



**-PUBLIC HEARING MEETING AGENDA-**

Agenda for a Public Hearing of the Village of Pemberton to be held **Tuesday, October 20, 2020** at **9:00 a.m.** via ZOOM (link: <https://us02web.zoom.us/j/84072097931> | Webinar ID: 840 7209 7931)

*“This meeting is being recorded as authorized by the [Village of Pemberton Video Recording & Broadcasting of Electronically Held Council, Committee, and Board Meetings](#)”*

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**Village of Pemberton Zoning Amendment (Child Care Centre)  
Bylaw No. 889, 2020**

**ORDER OF BUSINESS**

1. Opening Statements by Mayor Mike Richman.
2. Presentation of Village of Pemberton Zoning Amendment (Child Care Centre) Bylaw No. 889, 2020 2
3. Correspondence and petitions received by the Village as of 12:00pm, Thursday, October 15, 2020 11
  - i. Alia Hawthorne, Village of Pemberton, received October 8, 2020
  - ii. Amelie Legare, Village of Pemberton, received October 8, 2020
  - iii. Shannon Beecroft, Village of Pemberton, received October 13, 2020
  - iv. Jeanette Elmore, Village of Pemberton, received October 15, 2020
4. Any other correspondence and petitions received
 

Presentation of correspondence received after the deadline of 12:00pm, Thursday, October 15, 2020. 16

  - i. Kylie Vedan, Village of Pemberton, received October 15, 2020
  - ii. Ming Sartee, Village of Pemberton, received October 15, 2020
5. Meeting open for public comment.
6. Closing Statements by Mayor Richman.
7. Adjournment.

**PLEASE NOTE:**

- **After the Public Hearing is adjourned, the opportunity for public discussion is ended and Council members cannot accept any further information or submissions; this is to allow a fair process as established by provincial case law. The Bylaw is now a matter for Council’s consideration based upon information received as of October 20, 2020.**

**Date:** October 20, 2020

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Joanna Rees, Planner

**Subject:** Public Hearing for Village of Pemberton Zoning Bylaw No. 832, Amendment (Child Care Centre) Bylaw No. 889, 2020

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### **PURPOSE**

The purpose of this report is for Council to host a statutory Public Hearing pursuant to Section 464 of the *Local Government Act* in respect to a Village-initiated Zoning Bylaw Amendment to include *Child Care Centre* as a permitted principal use in all Commercial Zones.

### **BACKGROUND**

Council gave Zoning Amendment (Child Care Centre) Bylaw No. 889, 2020 First and Second Reading at Regular Meeting No. 1523, held October 6, 2020. The Staff report and Bylaw are attached as **Appendix A**.

At that same meeting, Council directed Staff to schedule a virtual Public Hearing for October 20, 2020 at 9:00 a.m. pursuant to the *Local Government Act* and Ministerial Orders informing the hosting of virtual Public Hearings during the Covid-19 response.

### **DISCUSSION & COMMENTS**

The statutory process for notification has been satisfied, and accordingly Council is able to host the Public Hearing regarding Bylaw No. 889,2020 prior to consideration of Third Reading. Staff are recommending Council consider Third Reading directly following the Public Hearing at the Regular Council Meeting No. 1524 on October 20<sup>th</sup>, 2020.

### **COMMUNICATIONS**

As per the *Local Government Act* and the Village of Pemberton Development Procedures Bylaw, notices of the Public Hearing were advertised in the October 15 and 22, 2020 editions of the Pique Newsmagazine. The Notice is attached as **Appendix B**. Additionally, notice of the Public Hearing was shared through the Village of Pemberton Website, Facebook Page and eNEWS.

All public submissions received prior to noon on Thursday October 15<sup>th</sup>, 2020 have been included in the Public Hearing Agenda. Any public comments received after this time will be forwarded to Council before the start of the Public Hearing. At the time of preparing this report, four (4) submissions had been received, all expressing support for the amendment.

### **LEGAL CONSIDERATIONS**

There are no legal considerations with the Public Hearing.

### **IMPACT ON BUDGET & STAFFING**

As this is a Village-initiated rezoning, the preparation of the Public Hearing is a component of the daily work undertaken by the Development Services Department. The costs associated with advertising can be accommodated.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts or approvals required.

### **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

The subject lands of the Zoning Bylaw Amendment are located within a “controlled area”, as per Section 52 of the *Transportation Act*. Therefore, should this Bylaw be given Third Reading by Council, it will be circulated to the Ministry of Transportation and Infrastructure (MOTI) for approval by the Minister prior to adoption.

### **ALTERNATIVE OPTIONS**

There are no alternatives provided at this time.

### **RECOMMENDATIONS**

There are no recommendations associated with this report.

### **ATTACHMENTS:**

**Appendix A:** First and Second Reading Staff Report and Appendices

**Appendix B:** Copy of Pique Newspaper Advertisement

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

**Date:** October 6, 2020

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Joanna Rees, Planner

**Subject:** Zoning Bylaw No. 832, Amendment (Child Care Centre) Bylaw No. 889, 2020

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## **PURPOSE**

The purpose of this report is to introduce the Village of Pemberton Zoning Bylaw No. 832, Amendment (Child Care Centre) Bylaw No. 889, 2020, attached as **Appendix A**, for First and Second Reading, and to schedule a Public Hearing.

## **BACKGROUND**

Recently, Development Service Staff received an inquiry about opening a Child Care Centre in the Village of Pemberton within the Commercial, Portage Road (C-3) Zone. In reviewing this request, Staff discovered that Zoning Bylaw No. 832, 2018 does not permit privately-operated Child-Care Centres within Commercial Zones.

The Village of Pemberton Child Care Needs Assessment was completed in 2019 and highlights the shortage of licensed child-care spaces in Pemberton. At the time of releasing the report, there was an estimated 12.5 licensed child-care spaces per 100 children aged 0-12 years in Pemberton. This is well below the Provincial average of 18.4 spaces per 100 children aged 0-12 years.

To remove barriers and help facilitate the development of both private and public Child Care Centers, Staff has prepared a Zoning Bylaw Amendment to include Child Care Centre as a permitted principal use in all Commercial Zones, the location of which are indicated in **Appendix B**.

## **DISCUSSION AND COMMENTS**

A Child Care Centre is defined as *the use of land and buildings for provincially-licensed care and supervision of children through a prescribed program*. Child Care Centres require a license which is issued by Vancouver Coastal Health (VCH) in compliance with the facility, manager and employee requirements in the Child Care Licensing Regulation of the *Community Care and Assisted Living Act*. Once a Child Care Centre receives a license from VCH, they are required to apply for a Village of Pemberton Business License.

Under Zoning Bylaw Amendment Bylaw No. 622, 2008, *Group Daycare* was added as a permitted use in the Commercial, Town Centre (C-1) Zone. It appears that in translating the information to the new Zoning Bylaw No. 832, 2018 the intent of this amendment was inadvertently omitted. Zones C-1 (Town Centre Commercial), C-2 (Tourism Commercial), C-3 (Portage Road Commercial) and C-5 (Neighbourhood Pub Commercial) currently allow "*Civic*" uses. Civic uses include the use of land, buildings, or structure for functions provided by a government body and service club including day cares but excludes privately operated Child Care Centres.

Staff has reviewed the Official Community Plan together with Zoning Bylaw No. 832, 2018 and concur that the proposed text amendment is consistent with the Village's policies. Child Care Centres in Commercial Zones are in close proximity to housing, day-to-day services, community facilities and employment opportunities. Permitting Child Care Centres in all Commercial Zones will reduce barriers for the development of public and private childcare operations.

### **COMMUNICATIONS**

Should Council determine to hold a Public Hearing for the proposed bylaw, the Hearing will be advertised in accordance with Section 466 of the *Local Government Act* and section 6.0 of Development Procedures Bylaw No. 725, 2013.

If Council waives the holding of a Public Hearing, Staff will provide notice as per Section 467 of the *Local Government Act*.

### **LEGAL CONSIDERATIONS**

Subject to Section 464 (2) of the *Local Government Act*, a local government may waive the holding of a public hearing on a proposed bylaw if an Official Community Plan is in effect for the area that is subject to the proposed Zoning Bylaw and the proposed bylaw is consistent with the plan. As such, as the proposed bylaw is consistent with the Official Community Plan, Council does have the ability to waive the need for a public hearing.

### **IMPACT ON BUDGET & STAFFING**

The research and preparation of the report and the bylaw is a component of the daily work undertaken by the Development Services Department.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts or approvals required respecting this Bylaw.

### **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

The subject lands of the Zoning Bylaw Amendment are located within a "controlled area", as per Section 52 of the *Transportation Act*. Therefore, this Bylaw will require approval by the Minister of the Ministry of Transportation and Infrastructure prior to adoption.

### **ALTERNATIVE OPTIONS**

Option 1:

Council give First and Second Readings to Zoning Amendment (Child Care Centre) Bylaw No. 889, 2020 and direct Staff to arrange for a public hearing.

*This option is supported by Staff. Staff are recommending that the Public Hearing be held at 9 am on Tuesday October 20 by electronic means. If Council chooses, they can suggest an alternate date. Staff suggest consideration of 3<sup>rd</sup> Reading following the Public Hearing at the Regular Meeting of Council.*

Option 2:

Council give First and Second Readings to Zoning Amendment (Child Care Centre) Bylaw No. 889, 2020 and waive the requirement for a public hearing.

*This option is not supported. Waiving the requirement for a Public Hearing does not save time as both have the same advertising requirements as stated in the Local Government Act, Section 467. In this circumstance, scheduling a Public Hearing allows the Village to maximize transparency and give residents who believe their interest in property is affected by the proposed bylaw amendment an opportunity to be heard or present written submissions.*

**RECOMMENDATIONS**

**Recommendation One:**

**THAT** the Village of Pemberton Zoning Bylaw No. 832, Amendment (Child Care Centre) Bylaw No. 889, 2020 receive First, and Second Reading; and

**Recommendation Two:**

**THAT** Council direct Staff to convene a public hearing on Tuesday, October 20, 2020 at 9:00 a.m. via the electronic means utilized by the Village.

**ATTACHMENTS:**

**Appendix A:** Village of Pemberton Zoning Bylaw No. 832, Amendment (Child Care Centre) Bylaw No. 889, 2020

**Appendix B:** Map of the Subject Lands

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

**THE VILLAGE OF PEMBERTON**

**BYLAW NO. 889, 2020**

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

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

**AND WHEREAS** the Council of the Village of Pemberton deems it desirable to amend the Zoning Bylaw to permit Child Care Centers as a principal use in all Commercial Zones including: Town Centre (C-1), Tourism (C-2), Portage Road (C-3), Service (C-4) and Neighbourhood Pub (C-5);

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

**1. CITATION**

This Bylaw may be cited for all purposes as “Zoning Bylaw 832, 2018, Amendment (Child Care Centre Text Amendment) Bylaw No. 889, 2020.”

**2. Village of Pemberton Zoning Bylaw No. 832, 2018 is amended by:**

- I. Adding the following sub-section as a Permitted Principal Use:
- i. as 15.1.1(e) in the Commercial, Town Centre (C-1) Zone;

*(e) Child Care Centre*

- ii. as 15.2.1 (b) in the Commercial, Tourism (C-2) Zone;

*(b) Child Care Centre*

- iii. as 15.3.1 (b) in Commercial, Portage Road (C-3) Zone;

*(b) Child Care Centre*

- iv. as 15.4.1 (b) in Commercial, Service (C-4); and

*(b) Child Care Centre*

- v. as 15.5.1 (c) in Commercial, Neighbourhood Pub (C-5)

*(c) Child Care Centre*

- II. Renumbering the remainders of Sections 15.1.1, 15.2.1, 15.3.1, 15.4.1, and 15.5.1 to incorporate the new Permitted Principal Use.

**READ A FIRST TIME** this 6<sup>th</sup> day of October 2020.

**READ A SECOND TIME** this 6<sup>th</sup> day of October 2020.

**NOTICE OF PUBLIC HEARING FOR VILLAGE OF PEMBERTON ZONING BYLAW NO. 832, AMENDMENT (CHILD CARE CENTRE) BYLAW NO. 889, 2020, WAS PUBLISHED IN THE PIQUE NEWS MAGAZINE ON OCTOBER 8, 2020 AND OCTOBER 15, 2020.**

**PUBLIC HEARING HELD** this 20<sup>th</sup> day of October, 2020.

**READ A THIRD TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**APPROVED BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE PURSUANT TO SECTION 52 of the *Transportation Act***  
this this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

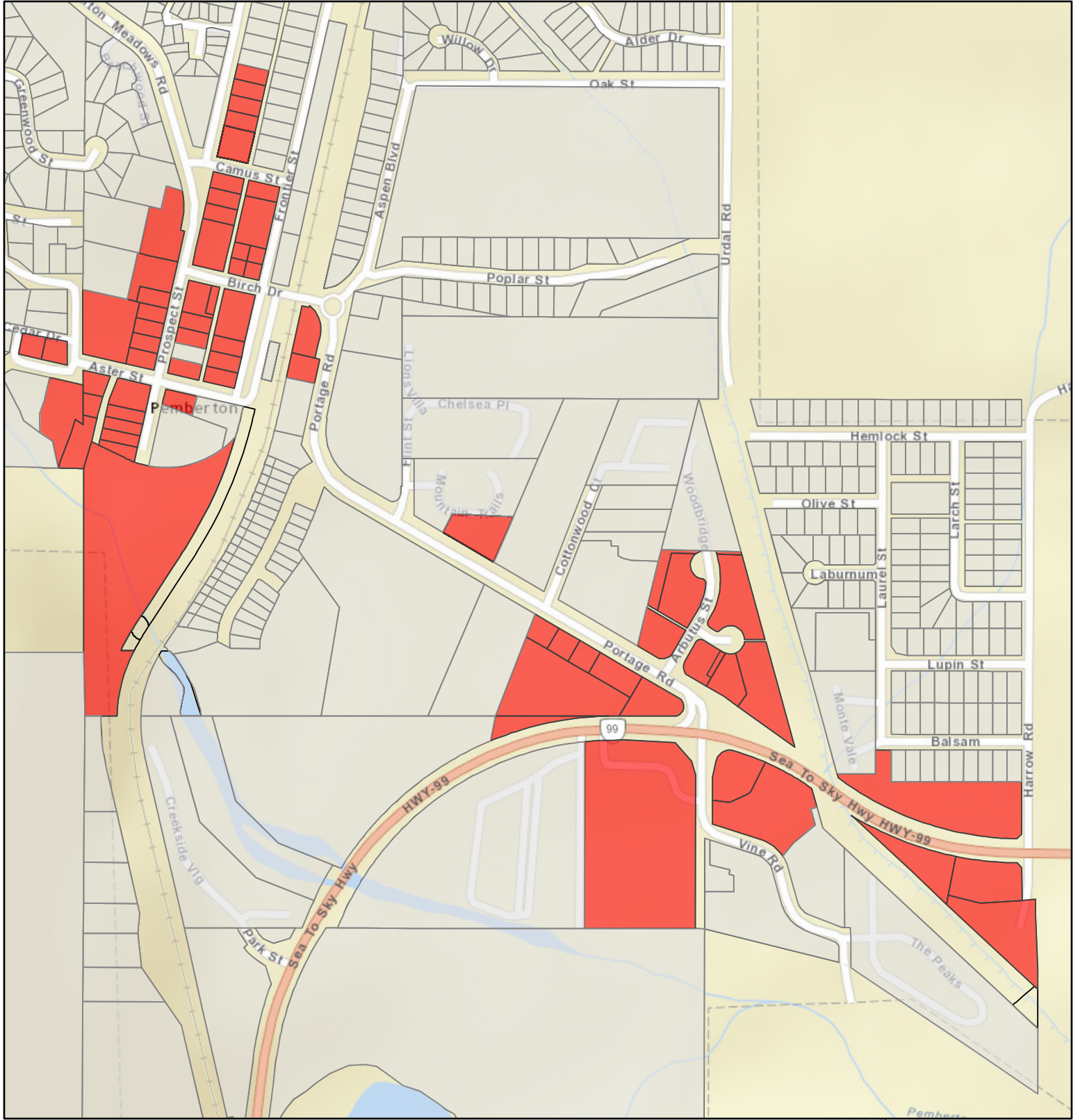
**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Richman  
Mayor

\_\_\_\_\_  
Sheena Fraser  
Corporate Officer




# Map of the Subject Lands



## Legend

 Zoned Commercial, per Zoning Bylaw No.832, 2018

0 100 200 300 400  
 Meters



# Notice of Public Hearing

Zoning Bylaw Amendment (Child Care Centre)  
No. 889, 2020

## Public Hearing

**Date: Tuesday  
October 20th,  
2020**

**Time: 9 am  
Zoom Webinar  
ID: 840 7209  
7931**

**Questions?  
We're  
Listening.**



604.894.6135



admin@  
pemberton.ca



www.pemberton.ca

**What is the Zoning Bylaw Amendment (Child Care Centre) No. 889, 2020 about?**

The Zoning Bylaw Amendment will add “Child Care Centre” as a permitted principal use in all Commercial Zones including: C-1 (Town Centre Commercial), C-2 (Tourism Commercial), C-3 (Portage Road Commercial), C-4 (Service Commercial) and C-5 (Neighbourhood Pub Commercial).

**What is the significance?**

This Zoning Bylaw Amendment aims to remove barriers and help facilitate the development of both private and public Child Care Centers in Pemberton.

**How do I get more information?**

Copies of the proposed bylaw may be inspected at the Village of Pemberton Office, 7400 Prospect Street during office hours from Thursday October 8th to Monday October 19th 2020 and also available online at [www.pemberton.ca](http://www.pemberton.ca)

**How can I provide Feedback?**

You may provide comment virtually at the online Public Hearing, or you may provide a written submission prior to 4pm Monday October 19th, 2020. In order for written submissions to be included in the Public Hearing agenda, they must be submitted by 12 PM on Thursday, October 15, 2020. All other submissions will be forwarded to Council before the start of the Public Hearing but will not be included on the agenda. To submit comments or inquire regarding additional information please contact:

Joanna Rees, Planner  
jrees@pemberton.ca  
Box 100, 7400 Prospect Street Pemberton, BC, V0N 2L0

Sheena Fraser, Corporate Officer

Village of Pemberton  
Public Hearing

Zoning Amendment (Child Care Centre) Bylaw No. 889, 2020  
Tuesday, October 20, 2020



## Joanna Rees

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**From:** Alia Shureih [REDACTED] >  
**Sent:** Thursday, October 8, 2020 8:10 PM  
**To:** Joanna Rees  
**Subject:** Childcare

Hi Joanna,

I am writing this to state that there is a definite need for more childcare in Pemberton. Shannon Becroft's center in particular would be an amazing addition to our town as well as my family.

Thank you,

Alia Hawthorne

[REDACTED]  
Pemberton, BC  
[REDACTED]

## Joanna Rees

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**From:** Amelie Legare [REDACTED] >  
**Sent:** Thursday, October 8, 2020 12:55 PM  
**To:** Joanna Rees  
**Subject:** Childcare Centre

Hi Joanna,

I'm writing in regards to the upcoming public hearing for the zoning amendment for a new daycare. As a new mom, I've put my son on the waitlist for the Pemberton Child Centre and was informed that there were at least 50 infants currently before him. I'm working full time and the lack of childcare in Pemberton worries me for the years to come. More childcare options in the village would be a big relief for many parent.

Regards,

Amelie Legare

[REDACTED], Pemberton, BC, [REDACTED]

## Joanna Rees

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**From:** Shannon Beecroft [REDACTED] >  
**Sent:** Tuesday, October 13, 2020 10:33 AM  
**To:** Joanna Rees  
**Subject:** Letter to council

Hi Joanna,

Please accept this as my letter to council in regards to the zoning bylaw ammendment 889 (Child Care Centre)

To whom it may concern,

My name is Shannon. I am proposing to open a licensed childcare centre in the Portage building in Pemberton where Portage Station Restaurant was. I am asking that the zoning ammendment 889 be approved so that private daycare's can have more options for daycare spaces. Upon searching for a space for my daycare, I didn't have much luck. The only options available were commercial spaces. It can be a real challenge with having to go through all of the zoning issues with trying to open a private daycare in a commercial zone. I truly believe that the community could have the opportunity for more childcare options down the road if this ammendment is approved. More people might be encouraged to open licensed daycare centres if finding a space isn't so challenging. If this ammendment is approved, I will be able to offer 25 licensed daycare spots to families in our community. That would be a big increase in daycare spots as there are only 73 licensed childcare spaces right now according to the 2019 childcare report. I have talked with several families in Pemberton who have not been able to find the care they need for their children. Many parent's have had to leave their jobs, take extended maternity leave or miss out on family time because they are forced to work on weekends or evenings. Being able to open this childcare centre would be a big step for the community. I would be happy and motivated to open a second location in the future if all goes well as the community is only growing and childcare is something that is needed more and more. Not having enough childcare options is only hurting our economy as well. More parent's would be able to work more and therefore, more money would be put back into our economy if this childcare centre is able to open. I ask that you please realize what a positive impact this could have on the Pemberton community. Thank you.

Shannon Beecroft  
[REDACTED] Pemberton, BC

Cc: Jamie Kraft [REDACTED] >  
Subject: Letter in support of Bylaw Amendment

Hello Joanne, could you please include the following email in the Public Hearing package for Bylaw Amendment 889, 2020? Thank you.

Dear Pemberton Mayor and Council:

My family strongly supports the proposed zoning amendment to allow private child care centres in commercial zones. This is a step in the right direction to address the severe lack of childcare spaces in Pemberton. The current shortage goes beyond mere inconvenience; it is an issue that exacerbates gender and economic inequality, impacts the health and wellness of families and communities, and negatively impacts our economy. While child care is an issue nationwide, as noted in the Village's recently completed Child Care Needs Assessment, the situation in Pemberton is even more dire, with the number of licensed spaces in Pemberton falling well below the provincial average. In order to remain the complete and livable community that we love, we urge Council to approve this zoning amendment quickly and decisively.

Moreover, we urge Council to facilitate and implement additional measures to support and incentivize child care in Pemberton.

In addition to permitting child care within commercial zones, please continue to prioritize the creation of new child care spaces in Pemberton through:

- continuing to work with senior levels of government to secure funding for constructing and operating child care;
- permitting private child care facilities everywhere that people live and work, including within all residential and industrial zones as long as the Province's and the Health Authority's requirements are met. As part of this work, clarify the Village's policies for permitting licensed child care for fewer than 8 children in all residential zones;
- where appropriate zoning is not in place, implementing a fast-tracking and fee reduction policy for the creation and expansion of child care centres;
- securing child care spaces through Community Amenity Contribution negotiations with developers; and

- adding a dedicated staff person to pursue the recommended actions in the Child Care Needs Assessment, supporting new and existing child care operators and families, as well as finding new out-of-the-box solutions to this community-wide issue.

As a family directly impacted by the lack of child care in Pemberton, we support the proposed zoning amendment and hope that staff can facilitate a quick sign-off from MoTI so that the opening of the proposed new child care on Portage Road is not delayed

Thank you,

Jeanette Elmore (mother and Registered Professional Planner)

[REDACTED], Pemberton, [REDACTED]

[REDACTED]

Sent from my iPhone

**From:** Kylie <[REDACTED]>  
**Sent:** Thursday, October 15, 2020 2:57 PM  
**To:** Joanna Rees <[JRees@pemberton.ca](mailto:JRees@pemberton.ca)>  
**Cc:** [REDACTED]  
**Subject:** Zoning Bylaw Amendment (Child Care Centre) No. 889, 2020

Dear Ms. Rees,

I am one of the many mothers in Pemberton who is struggling to find reliable, affordable childcare. Shannon Beecroft has been inspirational in her pursuit of creating a new, safe and highly welcomed space for the Pemberton community, and this letter is in support of her endeavours.

As the parent of 1 daughter, currently 22-months, and the expectant of my second to be born in spring 2021, I have felt nothing but challenges in my endeavours of returning to working and feel let down by the current system.

When my daughter was between 9-days and 3-weeks old in December, some of my first visits out of the house were to add her to childcare centre waitlists. We paid over \$140, and had her registered for placements at 6 locations between Whistler, Pemberton and Mt Currie.

At 12-months post-partum, I had no days available to me and I had to extend my maternity leave from 12 to 18 months due to a lack of childcare availability. This was both an unprecedented and unbudgeted for 6-months of leave which became a definite strain on our family, and my employer.

My only 'saving grace' was the COVID-19 pandemic shut downs which meant that my employer, despite that the fact we still had no existing childcare days, were forced to allow their workers to work from home with their children when offices closed. It was only for this reason that I was able to go back to work, but with the added strain of full time parenting also. I am online daily from 9 AM – 5 PM, and I live in constant guilt that my daughters emotional and development needs are not being met.

In September, we finally received 2-days at Pemberton Children's Centre. With baby no.2, in a non-COVID world, my employer will not allow me the opportunity of working from home, as by then people will likely be back in their offices. So we can only hope that our new place on the PCC internal list will help entry for our new addition but with turnover and new admissions usually welcomed in September, this could mean another 18 months away from work. This timeframe is a best case scenario. The worst is that I have no other option but to resign from a career that I have studied for, am successful at and devoted half of my life towards.

As a progressive society, hopefully working towards closing the gap of pay equality between the sexes, I find I unbelievable that lack of support available for women to have successful careers, especially in the Sea to Sky area. The cost of living in BC is exuberant for most, and the option to only have a one bread winner in a single family is simply non-existent. Most women have to work to make ends meet for their families, and without reliable, affordable and safe childcare, it is simply not possible.

I refuse to allow my situation to present me as a burden in the workforce, and certainly will not feel guilty for choosing to have a family. I beg you, Ms. Rees, to consider helping the



many underpaid, overworked women who do not currently have the option of childcare. Let's fight for our daughters to be afforded the same career opportunities as our sons, should they wish to have children.

I would be thrilled to see another community-focused Care Centre with an outdoor space, fair waitlist system and eligible for the provincial government funding, and hope that you can assist in making this a reality.

Please be sure to reach out with any questions that you may have, and thank you for your consideration.

Kylie Vedan

[REDACTED]  
Pemberton  
[REDACTED]

**From:** Ming Sartee <[REDACTED]> **On Behalf Of** Ming Sartee  
**Sent:** Thursday, October 15, 2020 4:43 PM  
**To:** Joanna Rees <[JRees@pemberton.ca](mailto:JRees@pemberton.ca)>  
**Subject:** Support for new childcare centre

Hello Joanna,

I am writing in support of the village re-zoning to allow for Shannon Beecroft's new childcare centre. I am a mother to 22 month old and 2 week old girls. Navigating childcare in Pemberton has been a challenge that has loomed over our heads since the birth of our first daughter. The childcare centre in Pemberton, while amazing, is at capacity and operates under a system that makes it very challenging for new parents to get in. There is a strong demand and need in this community for more childcare options. It would allow families to work and thrive in this community, and for us, would allow both my partner and I to both work as engineering professionals.

Thank you for your consideration,  
Ming

[REDACTED]  
Pemberton, BC [REDACTED]

[REDACTED]