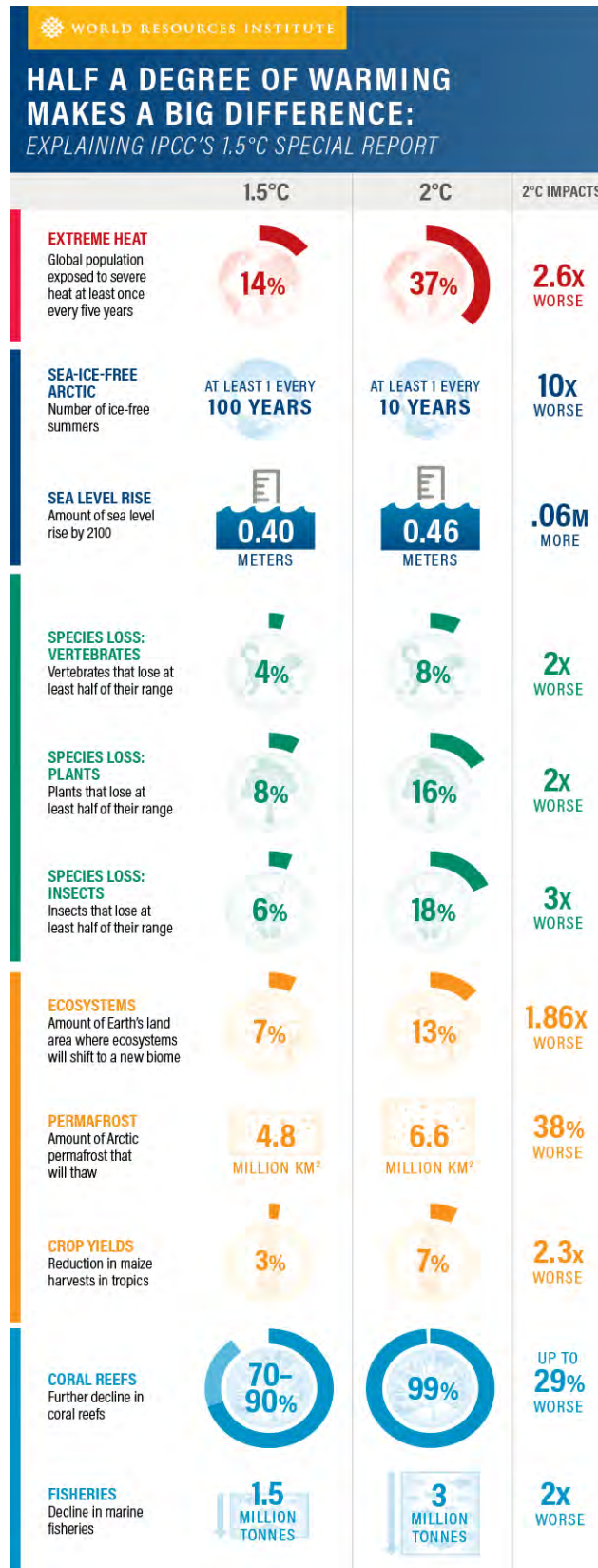
AND WHEREAS new buildings can last for many decades and are difficult, expensive, and disruptive to retrofit for renewable energy after construction;

AND WHEREAS near-zero GHG emissions mechanical systems are well proven and can be cost-effectively incorporated in new buildings, while also improving efficiency;

THEREFORE BE IT RESOLVED THAT the Province include GHG limits for new construction as an enforceable element in Division B of the British Columbia Building Code, including a pathway to achieve zero GHG emissions for new construction in a timeline commensurate with the science of climate change and BC's reduction targets;

AND BE IT FURTHER RESOLVED THAT the Province's goal in the CleanBC Plan to "make every new building constructed in BC "net-zero energy ready" by 2032" be revised to "make every new building constructed in BC "zero emissions" and "net-zero energy ready" by 2032".

Attachment 2 – Global Warming Impacts based on the IPCC Special Report



Attachment 3 – OCP Policies to Support Zero-Emission New Buildings

Chapter 5 – Sustainable Resource Use and Climate Change Response

3. The City will develop a Community-wide Sustainable Building Policy to encourage the renovation of existing buildings and the creation of new development that meets a high standard of sustainable building performance with features that may include but are not limited to:

- (d) Passive building systems;
- (e) Energy efficiency technology;
- (f) On-site renewable energy technology;
- (g) District renewable energy systems;

5. The City will develop, implement and regularly update a community GHG and energy management plan as a means to plan for an energy-wise and low-carbon future where energy demand is reduced and needs are met through sustainable practices through the community and by sustainable energy systems (e.g., renewable, affordable, reliant, efficient, etc.).

10. The City will encourage the planning, design and construction of efficient neighbourhoods and buildings to minimize resource consumption, increase use of renewable resources, increase alternative modes of transportation, reduce greenhouse gas emissions and prepare for climate change.

11. The City will encourage local low carbon energy systems, including district energy, as part of larger developments and within areas expected to experience significant redevelopment.

12. The City will encourage sustainable project development by applying the Sustainability Checklist, including energy considerations, to assess the relative strengths of a development proposal from a sustainability perspective and encourage the most sustainable project possible.

14. To encourage strong energy performance, the City will consider incentives for developers including variances, density bonusing, modified/alternative development standards or other appropriate mechanisms available under the Local Government Act.

15. The City will work to provide information to local developers, builders and homeowners about energy efficient building practices and available incentives and funding programs.

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*