

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

Agenda for the **Regular Meeting** of Council of the Village of Pemberton to be held Tuesday, April 21, 2020 at 8:30 a.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1512.

“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.”

*** All Council and Staff will be attending the meeting electronically. Instructions for public participation at the meeting can be found [here](#).**

Item of Business	Page No.
1. 8:30 A.M. CALL TO ORDER REGULAR MEETING	
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	
Recommendation: THAT the Agenda be approved as presented.	
3. IN CAMERA	
THAT the meeting is closed to the public in accordance with the <i>Community Charter</i> Section 90 (c) Employee Relations (k) Negotiations that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.	
4. MOVE TO IN CAMERA	
5. 9:00 A.M. RISE FROM IN CAMERA AND RECONVENE THE REGULAR MEETING	
6. RISE WITH REPORT FROM IN CAMERA (CLOSED)	
7. ADOPTION OF MINUTES	
a) Regular Council Meeting No. 1510, Tuesday, March 10, 2020	5
Recommendation: THAT the minutes of Regular Council Meeting No. 1510, held Tuesday, March 10, 2020, be adopted as circulated.	
b) Special Council Meeting No. 1511, Tuesday, March 31, 2020	14
Recommendation: THAT the minutes of Special Council Meeting No. 1511, held Tuesday March 31, 2020, be adopted as circulated.	
8. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING	
9. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE	
10. COMMITTEE MINUTES - FOR INFORMATION	
There are no committee minutes for information.	
11. DELEGATIONS	

There are no delegation presentations.

12. REPORTS

a) Office of the Chief Administrative Officer

b) Corporate & Legislative Services

i. Bylaw Notice Enforcement Bylaw Screening Officer Policy 17

Recommendation: THAT Screening Officer Policy No. ADM-026 be approved.

c) Development Services

i. Village of Pemberton Cycling Network Plan 29

Due to large file size, the following link is provided to view [Appendix A - Cycling Network Plan](#)

Recommendation: THAT the Village of Pemberton Cycling Network Plan be approved.

ii. Hillside Development Design Guidelines 47

Recommendation: THAT the Hillside Development Design Guidelines, April 2020, be approved.

iii. Discharge of Covenant LB387063 (Tiyata) 82

Recommendation: THAT Council authorizes the discharge of Covenant LB387063 from Lot 3, Plan 12807, District Lot 203, Lillooet Land District, Except that part which lies to the East of the East boundary of Plan Crown Grant 253, and authorizes the Chief Administrative Officer to effect the discharge.

d) MAYOR'S Report

e) COUNCILLORS' Reports

13. BYLAWS

a) Bylaws for First, Second, Third and Fourth Readings

i. Village of Pemberton Advisory Planning Commission Amendment Bylaw No. 878, 2020 94

Recommendation: WHEREAS Ministerial Order MO83, issued March 26, 2020, enables municipalities during the Provincial State of Emergency, issued on March 18, 2020, to adopt bylaw on the same day it receives Third Reading;

AND WHEREAS the Village of Pemberton is presenting an amending Bylaw for Council's consideration;

THEREFORE BE IT RESOLVED THAT the Village of Pemberton Advisory Planning Commission Amendment Bylaw No. 878, 2020, be given First, Second, Third and Fourth Readings.

- ii. **Village of Pemberton 2020-2024 Five (5) Year Financial Plan Bylaw No. 879, 2020** 105

Recommendation: WHEREAS Ministerial Order MO83, issued March 26, 2020, enables municipalities during the Provincial State of Emergency, issued on March 18, 2020, to adopt bylaw on the same day it receives Third Reading;

AND WHEREAS the Village of Pemberton is presenting a Bylaw for Council's consideration;

THEREFORE BE IT RESOLVED THAT the Village of Pemberton 2020-2024 Five (5) Year Financial Plan Bylaw No. 879, 2020, be given First, Second, Third and Fourth Readings.

b) Bylaw for First, Second and Third Readings

- i. **Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019, Repeal Bylaw No. 880, 2020** 116

Recommendation: THAT Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019, Repeal Bylaw No. 880, 2020, be given First, Second and Third Readings;

AND THAT Bylaw No. 880, 2020, be referred to the Ministry of Municipal Affairs and Housing for Ministerial approval prior to adoption.

14. CORRESPONDENCE

a) For Action

- i. **Dennis Dugas, Mayor, District of Port Hardy, dated March 10, 2020, seeking Council's support to form a coalition of Small Communities to lobby for Provincial funding for Fire Protection services.** 121

Recommendation: THAT Council provide direction.

- ii. **Suzanne Robert, Mount Currie, dated April 17, 2020, regarding safe pedestrian access from the Lions Villa.** 129

Recommendation: THAT the correspondence be referred to Staff for a response.

b) For Information

- i. **Wayne Clogg, Board Chair, Forest Enhancement Society of BC, dated March 2, 2020, providing Accomplishment Update on forest recovery and rehabilitation projects across the BC.** 130
- ii. **Jonathan X. Cote, Mayor, City of New Westminster, dated March 9, 2020, regarding a request for Federal support for a National Pharmacare Program.** 135
- iii. **Blanka Zeinabova, Deputy City Clerk, City of Burnaby, dated March 6, 2020, seeking support for resolutions submitted to UBCM regarding condominium insurance and public car insurance.** 137
- iv. **Mark Mendonca, President, Tourism Pemberton, received March 17, 2020, expressing appreciation for the opportunity to make a presentation to Council and following up with respect to the request for a funding commitment.** 148

- v. **Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated March 18, providing information on the Government's Economic Response Plan.** 149
- vi. **Samantha Howard, Senior Director, Canadian Federation of Independent Business, received March 19, 2020, regarding supporting small businesses in light of COVID-19.** 159
- vii. **John Ranns, Mayor, District of Metchosin, dated March 19, 2020, regarding COVID-19 testing for first responders.** 160
- viii. **Selina Robinson, Minister of Municipal Affairs, and Mike Farnworth, Minister Public Safety & Solicitor General, dated March 20, 2020, providing guidance on the State of Provincial Emergency.** 161
- ix. **Don Coggins, Mount Currie, dated March 20, 2020, expressing appreciation and gratitude to Mayor, Council and Staff of the Village of Pemberton in response to the COVID-19 crisis.** 163
- x. **Cathy Peters, BC anti-human trafficking advocate, dated March 22, 2020, raising awareness of human sex trafficking and exploitation in communities, and requesting support for raising national awareness and indigenous-led initiatives.** 164
- xi. **Lyn Hall, Mayor, City of Prince George, dated March 24, 2020, seeking support for a UBCM resolution titled Sharing Payments from Opioid Class Action Lawsuits.** 169
- xii. **Maja Tait, UBCM President, dated March 27, 2020, providing Provincial responses to Village of Pemberton 2019 UBCM Resolutions.** 171
- xiii. **Maja Tait, UBCM President, dated April 8, 2020, regarding clarification of resolutions to meet UBCM criteria.** 173
- xiv. **Dennis Sterritt, Mayor, Village of Hazelton, dated April 15, 2020, seeking endorsement of a UBCM Resolution on access to Community Gaming Grants.** 176

Recommendation: THAT the above correspondence be received for information.

15. DECISION ON LATE BUSINESS

16. LATE BUSINESS

17. NOTICE OF MOTION

18. QUESTION PERIOD

177

19. IN CAMERA

THAT the meeting is closed to the public in accordance with the *Community Charter* Section 90 (c) Employee Relations (k) Negotiations that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.

20. RISE FROM IN CAMERA

21. ADJOURNMENT OF REGULAR COUNCIL MEETING

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

Minutes of the Regular Meeting of Council of the Village of Pemberton held on Tuesday, March 10, 2020 at 5:30 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1510.

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

STAFF IN ATTENDANCE: Nikki Gilmore, Chief Administrative Officer
Sheena Fraser, Manager of Corporate & Legislative Services
Lisa Pedrini, Manager of Development Services
Elysia Harvey, Legislative Assistant
Sarah Toews, Emergency Program Coordinator
Cameron Chalmers, Contract Planner
Matthew Rempel, Planning & GIS Technician

Public: 9

Media: 1

5:30 p.m. 2020 BUDGET INFORMATION SESSION

Lena Martin, Manager of Finance & Administration, presented highlights of the draft 2020 budget thus far for the public's information. Budget items were reviewed by department and items which are currently still under review by Council were noted.

Questions from the public:

Anne Crowley, Village of Pemberton, inquired about water and sewer projects being funded by reserves.

1. CALL TO ORDER

At 5:51 p.m. Mayor Richman called the Regular Council meeting to order.

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

2. APPROVAL OF AGENDA

Moved/Seconded

THAT the Agenda be approved as circulated.

CARRIED

3. RISE WITH REPORT FROM IN CAMERA (CLOSED)

Council did not rise with report.

4. ADOPTION OF MINUTES

a) Regular Council Meeting No. 1509, Tuesday, March 10, 2020

Moved/Seconded

THAT the minutes of Regular Council Meeting No. 1509, held Tuesday February 25, 2020, be adopted as circulated.

CARRIED

5. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING

There was no business arising.

6. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE MEETING

There was no business arising from the Committee of the Whole.

7. COMMITTEE MINUTES – FOR INFORMATION

There were no Committee Minutes for information.

8. DELEGATIONS

a) Tourism Pemberton

Mark Mendonca, President, Tourism Pemberton, presented information on the organization's activities for 2019, 2020 Business Plan, *Economic Impacts of Pemberton-SLRD C Tourism* report, and Analysis and Recommendations Report prepared by Capilano University's Tourism Program students.

The presentation included an additional request for funding, in the amount of \$42,000 (\$21,000 from the Village with matching funds from the Squamish-Lillooet Regional District), annually for the next five years, in addition to \$8,000 in Pemberton & District Initiative Fund funding previously supported by Council in February 2020.

Mr. Mendonca advised that Tourism Pemberton intends to apply to the Municipal and Regional District Tax (MRDT) program for funding. However, in order to ensure the support of the roofed accommodation providers which is a requirement of the application, Tourism Pemberton requested that a memorandum of understanding (MOU) be entered into with the Village to ensure the funding commitment from the Village is in place. Mr. Mendonca advised that the total ask

of \$50,000 in funding for 2020 would help to facilitate strategic plans such as destination marketing initiatives, enhancement of visitor experiences, and secure partnerships for marketing investments.

Council recognized tourism as a valuable industry in Pemberton and encouraged the organization to continue seeking other funding opportunities, however advised that due to budget deliberations already underway for 2020, as well as the need to support funding for other important community initiatives, the request for \$42,000 could not be accommodated for 2020. Mayor Richman committed to bringing back this matter for discussion at a future time.

The previous funding commitment in the amount of \$8,000 from the Pemberton & District Initiative Fund will be forthcoming to support Tourism Pemberton for 2020.

9. REPORTS

a) Office of the Chief Administrative Officer

i. Emergency Operations Centres & Training Funding Application

Moved/Seconded

THAT Council supports an application to UBCM's Emergency Operations Centres & Training Grant program, in an amount up to \$25,000, to provide Staff with the required training to operate an activated Emergency Operations Centre.

CARRIED

ii. Downtown Enhancement Project – Contingency Borrowing Options

Moved/Seconded

THAT Council proceed with Short-Term Financing totaling \$300,000 over a 5 Year term through the Municipal Finance Authority.

CARRIED

AND THAT Council allocate an additional \$302,881 from Road Reserves to the Downtown Enhancement Project Contingency.

CARRIED

Moved/Seconded

THAT Council rescind 1st, 2nd and 3rd Readings on the Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Bylaw No. 863, 2019.

CARRIED

iii. Vancouver Coastal Health Authority – COVID-2019 - Update

Nikki Gilmore, CAO, provided Council with the recent news release document issued by the Office of the Provincial Health Officer on community preparedness for the COVID-2019 virus. CAO Gilmore noted that Vancouver Coastal Health, as the authority on local public health, will initiate any necessary communications and preparedness measures for public awareness.

Council noted that hand sanitation stations are located at entrances/exits of municipal buildings within the Village.

Moved/Seconded

THAT the information provided by Vancouver Coastal Health regarding COVID-2019 be received.

CARRIED

b) Corporate & Legislative Services

i. Memorial Dedication Program and Policy

Moved/Seconded

THAT PW-008 Park Bend Dedication Policy, approved May 2009, be rescinded.

CARRIED

Moved/Seconded

THAT amendments be made to the Memorial Dedication Policy (PW_010) including removal of "Memorial" from the title, flexibility in design of donated items, and additional options for donated items (i.e. planters).

CARRIED

c) Development Services

i. 2020 – 2021 Affordable Housing Work Program

Moved/Seconded

THAT an invitation be extended to BC Housing and Canada Mortgage and Housing Corporation to present information on affordable housing options for Pemberton at a future Council meeting.

Moved/Seconded

THAT Council endorse the 2020-2021 Affordable Housing Work Program.

CARRIED

ii. Big Mountain Bike Adventures Ltd. Crown Land Referral

CAO Gilmore provided information to Council on a Crown Land Tenure application and Tenure Management Plan submitted by Big Mountain Bike Adventures Ltd. The Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD) has issued a referral to Staff requesting comments on the application.

Moved/Seconded

THAT the Crown Land Tenure application on behalf of Big Mountain Bike Adventures Ltd. be supported conditionally based on the organization reinvesting resources into preserving and maintaining the trails they are utilizing.

AND THAT the tenure be granted for a three-year term to allow for regular reviews of the number of riders using the trails and impacts to trails.

CARRIED

OPPOSED: COUNCILLOR CRADOCK

d) MAYOR'S Report

Mayor Richman reported on the following meetings:

- Attended the Sea to Sky Region Hospital District Board Meeting; agenda items included:
 - Budget
 - Renovations to mental health space
 - Identification of priority items in budget
- Attended the Squamish-Lillooet Regional District Board Meeting; agenda items included:
 - Appointment of Kristen Clark as interim CAO and Graham Haywood as interim Director of Corporate and Legislative Services
 - Hiring process for new CAO ongoing
 - New building bylaw
 - Zoning amendment bylaw for Wedgewoods
 - Temporary Use Permit extended for Britannia Beach
 - Community amenity contributions policy update
 - Emergency Operations Centres & Training grant application
 - Correspondence to Ministry of Forests, Lands, Natural Resource Operations & Rural Development regarding retail sale of invasive plants
- Attended Squamish-Lillooet Regional District Committee of the Whole budget session
- Attended the Pemberton Valley Utilities & Services (PVUS) Committee meeting; agenda items included:

- Cemetery Committee delegation presentation regarding expansion and improvement of the cemetery grounds
 - Budget
 - Pemberton television radio costs
- Coffee with the Mayor is coming up on March 30th, 4-6 pm at Stay Wild. Come have a beverage and let's talk budget, transportation, childcare, recreation, economic development and whatever else is on your mind.
 - Congratulations to Pemberton and District Chamber of Commerce for hiring their first Executive Director, Meredith Kemp. We look forward to working with Meredith and the Chamber.
 - Congratulations and well-done to two Pemberton residents who participated in the BC Games; Seth Robert competed in the Skiing-Alpine category and Katrina Nightingale was the assistant coast in the Biathlon Category.

e) COUNCILLORS' Reports

Councillor Zant

Councillor Zant reported upcoming attendance at the Cemetery Committee meeting on March 12th and the March 11th Tourism Pemberton meeting.

Councillor Antonelli

Councillor Antonelli commented on the Callaghan Valley Cross-Country ski race and noted that Pemberton was well represented.

Councillor Noble

Councillor Noble warned of a fatal attack on livestock near the Glen neighbourhood on March 9th.

Councillor Craddock did not report.

10. BYLAWS

a) Bylaw for Adoption

i. Village of Pemberton Bylaw Notice Enforcement Bylaw No. 874, 2020

Moved/Seconded

THAT the Village of Pemberton Bylaw Notice Enforcement Bylaw No. 874, 2020, be adopted.

CARRIED

11. CORRESPONDENCE

a) For Action

At 7:52 p.m. Mayor Richman declared a conflict of interest pursuant to section 100 (2) (a) and excused himself from the meeting.

- i. **Gail Talbot, Committee Member, Red Devils Alumni Association, dated February 27, 2020, donation request for donation for the Red Devils Alumni Association Annual Fundraiser to be held Saturday, April 25, 2020.**

Moved/Seconded

THAT funding, in the amount of \$250, be allocated from the Community Enhancement Fund to support the April 25th, 2020, Red Devils Alumni Association Fundraiser.

CARRIED

At 7:53 p.m. Mayor Richman returned to the meeting.

- ii. **Jagoda Kozikowski, Village of Pemberton, dated February 27, 2020, expressing concerns around the recently approved expansion of the Sunstone Development, including OCP amendment and public outreach.**

Moved/Seconded

THAT the correspondence be referred to Staff for a response.

CARRIED

b) For Information

- i. **Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated February 24, 2020, extending appreciation to the Minister for Rural Economic Development on the development and delivery of the new Universal Broadband Fund.**
- ii. **Heather O'Hara, Executive Director, BC Association of Farmers' Markets, dated February 19, 2020, sharing 2019 results and expressing appreciation for support of the BC Farmers' Market Nutritional Coupon Program.**
- iii. **Maja Tait, UBCM President, dated February 27, 2020, regarding the Village of Pemberton resolution submission requesting First Nations Participation on Commissions and advising that the UBCM Executive endorsed the resolution with an amendment.**

- iv. **Darryl Walker, Mayor, City of White Rock, dated February 26, 2020, requesting support for a resolution regarding creation of a risk-sharing model that returns Strata premiums and owner deductibles to 2019 levels.**
- v. **Maja Tait, UBCM President and Claire Moglove, Chair, Resolutions Committee, dated March 4, 2020, regarding the UBCM Resolutions Process.**

Moved/Seconded

THAT the above correspondence be received for information.

CARRIED

12. DECISION ON LATE BUSINESS

Moved/Seconded

THAT the correspondence from Kostya De, General Manager, GP Cannabis, dated March 6, 2020, be considered as late business.

CARRIED

13. LATE BUSINESS

- a) **Kostya De, General Manger, GP Cannabis, dated March 6, 2020, requesting that the Non-Medical (Recreational) Cannabis Retail Policy be amended to remove the requirement to have a minimum of two (2) employees on site at all times.**

Moved/Seconded

THAT Staff be directed to review the Non-Medical (Recreational) Cannabis Retail Policy respecting the staffing requirements and bring a report to Council at a future meeting.

CARRIED

14. NOTICE OF MOTION

15. QUESTION PERIOD

Vanessa Murphy, Sales & Marketing Manager, Big Mountain Bike Adventures Ltd., commented on the Crown Land tenure application currently under review.

16. IN CAMERA

Moved/Seconded

THAT the meeting is closed to the public in accordance with the *Community Charter* Sections 90 (1) (l) discussions with municipal officials that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.

CARRIED

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At 8:00 p.m. Council moved In Camera

At 8:10 p.m. Council Rose without Report.

17. RISE FROM IN CAMERA

18. ADJOURNMENT

Moved/Seconded

THAT the Regular Council Meeting be adjourned.

CARRIED

At 8:10 p.m. the Regular Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

DRAFT

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

Minutes of the Regular Meeting of Council of the Village of Pemberton held on Tuesday, March 31, 2020 at 12:00 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1511.

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

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

****ALL COUNCIL MEMBERS AND STAFF ATTENDED ELECTRONICALLY***

A RECORDING OF THE MEETING WAS MADE AVAILABLE TO THE PUBLIC & MEDIA

1. CALL TO ORDER

At 12:05 p.m. Mayor Richman called the Regular Council 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. REPORTS

a) Corporate & Legislative Services

i. Lower Mainland Local Government Association – Amendments to Resolutions

Moved/Seconded
THAT the resolutions regarding Provincial funding for non-seismic dike upgrades and regional geo hazards be amended as per the recommendations and the resolutions re-submitted to the LMLGA.
CARRIED

ii. Cancellation of April 7, 2020 Regular Council Meeting

CAO Gilmore recommended that in the interest of focusing on the next Committee of the Whole Budget Session #4, and due to the addition of the March 31st Special Council Meeting, the Regular Council Meeting for April 7th, 2020 be cancelled. Matters on the agenda will be deferred to the April 21st Regular Council Meeting.

Moved/Seconded

THAT the Regular Council Meeting, scheduled for Tuesday, April 7, 2020, be cancelled.

CARRIED

4. BYLAWS

a) Bylaws for First, Second, Third and Fourth Reading

i. Village of Pemberton Council Procedure Amendment (Electronic Participation) Bylaw No. 875, 2020

Moved/Seconded

WHEREAS Ministerial Order MO83, issued March 26, 2020, enables municipalities during the Provincial State of Emergency, issued on March 18, 2020, to adopt bylaw on the same day it receives Third Reading;

AND WHEREAS the Village of Pemberton is presenting an amending Bylaw for Council's consideration;

THEREFORE BE IT RESOLVED THAT the Village of Pemberton Council Procedure Amendment (Electronic Attendance) Bylaw No. 875, 2020, be given First, Second, Third and Fourth Readings.

CARRIED

ii. Village of Pemberton Parks and Public Spaces Use Amendment (Powers of Manager) Bylaw No. 876, 2020

Moved/Seconded

WHEREAS Ministerial Order MO83, issued March 26, 2020, enables municipalities during the Provincial State of Emergency, issued on March 18, 2020, to adopt bylaw on the same day it receives Third Reading;

AND WHEREAS the Village of Pemberton is presenting an amending Bylaw for Council's consideration;

THEREFORE BE IT RESOLVED THAT the Parks and Public Spaces Use Amendment (Powers of the Manager) Bylaw No. 876, 2020 be given First, Second, Third and Fourth Readings.

CARRIED

iii. Village of Pemberton Municipal Ticket Information Utilization Amendment (Parks and Public Spaces) Bylaw No. 877, 2020

Moved/Seconded

WHEREAS Ministerial Order MO83, issued March 26, 2020, enables municipalities during the Provincial State of Emergency, issued on March 18, 2020, to adopt a bylaw on the same day it receives Third Reading;

AND WHEREAS the Village of Pemberton is presenting an amending Bylaw for Council's consideration;

THEREFORE BE IT RESOLVED THAT the Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 845, Amendment (Parks and Open Spaces) Bylaw No. 877, 2020, be given First, Second, Third and Fourth Readings.

CARRIED

5. IN CAMERA

Moved/Seconded

THAT the meeting is closed to the public in accordance with the *Community Charter* Section 90 (k) discussions with municipal officials that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.

CARRIED

6. RISE FROM IN CAMERA

Council did not rise with report from In Camera

7. ADJOURNMENT OF SPECIAL COUNCIL MEETING

Moved/Seconded

THAT the Regular Council Meeting be adjourned.

CARRIED

At p.m. the Regular Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Date: April 21, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Elysia Harvey, Legislative Assistant
Subject: Bylaw Notice Enforcement Bylaw Screening Officer Policy

PURPOSE

The purpose of this report is to present the Screening Officer Policy (the Policy) for Council's consideration to accompany the recently adopted Bylaw Notice Enforcement Bylaw No. 874, 2020. Please refer to the attached Screening Officer Policy in **Appendix A**.

BACKGROUND

At the Regular Council Meeting No. 1476, held September 4, 2018, Council provided direction to pursue the development of a Bylaw Notice Dispute Adjudication System for the Village of Pemberton.

At the Regular Council Meeting No. 1509, held February 28, 2020, Bylaw Notice Enforcement Bylaw No. 874, 2020, (**Appendix B**) was introduced for First, Second and Third Readings, and the Bylaw was subsequently adopted at the Regular Meeting No. 1510 held March 7, 2020.

The next step is to approve the Screening Officer Policy which accompanies the Bylaw Notice Enforcement Bylaw and is a requirement in establishing the Bylaw Notice Dispute Adjudication System for the Village.

DISCUSSION & COMMENTS

In order to facilitate the implementation of the Bylaw Notice Dispute Adjudication System the Village must approve a Screening Officer Policy. In this regard, section 8.3 of Bylaw No. 874, 2020 specifies classes of persons who may be appointed as Screening Officers and delegates the authority to appoint Screening Officers to the Chief Administrative Officer.

As established in the Bylaw, the following are classes of persons that may be appointed as Screening Officers:

- a) Chief Administrative Officer;
- b) Manager of Corporate and Legislative Services (Corporate Officer);
- c) Manager of Development Services;
- d) Manager of Operations;
- e) Bylaw Enforcement Officer;
- f) Legislative Assistant;
- g) Planner;

- h) Fire Chief
- i) Building Inspector

The role of Screening Officers is to review each disputed bylaw notice, communicate and/or provide information about the bylaw notice to a disputant, establish terms and conditions for a Compliance Agreement (if one is available), or refer bylaw notices to an Adjudicator. Screening Officers also have the authority to cancel a bylaw notice in some circumstances.

For information, a flow chart outlining the Bylaw Notice enforcement, Screening Officer roles, and dispute adjudication process is attached as **Appendix C**.

COMMUNICATIONS

Information respecting the Bylaw Adjudication System will be provided on the Village's website.

LEGAL CONSIDERATIONS

Authority is delegated to Local Governments to enact their own Bylaw Notice Enforcement Bylaws and to appoint Screening Officers through the *Community Charter* and *Local Government Bylaw Notice Enforcement Act and Regulation*.

IMPACT ON BUDGET & STAFFING

Staff members will be assigned Screening Officer responsibilities to review disputed bylaw notices, as deemed appropriate for each department. Screening Officers' duties will be accommodated in the daily workflow and as such there is no anticipated budget impact on Staff hours.

With respect to bylaw notices that proceed to adjudication, the Village will arrange to share adjudication services and costs with the Squamish-Lillooet Regional District and Resort Municipality of Whistler wherever feasible.

INTERDEPARTMENTAL IMPACT & APPROVAL

The Screening Officer Policy allows for the designation of Staff from each department, including Operations, Development Services, Fire Services, and Legislative Services, to act as Screening Officers as deemed appropriate. As such, there will be some interdepartmental impacts when disputed bylaw notices require screening. For example, the Manager of Development Services or Building Official would likely be appointed as a Screening Officer to review disputed bylaw notices issued under the Zoning Bylaw.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

Staff have informed the Squamish-Lillooet Regional District and the Resort Municipality of Whistler that the Village will be using the bylaw notice enforcement adjudication system and have requested to share the services and cost of an Adjudicator whenever possible.

ALTERNATIVE OPTIONS

There are no alternative options for consideration.

POTENTIAL GOVERNANCE CONSIDERATIONS

Adoption of a bylaw adjudication system meets with Strategic Priority Two – Good Governance and the Village’s goal to be committed to citizen engagement, being an open and accountable government and to being fiscally responsible.

RECOMMENDATIONS

Recommendation: THAT the Screening Officer Policy be approved.

ATTACHMENTS:

- Appendix A:** Draft Screening Officer Policy No. ADM-026
- Appendix B:** Bylaw Notice Enforcement Bylaw No. 874, 2020
- Appendix C:** Bylaw Notice & Dispute Adjudication Process Flow Chart

Prepared by:	Elysia Harvey, Legislative Assistant
Manager Approval:	Sheena Fraser, Manager, Corporate & Legislative Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer



Screening Officer Bylaw Notice Policy

Department:	<u>Corporate</u>	Policy No.:	<u>ADM-026</u>
Sub-department:	<u></u>	Created By:	<u>Elysia Harvey</u>
Approved By:	<u>Council</u>	Amended By:	<u></u>
Approved Date:	<u></u>	Amendment:	<u></u>
Meeting No.:	<u></u>	Meeting No.:	<u></u>

POLICY PURPOSE

The purpose of this policy is to authorize a duly appointed *Screening Officer* to review each disputed bylaw notice and cancel the bylaw notice if satisfactory reason exists.

REFERENCES

Village of Pemberton Bylaw Notice Enforcement Bylaw No. 874, 2020

DEFINITIONS

Screening Officer is a person appointed by the Village of Pemberton to review all disputed bylaw notices.

Disputant is a person who has received a bylaw notice and makes known his or her intention to dispute the notice within the designated period of time.

Compliance Agreement is an agreement offered by a *Screening Officer* to a *Disputant* that acknowledges the contravention of the bylaw and sets out remedies or conditions on future behavior to be performed within a designated period of time and may reduce or waive the fine at the conclusion of that period.

POLICY

The Village of Pemberton established a position of Screening Officer under Bylaw Enforcement Notice Bylaw No. 874, 2020. The *Screening Officer* has the power, after reviewing a bylaw notice, to cancel the notice if the *Screening Officer* is satisfied that one or more of the following reasons exists and compliance agreement is not appropriate or available:

1. The identity of the person cannot be established, for example:
 - a. The Bylaw Notice was issued to the wrong person; or
 - b. The vehicle involved in the contravention had been stolen.
2. An exception specified in the bylaw or related enactment applies;
3. The bylaw does not apply;
4. The bylaw has changed since the bylaw notice was issued and the circumstances would no longer give rise to a contravention;
5. The person who received the bylaw notice exercised due diligence in their efforts to comply with the bylaw such as:



Screening Officer Bylaw Notice Policy

Department:	<u>Corporate</u>	Policy No.:	<u>ADM-026</u>
Sub-department:	<u></u>	Created By:	<u>Elysia Harvey</u>
Approved By:	<u>Council</u>	Amended By:	<u></u>
Approved Date:	<u></u>	Amendment:	<u></u>
Meeting No.:	<u></u>	Meeting No.:	<u></u>

- a. As a result of mechanical problems, the person could not comply with the bylaw;
- b. A data entry error.
- 6. The contravention was necessary for the preservation of health and safety such as:
 - a. The contravention was the result of a medical emergency;
- 7. Multiple bylaw notices have been issued for the same incident, in which case the Screening Officer may cancel all but the most appropriate bylaw notice;
- 8. There is a poor likelihood of success at the adjudication for the Village due to:
 - a. Inadequate evidence to prove a contravention;
 - b. Incorrect information relied upon by the bylaw enforcement officer in issuing the bylaw notice;
 - c. The bylaw provision being ambiguous or otherwise poorly worded;
 - d. The bylaw notice not being completed properly;
- 9. It is not in the public interest to proceed to adjudication for one of the following reasons:
 - a. The person who received the bylaw notice was permitted or entitled to take the action but the bylaw enforcement officer was unaware of this permit or entitlement;
 - b. The person who received the bylaw notice was undergoing a personal tragedy at the time of the contravention.

PROCEDURE

The *Screening Officer* will review all disputed bylaw notices with the intention of reducing the number of notices referred unnecessarily to the adjudication process.

The *Screening Officer* may either cancel a bylaw notice as per this policy, offer a *Compliance Agreement* to the *Disputant*, or refer the bylaw notice to the adjudication process.

The *Screening Officer* shall conduct the review of each disputed bylaw notice based on discussions or correspondence with the *Disputant* and shall explain the process and potential consequences of dispute adjudication.

Delegation:

Administrative or Housekeeping amendments to the Policy are delegated to the Chief Administrative Officer or their designate.

VILLAGE OF PEMBERTON

BYLAW NOTICE ENFORCEMENT BYLAW No. 874, 2020

A bylaw respecting the enforcement of bylaw notices

WHEREAS Council may, by bylaw, enforce its bylaws through the provisions of the *Local Government Bylaw Notice Enforcement Act and Regulation*;

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

PART 1: CITATION

1.1. This Bylaw may be cited as “Bylaw Notice Enforcement Bylaw No. 874, 2020.”

PART 2: DEFINITIONS

1.2. In this Bylaw the following terms have the following meanings:

Act means the *Local Government Bylaw Notice Enforcement Act*;

Bylaw Notice means a bylaw notice under section 4 of the Act and under this Bylaw, notice of a contravention of a bylaw identified in Schedule A;

Early Payment Amount means an amount stated in Column A2 of Schedule A that reflects a discount deducted from the Penalty;

Day means a calendar day;

Late Payment Amount means the amount due when a surcharge is added to the Penalty as identified in Column A3 of Schedule A;

Penalty means the amount that the recipient of a Bylaw Notice is liable to pay in respect of a contravention of the related bylaw as identified in section 5.1;

Receive or Receipt in relation to delivery of a Bylaw Notice, includes the date that, under the Act, a Bylaw Notice is presumed to have been received by the person to whom it is directed;

Regulation means the *Bylaw Notice Enforcement Regulation B.C. Reg. 175/2004 under the Act*;

Village means the Village of Pemberton;

Registry means the Village of Pemberton Bylaw Notice Dispute Adjudication Registry established under section 7 of this Bylaw.

PART 3: TERMS

3.1 Terms in this Bylaw have the same meaning as the terms defined in the *Act*.

PART 4: BYLAW CONTRAVENTIONS

4.1 The bylaws and bylaw contraventions designated in Schedule 'A' may be dealt with by bylaw notice.

PART 5: PENALTIES FOR CONTRAVENTIONS

5.1 The penalty for a bylaw contravention designated in Schedule 'A' of this Bylaw is as follows:

5.1.1. Subject to subsection 5.1.2., 5.1.3., and 5.1.4 is the penalty amount set out in Column A1 of Schedule 'A';

5.1.2 If the Village receives payment within fourteen (14) days after the date of the person receiving or being presumed to have received the bylaw notice, is the Early Payment Amount set out in column A2 of Schedule 'A';

5.1.3 If the Village has not received payment for more than 28 days after the date the person received or is presumed to have received the bylaw notice the penalty is the Late Payment Amount set out in column A3 of Schedule 'A';
or

5.1.4. If paid under a compliance agreement, where available as specified in column A4 of Schedule 'A', the penalty is the amount set out in Column A5 of Schedule 'A'.

PART 6: PERIOD FOR PAYING OR DISPUTING NOTICE

6.1 A person who receives a bylaw notice must, within fourteen (14) days after the date on which the person received or is presumed to have received the bylaw notice:

6.1.1. pay the penalty, or

6.1.2. request dispute adjudication, by filling in the appropriate portion of the bylaw notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Village of Pemberton, or electronically through the Village's website.

6.2 A person may pay the applicable penalty after 14 days of receiving the bylaw notice, subject to the applicable surcharge for late payment in accordance with Subsection 5.1.3., but no person may dispute the bylaw notice after 14 days of the date it was received or is presumed to have been received.

6.3 Where a person not served personally with a bylaw notice has received a notice under section 24 of the *Act*, and has advised the Village pursuant to section 25 that the bylaw notice was not received, the time limits for responding to a bylaw

notice under sections 5.1.1., 5.1.2., 5.1.3., 6.1.1. and 6.1.2. of this bylaw begin to run from the day after the date the redelivered bylaw notice is received or presumed to have been received.

PART 7: BYLAW NOTICE DISPUTE ADJUDICATION REGISTRY

- 7.1 The Registry is established as a bylaw notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw notices in respect of whether:
- 7.1.1. The contravention alleged in a bylaw notice occurred as alleged; or
 - 7.1.2 The terms and conditions of a compliance agreement were observed or performed.
- 7.2 The civic address of the Registry is 7400 Prospect Street, Pemberton, BC, V0N 2L0.
- 7.3 The Chief Administrative Officer is authorized to approve such Registry operations, policies and procedures as may be required for the administration of Registry operations.
- 7.4 Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice or a compliance agreement under the dispute adjudication system established under this section must pay the Village an additional fee of \$25 for the purpose of recovering the costs of the Registry.

PART 8: SCREENING OFFICERS

- 8.1 The position of screening officer is established.
- 8.2 The following are designated classes of persons that may be appointed as screening officers:
- a) Chief Administrative Officer
 - b) Manager of Corporate and Legislative Services (Corporate Officer);
 - c) Manager of Development Services;
 - d) Manager of Operations;
 - e) Bylaw Enforcement Officer;
 - f) Legislative Assistant;
 - g) Planner;
 - h) Fire Chief
 - i) Building Inspector

- 8.3 The Chief Administrative Officer may appoint screening officers from these classes of persons by name or office or otherwise.

PART 9 POWERS, DUTIES AND FUNCTIONS OF SCREENING OFFICERS

- 9.1 The powers, duties and functions of screening officers are as set out in the *Act* and include the following:
- 9.1.1. Where requested by the person against whom a contravention is alleged, or a person they have authorized in writing to represent them, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw notice dispute adjudication system and the fee or fees payable in relation to the bylaw notice enforcement process.
- 9.1.2 To communicate with any or all of the following for the purposes of performing their functions under this Bylaw or the *Act*:
- a) the person against whom a contravention is alleged or their representative,
 - b) the officer issuing the notice,
 - c) the complainant or their representative,
 - d) Village staff and legal or other advisors regarding interpretation of the bylaw alleged to have been contravened and any other relevant enactments, and the disputant's history of bylaw compliance, or the lack thereof; and
 - e) any other persons relevant to the performance of their powers, duties and functions.
- 9.1.3. Where permitted under column A4 of Schedule "A" to this Bylaw, to prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw notices, including to establish terms and conditions for compliance that the Screening Officer considers necessary or advisable as to time periods for payment of penalties, and to achieving compliance with the bylaw.
- 9.1.4 To provide for payment of a reduced penalty if a compliance agreement is entered into, as provided in column A5 of Schedule "A".
- 9.1.5. To cancel bylaw notices in accordance with the *Act* or Village policies and guidelines.
- 9.2 The maximum duration of a compliance agreement is one year.

9.3 A Screening Officer may not screen a bylaw notice which he or she has issued.

PART 10: BYLAW ENFORCEMENT OFFICERS

10.1 Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- a) Bylaw Enforcement Officers appointed by the Chief Administrative Officer or by Village of Pemberton Council in accordance with *Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 845, 2018*, as amended;
- b) RCMP Officer;
- c) Village Official
- d) Conservation Officer
- e) Fire Chief;
- f) Manager of Development Services, Village Planner, Manager of Operations, and Assistant Manager of Operations;
- g) Emergency Program Coordinator;
- h) Electrical inspectors, mechanical inspectors, building inspectors, medical health officers, conservation officers, and other persons acting in an official capacity on behalf of the Village of Pemberton for the purposes of enforcement of one or more of the Village's bylaws.

PART 11: FORM OF BYLAW NOTICE

11.1 A bylaw notice under this bylaw shall be in a form approved by the Corporate Officer of the Village of Pemberton provided that the bylaw notice complies with s. 4 of the *Act*.

PART 12: SEVERABILITY

12.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

PART 13: SCHEDULES

13.1 The following Schedules are attached to and form part of this bylaw:
Schedule 'A' – Designated Bylaw Contraventions and Penalties

READ A FIRST TIME this 25th day of February 2020.

READ A SECOND TIME this 25th day of February 2020.

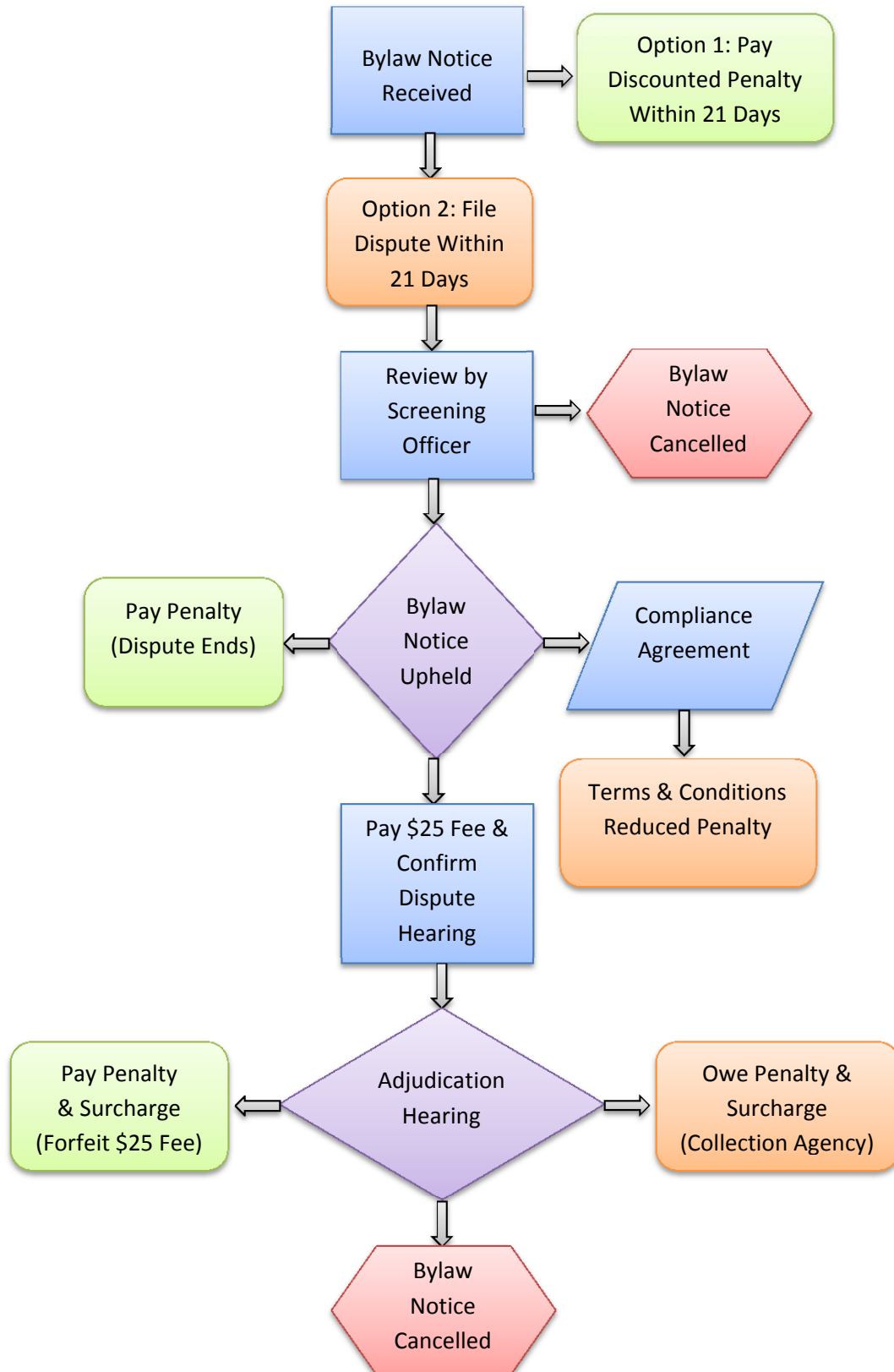
READ A THIRD TIME this 25th day of February 2020.

ADOPTED this 10th day of March 2020.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

BYLAW NOTICE ENFORCEMENT AND DISPUTE ADJUDICATION PROCESS



Date: April 21, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Joanna Rees, Planner
Subject: Village of Pemberton Cycling Network Plan

PURPOSE

The purpose of this report is to present the Village of Pemberton Cycling Network Plan to Council for consideration of approval.

BACKGROUND

The BC Active Transportation Infrastructure Funding Program (formerly the Bike BC Program) requires local governments to have an adopted Cycling Network Plan in order to apply for capital funding. As such, a Cycling Network Plan was added to the funding stream. At the Regular Council Meeting No. 1486, held February 5, 2019, Village Staff requested Council's support to make an application for the development of a Cycling Network Plan. The following resolution was passed:

Moved/Seconded

THAT Council support the application to the Bike BC Program for the development of a Cycling Network Plan for up to \$7,500; and

THAT Council allocate \$7,500 from the 2019 Budget for the Village's matching contribution toward the development of a Cycling Network Plan.

CARRIED

An application was submitted and on May 28th 2019 the Village was advised that the funding request was successful.

In the fall of 2019, Urban Systems was contracted to work with Staff to develop the attached Village of Pemberton Cycling Network Plan (**Appendix A**). Urban Systems is a leading authority on active transportation with dedicated experience assisting the province and municipalities develop and improve cycling networks.

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 Village of Pemberton Cycling Network Plan
 April 21, 2020
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The Village of Pemberton Cycling Network Plan was developed using input provided from key stakeholders at the Day of Learning hosted on October 18, 2019 by Urban Systems with assistance from Staff. Key stakeholders present included representatives from the Squamish-Lillooet Regional District (SLRD), the Pemberton Valley Trails Association (PVTA), Pemberton Off - Road Cycling Association (PORCA) and Village of Pemberton (VOP) Staff. The Day of Learning consisted of a community bicycle ride and a community workshop. The community bicycle ride was used to showcase different issues or concerns that stakeholders find can act as barriers to the use and connectivity of an active transportation network in Pemberton. The community workshop involved the same participants and was used to identify gaps, barriers, and opportunities for cycling in Pemberton. In addition, the participants identified the preferred bicycle network along with other bicycle related policies and guidelines that will help to promote safe, comfortable and convenient cycling.



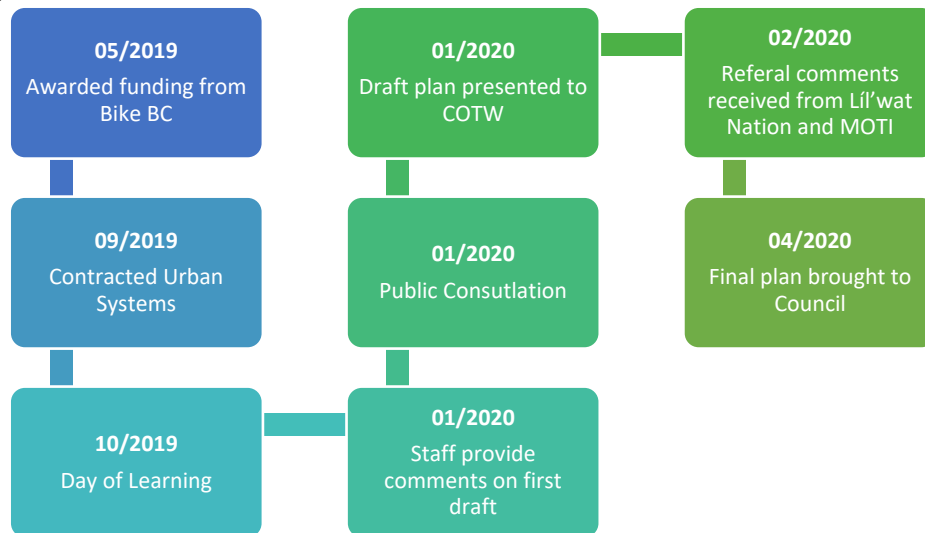
Figure 1: Community Bicycle Ride

The draft Cycling Network Plan was received by Staff at the end of December 2019 and was circulated to internal departments for review and comment. A Staff workshop was conducted on January 8, 2020 to provide input and the draft Plan was updated accordingly before being shared with the public.

Public consultation on the draft Cycling Network Plan took place as follows and feedback was incorporated into the final plan accordingly:

- January 21 2020- Movie night and Public Open House
 - hosted in partnership with Pemberton and District Public Library
- January 23 2020 - Youth-oriented Workshop
 - hosted in partnership with The REC – Youth and Seniors Centre
- January 24 to 31 2020 - Community Survey

Summaries of the public consultations are attached to this report as **Appendix B**. Afterward, the draft Cycling Network Plan was referred to Líl'wat Nation and the Ministry of Transportation and Infrastructure (MOTI) for review and comment. A graphic depicting the timeline of this project is shown below.



On February 11, 2020, at Regular Council Meeting No. 1508, Village Staff requested Council's support to make an application to the BC Active Transportation Infrastructure Grant (formerly the Bike BC Program) for the development of a multi-use path on Pemberton Farm Road East. As a result, the following resolutions were passed:

Moved/Seconded

THAT an application be submitted to the BC Active Transportation Infrastructure Grant Program, for an amount up to \$306,000, for the construction of the Pemberton Farm Road East portion of the Friendship Trail.

CARRIED

Moved/Seconded

THAT Council allocate an amount up to \$92,000, for the matching contribution towards the BC Active Transportation Infrastructure Grant.

CARRIED

Staff submitted the grant application to the Ministry of Transportation and Infrastructure (MOTI) on February 20, 2020.

DISCUSSION & COMMENTS

The purpose of the Village of Pemberton Cycling Network Plan is to make cycling in Pemberton safe, comfortable, and convenient for residents and visitors of 'All Ages and Abilities'. The Cycling Network Plan establishes a long-term vision for cycling in the Village, including identifying the bicycle network and focusing on maintenance, end-of-trip facilities, education and awareness. It also lays out steps to implement the Plan's action items, ultimately helping to increase transportation choices in Pemberton and better connect the Village to the surrounding region.

The Cycling Network Plan is divided into four sections:

- **Section 1** provides background on the Village of Pemberton, outlines the benefits of cycling, and explains the planning objectives.

- **Section 2** sets the context, providing key background on demographics, existing policies, and current transportation conditions.
- **Section 3** contains the planning themes and actions, which are divided into four themes:
 1. Building and Connecting the Network
 2. Maintenance and Accessibility
 3. End-of-Trip Facilities and Amenities
 4. Education and Awareness
- **Section 4** is the Implementation Strategy, key for ensuring that the Plan's actions translate into real, on-the-ground results. The implementation strategy was completed in the final Plan after feedback from public engagement initiatives and comments were received from external referral agencies.

Strategies for implementing each of the actions identified in the Cycling Network Plan are summarized providing guidance on priority and timeframe, method of implementation and identifying an action champion (in Appendix B of the Cycling Network Plan). An "action champion" identifies who would be responsible for completing the action and is categorized as either a Village department or one of the stakeholders or local partners.

The Cycling Network Action Plan has been divided into project segments, each with an identified priority and approximate time frame (in Appendix C of the Cycling Network Plan). High priority short-term projects were selected based on their importance to the overall network, their relative ease of implementation and their importance to the community.

While the Plan recommends the implementation of a long-term cycling network and priority projects, it is understood that identified projects and actions are dependent on resources and should be implemented through an opportunistic approach. A variety of funding mechanisms will likely be required for the Plan's implementation. Examples of funding sources have been identified within the Plan.

COMMUNICATIONS

Currently, there are no communications considerations. However, should the Village be successful in securing funding, we would be bound by the communications requirements outlined in the funding agreement.

LEGAL CONSIDERATIONS

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

IMPACT ON BUDGET & STAFFING

There are no impacts to the budget or Staff hours for consideration at this time; however, the ongoing implementation of the Village of Pemberton Cycling Network Plan will incur ongoing budget and Staff costs that will be directed by Council.

INTERDEPARTMENTAL IMPACT & APPROVAL

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Initially there are nominal impacts on other municipal departments; however, as the introduction of the plan advances, there will be impacts on departments involved in the development review process, administrative services, maintenance and finance.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

The implementation of the Cycling Network Plan will improve active transportation options both within the Village and within the surrounding region.

As the provision and maintenance of trails is managed by the Squamish-Lillooet Regional District (SLRD), the SLRD Trails Coordinator was a participant in the Day of Learning and has reviewed and provided comment on the draft Plan.

Referral comments received from Lil'watNation and MOTI are attached as **Appendix C**. There were no objections to the Cycling Network Plan received.

MOTI noted that their current practice is to consider a bicycle accessible shoulder opposed to multi-use pathways (MUP) on Ministry roads. Multi-use pathways indicated in the Plan were not changed as a result of this comment. The majority of the Multi-use Pathways proposed along MOTI facilities (Portage Road) simply means upgrading existing pathways that already exist alongside the road, plus one small segment of new MUP. As per MOTI's BC Active Transportation Design Guide (2019), a variety of facility types may be considered along MOTI facilities, including separated pedestrian and bicycle pathways, multi-use pathways, bicycle lanes and bicycle accessible shoulders, depending on the land use and roadway context.

ALTERNATIVE OPTIONS

Refer the Village of Pemberton Cycling Network Plan back to Staff with direction.

POTENTIAL GOVERNANCE CONSIDERATIONS

A review of this item meets the following Strategic Priorities:

Strategic Priority Two: Good Governance in which the Village is committed to citizen engagement and leading key initiatives that impact the Village; and

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 Village of Pemberton Cycling Network Plan be approved.

Attachments:

Appendix A: Village of Pemberton Cycling Network Plan
Appendix B: Public Consultation Summary

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Village of Pemberton Cycling Network Plan
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Appendix C: External Referral Comments

Prepared by:	Joanna Rees, Planner
Manager Approval:	Lisa Pedrini, Manager of Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

Village of Pemberton Cycling Network Plan

Movie Night and Open House – January 21, 2020

Pemberton and District Public Library

Agenda

6:45pm – Doors Open

7pm – Movie Screening – “The Ride of Your Life”

7:30pm – Open House

Staff Present

Lisa Pedrini, Manager of Development Services

Jill Brooksbank, Senior Communications and Grants Coordinator

Joanna Rees, Planner

Matthew Rempel, Planning and GIS Technician

Number of Participants

25+

Priority Segments and Connections

Each participant was given three (3) blue stickers to attribute to a priority segment or connection. Participants were only able to place one sticker per category.

Priority Connections:

Proposed Connections	Blue dots
Pemberton Creek Trails at Highway 99	7
Rail Crossing at Pemberton Creek Trail	5
Rail Crossing at Aster to Highway 99	2
Pemberton Creek Trail Connector to Park Street	1
Harrow Road at Highway 99	1
Total	16

Priority Segments:

Proposed Segments Name	From	To	Blue dots
Pemberton Meadow Road	Camus Road	Collins Road	3
Prospect Street	Camus Road	Aster Street	3
Aster Street	Frontier Street	Aster Street	2
Dogwood Street	Aster Street	Al Staeshil Park	1
Pemberton Creek Trail	Fernwood Street	Rail Line	1
Pemberton Creek Trail	Rail Line	Highway 99	3
Highway 99	Tiyata	Arn Canal Path	1

Friendship Trail Segment 1	Harrow Road	Lillooet River	1
Friendship Trail Segment 2	Lillooet River	Pemberton Farm Road East	1
Pemberton Farm Road	Highway 99	Sabre Way	1
Sabre Way	Pemberton Farm Road East	End of Sabre Way	1
Friendship Trail Segment 3	End of Sabre Way	Timber Way	3
		Total	21

Summary of Findings:

Relatively there was a high emphasis on improving connections, specifically the Pemberton Creek Trails at Highway 99 and the Rail crossing at Pemberton Creek Trail. With 38 segments to choose from to prioritize, the dots prioritizing segments were more dispersed. The highest ranking segments to prioritize include Pemberton Meadow Road, Prospect Street and Pemberton Creek Trail.

Priority Actions

Each participant was given four (4) green stickers and four (4) red stickers to attribute to actions they were most and least favorable too, respectively. Participants were only able to place one sticker per category.

Theme 1: Building and Connecting the Network

Action	Green Dots	Red Dots
1.1 Provide a Continuous bicycle network through a phased implementation approach	7	
1.2 Work with partners to provide regional cycling connections to adjacent communities	4	1
1.3 Ensure the cycling network is seamlessly integrated with the trails and sidewalk networks	12	
1.4 Incorporate best practice bicycle facility design guidelines in infrastructure planning and implementation	2	2
1.5 Prioritize the safety of active transportation users at intersections and crossings	7	
1.6 Review data collected by ICBC and RCMP to monitor cycling collision locations and identify safety mitigation measures	1	
Total	33	3

Theme 2: Maintenance & Accessibility

Action	Green Dots	Red Dots
2.1 Invest in equipment to maintain all types of proposed bicycle infrastructure	2	
2.2 Update the Village's Snow & Ice Removal Policy to provide snow removal procedures for bicycle infrastructure	6	7
Total	8	7

Theme 3: End-of Trip Facilities & Amenities

Action	Green Dots	Red Dots
3.1 Provide bicycle parking within the public right-of-way at key cycling destinations	2	
3.2 Review and update requirements for short-term and long term bicycle parking and end of trip facilities	2	
3.3 Ensure bicycle parking is provided at all Village-owned and operated facilities	1	
3.4 Establish a central hub for cycling		6
3.5 Work with BC Transit to identify opportunities to improve bicycle transit integration	8	
Total	13	6

Theme 4: Education and Awareness

Action	Green Dots	Red Dots
4.1 Develop and Implement a cycling wayfinding plan based on best practices	2	1
4.2 Develop an online cycling network map showing local routes, regional connections, and signed and recreational routes	8	2
4.3 Continue the impact of changing technologies and different users on the cycling network	3	
4.4 Consider the impact of changing technologies and different users on the cycling network	3	2
4.5 Continue to actively market and promote cycling in Pemberton	2	5
4.6 Consider the development of an Active Transportation Advisory Committee		1
Total	18	11

Summary of Findings:

The highest emphasis was placed on actions that contributed to building and connecting the network. The top priorities identified in Theme 1 include: 1.1 Provide a Continuous bicycle network through a phased implementation approach, 1.3 Ensure the cycling network is seamlessly integrated with the trails and sidewalk networks and 1.5 Prioritize the safety of active transportation users at intersections and crossings. Action 2.2 was controversial with mixed opinions regarding if maintaining bicycle facilities in the winter should be a high priority. There was high interest in Action 3.5, to work with BC transit to improve bicycle and transit integration. 3.4 Establishing a central hub for cycling, was lowly rated. This could have been in part due to a lack of understanding. Of Theme 4, Education and Awareness the highest importance was placed on developing an online cycling network map.

Additional Comments

Comment cards were available for addition feedback.

Mapping and Routes

- Missing bike/pedestrian path from the Winchester to the Library
- The Sea to Sky Trail continues to D'Arcy
- Consider Arn Canal to Valley Loop Trail, behind the lodge or between peaks and pioneer junction

Parking

- Please make bike parking big enough or at an angle to allow for trailers/chariots
- Consider reducing parking spot requirements if businesses create bike parking racks or end of trip facilities
- Can the use of Charriot be considered? people use to replace a car by leading with groceries/kids/bikes

Maintenance and Snow Removal

- Gravel and salt should be used on road in the village during the spring
- If the intent of a plan is to encourage safe cycling, whether for commuting or recreational, then some consideration should be given to the amount of gravel and salt that remains on the roadways, and shoulders, after the thaw. Each year I would like to be riding on the roads much sooner than they are cleared.
- Action 2.2 Snow removal looks contentious - I think improving these facilities should incorporate improving winter pedestrian access also, this may get more support
- Winter Maintenance – not all people ride in winter but I do! The snow blowing has really helped me stay on my bike. For non winter riders I think this maintenance will help get the rails clear earlier so I would encourage this to continue if possible (also multi use trail benefit all users)

Challenges

Safety

- Friendship Trail – Challenging corner getting on to Pemberton farm road east – most dangerous part of my commute
- Friendship Trail beside Highway from Lodge to Airport is too deep (sand/gravel) to ride. Also not lit which it needs to be for safety of pedestrians and cyclists – even if solar powered only.
- Needs a solution to biking in the downtown core – streets are narrow and there is no space for bikes and cars – potential for accidents
- Safety and speed on highway 99 is a concern (lower to 60 km/hr in VOP)
- Consider lighting on fringe trail (i.e. industrial park so we can see the wildlife)
- On Prospect Road/Pemberton Meadows Road, especially between the Museum and Beechwood Road, there is a section with no option for cyclists to be on paved road without without being in the main traffic lane when traveling north. I have seen several vehicles, including large trucks and RCMP cruisers, drift onto the shoulder here. It is a curve with limited visibility where driver are commonly accelerating, yet seemingly has space for a protected buffered and painted bike lane on both sides of the road. This is an active road, within the VOP, for cyclists to enter the village from the north.
- On several occasions, I have had to swerve away from car doors being opened as a result of legitimate on-street parking within the VOP. Certainly motorist education is part of a solution,

but are there others, like cycling routes, with dedicated lanes, that minimize the likelihood of encounter?

Dykes

- It would be great to negotiate access through some sections of dyke trail that are blocked (i.e. south of rail bridge by Lillooet River)
- Why cant we use the dykes?

CN Rail

- Please keep harassing CN for access to the Urdal train bridge – it is much more direct route to Plateau and mountain biking
- Can something be worked out with CN rail to use the bridge ?

E-Bikes

- Another action could be to investigate the use of bikes for village business – there are some great e bikes
- E-Bike charging stations – 135 million are on the way in the next few years
- Will E-bikes be okay in this network ?

Cycling Hub

- The bike co. currently acts as a central hub
- Establish a transportation hub not just a cycling hub, the tourism office acts as one now

Recreation

- More funding for easy (green circle) rides including another access to 1 mile lake from behind the Elementary School
- The board walk around One-mile creek should be made wider to access both wheeled and walking visitors
- What do mountain bike races do for our region. Do they contribute other than economically to the region or just cause trail erosion?
- We need more toilets at the trail heads (i.e. gravel pot parking lot, bottom of Happy)

Miscellaneous

- Biking is part of the Culture in Pemberton
- Need clear idea of costing and price of lending
- Bike to work week would be fun to involve local businesses

Summary of Findings:

The draft plan mapping trail data is missing some trail segments and needs to be updated for the final plan, several additions were suggested. It was suggested the use of bike chariots is accounted for within the plan and bike parking. Additionally, that parking requirements be reduced for businesses that provide end of trip facilities. Snow removal was a contentious issue, there are some who feel strongly that this should be a priority. Themes of existing challenges of biking in Pemberton include safety, the

use of dykes and CN Rail. The prioritization activity showed a high disfavor for a cycling hub, this may have been to confusion, several commenters indicated existing hubs such as the Bike co. and the Tourism Information Centre. There was an interest in planning and supporting the use of E-bikes. Several comments were made to improve recreational cycling.

Movie Night and Open House – January 23, 2020

The REC

Agenda

4pm – 6pm

The Ride of Your Life Movie Screening

DIY Bike Crafts

Cycling Network Plan Open House

Staff Present

Joanna Rees, Planner

Matthew Rempel, Planning and GIS Technician

Maddy Hepner, Recreation Programmer

Number of Participants

2

Comments

Participants were excited to have bike lanes near their homes and were interested in having local rentable e-bikes. They also wanted to have access to better biking connections to whistler with BC transit and on the Sea-to-Sky.

Draft Cycling Network Plan Survey Results

Survey Dates: Friday January 24th to Friday January 31st

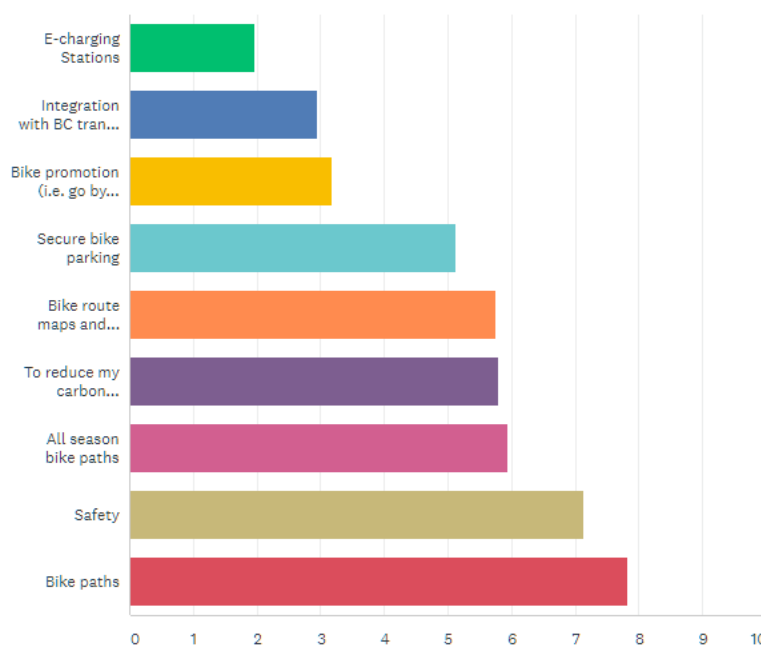
Total Respondents: 46

Age: Survey participants age ranged from 25 to 75+ years and the majority (75%) are between the ages 35 to 54.

Where do you live? 34 (74%) of the survey participants responded with the Village of Pemberton and 9 (20%) live in the SLRD.

When do you ride your bike? 50% of participants ride their bike for recreational purposes and over 30% indicated they ride their bikes to a number of destinations including work, going to community spaces, going to local businesses and for recreational use. None of the respondents indicated they do not ride a bike.

When deciding to cycle which factors are most important to you? Please rank the below, with number 1 being the most important.

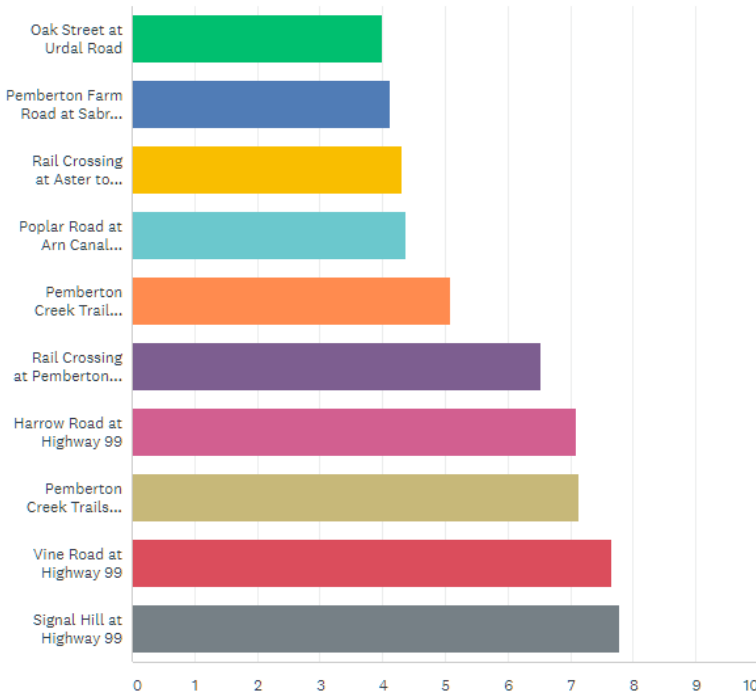


The top five factors that are most important to participants when deciding to cycle include bike paths, safety, all season bike paths, reducing their carbon footprint and having access to bike routes maps and signage.

Are there any additional factors that are not listed above? If so, list below:

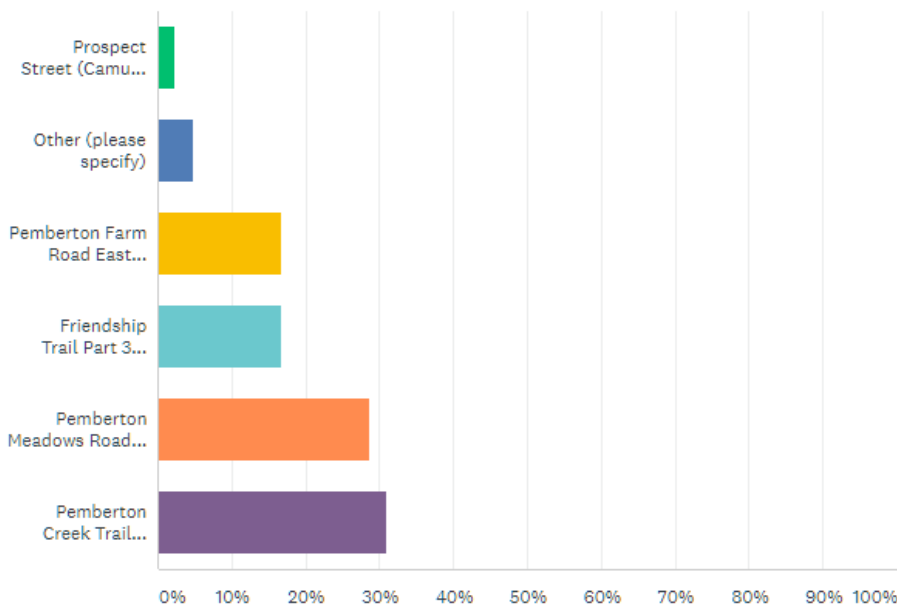
Additional factors that participants consider when deciding to bike include: health benefits and exercise, weather, lighting, biking with a chariot and biking with children.

Please rank the proposed cycling connections for improvement, with number 1 being the most important:



The top four connections that participants would like to be prioritized for improvement include Signal Hill at Highway 99, Vine Road at Highway 99, Pemberton Creek trails at highway 99 and Harrow Road at Highway 99.

Please select one segment that should be prioritized for completion. The following choices are based off feedback from the public open house on Tuesday January 21st :



The top two segments that participants would like to be prioritized for improvement include Pemberton Creek Trail (Rail line at Tiyata to Highway 99) and Pemberton Meadows Road (Camus Road to Collins Road). Friendship Trail Part 3 (End of Sabre Way to Timber Way) and Pemberton Farm Road East (highway 99 to Sabre Way) were tied for 3rd place.

Additional Comments:

Additional comments were made identifying specific segments and areas where cycling should be improved, considerations for biking infrastructure and maintenance requests. Key comments have been included below:

Segments to be improved

- Safe pedestrian and bike path in front of signal Hill Elementary school from Tiyata to where the sidewalk starts again after the entrance to school parking.
- Safe bike lane on Pemberton meadows
- Paving the friendship trail.
- The dykes should be expropriated and used as a community amenity for a world class bike and cross-country ski network.
- Railway bridge over Lillooet river should be improved
- The friendship trail exist onto Pemberton farm road East, it is dangerous to be spat out into oncoming traffic on that narrow shoulder with drop off – hope that street can also have a multi-use trail to keep walkers and cyclist safe from increasing traffic
- The Pemberton Farm Road East, whilst outside of main town, is a accident waiting to happen. There will be an increase in cyclist using the Friendship Trail, mostly to access the mountain bike trails and in future the Rec site. Currently there is not a safe passageway there. The newly paved FSR that leads up to the Ridge is also unsafe. People are driving way to fast, cyclists riding up and down, dogs off leash riding with the bikes, work trucks going up to build the houses - its a matter of time before someone gets hit. I think there needs to be some signage out there and some education in the community about the traffic in that area and the FSR parking lot.

Infrastructure

- Lighting at key intersections and at bike parking to support commuters when it is dark.
- Infrastructure that allow people with chariots to ride
- Address the bike rack with a slope outside the barn, its not actually usable
- Ensuring multi use trails are safe for all users including pedestrians.

Maintenance

- Maintain sea to sky trail in the winter



February 27, 2020

Village of Pemberton
P.O. Box 100, 400 Prospect Street
Pemberton, BC, Canada V0N 2L0
Email: jrees@pemberton.ca

Attention: Joanna Rees, Planner

Re: Village of Pemberton Cycling Network Plan

Our File: 01302020-001 VOP Draft Cycling Network Plan

We are writing to you in response to your letter dated January 30, 2020 informing us of a proposed Village of Pemberton Cycling Network Plan and asking us to bring forward any aboriginal interests we may have on or adjacent to the land in question.

The proposed Cycling Network Plan area lies within the traditional territory of the Lil'wat Nation. These lands have been used and occupied by the Lil'wat since time immemorial. The Province of British Columbia has been notified of the existence of the Lil'wat Nation's traditional territory.

The Lil'wat Nation asserts its inherent aboriginal title to its entire traditional territory, sovereignty over its traditional territory, and a right to self-determination. The Lil'wat Nation's aboriginal rights, including title, are protected under s. 35 of the *Constitution Act, 1982*.

A series of recent court decisions have:

- upheld the existence of aboriginal title in British Columbia;
- declared that aboriginal title coexists with crown title;
- limited the instances in which aboriginal title can be infringed by British Columbia or a third party;
- established strict criteria for any such infringement;
- declared that aboriginal title includes the right to choose the use to which the land is put;
- placed a legal duty on the Province of British Columbia to undertake meaningful consultation with First Nations and accommodate potential infringement; and
- declared that accommodation may have economic and/or cultural components.



Furthermore, the Supreme Court of Canada confirmed in the *Tsilhqot'in* decision that aboriginal title is real and meaningful, territorial in nature, and that First Nation consent is required for the use of its aboriginal title lands and resources. The decision also specifically states that aboriginal title confers:

. . . the right to decide how the land will be used; the right of the enjoyment and occupancy of the land; the right to possess the land; the right to economic benefits of the land; and the right to pro-actively use and manage the land. (at para. 73)

As a consequence of these decisions, British Columbia is under a legal obligation to consult with the Lil'wat Nation, and, where appropriate, seek consent from Lil'wat Nation and accommodate the Lil'wat Nation for infringements on its aboriginal title and rights.

We have reviewed the information provided with this referral regarding the proposed Village of Pemberton Cycling Network Plan. We do not have any comments at this time regarding this decision. However, if any new information were to arise during the course of this activity that indicates there may be impacts on Lil'wat aboriginal rights, title or interests, we would expect to receive notice and to have an opportunity to provide comments at that time. Furthermore, nothing in this letter is intended to affect the scope of, or the opportunity to exercise, any of Lil'wat's aboriginal rights, nor is it intended to accept any infringement of same.

Sincerely,

Harriet VanWart, Director
Lands and Resources Department
Lil'wat Nation

Joanna Rees

From: Prihar, Rupinder TRAN:EX <Rupinder.Prihar@gov.bc.ca>
Sent: Tuesday, March 3, 2020 8:31 AM
To: Joanna Rees
Subject: Re: Request for comment: Village of Pemberton Cycling Network Plan

Hello Joanna,

Thank you for the opportunity to provide comments. At this time, we would encourage application for the Active Transportation Grant when it is time to build. We note that MUPs parallel to Ministry infrastructure are in the Plan. Current Ministry's practice would be considering 'bicycle accessible shoulder' to accommodate active transportation guidelines. We look forward to working with the Village on this plan as it develops.

Regards,

Rupinder Prihar

A/Senior Development Officer | Howe Sound & Sunshine Coast

NEW phone #: 236.468.1930 | e: Rupinder.Prihar@gov.bc.ca

BC Ministry of Transportation and Infrastructure

Regular Council Meeting No. 1215

Tuesday, April 21, 2020

46 of 177

Date: April 21, 2020

To: Nikki Gilmore, Chief Administrative Officer

From: Joanna Rees, Planner

Subject: Hillside Development Design Guidelines

PURPOSE

The purpose of this report is to present to Council the Hillside Development Design Guidelines for consideration of approval.

BACKGROUND

In March 2019, Council identified the creation of Hillside Development Standards as a Strategic Priority for the Village. The goal of creating Hillside Development Standards is to limit impacts on existing site conditions and to encourage development practices sensitive to the natural terrain.

At the Committee of the Whole Meeting No. 198, held November 15, 2019, the draft Hillside Development Design Guidelines were presented and the following resolutions were passed:

Moved/Seconded

THAT the Committee of the Whole recommend to Council to direct Staff to apply the Hillside Guidelines when reviewing Development Applications; and

THAT the Committee of the Whole recommend to Council that more detailed Hillside Standards be incorporated into a future Subdivision and Development Control Bylaw update.

CARRIED

Additionally, Staff advised that the draft Guidelines will be referred to Stakeholders (Developers and Designers) and the general public for comments and afterward the Guidelines will be brought forward for Council consideration.

Subsequently, at the Regular Meeting No. 1503, held November 19, 2019, Council supported the recommendations of the Committee of the Whole and passed the following resolutions:

Moved/Seconded

THAT Council direct Staff to apply the Hillside Development Design Guidelines when reviewing Development Applications in anticipation of adoption of the Guidelines.

CARRIED

Moved/Seconded

THAT more detailed Hillside Standards be incorporated into a future Subdivision and Development Control Bylaw update.

CARRIED

PROPOSED PEMBERTON APPROACH

In order to create Hillside Development Design Guidelines, Planning Staff reviewed which facets of hillside design are already regulated under the Village's current policies, including the Official Community Plan (OCP) and Subdivision and Development Control Bylaw No. 677, 2011. Staff also reviewed and compared policy tools used by other British Columbia municipalities with significant hillside areas including the City of Kelowna, City of Nanaimo and the District of Squamish with respect to regulating hillside development. In addition, Staff completed site visits to a variety of hillside developments located in the Sea to Sky corridor.

The Guidelines are intended for use by developers, designers, builders and Staff to guide hillside development in Pemberton towards best practices and are not intended to be regulatory. The Guidelines aim to sensitively integrate the built form in a manner that protects the integrity of the Village's surrounding landscape, with an emphasis on functionally appropriate and aesthetically pleasing design.

Staff recommend using an approach that guides hillside development by comprehensively laying out best practices to model what is preferred in a hillside environment. This is a more subtle, educational and flexible tactic than employing standards. Unlike standards, the proposed guidelines have been structured to encourage innovation and flexibility, to promote the most appropriate design given the unique characteristics of each site. This will allow competing interests and objectives to be balanced and applied in a site-specific context.

The objectives of the Guidelines are to be considered with development applications in hillside areas to the extent determined by Staff. The goals and objections provided in the Guidelines would be primarily implemented through the rezoning and subdivision stage of the application. Technical standards regarding hillside specific design for items such as road design, retaining walls and public utilities are best suited to be implemented via the Subdivision and Development Control Bylaw, and can be considered as part of the future review and update of that Bylaw.

At this point in time, the Guidelines are not tied to a Development Permit Area (DPA) and therefore will not be legally enforceable. However, additional policies and bylaws can be implemented to support the proposed guidelines including but not limited to:

- Including Hillside Development Goals and Objectives in the new Official Community Plan (OCP)
 - During the review and update of the Village's OCP, additional priorities can be applied to all hillside development applications.
- Creating a Hillside Development Permit Area (DPA)
 - A Hillside DPA could be used to consolidate all DPA policies that currently apply to hillsides and to clarify the application process and requirements.
 - The Hillside Development Design Guidelines could be referenced to form a part of the DPA policy.
 - Creation of a Hillside DPA would enable the Village to require additional application materials, such as a landscaping or a grading plan.

- Creating Site Specific Hillside Zoning
 - Zoning for future Hillside areas could be crafted on a site-specific basis following the Hillside Development Design Guidelines and based on the unique topography of the land in question.
- Reviewing and updating the Subdivision and Development Control Bylaw No. 677, 2011
 - Hillside Road Design Standards can be updated and technical standards relating to retaining walls and site grading can be added.
 - Updates to technical standards would need to be completed by a professional engineer.

REVIEW COMMENTS

The Draft Hillside Development Design Guidelines have been circulated internally and reviewed by the Village's Department of Operations and Projects, Corporate & Legislative Services, our Contract Planner and Interim Building Inspector.

The Draft Hillside Design Guidelines were presented to the Advisory Land Use Commission (ALUC) at the meeting held on October 28th, 2019. Commission members spoke in support of the document in general terms and commented specifically on the following points:

- determination of the hierarchy of concepts in cases where individual guidelines conflict;
- consideration of geotechnical requirements to ensure safety and minimize natural hazards; and
- formalizing and reinforcing the Guidelines through the use of additional planning tools.

PUBLIC CONSULTATION COMMENTS

A public online survey was launched and ran from November 15th to December 4th, 2019, shared alongside the draft Hillside Development Design Guidelines on the Village eNEWS, website, and Facebook page. The survey and draft Guidelines were also shared with the members of the Pemberton and District Chamber of Commerce and the development community (local builders and developers). Eighteen respondents completed the survey, most were homeowners or future homeowners and a general concern was expressed for the preservation of trails and access to outdoor recreation, as summarized in **Appendix A**.

A letter was received on November 26th, 2019 from the Pemberton Valley Trails Association (PVTA) and Pemberton Off Road Cycling Association (PORCA), attached as **Appendix B**. The retention and integration of existing trails in future development plans was identified as a primary concern.

Key stakeholders from the development community and hillside Strata Managers were emailed a request for comments. Comments received to date are attached as **Appendix C**.

Additional comments were emailed on behalf of Stewardship Pemberton on December 7th, 2019 and incorporated into the final document where relevant.

UPDATES TO THE HILLSIDE DEVELOPMENT DESIGN GUIDELINES

The updated Hillside Development Design Guidelines are attached as **Appendix E**. The following updates have been made since the document was presented to the Committee of the Whole:

- In response to comments provided from the development community the sections *Housing Diversity and Design* and *Buildings and Structures Massing and Setbacks* were consolidated and condensed.
- Comments provided by Stewardship Pemberton regarding habitat protection and the natural environment have been incorporated within the landscaping section. Additional suggested habitat protection and preservation best practices are better suited to be implemented through an environmental assessment as part of the development process. The Hillside Development Design Guidelines goal “*to protect environmentally sensitive ecosystems and habitats*” was removed. While this should still be an ambition of all developments, these Guidelines should not be solely relied on to ensure habitat protection. To provide clarity on the role of the guidelines, the “*Natural Environment*” section was divided into “*Landscaping*” and “*Trail Preservation*”.
- Based on comments received from the public, PVRTA and PORCA, an additional section “*Trail Preservation*” was added to the Hillside Development Design Guidelines to address trail integration and preservation. Trail preservation and integration are supported by the Village’s Official Community Plan. Specifically, *Section 4.0 Greenhouse Gas Emissions Reduction Targets* identifies the target to ensure a net gain of open spaces and trails and increasing commuting trails within the Village boundaries as targets to fulfill the Village’s commitment to reducing greenhouse gas emissions. *Section 5.4.1 Parks, Trails and Open Spaces Policies* indicates that trails are to be provided to support the current and future population’s needs and interests. In addition, *Schedule B - Amenity Zoning Priorities* indicates trails as a top important community amenity.
- The revised draft Hillside Development Design Guidelines were reviewed by the Interim Building Inspector, in February 2020. The following guideline in the Geotechnical and Hydro-geological Design Guidelines was added:
 - A geotechnical study with detailed site grading confirming both the lot and the building site are stable and suitable for building should be submitted at both subdivision and building permit stages of the development.
- The document was re-formatted as required with minor changes to text edits.

LEGAL CONSIDERATIONS

The Guidelines are being presented as a Planning Policy and are not intended to be legally enforceable.

IMPACT ON BUDGET & STAFFING

There are no impacts to the budget or Staff hours for considerations at this time; however, the development of supporting policies and bylaws may incur budget and Staff costs that will be directed by Council.

INTERDEPARTMENTAL IMPACT & APPROVAL

The Guidelines were sent to all Village departments for review and comments. This review did not impact the day to day budget or staffing of other departments and do not require approval from any other department.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

The Guidelines will only apply to lands within the Village boundary. If adopted, the Guidelines may help to preserve Pemberton's public views visible from the surrounding Electoral Area C and Lil'wat Nation.

ALTERNATIVE OPTIONS

There are no alternative options for consideration.

POTENTIAL GOVERNANCE CONSIDERATIONS

This initiative is aligned with Strategic Priority Two: Good Governance whereby the Village is committed to citizen engagement and being an open and accountable government and Four: Social Responsibility whereby the Village strives to create a strong and vibrant community and maintaining a well managed natural environment.

RECOMMENDATION

THAT the Hillside Development Design Guidelines, April 2020, be approved.

ATTACHMENTS:

- Appendix A: Summary of survey results
- Appendix B: Correspondence from PVTA/PORCA – November 26, 2019
- Appendix C: Correspondence from Development Stakeholders
- Appendix D: Hillside Development Design Guidelines – April 2020

Prepared by:	Joanna Rees, Planner
Manager Approval by:	Lisa Pedrini, Manager of Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

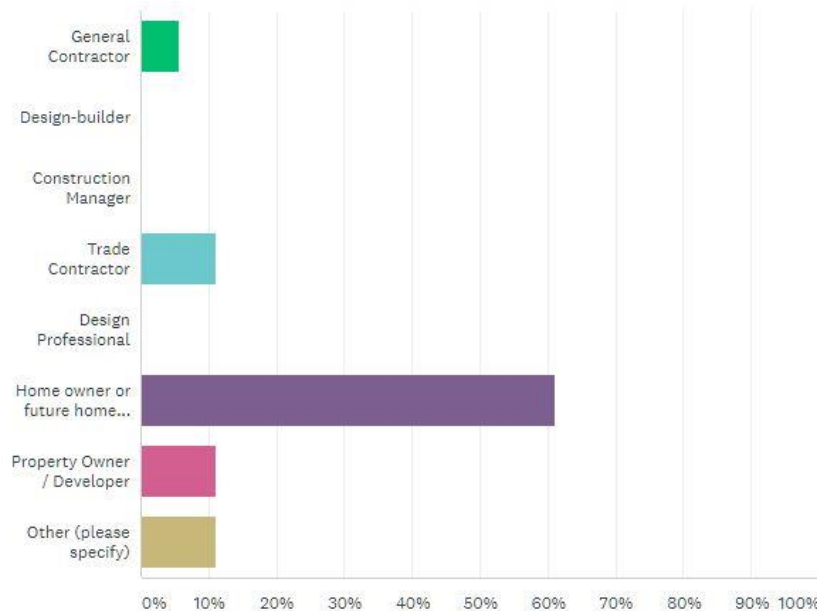
Hillside Development Design Guidelines:

Survey Results

Responses collected: November 11th to December 5th 2019

Total Responses: 18

1. How would you describe your role in the building industry ?



2. Hillside Developments should work to achieve the vision by focusing on achieving the following goals:

- **Complement the scenic hillside character of Pemberton;**
- **Screen visual impact and minimize unsightly cut and fill;**
- **Integrate unique natural features into new neighbourhoods;**
- **Avoid development on unstable or hazardous sites and prevent potential rockfall hazards;**
- **Protect environmentally sensitive ecosystems and habitats**
- **Preserve and enhance access to trails and outdoor recreation;**
- **Protect wildlife habitat, wildlife corridors and other environmental values; and**
- **Manage storm run-off and limit erosion hydrology.**

Do you agree with these goals ? Are there any additional overarching goals you believe should be added ?

- Fit with current infrastructure and include features that will contribute to future infrastructure needs. eg improved roads, transit hubs or stops, additional access to bikeways or Friendship trail, space for neighbourhood commercial space to reduce traffic into downtown.

- The development proposed converges upon a large number of Pemberton's best, and most popular mountain bike trails. These trails bring a large number of tourist into the valley which are a large component of our tourism industry. These trails need to be protected and the development on the area proposed may destroy some of Pemberton's most valuable mountain biking. The trails of Pemberton comprise a large portion of the social, historic and cultural aspects that our valley is known and loved for and need to be protected.
- Yes
- Yes, I agree with these goals.
- And replace trails that are removed with in-kind trails - no net loss.
- I don't fully agreed with the goal of only preserving and enhancing access to trails. The existing trail network is at serious risk of being severely impacted by this proposed development and I believe it should be a REQUIREMENT of the developer that any trail that is removed or modified by development efforts be replaced with an equivalent trail with input from the Pemberton Off Road Cycling Association (PORCA). It is crucial to the economic success of Pemberton as a tourism destination that PORCA is engaged and involved with the redevelopment of any and all trails that are affected, and financial support of new trail development should be factored into developer budgets.
- Yes I agree with these goals. If we are adding these major population increases to pemberton there should also be major planning for travel thru the area. With only a small addition of housing lately there is now traffic congestion through town as well as on the hwy in both directions. Quality of life needs to be maintained.
- Yes, see last comment below. #8
- More emphasis should be placed on creating GOOD and challenging machine built mountain bike trails not lame hiking and biking trails that no one will use.
- I agree that the trails need to be protected and factored into any development of the hillside. Yes
- I am pleased to see protection of wild lands as a priority, along with ensuring maintained access to these areas through enhanced trails access and outdoor recreation. I understand that most people still move to Pemberton for lifestyle reasons- they want to enjoy the outdoors. Thanks to some recent developments (i.e. Tiyata) where there is almost no outdoor living space/ yards incorporated into the lot design, it is even more important that residents have access to our wilderness to participate in activities such as hiking, mountain biking and trail running. The benefits of exercise on mental and physical health are extremely well documented. More recently, the importance of a connection with nature has been documented. The top 3 recurring themes for the prevention of burnout in high stress jobs are, breathing/exercise, connection with one's people/ family and connection with nature. Recognition of that as a part of building a healthy community should be included as a goal.
- Yes I agree
- Yes. These are good goals, but need fleshing out as detailed below
- I agree.
- Yes. Pemberton has limited developable areas (flood plain, ALR) so hillsides must be considered.

- **Site and Subdivision Design;**
- **Natural Environment; and**
- **Works and Services.**

Objectives identified in each section shall be considered as goals for the designer to work towards. Each Objective requires careful consideration and must be addressed with each submission. Design Guidelines offer suggestions how to achieve those Objectives. It is recognized that not all Objectives cannot be equally or simultaneously attained. Will this approach assist in fostering innovation and flexibility for designers to prepare the most appropriate design given the unique characteristics of the site ?

- Yes, provided where goals are not able to be achieved a clear reason is given, with the idea that other goals should exceed the minimum requirements.
- Strict guidelines and park boundaries need to be created to protect the trails.
- This sentence does not make sense to me: "It is recognized that not all Objectives cannot be equally or simultaneously attained." - it should be recognized that all objectives may not be equally or simultaneously achieved.
- Take into consideration existing traditional recreation uses of these areas and provide offset/no net loss
- Not sure how these will hold up if they are just suggestions to the developer but maybe I don't understand the process.
- As long as you don't infringe on mountain bike trails
- Protect the trails. Work them into any development
- If more detail is included about trails and habitat protection and rehabilitation
- I am just wondering how this document will work with already established regulations such as RAR, road standards, geotechnical sign off, building code, Firesmart. It is noted in the document that sometimes priorities may be needed - for example a retaining wall is needed so development does not go into riparian area, or to accommodate road grades. Further, why are the standards not incorporated into the OCP as DP area for hillside areas. I am concerned this is a layer or review, but that it is outside the already established processes.

4. Site and Subdivision Design has been divided into a variety of sub-categories including: visual design, housing diversity and design, buildings, structures Massing and setbacks, streetscape design, grading and retaining walls, and geotechnical and hydro-geological considerations. Are the objectives and guidelines in this section effective and achievable ? are there any that would pose a challenge to development?

- The power point document is too basic to really know if it is achievable when just reading it. Also who determines if the guidelines are "met" or not? there will be a need to ensure consistency across all applications.
- Agree with objectives
- geotechnical seems to pose a challenand multiple inlet/outlet roads also seem to pose challenges
- I would suggest bike lanes in heavily populated mountain bike trail zones. Those numbers will only increase as well.
- I hope so
- Yes

- I would like to see more in this section about walking and cycling trail networks/ paths to connect subdivisions/ streets. The natural tendency would be to put a bike path following a road, but to encourage people to walk/ use their bikes for commuting there is benefit in providing shortcuts through easements between lots/ subdivisions and rights of way that do not utilize roads and cut more circuitous road- following routes out. 2. In a similar vein, ensuring access to trail areas/ natural areas adjacent to developments will encourage more people to enjoy a healthy lifestyle and to be more outdoors
- Compromise on some level will be required to achieve the goals as stated. Compromise may mean less lots can be created than what is requested.
- Not qualified to speak to whether this is achievable
- Yes they are effective and achievable
- It would be good to understand how the guidelines will be applied and upheld in the development review process. My concern is that the existing regulatory or technical (Geotech, Building Code, Eng Standards) will result in the guidelines being compromised.

5. The Natural Environment Section focuses on landscape and vegetation. It has a very noticeable effect on the landscape when all the vegetation is removed from a once scenic hillside. Maintaining existing vegetation and proper landscaping can be used to minimize the impact of development on the natural environment and reduce the visual impacts. Consideration should also be given to mitigate wild land fire risks. Are the objectives and guidelines in this section effective and achievable? are there any that would pose a challenge to development ?

- Protecting the trails will also protect the natural landscape and the first nations heritage site found in this area. Protect the trails.
- as above
- An emphasis on preserving trails, and wildlife corridors. This is a major hurdle for development and one that should be carefully considered by council approving projects.
- No
- Based on firesmart principles and lot sizes, it will be difficult/unrealistic to retain the existing vegetation. The municipality should accept that fire mitigation should be the priority over visual esthetics. Let's be honest, development of a "scenic" hillside in itself is a disturbance and will have already greatly impacted the natural environment. Instead focus on building a fire resilient community. Wildfire is a real concern especially on sloped South facing neighborhoods surrounded by dense forest. "Firesmart" development of lots should be mandatory not just "considered" . Let's get with the times.
- Yes do NOT let the developer moonscape the hillside
and then sell lots. Protect and encourage the trails.
- Yes. However, no specific mention of recommendations re: no fruit trees / community garden fencing etc . Could also recommend any shared buildings (mail, waste, etc) consider green / living roof .
- Balancing preservation of nature with FireSmart objectives is a worthy goal, but provides a challenge. Older trees provide habitats for multitude of animals, but also provide shade- especially on the south facing aspects of Sunstone etc. that becomes more important, especially considering the warming climate that we live in. Protection for sufficient numbers of mature trees that they remain stable, whilst ensuring fuel thinning/ control and prevention of fire spread should be the aim here.
- This may be challenging to achieve.
- There needs to be more detail and effort to preserve sensitive habitat

- Yes, they are effective and achievable.
- The Village has a Site Alteration Permit, and this should set down the requirements for clearing. Firesmart has a significant impact on vegetation buffers.

6. The final section is Works and Services. Hillside developments should Provide municipal services and utilities that have the least environmental and visual impact, meets service requirements, and minimizes redundancy, capital costs and ongoing maintenance costs. For example where possible services and utilities should be installed underground. Additionally, road design should consider winter safety stopping, sliding concerns and maintenance issues including snow clearing. Are the objectives and guidelines in this section effective and achievable ? are there any that would pose a challenge to development ?

- Should include goals that require consideration of overall community infrastructure. Road/development design should include active transport as well as vehicle movement.
- Yes.
- Yes.
- Yes.
- Yes.
- Services in rocky areas will be a challenge.
- Not qualified to speak to whether this is achievable.
- Yes.
- The second sentence above needs to recognize that all of the items listed conflict with each other. Also in most cases hillside sites are solid rock, which means to achieve engineering road standards (grades) often a rock cut will be required. I am not sure rock cuts are ugly compared to retaining walls.

7. Are the Hillside Development Design Guidelines a useful tool and reference document for improving hillside development? Please indicate why or why not.

- The trails are not accounted for.
- Yes, any set of guidelines is helpful.
- Yes
- Yes, as long as easily accessible and accompanies the regulated development info materials
- Yes- and I believe they should be incorporated as policy for all currently planned and future developments.
- Yes. They are ambitious but are a good place to start before compromises are decided.
- Yes they need more detail adding
- Yes.

- As noted I am not sure how they related to OCP policies, DP Guidelines and other government regulations and professional standards. How would these guidelines (and when) be used for Benchlands, do other regulations or policies take precedent?

8. Do you have any additional feedback, comments or concerns regarding the Hillside Development Design Guidelines ?

- The trails need to be a much larger part of this document. This document needs to be reviewed in order to assure that this social, cultural, and historic asset is protected.
- Preserve wild spaces, hiking and biking trails as much as possible, it is what makes our town so great. current supply and price of single family homes appears to exceed demand in the pemberton valley. How will additional hillside developments (inherently higher cost due to higher site improvement costs) help this situation? how do hillside developments contribute to more affordable housing in pemberton valley?
- Regarding our mountain bike trails -We need a policy or standard that states there should be: 1) A net gain in trails 2) Improvement of access to trail heads 3) Replacement of trails that are removed with in-kind trails 4) Early engagement with local trail builders and users to encourage the above.
- More language regarding trail access and retention of existing trails. Stipulations around trail removal equating in equal/comparable new trail construction to replace trails removed.
- Make GOOD high end trails kno the area to actually attract people. Dont get suckered in by the developer hiring a poor trail builder for "no net loss" quality trails.
- Keep the trails protected. I am all for development and growth of Pemberton. We need to recognize and protect the resource that is our trail network. The Village has done a poor job in helping promote, maintain and financial help out the basically volunteer effort that have given us a world class mountain bike destination. The trails are there, they are amazing and they need to be cherished. Develop responsibly. Thanks.
- I've alluded to this in my earlier feedback, but I would like to see more accentuation on trails and trail access. When searching the document the word 'trails' appears only once in the goals! I would like there to be a stated policy of: Net trail gain. Trails (especially mountain biking trails) that must be moved/ removed are to be replaced by trails of equivalent standard. Most mountain bikers would be displeased to see the removal of an exciting single track black diamond trail only to be replaced with a pea gravel undulating trail and told 'the trail has been replaced'. We have some of the finest trail builders in the province here in Pemberton. Early engagement with them for replacement trail construction would go a long way to reducing community discord on this issue. Enhanced access to trails. Ensuring that trailhead access does not require long and tedious circuitous routes to get to them. An example of this issue is the gf Current Mackenzie trail head. Mountain bikers are faced with a long route from Pemberton along the friendship trail to the plateau, then along Pemberton farm road before they even reach the start of any trails. The result-most will trespass on the railway line, or worse, drive their trucks with a bike on the back to the parking lot. Consideration for access to our biggest asset- our stunning areas of outstanding natural beauty and exciting trail network- should be front and centre in any future developers mind. It enhances the attractiveness of the development for future residents and means current residents can enjoy continued and hopefully enhanced access to the natural amenities for their own health and enjoyment.

- Trails which are lost should be replaced with something appropriate even if they are to be built on different lands.
- I'd like to see more requirements for developers to preserve sensitive habitat. Of utmost importance is the requirement for developers to maintain access to the recreational trail network and replace any trails that are lost during development with comparable trails. This should be a requirement that be met BEFORE they receive final occupancy or whatever the permitting is required to complete the projects. The existing trail network plays an integral part of Pemberton's desirability.
- Some may pose a challenge to development but that is a problem for the developer. Change the development plan or don't proceed.
- It is telling that the word "trails" comes up exactly once in both the guidelines and the guidelines presentation. Currently the guidelines for addressing existing trails within the hillside are toothless and the perception is that the issue is not of importance to Village staff. Current development has made either half hearted or no attempts at connecting to the trail network. This is a remarkable contrast to the dialogue seen in Squamish surrounding the Cheema lands. With a significant proportion of the trails in Pemberton exposed to development it is time that the Village increases the consideration of trails during development approval and planning. Losing them will effectively diminish the unique character of Pemberton and decrease quality of living significantly. One gets the feeling that this survey is largely about facilitating/increasing development rather than managing development or asking whether development is in fact desirable.
- The guidelines are a collection of best practices for hillside development, but the design guidelines must go hand and hand with engineering standards. The reality is that it will be nearly impossible to have a development comply with these guidelines as well as other regulatory requirements. There should be an acknowledgement of this. I think if the document was edited to focus on what is most important, it would have more value, right now it is long and sometimes duplicates guidelines through the document. It would be my recommendation that it be paired down then become a Hillside DP area...then it has the teeth of the OCP and developers and professionals will be more aware of it. My concern is that until DP it is hard to fully know what the impacts of the development will be (although we are using 3D modelling to provide a much better idea).



Pemberton Valley Trails Association
PO Box 282
Pemberton, BC
V0N2L0

Pemberton Off Road Cycling Association
PO Box 890
Pemberton, BC
V0N 2L0

November 26, 2019

The Village of Pemberton and Council
Box 100
Pemberton, BC
V0N2L0

Subject: Consideration of Trails in all Future Development Guidelines

Dear Council and Staff,

The Pemberton Valley Trails Association (PVTA) and Pemberton Off Road Cycling Association (PORCA) each have over 600 members who utilize trails within potential hillside development areas. Pemberton trails are a unique public asset that contribute to the financial, spiritual, and physical well-being of our members and residents of the Village of Pemberton and surrounding area. We are encouraged that the Village is undertaking the creation of Hillside Development Design guidelines; please accept and consider our feedback.

The retention and integration of existing trails in future development plans is of primary concern to our members. We recognize that a large proportion of Pemberton's trails are located on private land within areas marked for potential development. While we respect private property rights, we believe that both the community and developers benefit when trails are integrated within developments. Where integration is not possible, it is important to provide functional connectors to existing trails and to develop equivalent alternative trails within a development.

The current draft of the Hillside Development Design Guidelines does not adequately incorporate the consideration of trails. It is disappointing that despite the goal to "Preserve and enhance access to trails and outdoor recreation" the document does not further mention trails or how this might be accomplished. A more comprehensive document would be informed by the current Trails Master Plan and include guidelines for consultation with trail users, trail design, and mitigation strategies for displaced trails.

The Hillside Development Guidelines should include language that encourages developer and trail user collaboration. Public feedback and active developer participation can create neighborhoods that are attractive to existing residents and represent increased value to developers. The recent community engagement and development planning of Squamish's Cheema Lands provides a positive example of this process.

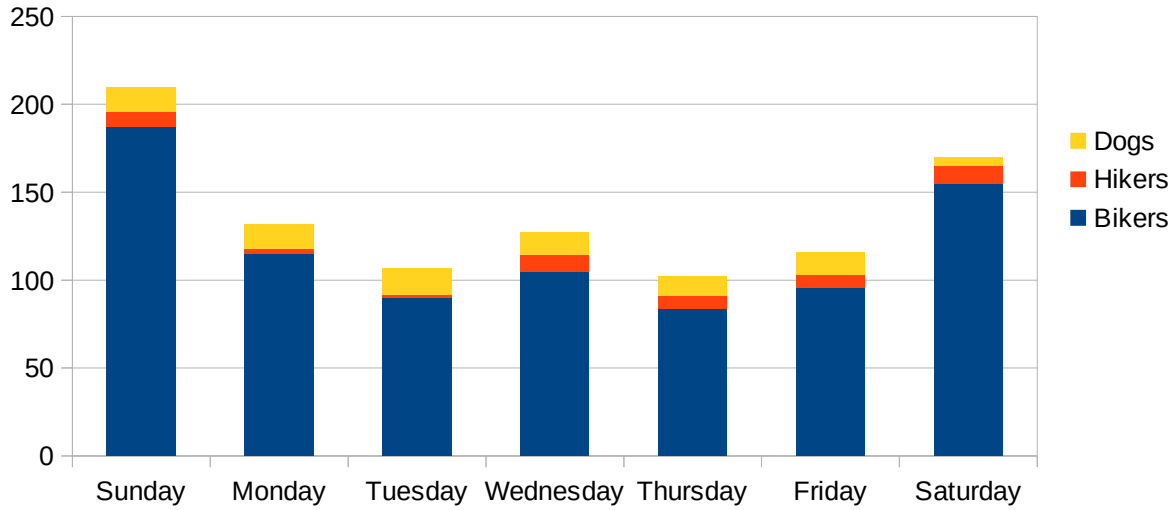
Pemberton is experiencing a period of increased development. Our associations recognize that population growth creates opportunities and challenges. Many newcomers to Pemberton have moved here because of the trails and the lifestyle that we have here and many homes in new development areas are being built by long time residents of Pemberton who are avid users of the trails. It is essential that the preservation or equivalent replacement of trails be an integral part of any future development applications that are considered by the Village of Pemberton for approval. We have included a number of data sets on the following pages that lend weight to the importance of trails to our growing community. We encourage the Village to maintain Pemberton's unique character by supporting its already world class trail network.

Sincerely,
Board members of the Pemberton Valley Trail Association and Pemberton Offroad Cycling Association



Happy Trail Users Weekly Snapshot

April 22 - April 28 2018



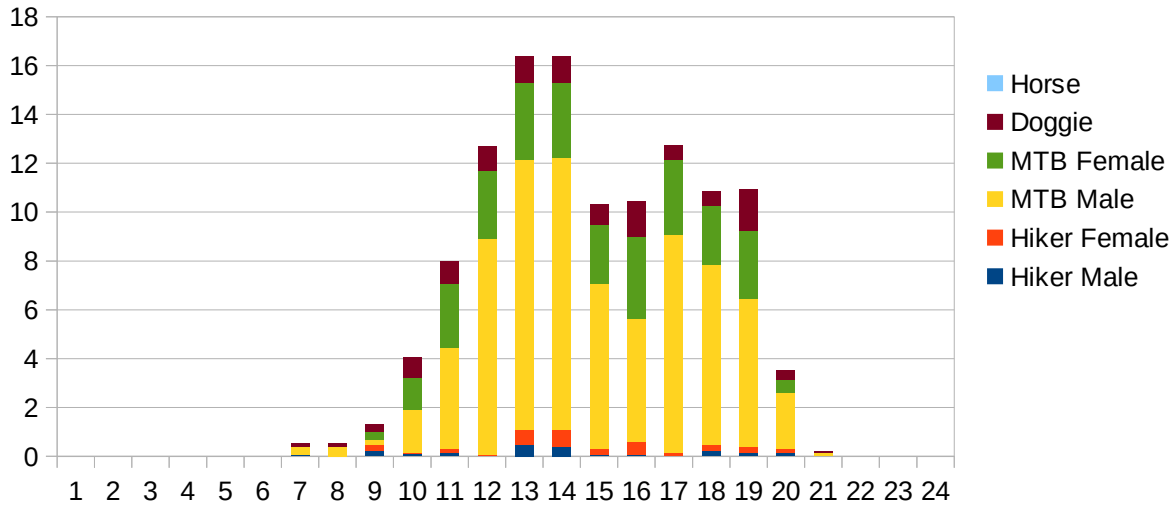
Total Data Collected

April 22 – April 28	Bikers	Hikers	Dogs	Humans
Sunday	187	9	14	196
Monday	115	3	14	118
Tuesday	90	2	15	92
Wednesday	105	9	13	114
Thursday	84	7	11	91
Friday	96	7	13	103
Saturday	155	10	5	165
Weekly total	832	47	85	879



Happy Trail Average Hourly Use (24hrs)

April 20 - May 3 2018



Total Data Collected

Date	Hiker Male	Hiker Female	MTB Male	MTB Female	Dog	Horse
4-20	0	4	36	8	7	0
4-21	3	1	69	32	18	0
4-22	5	4	143	44	14	0
4-23	2	1	82	33	14	0
4-24	1	1	63	27	15	0
4-25	4	5	71	34	13	0
4-26	3	4	67	17	11	0
4-27	2	5	70	26	13	0
4-28	4	6	118	37	5	0
4-29	1	5	61	29	11	0
4-30	2	5	53	23	5	0
5-1	0	0	54	29	11	0
5-2	0	2	52	10	2	0
5-3	0	1	30	12	7	0
Average per Day	2	3	75	28	11	0

Joanna Rees

From: Joanne Molinaro <[REDACTED]>
Sent: Tuesday, December 3, 2019 1:55 PM
To: Joanna Rees
Subject: RE: Response Requested: Draft Hillside Development Design Guidelines

Hi Joanna,

I was able to read through the Hillside Development Design Guidelines today.

Where trails (bike or otherwise) have been constructed without landowner permission and 'no trespassing' signs removed, I disagree with the preservation of trails which trespass on private property.

Thank you for soliciting our feedback.

Kind regards, Joanne

Joanne Molinaro, CPA, CMA

Sabre Excavation Corp. – Denaro Properties Inc.

7302 Industrial Way,

PO Box 38, Pemberton, BC V0N 2L0

o. 604.932.5541 c. [REDACTED]

e. [REDACTED]

www.sabregroup.ca

From: Joanna Rees [mailto:JRees@pemberton.ca]
Sent: November 29, 2019 10:54 AM
To: Lisa Pedrini <lpedrini@pemberton.ca>
Cc: Nikki Gilmore <ngilmore@pemberton.ca>
Subject: Response Requested: Draft Hillside Development Design Guidelines

Good Morning,

As an important stakeholder in Pemberton's development community, last week I shared the draft Hillside Development Design Guidelines for your information and comment. The Village of Pemberton values your comments and input. If you could please email myself directly by **December 2nd 2019** with any comments, indicate if you have no comments or request additional time to respond, the would be greatly appreciated.

The draft Hillside Development Design Guidelines can found on the Projects page of our website:

<https://www.pemberton.ca/municipal-services/village-projects>

Please do not hesitate to contact me if you have any additional questions.

Kind Regards,

Joanna Rees

From: Warren Biro <[REDACTED]>
Sent: Friday, November 29, 2019 3:39 PM
To: Joanna Rees
Cc: Lisa Pedrini; Nikki Gilmore
Subject: Re: Response Requested: Draft Hillside Development Design Guidelines

Ms. Joanna Rees,
Thank You for the opportunity to participate in the development of the Hillside Design Guidelines. Being the first development on the hillside 580 and the Village faced and solved many challenges. We have provided a superb subdivision that showed the potential to others on the hillside. I believe that the proposed Guidelines are a well thought out plan.

Warren Biro

On Fri, Nov 29, 2019 at 10:53 AM Joanna Rees <JRees@pemberton.ca> wrote:

Good Morning,

As an important stakeholder in Pemberton's development community, last week I shared the draft Hillside Development Design Guidelines for your information and comment. The Village of Pemberton values your comments and input. If you could please email myself directly by **December 2nd 2019** with any comments, indicate if you have no comments or request additional time to respond, the would be greatly appreciated.

The draft Hillside Development Design Guidelines can found on the Projects page of our website:
<https://www.pemberton.ca/municipal-services/village-projects>

Please do not hesitate to contact me if you have any additional questions.

Kind Regards,

Joanna Rees

From: Lisa Pedrini
Sent: Thursday, December 5, 2019 10:49 AM
To: Joanna Rees; Nikki Gilmore
Subject: FW: Hillside Deign Guidelines

FYI

From: Cam Mclvor [mailto: [REDACTED]]
Sent: December-05-19 10:37 AM
To: Lisa Pedrini <lpedrini@pemberton.ca>
Cc: 'Nyal Wilcox' < [REDACTED] > 'Tammy Mclvor' < [REDACTED] >
Subject: Hillside Deign Guidelines

Hi Lisa,

Apologies on the being late on the guideline comments.

I only have a few comments:

- The guidelines are mainly common sense and we at Sunstone have achieved many of the objectives set out.
- Conversely some of the objectives are difficult to achieve as it relies on the home owner design and implementation. Although we have design guidelines and a statutory building scheme many homes fit the criteria but are not exactly what we were hoping to see built. There is no accounting for taste. That being said the guidelines do point the homeowner in the direction we would like to see during their design process, however compliance is not guaranteed or easily enforced.
- I would hope that the Hillside Design Guidelines are flexible in their application as an over zealous application of all of the desired objectives may frustrate the process of achieving meaningful development and the chance of affordability.
- The guidelines as written are at odds with the current Subdivision Servicing Bylaw such as; The use of open drainage systems vs the curb and gutter storm system specified in the bylaw.
- With regard to retaining natural vegetation and trees there are slightly conflicting principles; retain vegetation vs fire smart vs ground disturbance and resultant hazard trees which need to be removed. This is more of a lot by lot condition and subject to driveway grade and the slope of lots in which significant excavation and cut slopes are required to prepare the lot for construction. In some cases all trees are removed and extensive landscaping is required. Landscaping would then be subjective to security or enforcement which is sometimes difficult to achieve.
- Developments take time to mature and alleviate visual impacts but one must break a few eggs in order to make an omelette.

I appreciate the villages efforts on this initiative as we share in the objective of maintaining the aesthetic values of the valley while building our community strategically into the future.

Regards,

Cam Mclvor
Sunstone Ridge Developments Ltd
Cell: [REDACTED]
[REDACTED]

Hillside Development Design Guidelines



Photo Credit: David Ward

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Introduction

Pemberton's hillside neighbourhoods are characterized by prominent rocky knolls and dramatic valley views afforded from stepped terraces. While hillside development may offer opportunities for residential development with stunning, panoramic views and unrivalled access to nature, it also presents unique design challenges for the creation of safe, aesthetically pleasing and environmentally sensitive neighbourhoods. Hillside developments are significantly more complex than those occurring on the valley floor. The following Hillside Development Design Guidelines aim to sensitively integrate the built form in a manner that protects the integrity of the surrounding landscape.

Vision

Hillside developments will be environmentally sensitive, functionally appropriate, aesthetically pleasing and economically feasible.

Goals

Development applications within hillside areas should work to achieve the vision for hillside development by focusing on achieving the following goals:

- **Complement the scenic hillside character of Pemberton;**
- **Screen visual impact and minimize unsightly cut and fill;**
- **Integrate unique natural features such as landforms, rock outcroppings, viable existing stands of trees and vegetation, ravines, water features, hilltops and ridgelines into new neighbourhoods;**
- **Avoid development on unstable or hazardous sites and prevent potential rockfall hazards;**
- **Preserve and enhance access to trails and outdoor recreation;**
- **Protect wildlife habitat, wildlife corridors and other environmental values; and**
- **Manage storm run-off and limit erosion hydrology.**

Applicability

Within the Village of Pemberton, hillside areas are defined as all lands with slopes of 10% or greater for a minimum horizontal distance of 10 metres. The following Hillside Development Design Guidelines shall be considered with development applications in hillside areas to the extent determined at the pre-application meeting – not all guidelines apply in every instance. The Guidelines are intended for use by developers, designers, builders, landowners and Staff to define the intent and purpose of hillside development in Pemberton and are not intended to be regulatory. Hillside Development Design Guidelines have been structured to encourage

innovation and flexibility; designers are encouraged to prepare the most appropriate design given the characteristics of the site.

Development Approval Application Requirements

The Hillside Development Design Guidelines compliment but do not replace existing Village policies. This document will work with information required by other Village bylaws including but not limited to: The Village's **Official Community Plan** (including Development Permit Guidelines), **Zoning Bylaw No. 832, 2018** as amended and **Subdivision and Development Control Bylaw No. 677, 2011** as amended. It is the applicants' responsibility to ensure they have met and obtained all necessary requirements and permits related to their associated subdivision and development applications.

Wildfire Mitigation

Wildfires are an inherent natural hazard of hillside development in Pemberton. In 2017, the Village updated the Community Wildfire Protection Plan which recommends several measures to reduce the community's interface fire risk. Wildland Fire Interface Hazard Areas are designated in 'Map L' of the Official Community Plan. Hillside Developments should strive to find a balance to incorporate the following design objectives and achieve wildfire protection measures.

Objectives and Design Guidelines

How To Read This Document

The following Hillside Development Design Guidelines are divided into four sections:

1. Site and Subdivision Design;
2. Landscaping;
3. Trail Preservation; and
4. Works and Services.

Objectives identified in each section shall be considered as goals to work towards. Each Objective requires careful consideration and must be addressed with each submission. Design Guidelines offer suggestions how to achieve these Objectives. It is recognized that not all Objectives may be equally or simultaneously attained.

1. Site and Subdivision Design

Subdivision and site design on steep slopes are expected to respond and integrate into the unique characteristics of each site, avoiding significant disruption of the natural terrain as much as possible and reducing visual impacts.

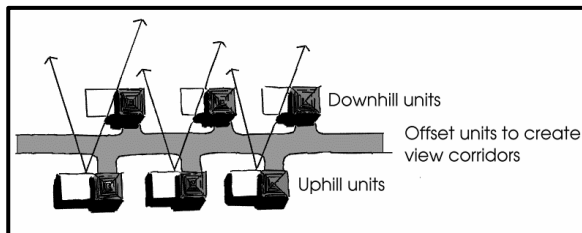


Low profile houses follow the natural ridgeline, mature trees are retained.

1.1 Visual Objectives

The impact of development on views should be mitigated to ensure:

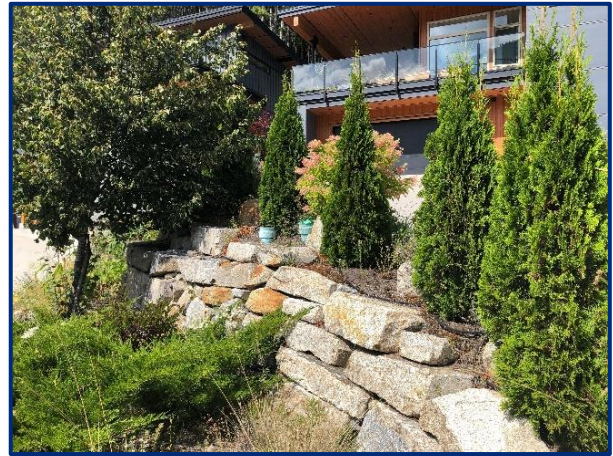
- Pemberton’s scenic beauty and hillside character are not compromised, and trees are retained, where possible;
- Structures and building faces do not dominate the landscape;
- Structures are screened through effective use of landscape materials;
- Significant natural features and landforms, including ridgelines, are retained or enhanced;
- Street and building lighting is not overpowering to protect nighttime views; and
- View corridors from within the development are maintained.



Examples of how siting can maximize view corridors.

1.1.1 Visual Design Guidelines

- Consider using local, site-specific natural building and retaining materials, where practical.
- Scenic natural features should be incorporated into the subdivision design as natural open space.
- Unavoidable interruptions along ridgelines should be re-vegetated with natural landscaping.
- Warm coloured street lighting and limited ambient light is encouraged.
- Landscaping is capable of hiding views of imposing building facades, reflective glass, retaining walls, roadways and utility corridors, while protecting views from the site.
- Timely landscape restoration can mitigate impacts; consider using mature vegetation.
- View potential can be optimized through strategic placement of roads, parks and open spaces, staggered lot configuration, sensitive lot grading, transparent fencing, etc.
- View corridors can be created by designing lower rooflines, stepped rooflines and staggered lots.
- Views from the street should not be blocked with solid fences.
- Building ground floor elevations and heights should consider up-slope views.



Small well-landscaped retaining walls used to maintain the natural topography and reduce grading.



Natural feature within lot is left intact.



Retaining wall is made with natural building materials and visual impact is minimized with natural landscaping.



Blasted rock wall leaves stark and negative mark on the landscape.



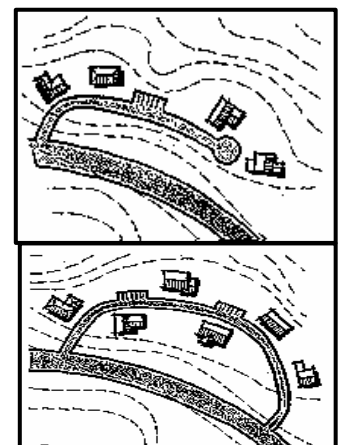
Unattractive visually dominant retaining wall.

1.2 Housing Diversity, Design, Massing and Setback Objectives

- A variety of housing types are considered.
- Visual dominance of development on the hillside is reduced.
- Colours blend into the natural landscape for all structures, including retaining walls and fences; reflective roof materials are discouraged.
- Flexibility for the size and layout of single family lots is encouraged.
- Density is influenced by visual impacts, slope, natural features and vegetation.
- Building design increases the conservation of energy and reduces greenhouse gas emissions in accordance with **Building Bylaw No. 867, 2019**, as amended and the BC Energy Step Code.

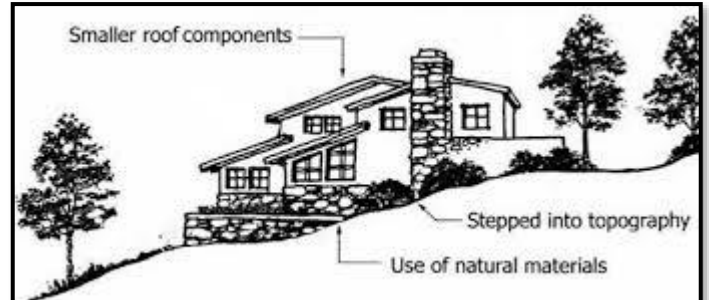
1.2.1 Housing Diversity, Design, Massing and Setback Guidelines

- Multiple-unit housing becomes an acceptable housing type on hillsides.
- Cluster development is encouraged for the purpose of maintaining natural open space and protecting steep slopes and ridgelines, otherwise larger lot sizes should be considered.
- Consider multiple lots with shared access/driveways where appropriate.
- Orient buildings to run parallel to the natural slope.
- Respond to the natural slope of the hillside by using a stepped foundation and setting the building into the hillside to help integrate it with the natural landform.
- Avoid large, unbroken expanses of wall and long building masses. Rather, design buildings with smaller or less massive building components which reflect the sloped character of the site.



Examples of shared driveways.

- Avoid over height buildings and minimize the visual impact of new buildings on steep slopes.
- Terrace back yards to reduce grading/retaining.
- Allow greater flexibility in locating a building on a steep slope lot, consider reduced setbacks to minimize the extent of grading.
- Articulate buildings to reduce mass, vary rooflines.
- Building ground floor elevations and heights should be sensitive to up-slope views.
- Buildings, retaining walls and fences should be appropriately set back from the edge of a natural feature, such as a cliff, rock knoll or outcrop.



Example of house stepped into topography with smaller roof components.



Flat roof and low-profile house designs integrated into the natural topography minimize visual impacts and optimize views.

1.3 Streetscape Objectives

- Pedestrians and cyclists feel safe using roadways.
- Low-impact design standards are utilized to manage stormwater.
- Road aesthetics are valued as a significant contributor to the character and quality of neighbourhood.
- Developments are accessible to emergency vehicles.

1.3.1 Streetscape Design Guidelines

- Consider 3-D computer modeling to create an attractive streetscape design, one which favours pedestrian and neighbourhood activities and creates amenity space capable of accommodating all users, including children.
- Consider adopting a 20-30 km/h design speed for selected local streets, where appropriate.
- Where appropriate use xeriscape boulevard landscaping and pervious parking bays.
- Reduce impervious surfaces to the greatest extent possible, consider alternate surface treatments and incorporate bio-swales where appropriate.
- Consider mature native street trees and heavily landscaped boulevards on all roads, including local streets.
- Reduce right-of-way requirements and conflicts with outside utility providers by sharing utility corridors while maintaining adequate ditch lines.
- Include eco-passages to allow for safe movement under road ways for reptiles and amphibians where there are no conflicts with stormwater management.



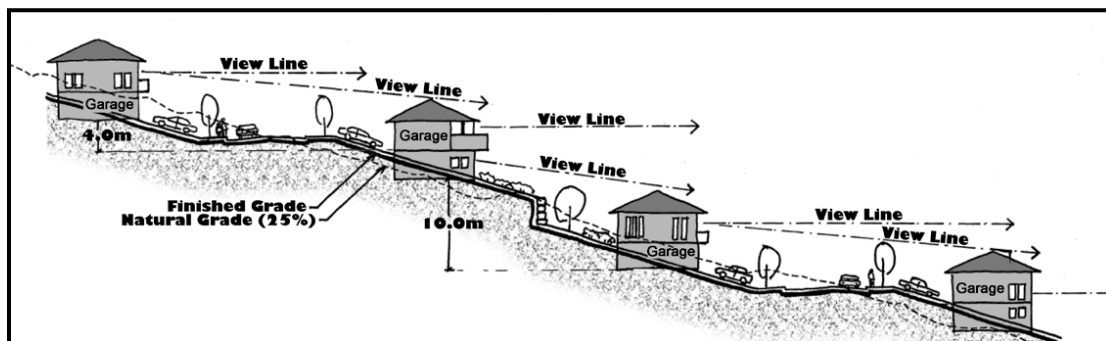
Streets are pedestrian oriented.



Street parking is integrated into narrow road.

1.4 Grading and Retaining Objectives

- Manufactured grades mimic natural slopes.
- Significant natural scenic features, such as gullies, rock outcrops and knolls are at a minimum retained and preferably enhanced.
- Site and lot grading do not compromise visual objectives.
- Retaining structures integrate well with the onsite architectural character and natural environment.
- Visual dominance as a result of development is reduced by sensitive grading.



Increasing grade differential on opposite sides of the street improves view potential and mitigates grading impacts.

1.4.1 Grading and Retaining Design Guidelines

- Consider grade difference on opposite sides of the street; opposing slab elevations should be set at a higher grade than the natural slope.
- Manufactured slopes can be placed behind buildings.
- Retaining walls can be used to reduce slope disturbance, rather than modify natural terrain – lot sizes should increase as the natural slope increases.
- Use single loaded streets or split lanes and narrow roads to avoid removing scenic features, such as knolls, and reduce grading.
- Avoid side-casting fill/excess material along road frontages and attempt to balance earthworks where impacts to hillside objectives are not compromised.
- Boulevards and driveways can be graded from the curb to match existing terrain.
- Extreme grades may necessitate detached garages.
- Site grading and retaining walls respect existing terrain; that is, large cuts/fills are not used to create ‘buildable lots’ or flat yards.
- Driveway grades follow the natural terrain, large single level building platforms are avoided, final lot grades mimic the natural slope.
- Lot grading/disturbance should occur at the stage of development where it best accommodates existing terrain and vegetation around the perimeter of the building envelope.



Sloped driveway reduces grading.

1.5 Geotechnical and Hydro-geological Objectives

- Risks are appropriately identified and quantified prior to site disturbance.
- Changes to natural slopes are structurally sound and avoid or mitigate hydro-geologically sensitive areas.
- Mitigation strategies/recommendations are implemented during subdivision development and building construction.
- Where appropriate, geotechnical recommendations are filed at the Land Title Office.
- Mitigation strategies are prepared to reduce impacts to surface run-off for both minor and major storm events, while retaining natural features, vegetation and trees, where possible.
- Impervious surfaces are minimized and irrigation needs are addressed.

1.5.1 Geotechnical and Hydro-geological Design Guidelines

- Geotechnical/hydro-geological issues, including down-slope potential impacts, shall be considered prior to subdivision design in order to avoid development in unsuitable areas and to protect down-stream habitats.
- A geotechnical study with detailed site grading confirming both the lot and the building site are stable and suitable for building should be submitted at both subdivision and building permit stages of the development.
- Quality assurance systems must be employed by professional consultants.
- Sign-off from the geotechnical engineer(s) must be provided at appropriate stages of construction, such as pre-clearing, pre-site grading, post-site grading, upon substantial completion, before foundation pour and prior to occupancy.
- Covenants may be registered upon subdivision approval.
- Plans for all development on hillsides must indicate current drainage routing for minor and major storm events and indicate how development proposes to alter these patterns.

2. Landscaping

This section of the guidelines addresses how to use landscaping to minimize the impact of development on the natural environment of the site and how to make residential development more compatible with the hillside environment.

2.1 Landscape Vegetation Objectives

- Development takes advantage of natural environmental features; natural vegetation and landforms are retained to the extent practical.
- Landscape is a key determinant of where development should and should not go.
- Identify and protect significant stands of trees and vegetative communities.
- Plant native vegetation that helps mitigate the impacts of development, enhances visual quality and addresses the needs of residents.
- Wildland fire risk is mitigated in a way sensitive to the ecosystem.

2.1.1 Landscape Vegetation Design Guidelines

- Use open space development, and varied lot size and configuration, to retain tree stands and other vegetation communities to preserve environmental value (e.g., habitat, biodiversity, heritage trees, etc.), maintain soil stability, provide a buffer between development cells and define neighbourhood character.
- Make strategic use of existing native vegetation to retain the site's natural character and to break up views of building facades, roadways (e.g., cut and fill slopes), and other site works.
- The alignments and profiles of roadways and utilities should avoid disruption of significant and unique stands of vegetation and critical environmentally sensitive areas. Provide

sufficient clearance between roads, services and vegetation root zones to ensure viability of the vegetation.

- On forested slopes, retain trees and tree stands that represent a range of ages to provide for natural succession and the long-term sustainability of the forest ecosystem.
- Phase land clearing to minimize the area exposed to soil loss and erosion at any one time. Phasing may be service related (e.g., clear initially only enough to install roads and main service lines), or spatially related (i.e., clearing only one portion of the parcel at a time, completing development and revegetation to control erosion before starting the next portion).
- On individual larger lots, limit clearing to what is required for services and the building footprint. Any additional clearing should be immediately revegetated with suitable native species.
- For areas of the site where vegetation must be removed but no construction will occur, leave soil intact (i.e., avoid compaction, excavation, filling, etc.) to allow for more successful replanting in these areas. If unavoidable to leave soil intact, stockpile top soil to be used in restoration.
- Restore disturbed areas of the site that are not part of a roadway or a formal landscaping plan, to a natural condition as soon as possible after disturbance. If required, use assistance from a landscape professional or other appropriate professional.
- Employ restoration practices specifically tailored to address the type and degree of disturbance and the specific conditions of the site.
- Replace trees in a manner that helps to restore the natural character of the hillside site. Specifically, plant trees to screen undesirable views and to buffer incompatible uses. Arrange trees in natural groupings or clusters rather than in lines or formal arrangements.
- Plant shrubs and trees in masses and patterns characteristic of a natural setting and with the intent of encouraging biodiversity.
- When choosing plant species, native plant species must be prioritized and the **Village of Pemberton Landscape Plant List** should be consulted. Invasive species are not permitted.
- Utilize plant material for site restoration and residential landscaping that is native to the region as much as possible.
- Where the use of native plant material is not desirable given site or view constraints, select plant material that is similar in appearance, growth habit, colour and texture to native plants, and that is not unfavourable to the natural environment (i.e., it will not out-compete native plants, provide habitat for undesirable wildlife, or act as a host for insect pests).
- Employ water-conserving principles and practices in the choice of plant material (“xeriscaping”), and in the irrigation design and watering of residential and public landscapes on hillside sites.

- Conduct wildfire hazard reduction through accepted practices, such as thinning and removal of fuel sources, which are also designed to improve forest health.
- Tree removal shall be in accordance with **Site Alteration Bylaw No. 822, 2017**, as amended. When preparing a land clearing and tree preservation plan, the following criteria can be applied to existing vegetation to determine whether it is to be retained or removed:

Tree Retention Criteria
To retain special features and the character of the site
To retain slope stability
To prevent erosion
To keep special or rare trees, plants and plant communities
To protect habitat values
To selectively screen development or act as buffers
To maintain vegetated open spaces
Tree Removal Criteria
To accommodate site development
To ensure public safety
To reduce fire hazard

3. Trail Preservation

This section of the guidelines addresses the preservation of trails to preserve and enhance access to nature and outdoor recreation.

3.1 Trail Preservation Objectives

- Preserve existing forested trails and improve access to new green corridors or nature trails to facilitate outdoor recreation activities including hiking, cycling, walking, dog-walking and running.
- Ensure no net trail loss as per the Official Community Plan - Trails Map and the draft Pemberton Valley Recreational Trails Master Plan, as amended or replaced.
- Public engagement is utilized and a key component to trail development.



Photo: Bjorn Naylor

3.1.1 Trail Preservation Guidelines

- Hiking and/or mountain biking trails that cannot be preserved are to be replaced with in-kind trails of equal quality and level of difficulty in accordance with the **Village of Pemberton Trail Standard Guidelines**, as amended or replaced.
- Developers are encouraged to collaborate with trail users, including the Pemberton Valley Trails Association (PVTA) and the Pemberton Off-Road Cycling Association (PORCA), through early and ongoing engagement on trail replacement and construction.
- Use easements and rights of way to create nature trails, off-road cycling trails and green walking paths to provide direct landscaped connections between subdivisions and streets.
- Where feasible, bike lanes should be incorporated into hillside road design to provide access to nearby trail heads.

4. Works and Services

This section of the guidelines addresses various means of designing and siting roads and utilities to lessen impacts on steep slopes while maintaining public and private safety, individual lot access, municipal and emergency access and other operational needs.

4.1 Municipal Services and Utilities Objectives

- Provide municipal services and utilities on steep slope developments that have the least environmental and visual impact, meets service requirements, and minimizes redundancy, capital costs and ongoing maintenance costs.
- Install all services and utilities underground.
- Design roads and road rights-of-way to allow flexible offsets for utility trenches and other facilities such as transformers.
- Road design must consider winter safety stopping and sliding concerns and maintenance issues including snow clearing.
- Major infrastructure requirements such as new transmission lines, telephone switching facilities, primary gas mains or pumping stations should be identified and located early.

4.1.1 Municipal Services Design Guidelines

Development on steep slopes requires additional infrastructure for water systems, including booster pump stations, reservoirs, pressure reducing valves (PRVs), individual pressure regulators and pipe anchors. Sanitary sewer systems require additional infrastructure such as lift stations and forcemains. If these systems are not comprehensively designed and phased, costly redundancy or insufficient capacities can result. Comprehensive design of water and sewer systems could be accomplished as part of, or in response to, neighbourhood concept plans. This approach eliminates ad hoc expansions, which can result in expensive future upgrades as services

are extended. Comprehensive planning ensures appropriately sized services and logical phasing and expansion of the systems in a cost-effective manner.

- Where practical, install more than one service in a common trench to reduce the number of trench excavations and therefore the impacts on the terrain. Where the design profile permits, increase the pipe separation to obtain more than one service in a trench. The works must be constructed in accordance with Village and Provincial standards regarding separation of water and sewer lines.
- Design water service valve and meter boxes with flexible offsets to property lines to maintain ease of access and maintenance. Locate boxes where future grading or landscaping of boulevards will not make access difficult.
- Design water system pressure zone boundaries with sufficient range to ensure fire fighting pressures on the highest side of parcels.
- Address snow maintenance and include snow dumping areas in road design layout.
- Roads must be designed with reference to the National Fire Protection Association Standards and International Fire Code regulations.

4.1.2 Utilities Design Guidelines

- Where practical, install power, telephone and cablevision in a common trench in accordance with the **Subdivision and Development Control Bylaw No. 677, 2011**, as amended. Installation of these services under sidewalks is encouraged where this can reduce the effective right-of-way required on a steep slope.
- Alternatively, if no sidewalks are installed on the upper side of a road right-of-way, utilities could be installed deeper than standard, allowing the slope to grade upward from the back of the curb within the road right-of-way. Utility service and transformer boxes, which need to be at road grade, would require suitable grading and retaining structures. However, the net effect can significantly decrease earthwork volumes and grading required to install a road into a steep slope.
- Locate access to utility boxes, fire hydrants and other services that require periodic inspection in areas where slopes do not exceed 15% and where they are clearly visible from the road.



Visible utilities have a negative visual impact.

Acknowledgments

City of Kelowna Hillside Development Guidelines, October 2009

City of Kelowna Hillside Development Audit, UMA, 2006

City of Nanaimo, Slope Development Permit Area Guidelines, 2005

City of Vernon Hillside Guidelines, 2008



7400 Prospect Street,
Pemberton, BC V0N 2L0
604-894-6135
admin@pemberton.ca

Date: April 21, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Cameron Chalmers, RPP, MCIP, Consulting Planner
Subject: Discharge of Covenant LB387063 (Tiyata)

PURPOSE

The purpose of this report is for Council to authorize the discharge of Covenant LB387063 to facilitate an alternate approach to development of the subject lands.

BACKGROUND

Covenant LB387063 was registered as a Section 219 no-build restrictive covenant on May 21, 2010 as part of the approvals of the initial development concept on the lands currently being developed as the Tiyata development. The agreement between the Village of Pemberton and Thuro Logging Ltd. was essentially a means to ensure the lands were developed in accordance with the development scheme identified in the covenant and for the developer to perform certain acts contemporaneously with the development of the land. A copy of Covenant LB387063 is attached as **Appendix A**.

Since the covenant was registered, the first three (3) phases of the Tiyata project have been developed under the CD-5 Comprehensive Development Zone 5 (Tiyata at Pemberton).

The Owner has recently entered into an agreement of purchase and sale with a not-for-profit entity that seeks to develop a portion of the lands for non-residential purposes. Accordingly, the Agent for the Owner is seeking to discharge the subject covenant to facilitate the land transaction. A copy of the request is attached as **Appendix B**.

The proposed development will require an Official Community Plan and Zoning Bylaw Amendment, an application which Staff is anticipating but that has not yet been submitted.

DISCUSSION & COMMENTS

The effect of discharge of Covenant LB 387063 would be to remove it entirely from the lands legally described as Lot 3, Plan 12807, DL 203 LLD, Except that part which lies to the East of the East Boundary of Plan Crown Grant 253. These vacant lands are the portion of the Tiyata site fronting Highway 99 (formerly known as the Thuro Logging Ltd. site) and lying south of the current Tiyata subdivision. The lands were purchased by the developer of the Tiyata subdivision in 2019.

The covenant establishes certain restrictions and developer obligations on Lot 3. It identifies a multiple family development form, which is consistent with the CD-5 zoning. The request for discharge is based on the prospective purchaser pursuing an alternative to residential development on a portion of Lot 3. The covenant conditions currently obligate the developer to

gift a community garden site and a site for non-market housing. However, Staff has reviewed the lands identified for these uses, and note that they are severely encumbered by restricted access from Highway 99, the BC Hydro right of way, servicing and parcel configuration. It is very unlikely the portion of Lot 3 lying east of the hydro right-of-way would ever yield any residential development. Albeit, through future rezoning, the Village would be in a position to secure the portion lying east of the hydro lines for community gardens or other potential uses, but Staff do not foresee the viable development of that site for any commercial or residential purpose. As such, Staff are prepared to support the discharge of the developer obligations in the covenant as there would not likely be any benefit or value accruing to the Village from completion of the developer obligations.

Should the transaction complete and/or should the current or future owner pursue development of the lands in a form different than that identified in the Comprehensive Development 5 Zone, a rezoning application will be required. At that stage, the Village will have an ability to reset and redirect the development and any additional amenities or developer obligations.

Staff are therefore prepared to support the discharge of Covenant LB387063.

COMMUNICATIONS

This decision does not require a communications element.

LEGAL CONSIDERATIONS

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

IMPACT ON BUDGET & STAFFING

There are no impacts to the budget or staff hours for considerations at this time.

INTERDEPARTMENTAL IMPACT & APPROVAL

This decision has no impact on other Village departments.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

This decision has no impact on other jurisdictions.

ALTERNATIVE OPTIONS

Alternative Options for consideration are as follows:

Option One: THAT Council authorizes the discharge of Covenant LB387063 from Lot 3, Plan 12807, District Lot 203, Lillooet Land District, Except that part which lies to the East of the East boundary of Plan Crown Grant 253, and authorizes the Chief Administrative Officer to effect the discharge.

Staff recommended option

Regular Council Meeting No. 1512
 Discharge of Covenant LB387063 (Tiyata)
 Tuesday, April 21, 2020
 Page 3 of 3

Option Two: THAT Council refuse to discharge Covenant LB387063 from Lot 3, Plan 12807, District Lot 203, Lillooet Land District, Except that part which lies to the East of the East boundary of Plan Crown Grant 253.

POTENTIAL GOVERNANCE CONSIDERATIONS

Consideration to discharge the restrictive covenant to facilitate future non-residential development on the Tiyata site meets with Strategic Priority One: Economic Vitality whereby the Village is committed to foster investment in each of the Village’s economic areas.

RECOMMENDATIONS

THAT Council authorizes the discharge of Covenant LB387063 from Lot 3, Plan 12807, District Lot 203, Lillooet Land District, Except that part which lies to the East of the East boundary of Plan Crown Grant 253, and authorizes the Chief Administrative Officer to effect the discharge.

ATTACHMENTS:

- Appendix A:** Covenant LB387063
- Appendix B:** Request for Covenant Discharge

Prepared by:	Cameron Chalmers Consulting Inc.
Manager Approval:	Lisa Pedrini, Manager of Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

Status: Registered

Doc #: LB387063

RCVD: 2010-05-21 RQST: 2019-06-26 12.07.27

FORM C_V16 (Charge)

LAND TITLE ACT
FORM C (Section 233) CHARGE

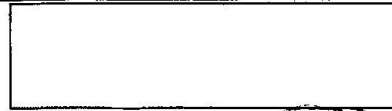
21 MAY 2010 13 04

LB387063

GENERAL INSTRUMENT - PART 1 Province of British Columbia

1269469888 PAGE 1 OF 8 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.



1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Race & Company

Shelley Key, Authorized Agent

201-1365 Pemberton Avenue, PO Box 1850

Squamish

BC V8B 0B3

File: 44146

Phone: 604-892-5254

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

009-378-740

LOT 3 DISTRICT LOT 203 LILLOOET DISTRICT PLAN 12807 EXCEPT THAT PART WHICH LIES TO THE EAST OF THE EAST BOUNDARY OF PLAN CROWN GRANT 253

STC? YES

RLB 5/21/2010 1:14:32 PM 1 3

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

Stamp: \$73.40

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No.

(b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

THURO LOGGING LTD. (INC. NO. 0069973)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

VILLAGE OF PEMBERTON

7400 PROSPECT STREET

PEMBERTON

BRITISH COLUMBIA

VON 2L0

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)



A Commissioner for taking Affidavits for the Village of Pemberton in the Province of BC, Box 100-7400 Prospect St. VON 2L0, Pemberton, BC 604-694-6735

Execution Date

Y	M	D
10	03	30

Transferor(s) Signature(s)

Thuro Logging Ltd.
by its authorized signatory(ies):

CARH PHARE



OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument

FORM D, V16

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 2 OF 8 PAGES

Officer Signature(s)



Suzanne Bélanger - Development Services
A Commissioner for taking Affidavits for the
Village of Pemberton in the Province of BC
Box 100-7400 Prospect St. V0N 2L0
Pemberton, BC 604-894-6135

Execution Date

Y	M	D
10	05	14

Transferor / Borrower / Party Signature(s)

Village of Pemberton
by its authorized signatory(ies):

Print Name:

Daniel Sailland, CAO

Print Name:

Jordan sturdy, Mayor

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

FORM E, V16

LAND TITLE ACT
FORM E

SCHEDULE

PAGE 3 OF 8 PAGES

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Covenant		

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Priority Agreement		Granting Covenant with a registration number one less than this Priority Agreement, Priority over Mortgage KF54122

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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THIS AGREEMENT MADE THIS 14 day of May 2010,
2010

BETWEEN:

Thuro Logging Ltd. (Inc. No. BC0069976), a company duly incorporated under the laws of the Province of British Columbia, having a postal address at Box 217, Pemberton, BC, V0N 2L0;

(hereinafter called the "Covenantor")

OF THE FIRST PART

AND:

VILLAGE OF PEMBERTON, a Municipality duly incorporated under the laws of the Province of British Columbia, having an address at 7400 Prospect Street, Pemberton, BC V0N 2L0

(hereinafter called the "Covenantee")

OF THE SECOND PART

WHEREAS:

A. The Covenantor is the registered owners of ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the ~~District of Squamish~~ ^{Village of Pemberton} in the Province of British Columbia, and more particularly described as:

PID: 009-378-740
Lot 3 District Lot 203 Lillooet District Plan 12807 Except that part which lies to the East of the East Boundary of Plan Crown Grant 253

(hereinafter called the "Lands");

B. The Covenantor intends to develop the Lands in accordance with the following phasing plan:

Phasing	Unit Requirements	Total Units for the Project
Phase 1	20 units	20 units

Phase 2	15 units	35 units
Phase 3	15 units	50 units
Phase 4	12 units	62 units

- C. Section 219 of the Land Title Act provides that there may be registered as a charge against the title to land a covenant, whether of a negative or positive nature, in respect of the use of land or the use of a building or to be erected on land, in favour of a Municipality or the Crown.
- D. The Covenantor has agreed to restrictions on the use of a portion of the Lands.

NOW THEREFORE THIS AGREEMENT WITNESSETH that pursuant to Section 219 of the Land Title Act, and in consideration of the sum of One Dollar (\$1.00) now paid to the Covenantee by the Covenantor (the receipt and sufficiency where of is hereby acknowledged), the parties hereto covenant and agree each with the other as follows:

1. The Covenantor, on behalf of itself and its heirs, executors, administrators, successors and assigns, hereby covenant and agree with the Covenantee, as a covenant in favour of the Covenantee pursuant to Section 219 of the Land Title Act, it being the intention and agreement of the Covenantor that the provisions hereof be annexed to and run with and be a charge upon the Lands, that from and after the date hereof:

- (a) that prior to any subdivision or construction of buildings or improvements to the Lands, the Covenantor shall:
 - i) dedicate to the Covenantee that portion of the Lands shown as an "Area 8d" on the attached Schedule "A" (the "Park Lands) for the purposes of a community garden for public use.
 - ii) in mutual cooperation with stakeholders, agencies and government, construct flood protection works as necessary to the reasonable satisfaction of the Covenantee; and
 - iii) construct the portion of the Valley Loop Trail that is within the boundaries of the Lands as shown on Schedule "A" in accordance with the Covenantee's requirements and further provide the Covenantee with a Statutory Right of Way over that portion of the Lands shown on Schedule "A" as Valley Loop Trail.
- (b) that prior to any subdivision or construction of buildings or improvements of the Lands required to permit the units allocated to Phase 2, the

Covenantor shall receive the Covenantee's approval for a Garden Plan for "Area 8d". The Garden Plan shall include garden plots, fencing, irrigation, an access pathway and storage shed.

- (c) that prior to any subdivision or construction of buildings or improvements of the Lands required to permit the units allocated to Phase 3, the Covenantor shall complete or provide security for the works included in the approved Garden Plan.
- (d) that prior to any subdivision or construction of buildings or improvements of the Lands required to permit the units allocated to Phase 4, the Covenantor shall dedicate "Area 7" to the Covenantee for the purposes of housing for Pemberton residents.
- (e) that prior to any subdivision or construction of buildings or improvements of the Lands required to permit the units allocated to Phase 4, the Covenantor shall: design, achieve the necessary approval and construct; or provide security for the cost of developing a pedestrian bridge over the Pemberton Creek to the reasonable satisfaction of the Covenantee.

2. Nothing contained or implied herein shall prejudice or affect the rights and powers of the Covenantee in the exercise of its functions under any public and private statutes, by-laws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by the Covenantor.

3. The covenants set forth herein shall charge the Lands pursuant to Section 219 of the Land Title Act and the burden of which shall run with the Lands. It is further expressly agreed that the benefit of all covenants made by the Covenantor herein shall accrue solely to the Covenantee and that this Agreement may only be modified or discharged by agreement of the Covenantee, pursuant to the provisions of Section 219(5) of the Land Title Act.

4. The Covenantor will indemnify and save harmless the Covenantee and its servants and agents against all losses, damages, costs and expenses, including fees of solicitors and other professional advisors, arising out of any breach, violation or non-performance of any term, condition, covenant, or other provision of this Covenant.

5. Notwithstanding anything contained herein, the Covenantor shall not be liable under any of the covenants and agreements contained herein where such liability arises by reason of an act or omission occurring after the Covenantor ceases to have any further interest in the Lands.

6. Wherever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

7. This Agreement shall endure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

8. The parties hereto shall do and cause to be done all things and execute and cause to be executed all documents which may be necessary to give proper effect to the intention of this Agreement.

CONSENT AND PRIORITY AGREEMENT OF CHARGE HOLDERS

Royal Bank of Canada, a Chartered Bank, having a branch office at 1025 West Georgia Street, Vancouver, BC, V6E 3N9, the holder of the following registered charge, in consideration of the sum of \$1.00 hereby consents to the registration of the above Section 219 Covenant and agrees that it shall have priority over our charge.

Type of Charge: Mortgage
Registration No.: KF54122

AS EVIDENCE to their Agreement to the above terms, the parties each have executed and delivered this Agreement by executing the Land Title Act Form C to which this Agreement is attached and forms part of this Agreement.

CANADA

SAGERLLP
LEGAL ADVISORS

Reply to: Mark Sager
Direct Line: (604) 913-9888
Email: mark@sagerllp.com

April 15, 2020

VILLAGE OF PEMBERTON
Box 100
7400 Prospect Street
Pemberton, B.C. V0N 2L0

Attn: Ms. Lisa Pedrini, Manager of Development Services

Dear Ms. Pedrini:

Re: Removal of Covenant (LB 387063)

We are writing to request the removal of the above captioned covenant from the property with a legal description of:

PID: 009-378-740

Lot 3

District Lot 203, Lillooet District

Plan 12807

Except that part which lies to the East of The East Boundary
of Plan Crown Grant 253.

as this property will not continue as part of the previously envisioned use for the Lands.


While we appreciate this is short notice it is important this covenant is removed on or before April 28th, 2020.

We appreciate your assistance with this matter.

Thanking you in advance.

Yours truly,

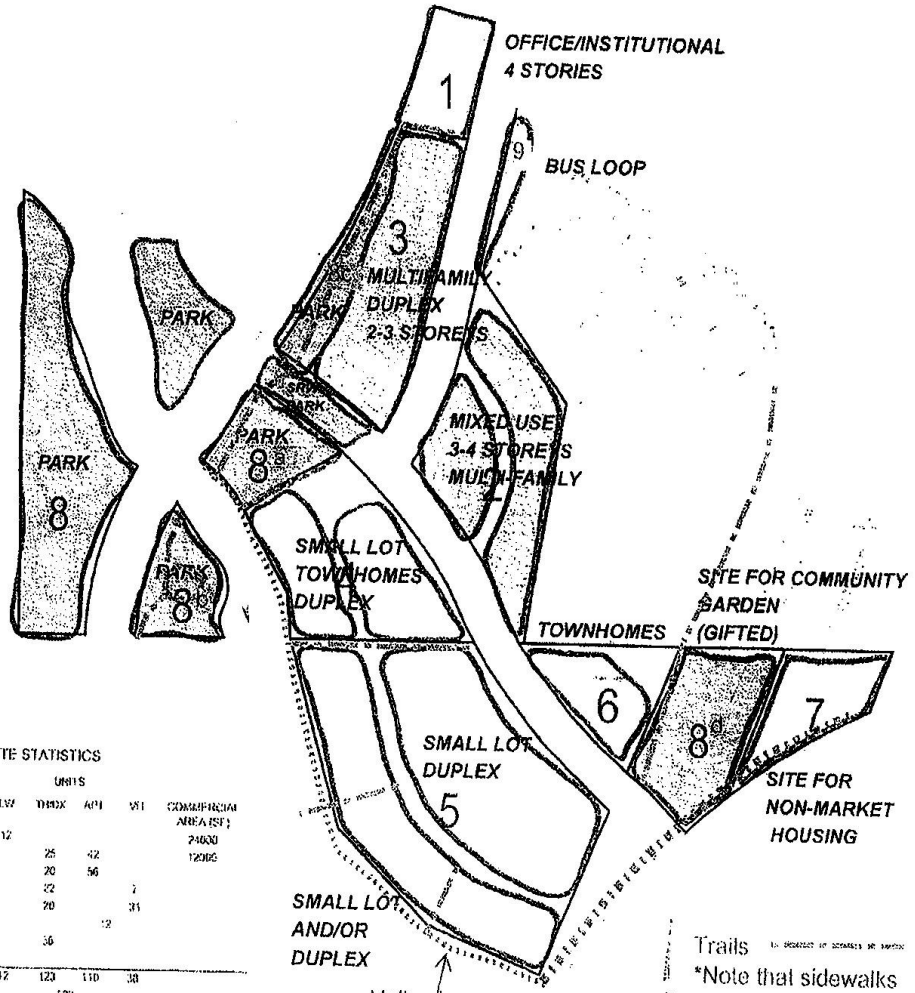
SAGER LEGAL ADVISORS LLP



Mark W. Sager

MS/jlm

Schedule A



SITE STATISTICS

AREA	SITE AREA (ACRES)	UNITS				COMMERCIAL AREA (SQ FT)
		LV	TH	DX	AP	
1	.56	12				24000
2	2.35		25	42		12000
3	2.38		20	56		
4	2.17		22		7	
5	.55		20		31	
6	.90				12	
7	.51		16			
8	5.41					
SUBTOTAL		12	120	110	38	
TOTAL			282			36000

LV - LIVE WORK
 TH - TOWNHOUSE
 DX - DUPLEX
 AP - APARTMENT
 VI - VILLAGE HOMES

Trail or Sidewalk parallel to highway yet to be determined

SIGNAL HILL
 BCR PROPERTIES
 SIGNAL HILL HOMES

SITE PLAN
 Project No: 144308090
 144308006

Trails
 *Note that sidewalks are required in accordance with municipal subdivision standards

Date: April 21, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Elysia Harvey, Legislative Assistant
Subject: Advisory Planning Commission Amendment Bylaw No. 878, 2020

PURPOSE

The purpose of this report is to introduce Advisory Planning Commission Amendment Bylaw No. 878, 2020 for First, Second, Third, and Fourth Readings (**Appendix A**).

BACKGROUND

The current Advisory Planning Commission Bylaw No. 626 (**Appendix B**) was adopted in 2009 to facilitate the creation of Commissions for the purposes of land use and design review issues within the community. As a result, the Advisory Design Review Commission (ADRC) and Advisory Land Use Commission (ALUC) were established.

Under the authority of the *Local Government Act (LGA)*, Advisory Planning Commission Bylaw No. 626, 2009, established requirements for selection of its Commission members with an aim to balance community interests. Representation from individuals that may have knowledge or expertise in one or more professions including architectural design, construction, landscape design, local business, education, land development, accessibility, tourism, or recreation, has been a priority when selecting Commission members.

The current bylaw also sets residence and/or property ownership criteria for applicants to qualify as Commission members. See sections (3) & (6) of **Appendix B**.

At the Regular Council Meeting No. 1504, held December 10, 2019, Council rose with report on the ALUC and ADRC appointments for 2020. At that time, Staff noted that over time there have been challenges in recruiting for applicants due to the eligibility criteria set out in the Bylaw. As such, the following resolution was passed:

THAT Council direct Staff to review Advisory Planning Commissions Bylaw No. 626, 2009 with a view to relaxing the eligibility requirements for membership on the Commissions.

DISCUSSION & COMMENTS

The objective of the proposed bylaw amendment is to expand the pool of applicants to the Advisory Land Use and Design Review Commissions.

While criteria such as a minimum of two-thirds of Commission members must meet the residence and/or property ownership criteria is set by the *Local Government Act* and cannot be altered, the

Regular Council Meeting No. 1512
Advisory Planning Commission Amendment Bylaw No. 878, 2020
Tuesday, April 21, 2020
Page 2 of 3

proposed bylaw includes minor amendments which relax the selection criteria where possible (see **Appendix A**).

The proposed Advisory Planning Commission Amendment Bylaw No. 878, 2020, also replaces the preamble (whereas clauses) as the current bylaw references old sections of the *Local Government Act* which have since been updated.

COMMUNICATIONS

There are no communications elements required at this time. If the amending bylaw is adopted Staff will revise the yearly application posting to reflect the changes in eligibility.

LEGAL CONSIDERATIONS

Section 461 of the *Local Government Act* authorizes local governments to adopt bylaws establishing advisory planning commissions. All amendments in the proposed bylaw fall within the scope of authority set out in the *Local Government Act*.

IMPACT ON BUDGET & STAFFING

There are no impacts to the budget or Staff hours for considerations at this time.

INTERDEPARTMENTAL IMPACT & APPROVAL

The proposed amendments were reviewed with the Manager of Development Services.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

This bylaw amendment has no impact on other jurisdictions.

ALTERNATIVE OPTIONS

There are no alternative options for consideration.

POTENTIAL GOVERNANCE CONSIDERATIONS

Consideration to amend the Advisory Planning Commission Bylaw meets with Strategic Priority Two: Good Governance whereby the Village is committed to citizen engagements and being an open and accountable government.

RECOMMENDATIONS

THAT the Village of Pemberton Advisory Planning Commission Amendment Bylaw No. 878, 2020, be given First, Second, Third and Fourth Readings.

Regular Council Meeting No. 1512
 Advisory Planning Commission Amendment Bylaw No. 878, 2020
 Tuesday, April 21, 2020
 Page 2 of 3

Attachments:

Appendix A: Advisory Planning Commission Amendment Bylaw No. 878, 2020

Appendix B: Advisory Planning Commission Bylaw No. 626, 2009

Prepared by:	Elysia Harvey, Legislative Assistant
Manager Approval by:	Sheena Fraser, Manager of Corporate & Legislative Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

APPENDIX A**VILLAGE OF PEMBERTON
ADVISORY PLANNING COMMISSIONS AMENDMENT
BYLAW No. 878, 2020**

Being a bylaw to amend the Village of Pemberton Advisory Planning Commissions Bylaw No. 626, 2009

WHEREAS Council may amend its bylaws from time to time when deemed appropriate;

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

1. This bylaw may be cited for all purposes as Village of Pemberton Advisory Planning Commissions Bylaw No. 626, 2009, Amendment Bylaw No. 878, 2020.
2. The preamble of the Village of Pemberton Advisory Planning Commissions Bylaw No. 626, 2009, is hereby amended by deleting the first two paragraphs and replacing them with the following:

WHEREAS pursuant to Section 461 (1) of the *Local Government Act*, as amended, a Council may, by bylaw, establish an advisory planning commission to advise council on matters respecting land use, community planning or proposed bylaws and permits under Divisions 4 to 14 of Part 14 and Section 546 of the *Local Government Act*, as amended;

AND WHEREAS pursuant to Section 461 (3) of the *Local Government Act*, as amended, a bylaw establishing an advisory planning commission must provide for the commission's composition, manner of appointing members, the procedures governing the commission's conduct and referral of matters to be considered;

3. Section 3 of the Village of Pemberton Advisory Planning Commissions Bylaw No. 626, 2009, is hereby amended by removing subsections (3) and (6) and replacing them with the following:

- (3) Two thirds (2/3rds) of the individuals appointed as members to the "Design Review APC" shall be qualified as follows:
 - a resident of the Village; or
 - a resident of Squamish Lillooet Regional District's Area C; or
 - a property owner in the Village.

(6) Two thirds (2/3rds) of the individuals appointed as members to the “Land Use APC” shall be qualified as follows:

- a resident of the Village; or
- a resident of Squamish Lillooet Regional District’s Area C; or
- a property owner in the Village.

READ A FIRST TIME this ____ day of _____ 2020.

READ A SECOND TIME this ____ day of _____ 2020.

READ A THIRD TIME this ____ day of _____ 2020.

ADOPTED this ____ day of _____ 2020.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

THE VILLAGE OF PEMBERTON
BYLAW NO. 626, 2009
Advisory Planning Commissions Bylaw

WHEREAS pursuant to Section 898 (1) of the *Local Government Act* a Council may, by bylaw, establish an advisory planning commission to advise council on matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9 and 11 of the *Local Government Act*;

AND WHEREAS pursuant to Section 898 (3) of the *Local Government Act* a bylaw establishing an advisory planning commission must provide for the commission's composition, method for the appointment of members, the procedures governing the commission's conduct and referral of matters to be considered;

THEREFORE BE IT RESOLVED that the Municipal Council of the Village of Pemberton enacts an Advisory Planning Commission Bylaw as follows:

- 1. This Bylaw may be cited as the “ADVISORY PLANNING COMMISSIONS BYLAW NO. 626, 2009”.**
- 2. The Village hereby establishes two distinct Advisory Planning Commissions known as: “Design Review APC” and “Land Use APC”.**
- 3. Composition**
 - (1) The “Design Review APC” shall be composed of six (6) members. One (1) member shall be a Director of the Pemberton and District Chamber of Commerce as selected by this organization.
 - (2) The background and qualifications of the remaining five (5) members of the “Design Review APC” should provide design and development expertise that is appropriate to the Pemberton context. Council should make best efforts to appoint the following professionals and/or community members with specific knowledge of:
 - architectural design;
 - community planning;
 - construction/development; and
 - landscape design.
 - (3) Two thirds (2/3^{rds}) of the individuals appointed as members to the “Design Review APC” shall be qualified as follows:
 - a resident of the Village; or
 - a resident of Squamish Lillooet Regional District's Area C; or
 - a property owner in the Village for a minimum of one year.

- (4) The “Land Use APC” shall be composed of six (6) members.
- (5) The background and qualifications of the members should be reflective of an array of interests and perspectives within the Pemberton community. Council should make best efforts to balance the make-up of the “Land Use APC” and appoint members that have specific knowledge in one or more of the following areas:
 - agriculture;
 - children and youth;
 - environment stewardship;
 - land development/ construction;
 - local education;
 - recreation;
 - seniors/accessibility; and
 - tourism.
- (6) All individuals appointed as members to the “Land Use APC” shall be qualified as follows:
 - a resident of the Village; or
 - a resident of Squamish Lillooet Regional District’s Area C; or
 - a property owner in the Village for a minimum of one year.

4. Appointments

- (1) Members of the “Design Review APC” and “Land Use APC” shall be appointed by council for a term of two years. Appointments will be staggered by one year and members will be appointed in conjunction with council’s committee appointments that occur annually in December. Notwithstanding, the inaugural Commission will appoint half of its members to a one year term to facilitate staggered appointments in the future.
- (2) Members of the “Design Review APC” and the “Land Use APC” should not be appointed to more than three (3) consecutive terms.
- (3) Council may assign a member of council to both the “Design Review APC” and the “Land Use APC”, however, the council representative is not considered a member of the Commissions and therefore shall not be eligible to be an official (voting) member, but may attend in a resource capacity between council and the Commissions.
- (4) All members of the “Design Review APC” and the “Land Use APC” shall serve without remuneration, but may be paid reasonable and

necessary expenses that arise directly out of the performance of their duties.

5. Procedures for Governing Conduct

(1) Members of the “Design Review APC” and “Land Use APC” shall abide by the following Code of Ethics:

- attend all meetings except for reasons beyond their control, whether or not they feel that they have any useful input into the subjects under discussion;
- accept that if they miss more than three (3) meetings in any twelve (12) month period, they may be asked to resign;
- make best efforts to become fully informed of the possible effects of decisions related to proposed developments, policy or guidelines amendments or other specific planning directions; and
- hold themselves free of any conflicts of interest.

Any member who fails to adhere to the Code of Ethics will be asked to resign from the respective Commission.

(2) Meetings of the “Design Review APC” and the “Land Use APC”:

- shall be held in a timely manner as needed to address issues that arise from time to time or as referred by the Village;
- may set a regular meeting date and time, if deemed necessary;
- shall be open to the public;
- shall provide notice posted on the Village Notice Board and website, at least twenty-four hours in advance of the meeting, indicating the day, hour and place of the meeting;
- shall have a Village appointed Recording Secretary to keep the minutes of all meetings. The minutes shall be legibly recorded, signed by the chair or member presiding, and open for public inspection in accordance with the *Local Government Act*.
- may make rules by majority resolution, as it sees fit to govern its conduct noting that in so doing the intent is that in general the rules of parliamentary debate shall apply: members will address the chair, motions will be made and seconded, the Chairperson will call the question and the vote will be recorded.

- (3) The Chairperson of the “Design Review APC” and the “Land Use APC” shall be elected by vote of the members at the first meeting of the year.

The Chairperson:

- shall preside, when present, at any meeting and generally shall fulfill all of the duties usually performed by the Chairperson; and
 - shall have the same right of voting as the other members of the “Design Review APC” or “Land Use APC” and in case of an equality of votes for and against the question, the question is resolved in the negative and the Chairperson shall so declare.
- (4) The “Design Review APC” and the “Land Use APC” may elect one (1) of its members to be Vice-Chairperson, who in the absence of the Chairperson shall preside at meetings of the Commissions. In case the Chairperson is absent from a meeting and no Vice-Chairperson has been elected, the members present, if a quorum is present, shall elect one (1) of their members to act as Chairperson of that meeting.
- (5) Four (4) voting members constitutes a quorum for each the “Design Review APC” or the “Land Use APC”. A quorum is required to undertake:
- the transaction of business, and the decision;
 - all acts whatsoever authorized or required to be done, except as otherwise provided for; and
 - all questions of adjournment and others that may come before the Commissions.
- (6) Applicants for a particular bylaw amendment or permit are entitled to be given notice, attend and be heard at the corresponding Commission meetings.

6. Matters for Referral

- (1) The “Design Review APC” shall review and provide council with recommendations on matters respecting Village design related issues particular to the following:
- Development permit and development variance permit applications;
 - Reports and policy analysis, notably development permit applications and guidelines;

- Planning and design documents (i.e. Official Community Plan, Village Vision and Zoning Bylaw), rezoning applications and reports that specifically relate to the form and character of a building, outdoor spaces and landscaping; and
 - Any other matters referred by council.
- (2) The “Land Use APC” shall review and provide Council with recommendations on matters respecting land use, community planning, major policy issues and proposed land use bylaws, permits and other applicable regulations, particular to the following:
- Reports and policy analysis including community and neighbourhood planning, housing, and economic development;
 - Applications for amendment of the Official Community Plan and Zoning Bylaw;
 - Major development applications; and
 - Any other matters referred by council.

7. Reporting Procedure

- (1) The “Design Review APC” shall:
- provide input at early stages in the design review process, the timing of which will be determined on a case by case basis by the Manager of Development Services.
 - provide recommendations and comments with respect to matters outlined in Paragraph 6 (1) of this Bylaw. Recommendations shall be in the form of formal resolutions and shall be specific in their direction. The recommendations will be used by Village staff and their consultants when discussing a project with an applicant, and may be used by council when making decisions on development applications.
- (2) The “Land Use APC” shall
- provide input at early stages with regard to community planning and land use matters, the timing of which will be determined on a case by case basis by the Manager of Development Services.
 - provide recommendations and comments to the Village with respect to the matters outlined in Paragraph 6(2) of this Bylaw. Recommendations shall be in the form of formal resolutions and shall be specific in their direction. The recommendations will be used by Village staff and their consultants when discussing a

project with an applicant, and may be used by council when making decisions on land use and community planning issues.

- (3) Council will inform the “Design Review APC” and the “Land Use APC” of its decisions, yet council is in no way bound to the advice or recommendations of the commissions. Decisions not conforming to the “Design Review APC” and/or “Land Use APC” recommendations may be further discussed by the commissions should it be deemed appropriate or necessary by council.

8. Staff Resources and Support

- (1) The Manager of Development Services or their designate shall serve as a resource person.
- (2) The Manager of Development Services shall appoint a Recording Secretary to document the minutes of the meetings.

9. General

- (1) If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- (2) This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.

READ A FIRST TIME this 20th day of January, 2009

READ A SECOND TIME this 20th day of January, 2009

READ A THIRD TIME this 20th day of January, 2009

RECONSIDERED, FINALLY PASSED and ADOPTED this 3rd day of February, 2009

Mayor

Administrator

Date: April 21, 2020

To: Nikki Gilmore, Chief Administrative Officer

From: Lena Martin, Manager of Finance and Administration

Subject: 2020 – 2024 Five Year Financial Plan Bylaw No. 879, 2020

PURPOSE

To present to the Council the 2020 – 2024 Five Year Financial Plan Bylaw No. 879, 2020 for First, Second, Third and Fourth Readings (**Appendix A**).

BACKGROUND COMMENTS AND DISCUSSION

The draft 2020 Operating and Capital items worksheets were presented to the Committee of the Whole (COW) Budget Session #3 (continued), held on Tuesday, April 7, 2020, at which the following resolutions were passed:

Moved/Seconded

THAT the Committee of the Whole supports the following additional budget reductions:

- The annual Consumer Price Index adjustment, noted as 2.2% from the December British Columbia Stat Canada Report, has been reduced to 0% to reflect the current economy. CPI increases to non-union Staff and Village lease holders will be reduced to reflect this change.
- Reductions to Travel, Meals & Accommodation (Staff), Staff Training, Legislative Expenses (travel, training & accommodation) as presented.

AND THAT the MFA Bylaw truck borrowing be postponed to 2021.

CARRIED

Capital Projects and Staff:

Moved/Seconded

THAT the Committee of the Whole supports the following additional Capital Projects:

- The SLRD/Firehall HVAC cost share;
- Affordable Housing Implementation;
- Development Cost Charge Bylaw Phase I;
- Local Transit Increase;

AND THAT the following items be removed/postponed:

- The part time Bylaw Officer (half year) be removed from the budget and ICOMPASS software be postponed to 2021.

CARRIED

Moved/Seconded

THAT the Committee of the Whole supports the establishment of a full time Emergency Program Coordinator to be included in the budget as presented, effective July 2020.

CARRIED

OPPOSED: Councillor Craddock

Moved/Seconded

THAT the Committee of the Whole supports the following for Non-Essential Service adjustments:

<i>Legislative Expenses (Council Meals)</i>	<i>Remove from budget</i>
<i>Whistler Animals Galore (WAG) Contribution</i>	<i>Remain in budget</i>
<i>Sea to Sky Invasive Species Contribution</i>	<i>Remain in budget</i>
<i>Free Dog Poo Bags</i>	<i>Remain in budget</i>
<i>Community Enhancement Fund</i>	<i>Reduce by half to \$7,500</i>
<i>Porta-Potty Rentals – Barn</i>	<i>Reduce by half to \$2,850</i>
<i>Train Station Washroom Retrofit</i>	<i>Deferred to 2021</i>
<i>Pemberton Sign Refinishing</i>	<i>Deferred to 2021</i>

CARRIED

Capital Reserve Transfer:

Moved/Seconded

THAT the Committee of the Whole support adjusting the Capital Reserve Transfer as required to support a 0% tax increase.

CARRIED

Five Year Financial Plan:

Moved/Seconded

THAT Staff incorporate the budget adjustments as supported into the Five (5) Year Financial Plan for consideration by Council.

CARRIED

Staff have incorporated the changes from the recommendations from the Committee of the Whole above into the 2020 Fiscal Year in the Five Year Financial Plan 2020 – 2024.

IMPACT ON BUDGET, POLICY, STAFFING

Staff have included the following general items and assumptions in the 2020 – 2024 Five-Year Financial Plan Bylaw the following:

General 2020 Assumptions:

1. Municipal tax revenues increased by 0% in 2020 to provide assistance to the impact of COVID uncertainty.
2. The change in overall assessment value from 2019 to 2020 is 8.33%; which is made up of new construction assessments of 5.34% and 2.99% in market change.

3. Frontage tax is calculated on \$4.36 per meter for water and \$6.67 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 2020 will stay the same.
6. User fees for sewer have a \$40,000 budget increase in 2020 for a new Sewer Capital Reserve.

General 2020 – 2024 Assumptions:

1. A 10% Administration Fee will be charged to individual user requests and tasks.
2. General Municipal Property Taxes will be increased for a General Reserve allocation by \$54,000 each year for the years 2021 – 2024.
3. General Operating expenses will be increased for inflation by 2% per year.
4. 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.

LEGAL CONSIDERATIONS

The Five Year Financial Plan Bylaw must be adopted by May 15th of each year as per sections 165 and 197 of the *Community Charter*.

The preparation of the Five Year Financial Plan Bylaw meets with the requirements of the *Community Charter and Local Government Act*. Further, Ministerial Order M083, issued March 26, 2020, enables municipalities during the Provincial State of Emergency to adopt a bylaw on the same day it receives Third Reading. As such the Five Year Financial Plan Bylaw No. 879, 2020 is being presented for First, Second, Third and Fourth Readings.

INTERDEPARTMENTAL IMPACT & APPROVAL

The development of these bylaws is a component of the annual work plan and all departments participate in the budget process.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

The adoption of the above noted bylaws has no impact on other jurisdictions.

ALTERNATIVE OPTIONS

There are not alternative options for consideration at this time.

Regular Meeting of Council No. 1512
 2020 -2024 Five Year Financial Plan Bylaw No. 879, 2020
 Tuesday, April 21, 2020
 Page 4 of 4

POTENTIAL GOVERNANCE CONSIDERATIONS

The Five Year Financial Plan meets with Strategic Theme Two: Good Governance being an open and accountable government and to fiscal responsibility. As well, it meets with Strategic Theme Three: Excellence in Service by continuing to deliver quality municipal services.

RECOMMENDATIONS

Recommendation: WHEREAS Ministerial Order MO83, issued March 26, 2020, enables municipalities during the Provincial State of Emergency, issued on March 18, 2020, to adopt bylaw on the same day it receives Third Reading;

AND WHEREAS the Village of Pemberton is presenting a Bylaw for Council’s consideration;

THEREFORE BE IT RESOLVED THAT the Village of Pemberton 2020-2024 Five (5) Year Financial Plan Bylaw No. 879, 2020, be given First, Second, Third and Fourth Readings.

Attachments:

Appendix A: 2020 – 2024 Five-Year Financial Plan Bylaw No. 879, 2020

Prepared by:	Lena Martin, Manager of Finance & Administration
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

VILLAGE OF PEMBERTON

BYLAW No. 879, 2020

A bylaw of the Village of Pemberton respecting the Five (5) Year Financial Plan beginning with the year 2020.

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, 2020.
2. This Bylaw may be cited for all purposes as the "Village of Pemberton 2020-2024 Five (5) Year Financial Plan Bylaw No. 879, 2020."

READ A FIRST TIME this _____ day of April, 2020.

READ A SECOND TIME this _____ day of April, 2020.

READ A THIRD TIME this _____ day of April, 2020.

ADOPTED this _____ day of April, 2020.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Village of Pemberton

Village of Pemberton						
Consolidated 2020 - 2024	2020	2021	2022	2023	2024	
	Budget	Budget	Budget	Budget	Budget	Budget
Revenues:						
Taxation	2,280,892	3,253,295	3,090,764	3,449,770	3,635,305	
Water and sewer user rates	1,866,090	1,906,090	1,946,090	1,986,090	2,027,538	
User charges	2,552,125	2,637,494	2,739,501	2,844,561	2,952,808	
Penalties and interest income	30,000	30,300	30,606	30,918	31,236	
Government transfers:						
Provincial	3,748,836	534,661	417,794	426,090	434,552	
Federal	2,000	2,000	2,000	2,000	2,000	
Other local governments	1,788,214	1,522,247	1,445,527	1,602,990	1,691,603	
Investment income	23,860	24,327	24,804	25,290	25,786	
Other revenues	742,548	219,945	920,503	321,073	5,621,654	
Collections on behalf of other governments	2,971,629	3,031,062	3,091,683	3,153,516	3,216,587	
	16,006,195	13,161,420	13,709,272	13,842,297	19,639,069	
Expenditures:						
General government	2,320,838	2,754,575	2,722,339	2,830,304	2,930,599	
General Amortization	817,792	790,638	935,295	958,859	946,318	
Fire protection services	694,397	789,833	805,255	951,627	1,066,400	
Development and planning services	667,633	689,310	713,277	672,644	699,251	
Public works and parks	1,163,646	1,254,552	1,130,177	1,258,531	1,298,265	
Recreation	1,305,213	1,319,831	1,346,016	1,372,727	1,399,976	
Water utility	913,902	932,658	965,220	997,746	1,032,839	
Water Amortization	160,089	165,089	172,935	175,935	285,935	
Sewer utility	873,291	946,665	977,847	1,010,343	1,044,211	
Sewer Amortization	275,339	278,339	284,339	288,339	288,339	
Airport services	65,637	77,606	81,120	84,802	88,661	
Transfers to other governments	2,971,629	3,031,062	3,091,683	3,153,516	3,216,587	
	12,229,404	13,030,157	13,225,502	13,755,374	14,297,381	
Annual (Surplus) / Deficit	(3,776,791)	(131,264)	(483,769)	(86,923)	(5,341,688)	
ADJUSTMENTS REQUIRED TO BALANCE FINANCIAL PLAN TO CONFORM WITH LEGISLATIVE REQUIREMENTS						
Non-cash items included in Annual (Surplus)/Deficit						
Amortization on tangible capital assets	(1,253,220)	(1,234,067)	(1,392,569)	(1,423,133)	(1,520,592)	
Cash items NOT included in Annual (Surplus)/Deficit						
Capital expenditures	6,382,320	900,125	9,228,300	1,559,116	5,709,948	
Loan proceeds	(320,516)	(140,000)	(8,250,000)	(600,000)	-	
Long term debt payments	217,923	218,216	218,430	364,193	374,693	
Capital Equipment payments	167,410	155,018	115,200	149,076	132,225	
Transfers to/from Statutory Reserves	(532,540)	-	(100,000)	-	-	
Transfers from Non-Statutory Reserves	(577,526)	(686,928)	(349,856)	(1,122,814)	(639,478)	
Transfers to Non-Statutory Reserves	845,207	918,900	1,014,264	1,160,485	1,284,891	
Transfers to/(from) Unappropriated Surplus	(1,152,267)	-	-	-	-	
Financial Plan Balance	(0)	(0)	0	(0)	(0)	
General Fund (Surplus) / Deficit	(0.00)	(0.00)	0.00	(0.00)	(0.00)	
Water Fund (Surplus) / Deficit	-	-	(0.00)	(0.00)	(0.00)	
Sewer Fund (Surplus) / Deficit	(0.00)	-	-	-	-	
Airport Fund (Surplus) / Deficit	(0.00)	-	(0.00)	-	0.00	

Village of Pemberton
5 Year Financial Plan Bylaw No. 879, 2020
2020 Revenue Policy Disclosure

1. The table below shows the proportion of proposed 2020 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. 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.

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

Parcel Taxes are taxes levied for the purpose of paying the debt on the Municipality's Water and Sewer Infrastructure. The rates are reviewed annually to determine if they meet the required debt payment schedule for the upcoming fiscal year. Parcel Taxes are reviewed annually and updated in accordance with the *Community Charter* Sec. 204.

Revenue Sources 2020	% Total Revenue(\$17,436,777) Including Transfers to Other Governments*	% Total Revenue(\$14,465,148) Excluding Transfers to Other Governments
Property Taxes	39.3%	26.8%
Parcel Taxes	1.7%	2.1%
User Fees & Charges	14.6%	17.6%
Grants	31.8%	38.3%
DCCs	3.1%	3.7%
Other Revenues	4.4%	5.3%
Proceeds from Borrowing	1.8%	2.2%
Transfers	3.3%	4.0%
Total	100.0%	100%

Village of Pemberton
5 Year Financial Plan Bylaw No. 879, 2020
2020 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 (\$943,301,365)	% of Total Property Tax
Residential (Class 01)	1.5707	83.22%	67.8%
Utilities (Class 02)	8.8354	0.17%	0.8%
Utilities (Class 02) Rural	3.9400	1.51%	3.1%
Light Industry (Class 05)	5.3405	1.15%	3.2%
Business/Commercial (Class 06)	3.5341	13.51%	24.8%
Rec/Non-Profit (Class 08)	1.5707	0.40%	0.3%
Farm (Class 09)	1.5707	0.04%	0.0%
Total		100%	100%

* The 2020 Class 2 (Utility) Rural Tax Rate is 3.94 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
5 Year Financial Plan Bylaw No. 879, 2020
2020 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	\$4,932
BC Conference of Mennonite Brethren	\$435
Pemberton Childcare Society	\$1,161
Pemberton Lion's Society	\$1,775
Stewardship Pemberton	\$314
Pemberton Search and Rescue	\$421
	<hr/>
Total Municipal Tax Revenue Forgone	<u><u>\$9,226</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:

<https://www.pemberton.ca/public/download/documents/37506>

Village of Pemberton
5 Year Financial Plan Bylaw No. 879, 2020
2020 Revenue Policy Disclosure

Note 1General 2020 Assumptions:

1. Municipal tax revenues increased by 0% in 2020 to provide assistance to the impact of COVID-19 Pandemic uncertainty.
2. The change in overall assessment value from 2019 to 2020 is 8.33%; which is made up of new construction assessments of 5.34% and 2.99% in market change.
3. Frontage tax is calculated on \$4.36 per meter for water and \$6.67 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 2020 will stay the same.
6. User fees for sewer have a \$40,000 budget increase in 2020 for a new Sewer Capital Reserve.

General 2020 – 2024 Assumptions:

1. A 10% Administration Fee will be charged to individual user requests and tasks.
2. General Municipal Property Taxes will be increased for a General Reserve allocation by \$54,000 each year for the years 2021 – 2024.
3. General Operating expenses will be increased for inflation by 2% per year.
4. 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
5 Year Financial Plan Bylaw No. 879, 2020
2020 Revenue Policy Disclosure**

Note 2**2020 Capital Projects:****Public Works & Parks**

PW Washroom Phase I	\$25,000
Farm Road E Trail (Funded)	306,000
Tiyata Area Sidewalk (Funded)	76,000
Downtown Enhancements Final (MFA Funded)	300,000
Soccer Field II (only if funded)	4,224,405
Farm Road East Paving (DCC)	217,000
One Mile Lake Swing Set (only if funded)	50,000
	\$5,198,405

Fire Department

SCBA Replacements	\$7,500
Portable Radios, New Recruits	8,232
IPAD for Engine 1	2,800
Rope Rescue Training Materials	3,000
Fire hall Design	20,000
	\$41,532

Water (Reserves)

"A" Service Hydrants	\$22,000
Hydrant Repair (Mountain View Manor)	5,000
Design Fernwood Watermain	5,000
Culvert Installation	5,000
PRV Service and Repair	10,000
Scada/ Eagle Drive, Aster, Ridge, Software + Radio	70,000
Well 4 Construct	360,000
Fencing for Reservoir (Benchlands)	45,000
Chlorine Booster Pump	60,000
Water Truck w/crane	60,000
	\$642,000

Sewer (Reserves)

Eagle Drive Pump rebuild	\$4,800
Scada/ 9 Lift Stations/ Software + Radio	50,000
Lift Station Pump Replace and Rebuild Industrial Park	22,000
Outfall NHC initial report/Outfall Cascade	92,133
Outfall NHC permanent fix - Emergency Fund 20%	200,000
	\$368,933

Total Capital Project Costs 2020**\$6,250,870**

Date: April 21, 2020

To: Nikki Gilmore, Chief Administrative Officer

From: Sheena Fraser, Manager, Corporate & Legislative Services

Subject: Downtown Enhancement Contingency and Downtown Barn Parking Lot Paving Loan Authorization Bylaw No 863, 2012, Repeal Bylaw No. 880, 2020

PURPOSE

The purpose of this report is to request consideration of readings to the Village of Pemberton Downtown Enhancement Contingency and Downtown Barn Parking Lot Paving Loan Authorization Bylaw No. 863, 2019, Repeal Bylaw No. 880, 2020.

BACKGROUND

At the April 16, 2019 Regular Meeting of Council, Staff brought forward the Downtown Enhancement Contingency and Downtown Barn Parking Lot Paving Loan Authorization Bylaw No. 863, 2019, which was the first step in securing the borrowing over a Twenty-Year term.

At Regular Council Meeting No. 1493, held May 28, 2019, Council authorized Staff to proceed with an Alternative Approval Process (APP) to seek the assent of the electorate to adopt the proposed Loan Authorization Bylaw. On July 8th the AAP concluded and elector approval was obtained for the borrowing of up to \$980,000 from the Municipal Finance Authority and Council adopted the Bylaw. The Bylaw received a Certificate of Approval from the Ministry of Municipal Affairs and Housing on December 19, 2019.

At the Regular Council Meeting No. 1510, held March 10, 2020, Staff presented the final project costs and advised that the amount required to be borrowed was now \$602,881. As a result, alternate borrowing options were suggested as follows:

- Option 1:** Proceed with Short-Term Financing totaling \$300,000 over a 5 Year term and allocate an additional \$302,881 from Road Reserves.
- Option 2:** Proceed with Long-Term Financing totaling \$602,881 over a 20 Year term.
- Option 3:** Allocate the full \$602,881 from Road Reserves and DCC Road Reserves and defer the Pemberton Farm Road East Project.

Regular Council Meeting No. 1512
 Downtown Enhancement Project Contingency Loan Authorization Repeal Bylaw
 Tuesday, April 21, 2020
 Page 4 of 4

In this regard, Council passed the following resolutions:

Moved/Seconded

THAT Council proceed with Short-Term Financing totaling \$300,000 over a 5 Year term through the Municipal Finance Authority.

CARRIED

AND THAT Council allocate an additional \$302,881 from Road Reserves to the Downtown Enhancement Project Contingency.

CARRIED

Moved/Seconded

THAT Council rescind 1st, 2nd and 3rd Readings on the Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Bylaw No. 863, 2019.

CARRIED

DISCUSSION & COMMENTS

In discussions with the Ministry of Municipal Affairs and Housing, as Loan Authorization Bylaw No. 863, 2019 had been adopted, the Village is not able to simply rescind previous readings and remove it from the books without following one of two options:

No Further Borrowing Resolution:

The Ministry and the Municipal Finance Authority (MFA) have in place a Policy that allows a Council to advise that it no longer wishes to borrow under the authority of an Loan Authorization bylaw by passing a “*no further borrowing resolution*”. By following this process, a local government can avoid the procedural process of repealing or amending a Loan Authorization bylaw. The impact of the unused borrowing will be removed from liability servicing limit calculations. However, this approach is not recommended given that Bylaw 863, 2019 has not proceeded to a Regional District Security Issuing Bylaw nor has the Village borrowed under it. As such, the Bylaw has not been enacted for the purposes of borrowing funds.

Given the information provided and following the recommendation of the Ministry, Staff have prepared a Repeal Bylaw for consideration of First, Second and Third Readings. Unfortunately, despite Ministerial Order 083, which enables a Council to give all four readings at one meeting, this is not possible because the Ministerial Order is only in relation to s.135 (3) of the *Community Charter* which normally requires that there be one day between third reading and adoption of a bylaw. There is no exemption given for s.135 (4) of the *Charter* which states that:

If this or another Act requires that a bylaw receive

(a) approval of the Lieutenant Governor in Council, a minister or the inspector, or

(b) approval of the electors or assent of the electors,

the approval or assent must be obtained after the bylaw has been given third reading and before it is adopted.

Repeal the Loan Authorization Bylaw:

In this regard, pursuant to section 137 of the *Community Charter* Council may repeal the Loan Authorization Bylaw by bringing forward a Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019 Repeal Bylaw for consideration and adoption. However, as a Loan Authorization Bylaw requires the approval of the electorate (as has been provided through the AAP) the Repeal Bylaw must be approved by the Minister and would be subject to terms and conditions established by the Minister as they consider to be appropriate.

While this process is more time consuming because the Bylaw must be forwarded to the Ministry for approval it is the Ministry's recommended approach and must be done to ensure the financial commitment is removed from the Village's liability service limit calculations.

As such, the report introduces Village of Pemberton Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019 Repeal Bylaw No. 880, 2020 for consideration of First, Second and Third Readings.

COMMUNICATIONS

There are no communication elements in relation to consideration of the Village of Pemberton Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019 Repeal Bylaw No. 880, 2020.

LEGAL CONSIDERATIONS

As noted above, Staff consulted with Ministry Officials to confirm the correct procedure respecting the repeal of Loan Authorization Bylaw No. 863, 2019.

IMPACT ON BUDGET & STAFFING

Preparation of the Repeal Bylaw and Report to Council were completed in-house as part of the regular duties of the Department of Corporate & Legislative Services. As such, there are no impacts to the budget or staff hours for consideration.

INTERDEPARTMENTAL IMPACT & APPROVAL

There are no interdepartmental impacts or approvals required.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

Consideration of the Repeal Bylaw has no impact on other jurisdictions.

ALTERNATIVE OPTIONS

There are no alternative options for consideration.

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 Downtown Enhancement Project Contingency Loan Authorization Repeal Bylaw
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POTENTIAL GOVERNANCE CONSIDERATIONS

Repealing the Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019 meets with Strategic Priority Two: Good Governance and Strategic Priority No. Three: Excellence in Service.

RECOMMENDATIONS

THAT Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019, Repeal Bylaw No. 880, 2020, be given First, Second and Third Readings;

AND THAT Bylaw No. 880, 2020 be referred to the Ministry of Municipal Affairs and Housing for Ministerial approval prior to adoption.

ATTACHMENTS:

Appendix A: Downtown Enhancement Project Contingency and Downtown Barn Parking Lot Loan Authorization Bylaw No. 863, 2019, Repeal Bylaw No. 880, 2020.

Prepared by:	Sheena Fraser, Manager, Corporate & Legislative Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

APPENDIX A

Village of Pemberton

Bylaw No. 880, 2020

A bylaw to Repeal the Village of Pemberton Downtown Enhancement Contingency and Downtown Barn Parking Lot Paving Loan Authorization Bylaw No. 863, 2019

WHEREAS Council did, on the 9th of July, 2019, adopt Bylaw No. 863, 2019 of the Village cited as the "Downtown Enhancement Contingency and Downtown Barn Parking Lot Paving Loan Authorization Bylaw No. 863, 2019".

AND WHEREAS the need to borrow funds, in the amount of nine hundred and eighty thousand (\$980,00.00), being the anticipated estimated cost of the contingency and barn parking lot paving to complete the Downtown Enhancement Project no longer exists;

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

Title

1. This Bylaw may be cited for all purposes as the "Village of Pemberton Repeal of Downtown Enhancement Contingency and Downtown Barn Parking Lot Paving Loan Authorization Bylaw No. 863, 2019, Bylaw No. 880, 2020.

Repeal

2. Downtown Enhancement Contingency and Downtown Barn Parking Lot Paving Loan Authorization Bylaw No. 863, 2019, adopted on July 9, 2019, is hereby repealed.

READ A FIRST TIME THIS 21st day of April, 2020.

READ A SECOND TIME THIS 21ST day of April, 2020.

READ A THIRD TIME THIS 21st day of April, 2020.

APPROVAL OF THE INSPECTOR OF MUNICIPALITIES RECEIVED this ____ day of _____, 2020.

ADOPTED this ____ day of _____, 2020.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

From: Dennis Dugas <ddugas@porthardy.ca>
Subject: FW: Provincial Funding for Emergency / Fire Equipment Small Communities
Date: March 10, 2020 at 3:16:25 PM PDT
To: "mrichman@pemberton.ca" <mrichman@pemberton.ca>

Hello Mayor Richman:

Mike I am sending you this email to get you and your councils support to form a coalition of Small Communities to get our voice heard at the Provincial Government level. It is time that Small Communities in our Province make our voices heard loud and clear that we can not sustain Fire Protection services without Provincial financial support.

The Insurance Premium Tax (information attached) is still being collected in BC for House Insurance and Vehicle Insurance at a rate of 4.4% which I would estimate as being in the billions?

Within BC there are 5 Area Associations and we need to get the Small Communities to set up coalitions in each UBCM Association area to address this issue so it can become a main topic at the UBCM convention in the Fall.

I hope with your support you can help spearhead this topic at your LMLGA Conference on May 6-8 in Whistler. I am reaching out to as many Mayors as I can with in your LMLGA area and to the other BC Associations to get the ball rolling.

With the upcoming Provincial election not far away it is a good time to put pressure on the government but we need numbers to do that.

Your comments and suggestions sent back to me will be greatly appreciated and please let me know if you received this email.

As we say " Together we are Stronger ".

Regards
Dennis Dugas (D2)

District of Port Hardy Mayor



January 13, 2020

Mayor Dennis Dugas
 District of Port Hardy
 Box 68
 Port Hardy, BC V0N 2P0



RE: Resolution 2017-B61 Follow Up

Dear Mayor Dugas,

Thank you for your letter dated January 8 regarding resolution 2017-B61 – Funding for Fire Equipment.

As you noted, this resolution was endorsed by the UBCM membership in 2017 and conveyed to the Province. UBCM would have shared the provincial response with Port Hardy's council of the day.

The UBCM Executive assess the provincial responses received each year to determine where UBCM might best focus our resources regarding follow up and further work with the province on resolutions. The Executive determined that 2017-B61 best fit in the category of monitoring the Province's progress on the issues raised and to provide input if required.

For your reference, enclosed is a copy of 2017-B61, the resolutions committee comments and the provincial response. As noted in the resolutions committee comments the request in 2017-B61 is in keeping with previous member requests.

"The Committee notes, however, that members have consistently endorsed resolutions seeking sources of funding for first responder supplies and equipment (2014-B15, 2012-B10, 2010-B6, 2000-B15, 1993-A5, 1993-B40). Based on this member feedback, during the negotiation of the renewed Gas Tax Agreement (2014) UBCM advocated, unsuccessfully, for the inclusion of emergency response infrastructure as an eligible expense within the Gas Tax Agreement."

In 2014, UBCM attempted to have fire-fighting equipment included as an eligible expense under the Gas Tax Agreement. While unsuccessful, this is the type of advocacy work that UBCM does on behalf of our members to move forward the requests contained in endorsed resolutions.



-2-

Our members are also encouraged to advocate for their endorsed resolutions. Should Port Hardy wish to take further steps to see the request contained in resolution 2017-B61 adopted, we would recommend they reach out to, for example, their local MLA, the Minister of Finance and the Minister of Forests, Lands, Natural Resource Operations and Rural Development to let them know that this is still an issue they would like to see action on. You may also want to reference the other endorsed resolutions on this topic (2014-B15, 2012-B10, 2010-B6, 2000-B15, 1993-A5, 1993-B40), so the Province understands that this is a long-standing policy position of the members of UBCM.

For your information, all of the resolutions considered at each UBCM convention, and the responses we receive, are posted to our searchable resolutions database, available here: <https://www.ubcm.ca/resolutions/default.aspx>

Should you have any questions, please contact myself or Jamee Justason, Resolutions and Policy Analyst, at 604-270-8226 Ext. 100 or jjustason@ubcm.ca

Yours truly,

A handwritten signature in black ink that reads "Maja Tait".

Maja Tait
UBCM President

Enclosure



2017 B61 Funding for Fire Equipment

Whereas communities are required to provide essential services including fire safety, and emergency vehicles and equipment for fire safety are costly;

And whereas grants for emergency equipment have all but disappeared since the early 2000's, with small communities required to fund 100 per cent of emergency equipment through taxation:

Therefore be it resolved that UBCM request the Province of British Columbia to create grants for emergency vehicles and equipment and make them available to **all local governments** at a cost share of no less than 50 per cent.

Convention Decision: Endorsed as Amended

Provincial Response

Ministry of Public Safety & Solicitor General

The Province of British Columbia is committed to advocate on behalf of UBCM and BC local governments that, in addition to disaster mitigation, emergency preparedness be an eligible category for local government projects under the Gas Tax Agreement.

Provincial officials will discuss with their federal counterparts the eligibility of this type of capital purchase in the development of the Rural and Northern Communities Infrastructure stream, part of the federal government's Investing in Canada Plan.

Although local governments are not eligible to receive Community Gaming Grants, not-for-profit organizations delivering emergency services to communities may be eligible to apply for funding through the Public Safety Sector or the Capital Projects Sector of the Community Gaming Grants Program.

UBCM has launched the \$32 million Community Emergency Preparedness Fund, funding for which was announced by the Province in March 2017. The fund is not intended to support local government's emergency management capital costs; however, it is intended to support enhanced preparedness and resilience as key elements of a local government's emergency program. As such, some emergency equipment purchases may qualify for funding consideration.

Other Response

Resolutions Committee Comments

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution asking the Province to establish a grant funding program for local governments with population under 100,000, that would provide at least 50% provincial funding towards emergency vehicles and equipment.

The Committee notes, however, that members have consistently endorsed resolutions seeking sources of funding for first responder supplies and equipment (2014-B15, 2012-B10, 2010-B6, 2000-B15, 1993-A5, 1993-B40). Based on this member feedback, during the negotiation of the renewed Gas Tax Agreement (2014) UBCM advocated, unsuccessfully, for the inclusion of emergency response infrastructure as an eligible expense within the Gas Tax Agreement.

The Resolutions Committee would observe that resolutions that set population limits have been divisive amongst the UBCM membership. Local governments of all sizes—not only smaller municipalities or regional districts—are faced with bearing the full costs of emergency equipment. The Committee would propose an amendment to acknowledge this reality.

The Committee would also note that, following a March 2017 provincial announcement, UBCM will be

administering the new \$32 million Community Emergency Preparedness Fund. This new funding program will include a funding stream that focusses on building capacity for Emergency Social Services teams through new equipment, training and volunteer recruitment/retention.



B.C.'s Insurance Premium Tax: potential revenue source for local fire services

PROBLEM

Rising costs are making it increasingly difficult for B.C. communities to fund fire services. The provincial government provides limited support for community firefighting, and refuses to share revenue from the 4.4% Insurance Premium Tax, which was originally created to fund fire protection.

BACKGROUND

A clear historic link exists between B.C.'s Insurance Premium Tax and the fire insurance premium tax the provincial government introduced in 1921 to offset the costs of the Office of the Fire Marshal, which at the time conducted fire investigations, training and code enforcement.

Over the years, the province has expanded the IPT's reach to include automobile insurance and the entire property insurance premium (not just fire insurance), and made legislative changes to sever the link between collection of the tax and payment for fire services. However, the province re-established that link in 2004, when it raised the IPT from 4% to 4.4% to pay for forest firefighting.

B.C.'s Insurance Premium Tax is the highest in Canada, yet it offers negligible support for community firefighting. The IPT is forecast to raise \$362 million in 2007/08 (more than double what it raised in 1999). Meanwhile, the only direct provincial contribution today towards community firefighting is through the Office of the Fire Commissioner, a governance-oriented body that received \$2.39 million in 2007/2008 (less than 1% of the IPT's revenue).

In Canada, responsibility for fire suppression falls to municipalities, which rely on property taxes for funding. B.C. municipalities collect more than \$397 million per year in property taxes to pay for firefighting, safety inspections and fire investigations.

As fire protection costs have continued to rise, provincial funding to municipalities has dwindled. After consistent reductions to unconditional provincial grants to municipalities over the years, the province stopped providing these grants altogether in 2006 to cities of more than 19,000 people (small communities still receive some support, but below 1998 levels). In addition, the province has gradually assigned to B.C. municipalities many former duties of the Office of the Fire Commissioner – such as safety inspections and fire investigations – without additional provincial funding.

While Insurance Premium Taxes are common across Canada, some provinces and territories provide higher levels of support for community fire services than seen in B.C. The United States also has examples of insurance premium taxes that help offset local fire service costs.

Lobbying by the Fire Chiefs' Association of B.C., the Union of B.C. Municipalities and individual municipalities and regional districts has so far failed to convince the provincial government to re-examine the issue or acknowledge the link between the IPT and funding for community fire services.

Interestingly, the province successfully used a similar argument – the moral link between tax collection and disbursement – in applying for federal funding (such as the gasoline tax).

Legal advice has also shown the merits of possible constitutional challenges related to either the argument that the IPT is discriminatory because it imposes a tax on property owners that other provincial taxpayers do not have to pay, or that the negative effect of diverting the revenue away from fire services outweighs the benefits of applying it as general revenue.

KEY CONCERNS

- **Safety:** Rising costs are forcing communities to make cuts that could negatively impact fire services.
- **Fairness:** In essence, B.C. property owners are paying for the same service twice – once through their property taxes, and again through a tax that was originally intended to pay for fire services. When a tax is collected from a defined group of people for a defined purpose, there is a moral obligation to spend the revenue on that purpose.

¹ *Fire Marshal Act 1921*

Section 32

1. For the purpose of defraying the expenses of administration under this Act, including the salaries of the Fire Marshal and his staff, every company (as defined by the "British Columbia Fire Insurance Act") transacting the business of fire insurance in the Province shall contribute each year a sum to be fixed by the Lieutenant Governor in Council according to such rate as in his opinion will be sufficient to meet the actual expenses of administration under this Act, but not exceeding in any year one-third of one per cent of all premiums or assessments (less return premiums or assessments and reinsurance premiums) paid or payable to such company on risks within the Province, and calculated on the business of the preceding calendar year as reported to the Superintendent, and such contribution shall be in addition to any other fee or tax payable by the company under any other Act: Provided that where the company is not licensed under the "British Columbia Fire Insurance Act" the contribution prescribed by this section shall be made by each insured paying a sum fixed as aforesaid, calculated according to the premium or assessment paid by him to the company during the preceding calendar year.
2. Every company and insured shall, on or before the first day of March in each year, pay to the Superintendent the amount so due from it or him, and the provisions of the "Taxation Act," or, in the absence of appropriate provisions, such provisions as may be adopted by the regulations for the purpose of enforcing payment of any such amount, shall apply in each case.
3. The Superintendent shall pay into the Provincial Treasury all Money received by him under this Act, and shall keep a separate account showing the moneys so received and the moneys expended in administration under this Act, in such a manner as may be required.
4. The salaries of the Fire Marshal and his staff and all expenses of administration under this Act shall, in the absence of a special vote of the Legislature available therefore, be paid by the Minister of Finance out of the Consolidated Revenue Fund.

² *Fire Services Act 1979*

Section 48

1. To defray administration expenses under this Act, including the salaries of the fire commissioner and his staff, each insurance company transacting fire or automobile insurance business in the Province and each person whose property in the Province is insured for a fire hazard with an insurance company not licensed under the *Insurance Act*, shall contribute each year, in addition to all other fees or taxes payable under any other Act, a sum to be fixed by the Lieutenant Governor in Council according to a rate he believes will be sufficient with the money available under section 52 to meet actual administration expenses.
2. The sum fixed for an insurance company shall not exceed in any year 1% of the aggregate of the premiums or assessments, or their portions, paid or payable to the company for a fire hazard on property in the Province in the preceding calendar year, less return premiums, assessments and reinsurance premiums, calculated on the business of the preceding calendar year, as reported to the superintendent.
3. The sum fixed for a person whose property is insured with an unlicensed company shall not exceed in any year 1% of each premium or assessment paid or payable by him, or premium note given or mutual or other liability assumed by him for a fire hazard under each insurance contract with an unlicensed company during the current calendar year, less return premiums, assessments and other similar rebates, as shown by his returns to the superintendent.

Section 49

Each insurance company shall pay to the Commissioner of Income Tax at Victoria the contribution due from it at the same time and manner as the tax under the *Insurance Premium Tax Act*. Each insured person shall pay to the superintendent his contribution in the same manner and time as the tax imposed on him by the *Insurance Act*.

Section 50

Salaries and expenses necessarily incurred in the administration of this Act shall, in the absence of a vote of the Legislature for that purpose, be paid out of the consolidated revenue fund. If the money collected under this Act is in any year less than the salaries and expenses, the Lieutenant Governor in Council may fix a further sum, subject to the limitation in section 48, to be contributed by the persons and in the manner set out in that section, to meet the deficiency.

Section 51

1. The fire commissioner shall keep an account of the money expended in the administration of this Act, and shall furnish the Lieutenant Governor in Council with the information he may require to fix the rate of contribution under section 48 or 50.
2. The superintendent shall keep an account of the amounts received by him under section 49 or 50, and on request shall furnish the fire commissioner with a statement of them.

Section 52

All license and other fees, money and fines collected or recovered under this Act or regulations shall be accounted for as part of the consolidated revenue fund.

³ *Fire Services Amendment Act, 1982*

Chapter 49

Her MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1. Sections 48 and 49 of the *Fire Services Act*, R.S.B.C. 1979 c.133, are repealed and the following substituted:

Imposition of tax

48. (1) In this section, 'commissioner' means commissioner as defined in the *Insurance Premium Tax Act*.
- (2) An insurance company transacting the business of fire insurance in the Province shall pay to the commissioner a tax equal to the portion prescribed by the Lieutenant Governor in Council of the aggregate of the premiums and assessments received or receivable by the company in 1983 or any subsequent calendar year for policies insuring property situated in the Province, other than automobiles, after deducting the following:
 - (a) premiums or assessments on property reinsurance ceded to the company by other insurance companies licensed or authorized by permit under the *Insurance Act* to transact business in the Province:
 - (b) property insurance premiums or assessments returned:
 - (c) the cash value of dividends paid or credited to property insurance policy holders.
- (3) A person whose property is insured against a fire hazard with an insurance company that is not licensed under the *Insurance Act* shall pay to the superintendent a tax equal to the portion prescribed by the Lieutenant Governor in Council of the
 - (a) premium or assessment paid or payable,
 - (b) premium note given, or
 - (c) mutual or other liability assumed
 by the person for property insurance under each insurance contract with an unlicensed insurance company in 1983 or any subsequent calendar year.

Application of *Insurance Premium Tax Act* and *Insurance Act*

49. (1) Subject to this section, the *Insurance Premium Tax Act* applies in respect of the tax payable under section 48
 - (2) Commencing on January 1, 1983, section 4.1 of the *Insurance Premium Tax Act* applies to an insurance company whose tax payable, under section 48 of this Act, in the preceding calendar year exceeded \$25,000
 - (3) Part 9 of the *Insurance Act* applies in respect of the tax payable under section 48 (3).
2. Section 50 is repealed.
 3. Section 51 is amended
 - (a) in subsection (1) by striking out "of contribution under section 48 or 50" and substituting "of tax under section 48", and
 - (b) in subsection (2) by striking out "section 49 or 50" and substituting "section 48"

April 17, 2020

Village of Pemberton

Box 1000

Pemberton, V0N 2L0

TO THE MAYOR AND COUNCIL:

I would like to follow-up from my letter of February 13, 2020 and Sheena Fraser's email response sent on February 21, 2020 via email.

Could the Village of Pemberton engage with Vancouver Coastal Health and BC Hydro in an effort to give or grant access to foot traffic on the small area beside the sub-station at the round about? This would give seniors and special needs people from the Pemberton Lion's Villa a path to the central part of Pemberton.

Yours truly,

Suzanne Robert

Box [REDACTED]

Mt Currie, V0N 2K0

Email: [REDACTED]



Forest Enhancement
Society of British Columbia

March 2, 2020

Re: Forest Enhancement Society of BC Accomplishments Update

Dear Mayor and Council of Pemberton (Village),

British Columbians are concerned about climate change along with other environmental, social, and economic concerns. We want to know what our governments are doing to protect communities from wildfire risk, improve wildlife habitat, reduce greenhouse gases, expand the bio-economy, and enhance B.C.'s forests. The enclosed Forest Enhancement Society of BC (FESBC) Accomplishments Update provides a snapshot of the huge amount of work underway in a vast number of communities across British Columbia to address some of these concerns. We hope that you will find this update informative and will share this with your constituents, who we hope are pleased to see real-life projects happening around the province and often close to where they live.

Our forests are a heritage that defines our province. Managed properly, our forests provide important social, economic, and environmental benefits to all British Columbians, in both rural and urban areas. Investing in our forests can enhance the benefits they provide and help to protect them for future generations. As an example, FESBC recently announced \$30 million in grants for 42 new forest fibre utilization projects where First Nations, community forests, and B.C. companies will be using debris piles of wood fibre that would otherwise be slash burned. These piles will instead be chipped and converted to electricity, heat energy, and a variety of pulp products, adding value to this fibre and helping to achieve B.C.'s and Canada's climate change targets.

We can achieve social, environmental, and economic aspirations of British Columbians by investing in forests to reduce our carbon footprint, reduce wildfire risks, enhance habitat, and create jobs. This is a win-win-win on all fronts.

FESBC will be sending you a more comprehensive Accomplishments Report later this year. If you are interested in further information, please visit our website www.fesbc.ca or connect with our Executive Director Steve Kozuki at skozuki@fesbc.ca or 1.778.765.0938.

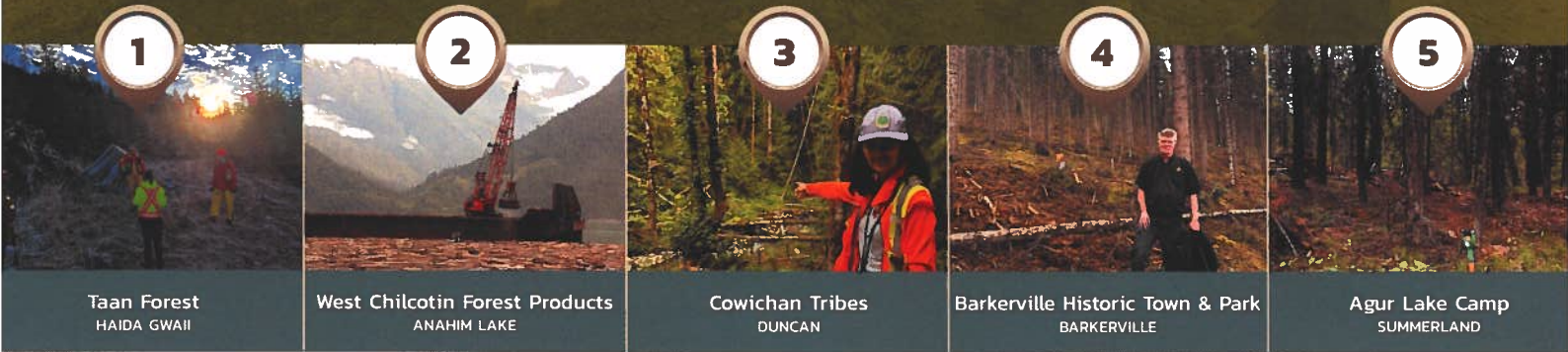
Wayne Clogg, RPF
Board Chair, Forest Enhancement Society of BC

017- MC



"Assisting the Province to reduce greenhouse gases, add value to forest fibre, and maintain jobs for workers and communities are some of our key objectives."

—Wayne Clogg, Board Chair of the Forest Enhancement Society of BC (FESBC)



Taan Forest
HAIDA GWAIL

West Chilcotin Forest Products
ANAHIM LAKE

Cowichan Tribes
DUNCAN

Barkerville Historic Town & Park
BARKERVILLE

Agur Lake Camp
SUMMERLAND

250 REASONS WHY B.C.'S FORESTS ARE BETTER TODAY

Work done to enhance and protect B.C.'s forests is critical. **Environmentally** for wildlife, greenhouse gas reduction, and responsible land stewardship for future generations; **economically** for workers and communities to thrive; and **socially** for people to enjoy and explore this important asset. The Forest Enhancement Society of BC (FESBC) was established to advance environmental and resource stewardship of the province's forests. Since 2016, the Society has worked with Community Forests, First Nations, Regional Districts, municipalities, Provincial Government agencies, and the forest industry to enhance and protect B.C.'s forests. There are 250 FESBC projects across the province and we invite you to learn more about what's happening, not only in your province, but in your own backyard, too.



Forest Enhancement
Society of British Columbia

Read more about FESBC funded projects across the province inside.

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About FESBC

The B.C. government has invested \$235 million in FESBC with \$233 million allocated as of January 2020 for 250 projects related to greenhouse gas reduction, wildfire risk reduction, reforestation, forest rehabilitation, wildlife habitat restoration, and for raising awareness of the FireSmart program. FESBC's work improves forests while at the same time supports forestry workers, communities, and First Nations throughout the province. The economic benefits generated by FESBC programs greatly exceed the costs of running them and the projects funded so far will create over **\$357 million in economic activity** and over **2,100 full-time-equivalent jobs** in B.C. See five highlighted projects here and learn more about all 250 projects at www.fesbc.ca.

FESBC
by the
numbers

7.1 MILLION TONNES
(estimated)

**Reducing B.C.'s
Carbon Footprint**

1 LOCATION: HAIDA GWAI

PURPOSE: Forest Rehabilitation & Wildlife Habitat Enhancement

THE CHALLENGE: the Yakoun River drainage required rehabilitation work to restore habitat for salmon, black bear, and raptors.

FESBC FUNDING: \$1,364,972

THE OUTCOME: spacing of trees was performed by Haida forest workers to improve the area for wildlife, especially Northern Goshawks and Black Bears. The work also promoted the growth of economically and culturally important cedar trees.

2 LOCATION: ANAHIM LAKE

PURPOSE: Enhanced Forest Fibre Recovery/Utilization

THE CHALLENGE: Ulkatcho First Nation-owned WCFP was required to slash burn large piles of wood waste because they were unable to use the low quality uneconomic wood.

FESBC FUNDING: \$1,847,370

THE OUTCOME: funding enabled thousands of cubic metres of pulp wood to be transported to the Harmac Pacific Pulp mill in Nanaimo to be made into pulp instead of left in piles along forestry roads and burned.

3 LOCATION: DUNCAN

PURPOSE: Forest Rehabilitation & Wildlife Habitat Enhancement

THE CHALLENGE: an area near Skutz Falls Valley required forest restoration as an overpopulation of alder trees lowered cultural values and ecosystem functionality.

FESBC FUNDING: \$300,983

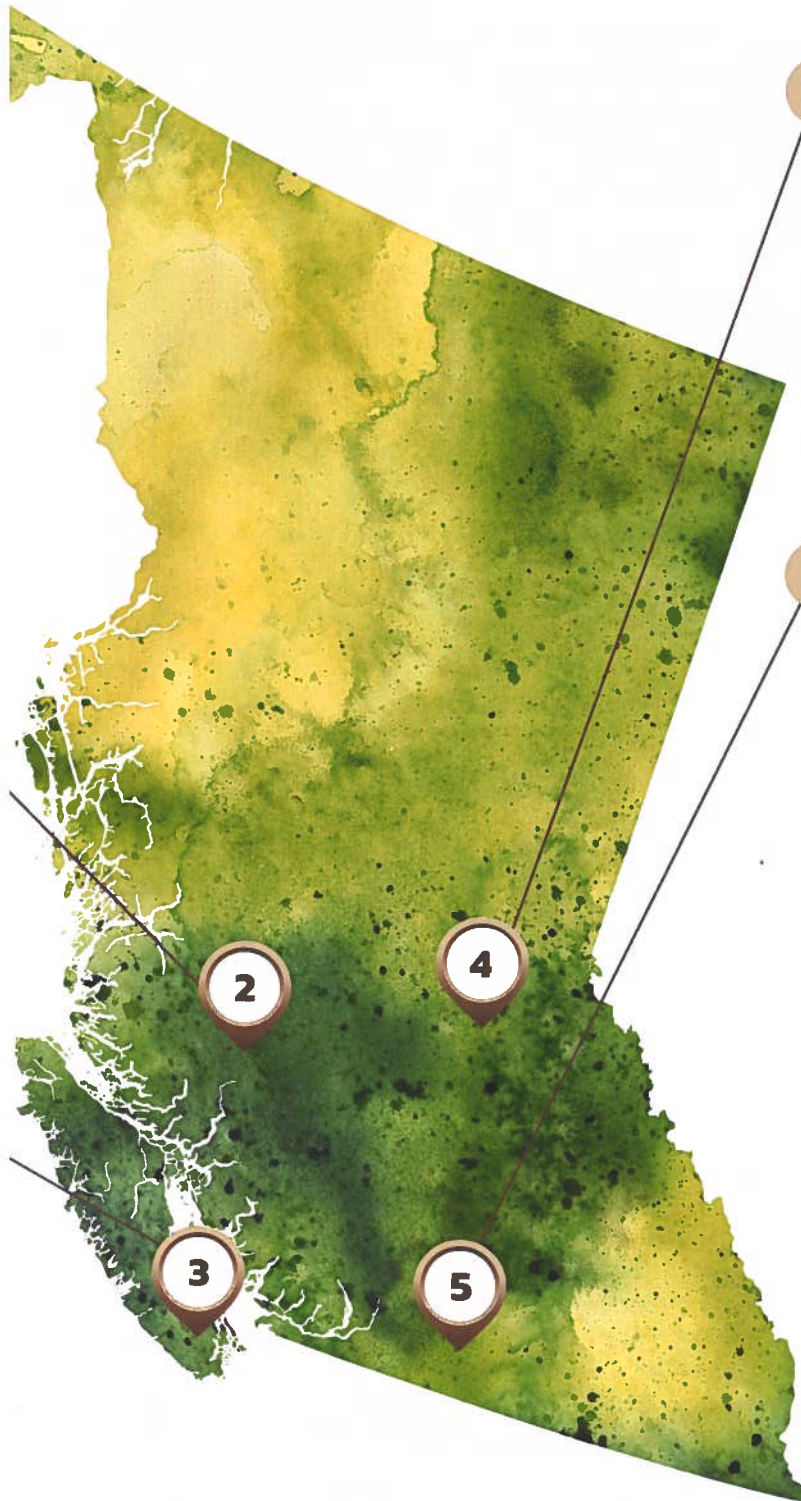
THE OUTCOME: alder trees were removed by hand and replaced with higher value cedar and spruce species. The project is expected to provide carbon benefits as well as to enhance wildlife habitat.

Planting trees to absorb carbon: 4.5 million tonnes of CO₂e (carbon dioxide equivalency) cumulatively by 2050. Average cost is \$20/tonne.

Fertilizing trees to absorb carbon faster: 800,000 tonnes of CO₂e. Average cost is \$11/tonne.

Utilization of wood fibre to avoid carbon emissions: 1.8 million tonnes CO₂e. Average cost is \$30/tonne.

Did you Know? 7.1 million tonnes of CO₂e is roughly comparable to taking 1.5 million cars off the road for a year



4

LOCATION: BARKERVILLE

PURPOSE: Wildfire Risk Mitigation

THE CHALLENGE: in 2017, a wildfire travelling 4.5 kms per day came within 12 kms of this irreplaceable historic Canadian asset. A fuel mitigation strategy had to be developed and treatments implemented.

FESBC FUNDING: \$403,000

THE OUTCOME: thinning and tree removal of 52 hectares was completed and a fire access road built. Residual piles of forest fibre were then chipped and trucked to Cariboo Pulp and Paper for hog fuel to make green energy.

5

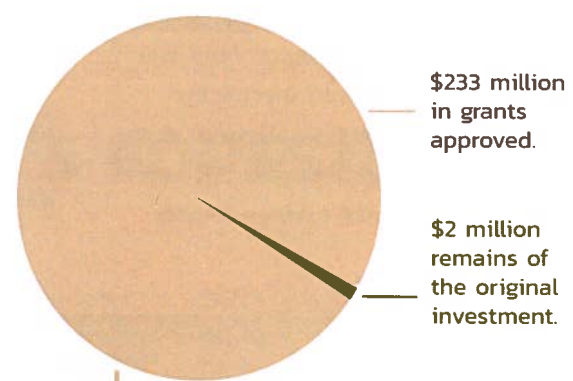
LOCATION: AGUR LAKE NEAR SUMMERLAND

PURPOSE: Wildfire Risk Reduction

THE CHALLENGE: Agur Lake Camp, B.C.'s only fully accessible campground for people with disabilities and their families and caregivers, was in an area of high to extreme fire threat.

FESBC FUNDING: \$59,409

THE OUTCOME: removal of 85% of hazardous fuels from over six hectares to protect campers and critical infrastructure.



2100⁺ FTES

Economic Benefits

Projects funded so far will have created over \$357 million in economic activity and over 2,100 full-time-equivalent jobs in British Columbia.

31%

First Nations Involvement

Approximately 31% of FESBC funded projects to date have been led by First Nations proponents or have had significant First Nations participation. That's 67 projects valued at \$72 million.

\$233 MILLION DOLLARS

Approved Funding for Projects

Of the \$235 million provided by the B.C. government, FESBC has approved \$233 million to fund projects throughout the province.

Regular Council Meeting No. 1215
 Tuesday, April 21, 2020
 133 of 177



Message from FESBC

We are privileged to work in partnership with the B.C. government and the Government of Canada to fund important projects throughout B.C. In a challenging time for the forestry sector, there are companies, community forests, First Nations organizations, and others working to innovate their processes to greater utilize available forest fibre. Our Society recently funded 42 projects valued at over \$30 million to projects that are making a difference right now. As a result, many cubic metres of woody debris/forest fibre will not be burned in slash piles this winter season but used to fuel a greener economy. This is expected to exceed 1.6 million cubic metres by March 2020. Funding has been committed to continue some of these projects to 2022 to help forest workers and communities who are most in need.

—Wayne Clogg, FESBC Board Chair

\$30 Million 42 Projects

In our most recent intake, FESBC allocated over \$30 million in grants for 42 projects throughout B.C. that will help increase utilization of wood fibre that otherwise would have been openly burned in slash piles. Instead, this wood fibre will now be turned into electricity, heat energy, and a variety of pulp products to help achieve B.C.'s and Canada's climate change targets.

Here are a few project highlights:

Nearest Community	Project Partner	Utilized Forest Fibre Estimates (cubic metres = m ³)	FESBC Funding
Burns Lake	Pinnacle Renewable Energy Inc.	87,000 m ³	\$929,314
Fort St. James	Sasuchan Development Corporation	59,000 m ³	\$435,235
Mackenzie	Mackenzie Pulp Mill Corporation	143,000 m ³	\$1,000,000
Port McNeill	Strategic Natural Resource Consultants Inc.	19,000 m ³	\$278,938
Terrace	Terrace Community Forest	30,000 m ³	\$443,400
Nakusp	Nakusp and Area Community Forest	1,600 m ³	\$19,909
Barkerville	Barkerville Historic Town & Park	9,000 m ³	\$160,000



Learn More

If you'd like to learn more about the Forest Enhancement Society of BC and how the forest industry is helping to fight climate change, reduce wildfire risk, and keep workers employed through our funded projects, connect with us!

Steve Kozuki, FESBC Executive Director
 skozuki@fesbc.ca or 1.877.225.2010

www.fesbc.ca | Follow us on:  



Jonathan X. Côté
Mayor

March 9, 2020

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
Langevin Block
Ottawa, ON K1A 0A2

Dear Prime Minister:

Re: National Pharmacare Program

At a meeting of New Westminster City Council held on February 24, 2020, Council passed the following motion regarding a National Pharmacare Program:

WHEREAS the City of New Westminster recognizes the importance of healthy citizens as the foundation of a healthy, engaged and economically vibrant community;

AND WHEREAS over 3 million Canadians, including many in our local communities, don't take medicines prescribed by their doctors because they can't afford them;

AND WHEREAS Canada is currently the only country with a National Medicare Program that does not have a National Pharmacare Program;

AND WHEREAS the risk of having no insurance for medicines is high among lower income Canadians which includes the service industry, as well as precarious and seasonal workers;

AND WHEREAS studies show that adding a National Pharmacare Program to our National Health Care System would lower costs to businesses by over \$8 billion per year;

AND WHEREAS recent research confirms that these gains can be achieved with little or no increase in public investment;

AND WHEREAS municipal government expenses for employee benefits would be significantly reduced by a National Pharmacare Program;

AND WHEREAS a national prescription drug formulary would support better quality prescribing, including reducing dangerous and inappropriate prescribing, especially to Canadian seniors;

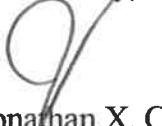
AND WHEREAS a National Pharmacare plan is a sound policy, both economically and socially;

THEREFORE BE IT RESOLVED

THAT the City of New Westminster write a letter calling on the Federal Government to work with the provinces and territories to develop and implement a Universal Public National Pharmacare program as a top priority.

We appreciate your consideration of this important matter.

Yours truly,



Jonathan X. Cote
Mayor

Cc: The Honourable Patty Hajdu, Minister of Health
All BC Municipalities



Office of the City Clerk

K. O'Connell, City Clerk
B. Zeinabova, Deputy City Clerk

2020 March 6

FILE: 02145-01

Dear UBCM Member Municipalities:

SUBJECT: 2020 UBCM Resolutions

(Item 7(01), Manager's Reports, Council Meeting 2020 February 24)
(Item 4(B), Delegation, Council Meeting 2020 February 24)

Burnaby City Council, at the Open Council meeting held on 2020 February 24, received the above noted report and adopted the following recommendations contained therein:

1. THAT Council endorse the new resolution outlined in Section 3.0 of this report for submission to the 2020 LMLGA AGM and the 2020 UBCM Convention.
2. THAT staff be authorized to forward a copy of this report, accompanied by any applicable background reports and information, to the UBCM, located at Suite 60, 10551 Shellbridge Way, Richmond, BC V6X 2W9.
3. THAT a copy of this report be forwarded for information to Burnaby MLAs and to Selina Robinson, Minister of Municipal Affairs and Housing.

Without objection of any member of Council, the following motion was introduced:

1. THAT the following resolution be submitted to the 2020 LMLGA AGM and the 2020 UBCM Convention:

THAT the Union of BC Municipalities call upon the Province to take action to address the skyrocketing costs for condo insurance.
2. THAT a copy of this resolution be sent to all BC municipalities and to Burnaby MLAs, and Selina Robinson, Minister of Municipal Affairs and Housing.

.../2

Our Vision: A world-class city committed to creating and sustaining the best quality of life for our entire community.

UBCM MEMBER MUNICIPALITIES

Subject: 2020 UBCM RESOLUTIONS

2020 March 6..... Page 2

In addition, Council at the same meeting, heard a delegation from MoveUP regarding benefits of public car insurance, and adopted the following motion:

1. THAT the following resolution be submitted to the LMLGA AGM and the 2020 UBCM:

WHEREAS public car insurance creates local jobs and significant investments in municipalities through road safety and improvement, grants-in-lieu, and community grants while providing greater control to municipalities to plan for risks and costs;

WHEREAS jurisdictions with only private insurance options have experienced significant rate hikes year after year while accident benefits dramatically decline;

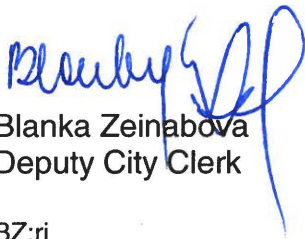
THEREFORE BE IT RESOLVED the UBCM will call on the provincial government to preserve public car insurance, including jobs and local investments, in British Columbia.

2. THAT a copy of the resolution be sent to Burnaby MLAs and BC municipalities for consideration.

Please find attached a copy of the report and resolutions.

Thank you.

Yours truly,



Blanka Zeinabova
Deputy City Clerk

BZ:rj

RESOLUTION: Addressing Increases to Condominium Insurance

WHEREAS stratified condominium home ownership is a growing form of tenure in communities across the province and insurance rates have been increasing;

AND WHEREAS over the past year condominium stratas have experienced substantial increase to insurance premiums or found it difficult to secure an insurer for their buildings;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities call upon the Province to take action to address the skyrocketing costs for condo insurance.

Approved by Burnaby City Council at its meeting of 2020 February 24.

RESOLUTION: Benefits of Public Car Insurance

WHEREAS public car insurance creates local jobs and significant investments in municipalities through road safety and improvement, grants-in-lieu, and community grants while providing greater control to municipalities to plan for risks and costs;

AND WHEREAS jurisdictions with only private insurance options have experienced significant rate hikes year after year while accident benefits dramatically decline;

THEREFORE BE IT RESOLVED the UBCM will call on the provincial government to preserve public car insurance, including jobs and local investments, in British Columbia.

Approved by Burnaby City Council at its meeting of 2020 February 24.



Item.....
Meeting..... 2020 February 24

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2020 February 19

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 2125 20
Reference: UBCM Resolutions

SUBJECT: 2020 UBCM RESOLUTIONS

PURPOSE: To present resolutions for submission to the 2020 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and the Union of BC Municipalities (UBCM) Convention.

RECOMMENDATIONS:

1. **THAT** Council endorse the new resolution outlined in Section 3.0 of this report for submission to the 2020 LMLGA AGM and the 2020 UBCM Convention.
2. **THAT** staff be authorized to forward a copy of this report, accompanied by any applicable background reports and information, to the UBCM, located at Suite 60, 10551 Shellbridge Way, Richmond, BC V6X 2W9.
3. **THAT** a copy of this report be forwarded for information to Burnaby MLAs and to Selina Robinson, Minister of Municipal Affairs and Housing.

REPORT

1.0 INTRODUCTION

Each year, resolutions are considered for submission to the Lower Mainland Local Government Association (LMLGA) Annual General Meeting and the Union of B.C. Municipalities (UBCM) Convention. These resolutions are a means to request amendments to the *Community Charter*, *Local Government Act* and other Provincial or Federal legislation and policies to address issues of significance to local government.

This report presents a new resolution for Council's consideration as a submission to the 2020 LMLGA AGM and the 2020 UBCM Convention. The UBCM Convention will take place from 2020 September 21 – 25, in Victoria B.C. The deadline for any further resolution submissions made directly to the UBCM is 2020 June 30.

For the convenience of Council, this report also details senior government response to resolutions previously approved by Council and submitted to the UBCM Convention in 2018 and 2019.

To: City Manager
 From: Director Planning and Building
 Re: 2020 UBCM Resolutions
 2020 February 19.....Page 2

2.0 POLICY

The proposed 2020 resolutions are aligned with the City of Burnaby's *Corporate Strategic Plan* by supporting the following goals and sub-goals of the Plan:

- ***A Connected Community***
 - Partnership – Work collaboratively with businesses, educational institutions, associations, other communities and governments
- ***An Inclusive Community***
 - Serve a Diverse Community – Ensure City services fully meet the needs of our dynamic community
 - Create a Sense of Community – Provide opportunities that encourage and welcome all community members and create a sense of belonging
- ***A Dynamic Community***
 - Community Development – Manage change by balancing economic development with environmental protection and maintaining a sense of belonging

3.0 2020 UBCM RESOLUTION

This section provides background information on a new resolution that has been developed for Council's consideration and possible submission to the 2020 LMLGA AGM and UBCM Convention.

3.1 ***Resolution: Increase Effectiveness of Tenant Assistance***

The British Columbia *Residential Tenancy Act* (RTA) establishes the rights and responsibilities of landlords and tenants. Under the *RTA*, a landlord who wishes to end a tenancy in order to redevelop a rental property can only do so on certain grounds and must provide each tenant with at least four months' written notice and compensation equal to one month's rent. The landlord must have obtained required permits and approvals prior to issuing the notice, and must abide by other provisions governing special circumstances, such as fixed-term tenancies, vacancy prior to notice date, dispute resolution.

While the provisions of the *RTA* establish a landlord's obligation to tenants, many municipalities have adopted policies to secure supplementary assistance for tenants facing displacement due to redevelopment. The patchwork of tenant assistance policies and approaches from municipalities, while demonstrated to substantially benefit tenants, creates an unequal and uncertain environment for tenants, landlords, and developers. In 2016, Council sponsored a UBCM resolution to ask the Province to amend the *RTA* to include an improved and standardized approach to tenant assistance, helping to create even expectations across the province. While the provincial response at the time was to not amend the *RTA*, the City received correspondence from the Ministry of Municipal Affairs and Housing on 2020 January 17 indicating that the Province is now working with local governments to develop tenant compensation and relocation guidelines.

Currently under Section 298(2) of the *Local Government Act* and Section 54(2) of the *Community Charter*, a local government is limited in its ability to require tenant assistance. Specifically, it may only require it as a condition of rezoning approval, but not of development permit, building permit,

To: City Manager
 From: Director Planning and Building
 Re: 2020 UBCM Resolutions
 2020 February 19.....Page 3

or demolition permit issuance. The *RTA* was amended in 2018 to require landlords to give tenants the first right of refusal to enter into a new tenancy agreement, at a rent determined by the landlord, if the landlord ends the tenancy due to renovation or repair. Should the landlord fail to provide the right of first refusal, the tenant is to be compensated 12 months' rent. While this new requirement will assist some tenants, benefits often required through municipal tenant assistance policies, such as financial assistance to help find alternate housing in the interim period and pay for moving expenses, are not required under the *RTA*, and may cause significant hardship for tenants, especially vulnerable tenants, such as seniors or individuals on limited or fixed incomes.

Furthermore, municipalities are limited in their ability to enforce the satisfactory completion of tenant assistance plans. For example, municipalities cannot withhold occupancy of a new building even if the property owner has failed to follow through with their required assistance to tenants of the building that was demolished. The availability of additional tools to help ensure all agreed upon tenant assistance is delivered are desirable.

The *Employment and Assistance Regulation* and the *Employment and Assistance for Persons with Disabilities Act* regulate the provision of income assistance in British Columbia. Staff received confirmation from the Ministry of Social Development and Poverty Reduction that rent top-ups provided for tenants as required by a tenant assistance policy will be considered income under the above regulations and therefore would negatively affect tenants who receive income assistance or disability assistance payments. As a goal of a tenant assistance policy is to keep tenants housed while minimizing stress and life disruption resulting from displacement due to redevelopment of rental housing, a tenant's ability to maintain their income levels while awaiting tenancy in a new building would be in keeping with this goal.

In addition, the nature of a tenant assistance policy requires that tenants' personal information is collected for the purposes of provision of assistance. Collection and sharing of personal information is governed by the *Freedom of Information and Protection of Privacy Act (FIPPA)* and the *Personal Information Protection Act (PIPA)*. These Acts are complex and difficult to navigate. To assist with the application of this legislation, it is requested that a guidance document specific to tenant assistance policies be developed to assist municipalities and property owners with adherence to the respective Acts.

To expand tenant protections beyond the current legislative scope, the following resolution has been prepared for Council's consideration:

RESOLUTION: Supporting Tenants and Local Governments in the Delivery of Tenant Assistance

WHEREAS municipalities have limited authority to require enhanced protections for tenants, except in limited instances, such as rezoning applications;

AND WHEREAS the benefits provided to tenants under municipal tenant assistance policies often help vulnerable individuals and families in the community, including those receiving income assistance from senior levels of government;

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 From: Director Planning and Building
 Re: 2020 UBCM Resolutions
 2020 February 19.....Page 4

AND WHEREAS even when local government tenant assistance policies may apply, implementation and enforcement of municipal tenant assistance plans are challenging due to overarching provincial mandates, jurisdiction, and processes;

THEREFORE BE IT RESOLVED that UBCM urge the provincial government to review the *Residential Tenancy Act* and other provincial legislation to:

- Allow municipalities the ability to require tenant assistance for additional types of permits and applications, and provide municipalities greater enforcement powers to ensure compliance and delivery of tenant assistance benefits secured by local governments;
- Ensure monthly rental supplement payments received during displacement as benefits under municipal tenant assistance policies are not considered income, which may inadvertently affect an individual's ability to qualify for income and disability assistance programs and other financial assistance; and,
- Have the Office of the Information and Privacy Commissioner for British Columbia create guidance documents for municipalities and landlords on the collection of personal information for the purpose of tenant assistance policies.

3.2 Next Steps

Pending approval by Council, the proposed new resolution will be forwarded to the Lower Mainland Local Government Association (LMLGA) AGM (deadline 2020 March 05) and the Union of BC Municipalities (UBCM) annual Convention (2020 September 21 – 25) for discussion and endorsement consideration. The UBCM deadline for any further resolutions desired by Council is 2020 June 30.

4.0 2019 UBCM RESOLUTIONS

4.1 **Resolution: Elected Local Government Officials Participation in the Municipal Pension Plan**

At its meeting on 2019 March 25, Council approved a resolution urging the Province to enable elected local government officials to participate in the provincially administered pension plans in place in these jurisdictions. Currently in British Columbia elected officials do not meet the employee eligibility requirements to become members of the Municipal Pension Plan. This is based upon the Plan's definition of an eligible employee. Elected officials hold tenure of office and as such they are not bound by a contract of service as would normally apply to an 'employee'. As there is no contract of service with specific duties and responsibilities that would exist in a typical employee/employer relationship, members of Council are not considered to be an employee under the Municipal Pension Plan and are therefore not eligible for membership in the plan.

This resolution was endorsed at the 2019 UBCM Convention. The Ministry of Finance and the Public Sector Employers' Council Secretariat responded to this resolution in 2020 February. They recognized the important role of elected local officials in helping communities grow and the commitments that often last many years. They state that a first step in considering the inclusion of local government officials in the Municipal Pension Plan is to identify any barriers, including legal barriers. Ministry of Finance staff have initiated stakeholder engagement such as with the BC

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 Re: 2020 UBCM Resolutions
 2020 February 19.....Page 5

Pension Corporation on potential challenges that exist before considering amendments to the *Public Sector Pension Plans Act*.

4.2 Resolution: BC Building Code Alignment with National Building Code of Canada – Secondary Suites

Council also adopted a resolution urging the provincial government to align the provisions for secondary suites in the British Columbia Building Code with those of the National Building Code. While some provinces, such as Saskatchewan and Nova Scotia, adopt the National Building Code in its entirety, British Columbia publishes its own Code through regulations that are informed by the National Building Code. Variations between the two codes can sometimes cause unnecessary confusion and limit the possibilities for creation of rental housing.

For example, the BC Building Code 2018 currently does not permit secondary suites in a duplex or other multi-family building such as a townhouse. However, the National Building Code 2015 does outline provisions for including suites in multi-family buildings. Secondary suites are an affordable rental alternative to apartment living for many individuals and families in tight housing markets across B.C. As such, limiting the creation of such suites through the BC Building Code regulations is problematic, particularly when the National Building Code permits them.

The recently updated 2018 BC Building Code has in many respects moved closer, or exceeds, the standards contained within the most recent 2015 National Building Code. For example, the BC Building Code 2018 combines the requirements of the National Building Code 2015 with B.C.'s existing requirements to achieve a higher level of building accessibility. However, standards relating to secondary suites have not been harmonized between the two Codes leading to missed rental housing opportunities. This is a common experience of many local governments across British Columbia, particularly those in the Lower Mainland and Southern Vancouver Island.

At the 2019 UBCM Convention, this resolution was not considered at the Convention due to a lack of time and was therefore referred to UBCM Executive for further review. The Executive Committee referred the resolution to an UBCM Committee for consideration and recommendations. Staff will update Council should the results of that review be received.

5.0 2018 UBCM RESOLUTIONS

5.1 Resolution: Taxation Reforms to protect farming uses in the Agricultural Land Reserve

At its meeting of 2018 March 12, Council approved a resolution urging the Province to pursue taxation reform mechanisms to protect Agricultural Land Reserve (ALR) land for farming uses. The ALR is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are restricted. The zone is managed by the Provincial Agricultural Land Commission (ALC). Burnaby's agricultural lands are located in the Big Bend area, and include 234 hectares within the ALR as well as lands outside the ALR that are zoned for agriculture.

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 From: Director Planning and Building
 Re: 2020 UBCM Resolutions
 2020 February 19.....Page 6

The resolution was prepared as a result of a discussion stemming from *The Metro Vancouver Regional Report (Summer 2010 & 2011) Agriculture Land Use Inventory*, which outlines that only 13 percent of the ALR in Metro Vancouver is used solely for farming, with another 43 percent used for farming in combination with other uses (e.g. residential). This resolution was endorsed at the 2018 UBCM Convention.

In 2018 November, the Provincial Government introduced Bill 52, the *Agricultural Land Commission Amendment Act*. The Bill restricts the size of residential buildings on ALR lands to 5,400 square feet. Exemptions would be potentially available should special circumstances warrant (e.g. multi-generational farming family living together). As well, existing homes and homes well advanced in construction are exempt. The Bill also eliminates the previous two zone administrative structure (i.e. Zone 1: Island, Okanagan, South Coast / Zone 2: Interior, Kootenay, North), and increases penalties for the dumping of construction debris and other toxic waste on ALR land.

On 2018 November 27, Bill 52 received Royal Assent and the changes officially took effect on 2019 February 22. As well, in its response to the resolution noted above, the Ministry of Agriculture noted that “Ministry staff are working with the Ministry of Municipal Affairs and Housing and the Ministry of Finance to explore potential options to better ensure farm property tax benefits support the intended recipients”.

In its final report released on 2019 April 30, *Revitalizing the Agricultural Land Reserve and the Agricultural Land Commission: Final Committee Report to the Minister of Agriculture*, the Minister of Agriculture’s Advisory Committee proposed 32 recommendations under three strategic shifts: agriculture first ALR governance; a protected, productive ALR; and farmer and rancher resilience in the ALR; to support agriculture in the province. Under the farmer and rancher resilience in the ALR strategic direction, the Committee recommended that the Ministry of Agriculture consider reviewing and increasing the income threshold for farm properties qualifying for the BC Assessment Farm Class. The Ministry of Agriculture has yet to initiate work on this particular recommendation.

5.2 Resolution: Software Consumer Protections for Public Institutions

At its meeting of 2018 March 12, Council approved a resolution asking for the Federal government to consider additional consumer protection mechanisms for public institutions when purchasing software as well as related support and maintenance programs. This resolution arose from concerns discussed by Council in Fall 2018 regarding the significant financial pressure upon cities and other public institutions to make financially prudent software investment decisions while still maintaining an expected level of electronic customer service. More specifically, the terms and conditions imposed by the software/technology vendors are becoming increasingly problematic in terms of accelerated product obsolescence, total cost of ownership and the ability to maintain citizen data across the entire product lifecycle.

This resolution was endorsed at the 2018 UBCM Convention. To date, no response has been received from the Federal government. Staff will update Council should a response be received.

To: City Manager
 From: Director Planning and Building
 Re: 2020 UBCM Resolutions
 2020 February 19.....Page 7

5.3 Resolution: Enhanced Municipal Bylaw Fine Collection Procedures

At its meeting of 2018 March 12, Council approved a resolution requesting the Provincial Government to further streamline the mechanisms available for local government when collecting bylaw fines, particularly those that are outstanding. The existing processes available to local governments are time-consuming, costly and onerous for local governments. For example, the court online filing system for unpaid fines could be improved so that multiple fines outstanding against one person could be filed together, rather than separately as currently required. This simple change would reduce both the time and filing administration costs (charged by the courts for each filing) borne by cities, and correspondingly increase the rate of fine collection.

This resolution was endorsed at the 2018 UBCM Convention, and was similar to another resolution submitted by the Resort Municipality of Whistler. In its response, the Ministry of Municipal Affairs and Housing stated that there are other reasonable remedies available to local governments for levying, administering, and collecting fine violations and that the Province is not currently prepared to examine this matter. No further response has been received from the Province on this topic.

6.0 SUMMARY AND CONCLUSION

This report proposes one new resolution for submission to the 2020 LMLGA AGM and UBCM Convention. For the convenience of Council, the report also provides an update on resolutions submitted in 2018 and 2019.

It is recommended that Council endorse the new resolution, as outlined in Section 3.0 of this report, for submission to the LMLGA AGM and 2020 UBCM Convention. It is also recommended that staff be authorized to forward a copy of this report, accompanied by any supporting background reports and information, to the UBCM. Finally, it is recommended that a copy of this report be circulated to Burnaby MLAs and to Selina Robinson, Minister of Municipal Affairs and Housing for information.

Any additional resolutions which may come forward subsequent to this report, and prior to the 2020 June 30 UBCM deadline, may be submitted directly to the UBCM for possible consideration at the 2020 UBCM Convention.

E.W. Kozak
 for: E.W. Kozak, Director
 PLANNING AND BUILDING

CS:sa

- | | | |
|-----|--|--------------------------|
| cc: | Director Corporate Services | Fire Chief |
| | Director Engineering | Chief Building Inspector |
| | Director Finance | Chief Librarian |
| | Director Parks, Recreation and Cultural Services | City Solicitor |
| | Director Public Safety and Community Services | OIC – RCMP |
| | City Clerk | |

Good Afternoon Mayor and Council

Tourism Pemberton would like to thank you for the opportunity to present our business case and Business Plan. We look forward to working with Council in establishing a MOU. Tourism Pemberton values our relationship with our community and Council.

It is our hope that serious consideration will be given to moving forward with a MOU during this budgetary period. We realize that you have budget constraints and are unable to provide for all department requests. If considered as a line item in the VOP budget, we reiterate that we are one of the few organizations that can and has provided net financial returns to the VOP bottom line.

We are facing changing times in the Tourism industry and we hope our sector can withstand what is a looming crisis. The industry will take the largest economical hit and we must be prepared. Job losses are now in the thousands and soon to be more.

We need to emphasize, this is an investment that comes with significant returns including jobs, entrepreneurs and the revenues that generate the so needed tourist tax dollars for our community. Your investment combined with the MRDT allows for us to market in a sustainable and responsible manner as pointed out in your comments.

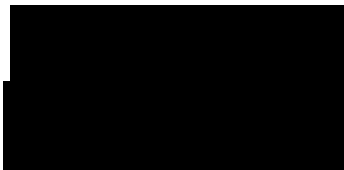
Although what we ask is from the taxpayer funds of which we contribute, the ROI is from tourists who visit us through organizations like Big Mountain Bike Adventures. We certainly understand the struggle with endorsing tenure and for how long. It is their customer that will most likely return to seek more adventure. We thank PVRTA and PORCA for endorsing this opportunity. As mentioned during our presentation by Councillor Noble, if asked, as part of our infrastructure plans, we may be able to assist with a washroom facility.

With a funding commitment we can begin the rebuilding for the late summer and fall season.

I was hoping to send an invitation to attend the Pemberton of Opportunities, but we have postponed the event till the fall.

In closing please accept our thanks again, and we are available to at any time to answer any questions you may have.

Sincerely,



Mark Mendonca

Tourism Pemberton

“Adventure begins Here”

#pembertonproud



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Patrick Weiler

Member of Parliament

West Vancouver-Sunshine Coast-Sea to Sky Country

March 18, 2020

Dear Friends & Neighbours:

As our Government responds to the serious challenges and fast-evolving circumstances of the COVID-19 pandemic, we are taking strong and quick action to protect our economy, and the health, safety, and jobs of all Canadians.

Prime Minister Justin Trudeau today announced a new set of economic measures to help stabilize the economy and help Canadians affected by the impacts of this challenging period. These measures, delivered as part of the Government of Canada's COVID-19 Economic Response Plan, will provide up to \$27 billion in direct support to Canadian workers and businesses, plus \$55 billion to meet liquidity needs of Canadian businesses and households through tax deferrals to help stabilize the economy. Combined, this \$82 billion in support represents more than 3 per cent of Canada's GDP. Some of the key measures announced include:

- Temporarily boosting Canada Child Benefit payments, delivering about \$2 billion in extra support.
- Extending the tax filing deadline to June 1.
- Allowing taxpayers to defer until after Aug. 31 tax payments that are due after today and before September.
- Introduce an Emergency Support Benefit delivered through the Canada Revenue Agency to provide up to \$5 billion in support to workers who are not eligible for EI and who are facing unemployment.
- A new Emergency Care Benefit of up to \$900 bi-weekly, up to 15 weeks, to provide income support to workers, including the self-employed, who have to stay home and don't qualify for paid sick leave or employment insurance. The measure could disburse up to \$10 billion.
- A six-month, interest-free reprieve on student loan payments.
- Reduce minimum withdrawals from Registered Retirement Income Funds (RRIFs) by 25 per cent for 2020 in recognition of volatile market conditions and their impact on many seniors' retirement savings.

To support Canadian businesses and help them retain their workers during this difficult time, the Government announced a number of measures, including:

- Allowing all businesses to defer, until after August 31, 2020, the payment of any income tax amounts that become owing on or after today and before September 2020. This relief would apply to tax balances due, as well as instalments, under Part I of the Income Tax Act. No interest or penalties will accumulate on these amounts during this period. This measure will result in businesses having more money available during this period.

Constituency Ottawa

6367 Bruce Street Suite 282, Confederation Building

West Vancouver 229 Wellington Street, Ottawa

British Columbia V7W 2G5 Ontario K1A 0A6

Tel.: 604-913-2660 | Fax.: 604-913-2664

Tel.: 613-947-4617 | Fax.: 613-847-4620

Regular Council Meeting No. 1215

Tuesday, April 21, 2020

149 of 177

- Increasing the credit available to small, medium, and large Canadian businesses. As announced on March 13, a new Business Credit Availability Program will provide more than \$10 billion of additional support to businesses experiencing cash flow challenges through the Business Development Bank of Canada and Export Development Canada. The Government is ready to provide more capital through these financial Crown corporations.
- Further expanding Export Development Canada's ability to provide support to domestic businesses.
- Providing flexibility on the Canada Account limit, to allow the Government to provide additional support to Canadian businesses, when deemed to be in the national interest, to deal with exceptional circumstances.
- Augmenting credit available to farmers and the agri-food sector through Farm Credit Canada.
- Launching an Insured Mortgage Purchase Program to purchase up to \$50 billion of insured mortgage pools through the Canada Mortgage and Housing Corporation (CMHC). As announced on March 16, this will provide stable funding to banks and mortgage lenders and support continued lending to Canadian businesses and consumers. CMHC stands ready to further support liquidity and the stability of the financial markets through its mortgage funding programs as necessary. The Government will enable these measures by raising CMHC's legislative limits to guarantee securities and insure mortgages by \$150 billion each.

Attached is a backgrounder detailing the other measures our Government announced today. It is important to note that the implementation period will vary, as some of these measures will require Royal Assent. **Included in the backgrounder is a program timeline on when these measures will be enacted.**

If you have any questions or inquiries, please do not hesitate to reach out to our office by calling 604-913-2660 or emailing us at Patrick.Weiler@parl.gc.ca.

Sincerely,



Patrick Weiler, MP
West Vancouver-Sunshine Coast-Sea to Sky Country

Canada's COVID-19 Economic Response Plan: Support for Canadians and Businesses

The Government of Canada is taking immediate, significant and decisive action to help Canadians facing hardship as a result of the COVID-19 outbreak.

On March 18, 2020, the Prime Minister announced a new set of economic measures to help stabilize the economy during this challenging period. These measures, delivered as part of the Government of Canada's COVID-19 Economic Response Plan, will provide up to \$27 billion in direct support to Canadian workers and businesses.

Support for Canadians

Temporary Income Support for Workers and Parents

For Canadians without paid sick leave (or similar workplace accommodation) who are sick, quarantined or forced to stay home to care for children, the Government is:

- Waiving the one-week waiting period for those individuals in imposed quarantine that claim Employment Insurance (EI) sickness benefits. This temporary measure is in effect as of March 15, 2020.
- Waiving the requirement to provide a medical certificate to access EI sickness benefits.
- Introducing the Emergency Care Benefit providing up to \$900 bi-weekly, for up to 15 weeks. This flat-payment Benefit would be administered through the Canada Revenue Agency (CRA) and provide income support to:
 - Workers, including the self-employed, who are quarantined or sick with COVID-19 but do not qualify for EI sickness benefits.
 - Workers, including the self-employed, who are taking care of a family member who is sick with COVID-19, such as an elderly parent, but do not qualify for EI sickness benefits.
 - Parents with children who require care or supervision due to school closures, and are unable to earn employment income, irrespective of whether they qualify for EI or not.

Application for the Benefit will be available in April 2020, and require Canadians to attest that they meet the eligibility requirements. They will need to re-attest every two weeks to reconfirm their eligibility. Canadians will select one of three channels to apply for the Benefit:

- 1) by accessing it on their CRA MyAccount secure portal;
- 2) by accessing it from their secure My Service Canada Account; or
- 3) by calling a toll free number equipped with an automated application process.



Longer-Term Income Support for Workers

For Canadians who lose their jobs or face reduced hours as a result of COVID's impact, the Government is:

- Introducing an Emergency Support Benefit delivered through the CRA to provide up to \$5.0 billion in support to workers who are not eligible for EI and who are facing unemployment.
- Implementing the EI Work Sharing Program, which provides EI benefits to workers who agree to reduce their normal working hour as a result of developments beyond the control of their employers, by extending the eligibility of such agreements to 76 weeks, easing eligibility requirements, and streamlining the application process. This was announced by the Prime Minister on March 11, 2020.

Income Support for Individuals Who Need It Most

For over 12 million low- and modest-income families, who may require additional help with their finances, the Government is proposing to provide a one-time special payment by early May 2020 through the Goods and Services Tax credit (GSTC). This will double the maximum annual GSTC payment amounts for the 2019-20 benefit year. The average boost to income for those benefitting from this measure will be close to \$400 for single individuals and close to \$600 for couples. This measure will inject \$5.5 billion into the economy.

For over 3.5 million families with children, who may also require additional support, the Government is proposing to increase the maximum annual Canada Child Benefit (CCB) payment amounts, only for the 2019-20 benefit year, by \$300 per child. The overall increase for families receiving CCB will be approximately \$550 on average; these families will receive an extra \$300 per child as part of their May payment. In total, this measure will deliver almost \$2 billion in extra support.

Together, the proposed enhancements of the GSTC and CCB will give a single parent with two children and low to modest income nearly \$1,500 in additional short-term support.

To ensure that certain groups who may be vulnerable to the impacts of COVID-19 have the support they need, the Government is proposing targeted help by:

- Providing \$305 million for a new distinctions-based Indigenous Community Support Fund to address immediate needs in First Nations, Inuit, and Métis Nation communities.
- Placing a six-month interest-free moratorium on the repayment of Canada Student Loans for all individuals currently in the process of repaying these loans.
- Reducing required minimum withdrawals from Registered Retirement Income Funds (RRIFs) by 25% for 2020, in recognition of volatile market conditions and their impact on many seniors' retirement savings. This will provide flexibility to seniors that are concerned that they may be required to liquidate their RRIF assets to meet minimum withdrawal requirements. Similar rules would apply to individuals receiving variable benefit payments under a defined contribution Registered Pension Plan.

- Providing the Reaching Home initiative with \$157.5 million to continue to support people experiencing homelessness during the COVID-19 outbreak. The funding could be used for a range of needs such as purchasing beds and physical barriers for social distancing and securing accommodation to reduce overcrowding in shelters.
- Supporting women and children fleeing violence, by providing up to \$50 million to women's shelters and sexual assault centres to help with their capacity to manage or prevent an outbreak in their facilities. This includes funding for facilities in Indigenous communities.

Flexibility for Taxpayers

In order to provide greater flexibility to Canadians who may be experiencing hardships during the COVID-19 outbreak, the Canada Revenue Agency will defer the filing due date for the 2019 tax returns of individuals, including certain trusts.

- For individuals (other than trusts), the return filing due date will be deferred until June 1, 2020. However, the Agency encourages individuals who expect to receive benefits under the GSTC or the Canada Child Benefit not to delay the filing of their return to ensure their entitlements for the 2020-21 benefit year are properly determined.
- For trusts having a taxation year ending on December 31, 2019, the return filing due date will be deferred until May 1, 2020.

The Canada Revenue Agency will allow all taxpayers to defer, until after August 31, 2020, the payment of any income tax amounts that become owing on or after today and before September 2020. This relief would apply to tax balances due, as well as instalments, under Part I of the *Income Tax Act*. No interest or penalties will accumulate on these amounts during this period.

In order to reduce the necessity for taxpayers and tax preparers to meet in person during this difficult time, and to reduce administrative burden, effective immediately the Canada Revenue Agency will recognize electronic signatures as having met the signature requirements of the *Income Tax Act*, as a temporary administrative measure. This provision applies to authorization forms T183 or T183CORP, which are forms that are signed in person by millions of Canadians every year to authorize tax preparers to file taxes.

The Canada Revenue Agency is adapting its Outreach Program to support individuals during COVID-19. Through this service, the Canada Revenue Agency offers help to individuals to better understand their tax obligations and to obtain the benefits and credits to which they are entitled. Traditionally available in-person, this service is now available over the phone, and through webinar, where possible.

The Canada Revenue Agency fully expects that many community organizations are considering whether to significantly reduce or perhaps cancel the provision of services provided under the Community Volunteer Income Tax Program. Additional efforts to encourage individuals to file their tax and benefit returns electronically, or where possible, through the File My Return service, will be put forward.

Role of Financial Institutions

The Minister of Finance is in regular contact with the heads of Canada's large banks, and continues to encourage them to show flexibility in helping their customers whose personal or business finances are affected by COVID-19. The Superintendent of Financial Institutions has also made clear his expectation that banks will use the additional lending capacity provided by recent government actions to support Canadian businesses and households.

In response, banks in Canada have affirmed their commitment to working with customers to provide flexible solutions, on a case-by-case basis, for managing through hardships caused by recent developments. This may include situations such as pay disruption, childcare disruption, or illness. Canada's large banks have confirmed that this support will include up to a 6-month payment deferral for mortgages, and the opportunity for relief on other credit products. These targeted measures respond to immediate challenges being faced across the country and will help stabilize the Canadian economy.

Mortgage Default Management Tools

The Canada Mortgage and Housing Corporation (CMHC) and other mortgage insurers offer tools to lenders that can assist homeowners who may be experiencing financial difficulty. These include payment deferral, loan re-amortization, capitalization of outstanding interest arrears and other eligible expenses, and special payment arrangements.

The Government, through CMHC, is providing increased flexibility for homeowners facing financial difficulties to defer mortgage payments on homeowner CMHC-insured mortgage loans. CMHC will permit lenders to allow payment deferral beginning immediately.

Support for Businesses

The Government of Canada is taking immediate, significant and decisive action to support Canadian businesses facing financial hardship as a result of the COVID-19 pandemic.

On March 13, 2020, Minister of Finance Bill Morneau, Governor of the Bank of Canada Stephen Poloz, and Superintendent of Financial Institutions Jeremy Rudin outlined a coordinated package of measures to support the functioning of markets, the resilience of our financial sector, and continued access to financing for Canadian businesses. These actions will significantly increase the availability of credit to businesses of all sizes, sustain liquidity in key financial markets, and provide flexibility to businesses experiencing hardship.

On March 18, 2020 the government and its partners announced further measures to support businesses. These actions are part of Canada's whole-of-government response to COVID-19, and the significant stimulus program developed to stabilize Canada's economy, support businesses and to protect Canadians.

Supporting Canadian Business through the Canada Account

The government is changing the Canada Account so that the Minister of Finance would now be able to determine the limit of the Canada Account in order to deal with exceptional circumstances. The Canada

Account is administered by Export Development Canada (EDC) and is used by the government to support exporters when deemed to be in the national interest. This will allow the government to provide additional support to Canadian companies through loans, guarantees or insurance policies during these challenging times.

Helping Businesses Keep their Workers

To support businesses that are facing revenue losses and to help prevent lay-offs, the government is proposing to provide eligible small employers a temporary wage subsidy for a period of three months. The subsidy will be equal to 10% of remuneration paid during that period, up to a maximum subsidy of \$1,375 per employee and \$25,000 per employer. Businesses will be able to benefit immediately from this support by reducing their remittances of income tax withheld on their employees' remuneration. Employers benefiting from this measure will include corporations eligible for the small business deduction, as well as non-profit organizations and charities.

Flexibility for Businesses Filing Taxes

The Canada Revenue Agency will allow all businesses to defer, until after August 31, 2020, the payment of any income tax amounts that become owing on or after today and before September 2020. This relief would apply to tax balances due, as well as instalments, under Part I of the *Income Tax Act*. No interest or penalties will accumulate on these amounts during this period.

The Canada Revenue Agency will not contact any small or medium (SME) businesses to initiate any post assessment GST/HST or Income Tax audits for the next four weeks. For the vast majority of businesses, the Canada Revenue Agency will temporarily suspend audit interaction with taxpayers and representatives.

The Liaison Officer service offers help to owners of small businesses to understand their tax obligations. Traditionally available in-person, this service is now available over the phone and will be customizing information during these challenging times by ensuring small businesses are aware of any changes such as filing and payment deadlines, proactive relief measures, etc.

Ensuring Businesses Have Access to Credit

The **Business Credit Availability Program (BCAP)** will allow the Business Development Bank of Canada (BDC) and Export Development Canada (EDC) to provide more than \$10 billion of additional support, largely targeted to small and medium-sized businesses. This will be an effective tool for helping viable Canadian businesses remain resilient during these very uncertain times. BDC and EDC are cooperating with private sector lenders to coordinate on credit solutions for individual businesses, including in sectors such as oil and gas, air transportation and tourism. The near term credit available to farmers and the agri-food sector will also be increased through Farm Credit Canada.

The Office of the Superintendent of Financial Institutions (OSFI) announced it is **lowering the Domestic Stability Buffer by 1.25%** of risk-weighted assets, effective immediately. This action will allow Canada's large banks to inject \$300 billion of additional lending in to the economy.

The Bank of Canada also took a series of actions to support the Canadian economy during this period of economic stress, enhance the resilience of the Canadian financial system, and help ensure that financial institutions can continue to extend credit to both households and businesses. This included cutting the interest rate to 0.75% as a proactive measure in light of the negative shocks to Canada's economy arising from the COVID-19 pandemic and the recent sharp drop in oil prices.

Supporting Financial Market Liquidity

As a further proactive and coordinated measure to bolster the financial system and the Canadian economy, the government announced on March 16 that it is launching an Insured Mortgage Purchase Program (IMPP). Under this program, the government will purchase up to \$50 billion of insured mortgage pools through the Canada Mortgage and Housing Corporation (CMHC). This action will provide long-term stable funding to banks and mortgage lenders, help facilitate continued lending to Canadian consumers and businesses, and add liquidity to Canada's mortgage market. Details of the terms of the purchase operations will be provided to lenders by CMHC later this week.

The IMPP enhances the already substantial set of measures announced on March 13 to support the economy and the financial system. CMHC stands ready to further support liquidity and the stability of the financial markets through its mortgage funding programs as necessary.

Further, the Bank of Canada has announced that it will adjust its market liquidity operations to maintain market functioning and credit availability during the current period of uncertainty in which conditions are evolving rapidly.

The Bank of Canada also announced that it will broaden eligible collateral for its term repo facility to include the full range of collateral eligible under the Standing Liquidity Facility, with the exception of the non-mortgage loan portfolio. This expansion of eligible collateral will provide support to funding conditions for financial institutions by providing a backstop to regular private funding.

The Bank also announced that it stands ready, as a proactive measure, to provide support to the Canada Mortgage Bond (CMB) market so that this important funding market continues to function well. This would include, as required, purchases of CMBs in the secondary market. Similar to the increase in Government of Canada bond buybacks, this will support market liquidity and price discovery.

Economic Response Plan – Cost and Implementation

Measure	2020-2021 Cost/Impact	Implementation
Emergency Care Benefit	Up to \$10 billion	Early April *requires Royal Assent
Emergency Support Benefit	Up to \$5 billion	Early April

		*requires Royal Assent
GST Credit	\$5.5 billion	By Early May *requires Royal Assent
Enhanced Canada Child Benefit	\$1.9 billion	May * requires Royal Assent
Temporary Business Wage Subsidy	\$3.8 billion	Immediately Supporting legislation to follow
Canada Student Loan Payments	\$190 million	Early April * requires Royal Assent
Support for Indigenous Communities	\$305 million	April *requires Royal Assent
Support for people experiencing homelessness (through Reaching Home)	\$157.5 million	April *requires Royal Assent
Support for women's shelters and sexual assault centres including on reserve	\$50 million	April *requires Royal Assent
Lower Registered Retirement Income Fund Minimum Withdrawal Amounts	\$495 million	Immediately Supporting legislation to follow
Total	\$27.4 billion	
Other supports		
Flexibility for individual and corporate taxpayers (tax payment deferral until September)	\$55 billion	Immediately
Business Credit Availability Program (BCAP) through BDC and EDC	\$10 billion +	Immediately

<p>Credit and liquidity support through financial Crown corporations, Bank of Canada, OSFI, CMHC and commercial lenders (e.g., Domestic Stability Buffer, Insured Mortgage Purchase Program, Banker’s Acceptance Purchase Facility)</p>	<p>In the range of \$500 billion</p>	<p>Immediately</p>
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625 Howe Street, Suite 1430
Vancouver, British Columbia V6C 2T6

Subject: Supporting small businesses in light of COVID-19

Dear Mayor and Council,

We are writing in regards to the significant challenges facing independent business owners during these difficult times as we all face the implications of COVID-19 in British Columbia.

As you may know, the Canadian Federation of Independent Business (CFIB) is a not for profit, non-partisan organization that represents over 110,000 SMEs across Canada, with over 10,000 here in BC. Our phone lines have been flooded by small business owners with questions regarding COVID-19, with many inquiries on the subject of how government is working to support communities.

We know and trust government is doing everything in their power to protect citizens and put healthcare at the forefront of our priorities. It is also essential we consider the vast economics implications COVID-19 has on our communities, and ensure we take action now so businesses, jobs, and the people behind those jobs can return to normality once we get there.

For these reasons, CFIB is asking all Mayors and Councils across BC to take the following actions to help support small businesses during these challenging times:

1. Waive all interest and penalties for unpaid property tax installments for a minimum of 60 days;
2. Wave all interest and penalties for unpaid water and wastewater billings for a minimum period of 60 days; and
3. Call on the Provincial government to expand the Property Tax Deferral Program to provide immediate relief for small businesses and non-profits.

We understand you may already be taking some of the above, or other measures currently to help support small businesses, and we thank you for that. If there are any other initiatives you are taking to support small business, we welcome you to share your ideas with us so we can share the ideas and inform our members where they have support.

Thank you for considering our correspondence, and for all your efforts in prioritizing the health of British Columbians.

Sincerely,

A handwritten signature in black ink that reads 'S. Howard'.

Samantha Howard
Senior Director, BC and Strategic Projects



DISTRICT OF METCHOSIN

March 19, 2020

Honourable Adrian Dix, Minister of Health
Ministry of Health
PO Box 9050
STN PROV GOVT
Victoria, BC V8W 9E2

Honourable Adrian Dix:

RE: COVID19 – Testing Needed for First Responders

The District of Metchosin Council is requesting the Ministry of Health prioritize COVID-19 testing for all first responders. Under current protocols if a responder demonstrates all of the symptoms of the virus, but can't prove direct contact, they are not being tested and therefore could be repeatedly called to self-isolate, even though they may have developed immunity.

It appears we are at the beginning phases of this pandemic and in time we may have to rely on first responders who have already contracted COVID-19 and have subsequently recovered. The only way we can do this is to ensure they are tested at the time they are demonstrating symptoms.

We are also concerned by the substantial increase of mental health stress that is being put on our volunteers' responders and their families and how it could have both immediate and long-term impacts on our ability to recruit.

We are therefore requesting first responders be included in the category who is exempted in the direct contact requirement.

Sincerely,

John Rams
Mayor

cc Dr. Richard Stanwick, Chief Medical Health Officer
Ryan Wainwright, Sr. Regional Manager, Emergency Management BC
BC Municipalities

To All Mayors and RD Chairs and CAOs:**Guidance on the State of Provincial Emergency and implications for local authorities under the Emergency Program Act (EPA).**

We understand that with the State of Provincial Emergency (SOPE) declared on March 18, 2020, many local governments are currently deliberating whether they should take steps to declare a state of local emergency (SOLE) within their jurisdiction.

We are requesting that all local governments first give due consideration to the questions of if and how a declaration of a SOLE in your community would support the efforts of the Province as we all work together as a larger community to confront the challenges we are facing from the COVID-19 threat.

Local governments are being asked to consider carefully what powers they might exercise under a SOLE and how those powers would complement, rather than conflict with the powers the Province may exercise under the SOPE. Please consider whether the matter at issue is better addressed at the Provincial level, or at the local level. For example, a measure requiring local businesses to limit quantities of goods available for purchase and setting specific hours of operation to serve the elderly and vulnerable. Consider also the impacts that the exercise of SOLE powers may have on the full range of members of your community, as well as on your neighbours. We request that local authorities that are considering a SOLE to contact their EMBC regional office so that EMBC can fully understand what each community is intending to accomplish with the SOLE powers.

As you are aware, as local authorities, councils of municipalities and boards of regional districts are authorized to declare a SOLE with powers for the local authority to exercise that are similar to those afforded the Province under the SOPE. See the [EMBC Guidelines to Declaring a State of Local Emergency](#) (p. 7) for a list of those powers. Note also that the Minister of Public Safety and Solicitor General may restrict the powers being exercised under a SOLE. The PSSG minister may also authorize or require local authorities to implement a local emergency plan or emergency measures for their jurisdictions.

Finally, a number of communities have requested clarification regarding section 14 (3) of the EPA. The Province's interpretation of s.14(3) is that it applies in the situation where the Province decides to declare a SOPE limited to a specific area in which there is an existing SOLE. The intent is to allow the Province to assume control of the response to a local emergency, should it be deemed necessary. In general, s. 14(3) does not operate to prevent local authorities from declaring a SOLE at the same time that the Province has made a declaration of provincial emergency applicable throughout the entire Province.

It is also important to recognize that the SOLE powers available to a local authority are short term (7 days) and not all encompassing – for example, they do not provide a mechanism to supersede existing legislative requirements such as in the *Community Charter* or the *Local Government Act*. Consideration should be given to the existing local government authorities that might assist you in dealing with your issue. Further, a SOLE is not needed in order to implement your emergency response plan, or to recover eligible response costs.

The Ministry of Municipal Affairs and the Ministry of Public Safety and Solicitor General are aware of procedural issues already flagged in the current situation, such as public attendance at council/board meetings and limitations on the ability of councils and boards to meet electronically. It is important that we move quickly but also thoughtfully on these matters, to ensure you can continue to deliver good government in your communities.

Working together, the Province and local authorities will have greater success in managing an issue that affects all British Columbians. As we work together to combat the COVID-19 threat in our communities and in the Province as a whole, we would ask that your staff continue to work together with EMBC through the regional PREOC centres set up in the 6 emergency management regions.

This is the most difficult of times and we want to recognize the extraordinary efforts of you and your staff in supporting communities and keeping them safe and with necessary services. We and our staff are here to help support local governments as issues arise and we encourage you to work with the Province in our shared efforts against the COVID-19 threat.

Sincerely,



Selina Robinson
Minister
Municipal Affairs

Sincerely,



Mike Farnworth
Minister
Public Safety and Solicitor General

From: no-reply@webguidecms.ca on behalf of [Village of Pemberton](#)
To: [Sheena Fraser](#); [Nikki Gilmore](#); [Elysia Harvey](#)
Subject: Website Submission: Write to Mayor & Council - pemberton.ca
Date: Friday, March 20, 2020 10:23:39 AM

Village of Pemberton - Website Submission: Write to Mayor & Council - pemberton.ca

Website Submission: Write to Mayor & Council - pemberton.ca

Form Submission Info

First Name: Don

Last Name: Coggins

Street Address: [REDACTED]

PO Box:

Town/City: Mt Currie

Province: BC

Postal Code: V0N 2K0

Phone Number: [REDACTED]

Email: [REDACTED]

Please attach any related documents (if applicable):

Message to Mayor & Council: To Mayor and Council and Staff Thanks for your dedication in this time of complete uncertainty. Although our Federal and Provincial Governments have set a path for dealing with the situation, much falls on local Governments to make it happen and be the boots on the ground and keep folks focused on the fight against the real enemy, Covid -19. It is past the time to discuss or consider anything except that. I look forward to the day when we can all go back and discuss the mundane day to day decisions and not decisions of live and death that we are all faced with. Keep up the good work. Don Coggins

From: Cathy Peters <[REDACTED]>
Sent: March 22, 2020 7:19 AM
To: VoP Admin <admin@pemberton.ca>
Subject: Ontario Releases a New and Comprehensive Strategy to Combat Human Trafficking
Importance: High

Good morning Pemberton Village Council and Mayor Mike Richman,

Human Sex trafficking/Sexual Exploitation/ Child Sexual Exploitation including Violent Online Sexual Images is a public health crisis and human rights issue in this country impacting the most vulnerable.

Coronavirus efforts are the priority now, but I want you to be aware of what Ontario is doing pro-actively to stop Sexual Exploitation (see below).

During this crisis, children are at home on more screen time making them even more vulnerable to predators and traffickers.

Traffickers take advantage of a crisis like this one.

Ontario has also developed Indigenous-led Initiatives, which make Ontario best practices in Canada for addressing this crime.

I have alerted **every MP in Canada**.

My ASK: Strengthen the “Protection of Communities and Exploited Persons Act” in Canada and combine with a robust National Awareness campaign.

March 9, I presented to **Richmond City Council** for 5 minutes on the global sex trade and **how to protect our communities**.

I speak at 48:44-54:00. Please view and share with your contacts, colleagues, communities.
http://richmond.ca.granicus.com/MediaPlayer.php?view_id=1&clip_id=388

City Councils can decide on the type of business activity they want in their communities with **business licensing**. For example unregistered massage and body rub parlours, nail spas, holistic health center, modelling agencies, tattoo parlours, escort services, cheap bars and hotels, men’s clubs, AirBnB, VRBO, casinos, strip clubs, organized crime “club houses” can be typical covers for sex trafficking/exploitation.

ASK: Please alert the Premier of BC and Solicitor General that BC needs to make addressing this crime a priority.

BC is decades behind Ontario and will become the bordello of Canada if we do not enforce the Federal Law and have Provincial Prevention Education.

Sincerely, Cathy Peters
BC anti-human trafficking educator, speaker, advocate

██████████ St., North Vancouver, BC ██████████



Newsroom

News Release

Ontario Releases a New and Comprehensive Strategy to Combat Human Trafficking

March 6, 2020

\$307 million invested to protect children and youth, crack down on offenders

ST. CATHARINES — The Government of Ontario is taking strong action to protect children and youth, support survivors, raise awareness and hold offenders accountable by releasing Ontario's new anti-human trafficking strategy today.

Premier Doug Ford, Jill Dunlop, Associate Minister of Children and Women's Issues, and Solicitor General Sylvia Jones released today a new, comprehensive five-year strategy to combat human trafficking and end child sexual exploitation across the province. The new strategy is the largest total investment in dedicated anti-human trafficking supports and services in the country and is a major step forward in Ontario's fight against human trafficking.

"Human traffickers prey on the most vulnerable members of our society — our children," said Premier Doug Ford. "We must put an end to this disgusting industry and take immediate steps to keep our kids safe. Our new strategy takes strong and decisive action to support survivors, raise awareness, and give our police the tools and resources they need to put these criminals behind bars."

[Ontario's Anti-Human Trafficking Strategy](#) will invest \$307 million over the next five years on a proactive, comprehensive action plan focused on four key areas:

- **Raising awareness of the issue** by launching a new, province-wide marketing campaign to educate children, youth, parents, and the broader public about what human trafficking is, how to recognize the signs, and where to get help.
- **Holding offenders accountable** by giving law enforcement more specialized Crown prosecution support for human trafficking cases, strengthening intelligence gathering in the

correctional system, and investing in police services to help coordinate anti-human trafficking investigations and expand the Ontario Provincial Police Child Sexual Exploitation Unit.

- **Protecting victims and intervening early** by investing in specialized intervention teams involving police and child protection services, incorporating human trafficking awareness into the education curriculum, and establishing dedicated, licensed residences to support victims, including those under the age of 16.
- **Supporting survivors** by investing new funding in wrap-around, community-based supports and Indigenous-led initiatives to make more services available for survivors and by enhancing victim services to assist survivors throughout the court process.

"Survivors of human trafficking require specific, ongoing supports to help them exit trafficking, heal from their trauma and rebuild their lives," said Jill Dunlop, Associate Minister of Children and Women's Issues. "Our new strategy doubles the investment in community-based services for survivors, while also providing a range of new supports focused on children and youth, which has been a critical gap until now. It provides increased supports for Indigenous communities and takes a cross-government approach to reinforce Ontario as a leader in combatting human trafficking."

To address the needs of First Nations, Inuit and Métis communities and organizations, and frontline workers, Indigenous-specific initiatives are integrated throughout Ontario's new strategy. Examples of these initiatives include targeted public awareness activities, Indigenous-led community-based supports for survivors such as counselling, cultural teachings and healing ceremonies, victim services delivered by Indigenous communities and organizations, and culturally-appropriate supports for at-risk youth.

"Human trafficking is a vastly under-reported crime often hidden in our communities," said Sylvia Jones, Solicitor General. "A crucial component of our new strategy involves strengthening law enforcement and justice sector initiatives so we can better support victims, improve our ability to target and find perpetrators, intercept human trafficking networks and ultimately bring criminals to justice."

Co-led by Solicitor General Jones and Associate Minister Dunlop, Ontario's new Anti-Human Trafficking Strategy demonstrates the government's commitment to ensure the fight against human trafficking becomes a national priority. The strategy reflects valuable input from survivors of human trafficking, Indigenous communities and organizations, law enforcement and frontline service providers. The government will continue to work collaboratively with these and other partners to ensure the strategy is meaningful and effective.

QUICK FACTS

- Human trafficking is one of the fastest-growing crimes worldwide. Approximately two-thirds of police-reported human trafficking violations in Canada occur in Ontario.
- The average age of recruitment into sex trafficking is 13 years old.
- Over 70 per cent of human trafficking victims identified by police are under the age of 25.
- Young women and girls are particularly at risk, especially those from Indigenous communities and children and youth in care, though boys, men and people who are LGBTQ are also targeted.

BACKGROUND INFORMATION

- [Ontario's New Anti-Human Trafficking Strategy](#)

ADDITIONAL RESOURCES

- [Ontario.ca/humantrafficking](https://ontario.ca/humantrafficking)
- [@StopTrafficking](#)
- [#KnowHumanTrafficking](#)
- [Canadianhumantraffickinghotline.ca](https://canadianhumantraffickinghotline.ca)

CONTACTS

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Ivana.Yelich@ontario.ca

Hannah Anderson

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Hannah.Anderson@ontario.ca

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OFFICE OF THE MAYOR

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9

p: 250.561.7600 | www.princegeorge.ca

March 24, 2020

Via email

Dear Mayor and Council:

At the City of Prince George regular Council meeting held March 9, 2020, Council endorsed the following resolution titled **Sharing Payments from Opioid Class Action Lawsuit** for submission to the Union of BC Municipalities (UBCM) for consideration at their annual convention this year.

Sharing Payments from Opioid Class Action Lawsuit

WHEREAS under the Opioid Damages and Health Care Costs Recovery Act (the “Act”) the provincial government may sue a manufacturer or wholesaler of an opioid product to recover the costs of health care benefits on an aggregate basis, for a population of persons who have suffered damage caused or contributed to by the use of or exposure to an opioid product;

AND WHEREAS pursuant to the Act and other legislation, the provincial government has launched a class action lawsuit on behalf of all federal, provincial and territorial governments to recover the costs of health care benefits from manufacturers and wholesalers of opioid products, whose marketing practices have had devastating impacts on the lives of thousands of British Columbians;

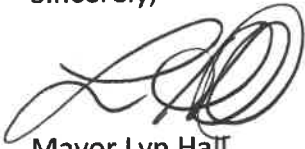
AND WHEREAS the definition of “health care benefits” under the Act includes “other expenditures by the government, made directly or through one or more agents or other intermediate bodies, for programs, services, benefits or similar matters associated with disease, injury or illness” and local governments have faced substantial “health care benefits” costs due to the opioid crisis;

THEREFORE BE IT RESOLVED that UBCM advocate to the provincial government to share any recovery of damages from the class action lawsuit with local governments, to further enable local governments to continue offering services and support programs that aim to reduce harm and stigma, address the root causes of the opioid crisis, and support people struggling with mental health and addiction.

On behalf of Prince George Council, I am requesting your favourable consideration and support for this resolution should it be accepted for debate at the 2020 Annual Convention of UBCM.

If you have any questions or would like more information please feel free to contact my office at Mayoradmin@princegeorge.ca or 250-561-7609.

Sincerely,



Mayor Lyn Hall

c.
North Central Local Government Association (NCLGA)
The Union of British Columbia Municipalities (UBCM) Annual Convention
British Columbia Municipalities and Regional Districts
Shirley Bond, MLA
Mike Morris, MLA

RECEIVED
APR 01 2020



Village of Pemberton

March 27, 2020

Mayor Mike Richman
Village of Pemberton
Box 100
Pemberton, BC V0N 2L0

Dear Mayor Richman:

Re: Provincial Response to 2019 Resolutions

UBCM has received the Province's response(s) to your Council resolution(s) from 2019. Please find the enclosed resolution(s) and their provincial response(s).

Responses received from the Province have been posted to the UBCM web site under Resolutions & Policy.

If you have any questions about this process, please contact Jamee Justason, Resolutions and Policy Analyst at 604.270.8226 ext. 100 or jjustason@ubcm.ca

Yours truly,

A handwritten signature in black ink, appearing to read "Maja Tait", is written over a light blue circular stamp.

Maja Tait
UBCM President

Enclosure

2019 B45 Funding for BC Parks Management**Pemberton**

Whereas the negative impacts to lower mainland Provincial parks and Crown Land recreation areas continue to occur due to increasing tourism and limited funding;

Therefore be it resolved that the Province be requested to allocate additional funding to managing BC Parks, specifically Joffre Lakes Provincial Park, and Crown Land recreation areas in the Sea to Sky Corridor and Lower Mainland.

Convention Decision: Endorsed

Provincial Response**Ministry of Environment and Climate Change Strategy**

Addressing the visitor use at Joffre Lakes Park is a complex situation, involving multiple land managers. Therefore, BC Parks has developed an integrated, multi-agency approach using the Visitor Use Management Framework model developed in the United States.

In collaboration with the Lil'wat Nation and N'Quat'qua, Ministry of Transportation, and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, BC Parks has developed an Action Plan for Joffre Lakes Park, which contains management strategies for the 2019 season. We are working on developing a long term management strategy which will guide management decisions for the coming years.

The key strategies in the Action Plan implemented in 2019 include: parking lot expansion, implementation of a shuttle bus service, emergency phone service installation, introduction of a First Nation Park Stewards pilot project with the First Nations, inclusion of the backcountry campground on the reservation system, park facility maintenance increases, and delivery of compliance and enforcement strategies through a Compliance Action Plan.

In 2019, BC Parks invested over \$242,000 in additional support to Joffre Lakes Park, in addition to the pre-existing yearly budget. This investment was dispersed to the following priorities: \$100,000 to expand the parking lot, \$25,000 on an emergency phone system, \$33,900 to support the First Nations Park Stewards project, \$10,270 for increased facility cleaning, \$27,000 on traffic management, and \$15,000 for installation of a heli-pad to support Search and Rescue response. We have also funded a 7-month Senior Ranger position within the park for an investment of \$30,800.

BC Parks is actively working on a long term strategy for Joffre Lakes Park and is also a member of the Sea to Sky Visitor Use Management Project by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, to address increasing recreation pressures in the overall corridor. BC Parks will continue to engage with the public, stakeholders, and the local First Nations on strategies that will help us achieve our desired condition for the park and ensure our environmental and cultural values are protected, and the park is safe for visitors to recreate in.



RECEIVED

APR 14 2020

Village of Pemberton

April 8, 2020

Mayor Mike Richman
Village of Pemberton
Box 100
Pemberton, BC V0N 2L0

Dear Mayor Richman:

Re: 2020 Resolution(s) Submitted to LMLGA

UBCM is in receipt of the attached resolution(s) that your Council submitted to the Lower Mainland Local Government Association (LMLGA).

With the cancellation of the LMLGA Spring Convention, your resolution(s) will be brought to the 2020 UBCM Convention in September for consideration.

As per the *UBCM Resolutions Process* letter dated March 4, 2020 that was sent to your Council, UBCM may have already, or may need to reach out to your staff to work on clarifying your resolution(s) in order to ensure it meets our criteria.

If you have any questions, please contact Jamee Justason, Resolutions and Policy Analyst at 604.270.8226 ext. 100 or jjustason@ubcm.ca.

Yours truly,

A handwritten signature in black ink that reads 'Maja Tait'.

Maja Tait
UBCM President

Enclosure

Regional Geo-Hazards

Pemberton

Whereas the landscape of many rugged outdoor areas of BC face exposure to multiple hazards with potential for natural disaster, such as forest fires, landslides and flooding which impact residents as well as the traveling public;

And whereas the majority of provincial funding that is available is for response-related activities after an event has occurred:

Therefore be it resolved that UBCM request that the Province to allocate funding to support more pro-active measures for risk management of regional geo-hazards through the establishment of consistent and regular monitoring.

Convention Decision:

Provincial Funding for Dike Upgrades

Pemberton

Whereas diking infrastructure is crucial to flood mitigation for the protection of residents and the general public;

And whereas the provincial government will only allocate funding for dike upgrades which meet high-cost seismic standards;

And whereas neglecting dike upgrades while trying to facilitate designs that are to seismic standards could leave residents vulnerable to flooding disasters and exposed to massive and inevitable response costs in the interim:

Therefore be it resolved that UBCM request that the provincial government consider applications for funding for dike upgrades which may not meet seismic standards, but would allow for essential and cost-effective minor upgrades.

Convention Decision:

Corporation of the
VILLAGE OF HAZELTON
Office of the Mayor

P.O. Box 40
4310 Field St.,
Hazelton, B.C. V0J 1Y0



Tel (250) 842-5991
Fax (250) 842-5152
www.hazelton.ca

April 15, 2020

File: 0550-01

****Sent Via Email****

Dear Mayor and Council

Re: BC Gaming Grant

In British Columbia (B.C.), it is difficult for communities under 10,000 to have access to funds for programs and services in relation to Arts and Culture, Sport, Public Safety, Environment and Social Services. We understand that smaller communities do not all have gaming facilities, but this does not mean that members in our communities do not travel and spend money in communities that do have gaming facilities.

The Province of B.C. has already committed to revenue sharing with First Nations under this Program, why not extend this to communities under 10,000? Having the opportunity to apply for the Community Gaming Grants would benefit small communities and would support the delivery of ongoing (and/or new) programs.

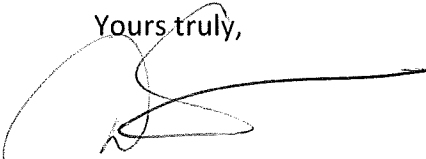
The Village of Hazelton Council asks your Council to endorse the following resolution and support the resolution at the Union of BC Municipalities Convention.

"THAT the Council of the Village of Hazelton supports the recommendation that communities under 10,000 in B.C. should be considered to be eligible to apply for the Community Gaming Grants Program for Arts and Culture, Sport, Public Safety, Environment and/or Social Services".

We hope that you will join the Village of Hazelton, with your support, we hope to achieve the possibilities of municipalities under 10,000 to be able to apply for the BC Gaming Grant.

Thank-you for your consideration.

Yours truly,



Dennis Sterritt
Mayor



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*