

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

Agenda for the **Regular Meeting** of Council of the Village of Pemberton to be held Tuesday, December 8, 2020 at 5:30 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1529.

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

*** 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. 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	1
Recommendation: THAT the Agenda be approved as presented.	
3. ADOPTION OF MINUTES	
a) Regular Council Meeting No. 1527, Tuesday, November 17, 2020	5
Recommendation: THAT the minutes of Regular Council Meeting No. 1527, held Tuesday, November 17, 2020, be adopted as circulated.	
b) Special Council Meeting No. 1528, November 30, 2020	15
Recommendation: THAT the minutes of Special Council Meeting No. 1587, held Monday, November 30, 2020, be adopted as circulated.	
4. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING	
None	
5. RISE WITH REPORT FROM IN CAMERA	
6. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE	
7. COMMITTEE MINUTES - FOR INFORMATION	
None	
8. DELEGATION	
There are no delegation presentations.	
9. REPORTS	
a) Office of the Chief Administrative Officer	

b) Corporate & Legislative Services

- i. Notice on Title – 1350 Greenwood Street, Pemberton, BC
Lot 30, DI 2705, LLD, Plan 76833** 17

Recommendation One: THAT the report from the Manager of Corporate & Legislative Services, dated December 8, 2020 be received.

Recommendation Two: THAT the Corporate Officer be directed to file a Notice in the Land Title Office stating that:

- (a) A resolution relating to the land has been made under Section 57 of the Community Charter; and
- (b) Further information respecting the resolution maybe inspected at the Village of Pemberton Municipal Hall.

c) Finance

- i. 2021 – 2025 Five Year Financial Plan Schedule** 26

Recommendation: THAT Council approve the schedule as presented.

d) Development Services

- i. Development Variance Permit No. 124 – 1368 Fernwood Drive** 29

Recommendation: THAT Council approves Development Variance Permit No. 124 to facilitate a future subdivision of the lot located at 1368 Fernwood Drive.

AND THAT the Mayor and Chief Administrative Officer be authorized to execute the permit.

- ii. Request to Rename Sabre Way to Sunstone Way** 52

Recommendation: THAT Council approve the renaming of Sabre Way to Sunstone Way to aid in wayfinding without requesting the holding of a Public Information Session.

AND THAT Staff be directed to proceed with one month's notice and inform the developers of Sunstone as per the Street Naming Bylaw.

- iii. Major Development Permit No. 087 – Mountain Side Collection** 69

Recommendation: THAT Development Permit No. 087 be authorized for issuance, and the Mayor and Chief Administrative Officer be authorized to execute the Permit, subject to the successful completion of the following conditions to the satisfaction of the Manager of Development Services:

- a) Provision of a landscape bond in accordance with British Columbia Society of Landscape Architects standards in the amount of 120% of the soft landscaping costs in the amount of \$239,393.232
- b) Payment of any outstanding review fees

AND THAT Development Permit No. 087 hereby varies Section 8.10 a) of the Village of Pemberton Zoning Bylaw No. 832, 2018 by permitting tandem parking in a garage for twenty (20) units with a floor area larger than 110 m².

AND THAT Development Permit No. 087 hereby varies Section 8.3 of the Village of Pemberton Zoning Bylaw No. 832, 2018 by reducing the required number of Visitor Parking Stalls from eight (8) to seven (7).

10. BYLAWS

There are no bylaws for consideration.

11. MAYOR'S Report

12. COUNCILLORS' Reports

14. CORRESPONDENCE

a) For Action

- i. Correspondence from Doug Benville, COO, Pure Extract Technologies, dated November 26, 2020, requesting that Council reconsider business licence fees for cannabis related businesses. 100**

- ii. Correspondence from Mayor Cumming, City of Vernon, dated November 30, 2020, providing a letter to Premier John Horgan, the Honourable Selina Robinson, Minister of Finance, the Honourable Adrian Dix, Minister of Health, and Harwinder Sandhu, MLA, Vernon-Monashee, in support of universal no-cost access to all prescription contraception available in BC under the Medical Services Plan, and requesting that all BC municipalities write their support as well. 101**

Recommendation: THAT Council provide direction.

b) For Information

- i. Correspondence from Krista Walden, on behalf of Pemberton Cemetery Committee, and Tanis Ayers, Secretary/Manager, Royal Canadian Legion #201, dated November 24, 2020, extending sincere thanks to Mayor and Council for their support of the Pemberton Cemetery Enhancement Project. 102**

- ii. Correspondence from Teale Phelps Bondaroff, Chair and Co-Founder, and Devon Black, Co-Founder, AccessBC, dated November 27, 2020, thanking Mayor and Council for their support of resolutions EB76 and EB77 at the recent meeting of the Union of British Columbia Municipalities, calling on the government to make prescription contraception available at no cost under the BC Medical Services Plan. 103**

- iii. Correspondence from Lori Ackerman, Mayor, Fort St. John, dated December 1, 2020, providing a letter to Jamee Justason, UBCM, requesting an update on members' response to the resolution submission process changes and the change in Minister meeting scheduling. 105**

- iv. Correspondence from Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated December 2, 2020, announcing a deadline extension to January 7, 2021 for applications to the Early Learning and Child Care Innovation Program. 107**

- v. **Correspondence from Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated December 2, 2020, announcing the launching of the application page for the BC COVID-19 Resilience Stream funding.** 108

Recommendation: THAT the correspondence be received.

15. DECISION ON LATE BUSINESS

16. LATE BUSINESS

17. NOTICE OF MOTION

18. QUESTION PERIOD

109

19. IN CAMERA

THAT the meeting is closed to the public in accordance with the *Community Charter* Section 90 (1) (k) Negotiations, (g) Litigation or potential litigation, (l) Municipal Objectives and related discussions that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.

20. RISE WITH REPORT

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, November 17, 2020 9:00 a.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1527.

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
Lena Martin, Manager, Finance
Lisa Pedrini, Manager of Development Services
Tom Csima, Manager of Operations and Projects
Robert Grossman, Fire Chief
Christine Burns, Manager of Recreation Services
Joanna Rees, Planner
Matt Rempel, Planning & GIS Technician
Sarah Toews, Emergency Program Coordinator
Cameron Chalmers, Contract Planner
Gwendolyn Kennedy, Building and Planning Clerk

PUBLIC: 6

MEDIA: 1

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

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

1. CALL TO ORDER REGULAR MEETING

At 9:03 a.m. Mayor Richman called the Regular 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 presented.

CARRIED

3. ADOPTION OF MINUTES

a) Regular Council Meeting No. 1526, Tuesday, November 3, 2020

Moved/Seconded

THAT the minutes of Regular Council Meeting No. 1526, held Tuesday, November 3, 2020, be adopted as circulated.

CARRIED

4. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING

There was no business arising from the previous Regular Council Meeting.

5. RISE WITH REPORT FROM IN CAMERA

There was no rise with report.

6. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE

There is no rise with report.

7. COMMITTEE MINUTES - FOR INFORMATION

None

8. DELEGATION

There were no delegation presentations.

9. REPORTS

a) Office of the Chief Administrative Officer

i. Community Emergency Preparedness Fund – UBCM Structural Flood Grant Application

Moved/Seconded

THAT Council support a funding application for an amount up to \$621,500 to UBCM's Structural Flood Mitigation funding stream for the North Arm outlet replacement, the Riverlands' culvert gate replacement and installation of a hydrometric gauge on the Green and the Miller Rivers.

CARRIED

ii. Union of British Columbia Municipalities - Evacuation Route Planning Funding Stream Grant Application – Resolution revised – Verbal Report

Emergency Management Coordinator Sarah Toews presented a verbal report explaining the need to rescind the resolution passed at Regular Council Meeting No. 1526 and to pass a new resolution correcting the funding request.

Moved/Seconded

THAT the following resolution passed at the Regular Meeting No. 1526, held Tuesday, November 3, 2020 be rescinded:

THAT Council supports an application to UBCM's Evacuation Route Planning funding stream for funding, in the amount of \$25,000, to undertake a joint project for an evacuation exercise in the Pemberton Valley and Squamish floodplain to test existing evacuation planning assumptions.

CARRIED

Moved/Seconded

THAT Council supports a joint application with the Squamish-Lillooet Regional District and District of Squamish to UBCM's Evacuation Route Planning funding stream for a \$60,000 consultant-led evacuation exercise in the Pemberton Valley and Squamish floodplain affected areas.

CARRIED

iii. 2020 Strategic Priorities – Update

Moved/Seconded

THAT correspondence be sent to the Honourable Katrina Chen, Minister of State for Childcare, requesting support for the Village's funding application for expansion of Pemberton Children's Centre, and requesting an opportunity to meet to discuss the Village's childcare needs.

AND THAT the correspondence be copied to Premier Horgan and Jordan Sturdy, MLA for West Vancouver – Sea to Sky.

CARRIED

Moved/Seconded

THAT the 2020 Strategic Priorities Update be received.

CARRIED

b) Corporate & Legislative Services

i. Outstanding Resolutions Listing

Moved/Seconded

THAT the Outstanding Resolutions Listing be received for information.

CARRIED

c) Finance

i. Third Quarter Financial Report – July - September

Moved/Seconded

THAT the Third Quarter Financial Report be received for information.

CARRIED

d) Development Services

i. Major Development Permit (DP-083) – ‘Elevate @ Sunstone’ – Amendment

Moved/Seconded

THAT Development Permit No. 083 be authorized for issuance, and the Mayor and Chief Administrative Officer be authorized to execute the Permit, subject to the successful completion of the following conditions to the satisfaction of the Manager of Development Services:

- a) Provision of a landscape bond in accordance with BCSLA standards in the amount of \$231,532.80;
- b) Registration of subdivision plans for the proposed lot-line adjustment;
- c) Execution of an easement agreement between the subject lands and proposed Lot 2 on the lot line adjustment plan registered on title to permit the encroachment of the Sierra Mechanized Earth Wall and snow dump area on the easterly neighbouring lot; and
- d) Payment of any outstanding review fees.

AND THAT Development Permit No. 083 hereby varies Section 8.3 of the Village of Pemberton Zoning Bylaw No. 832, 2018 by reducing the required number of Visitor Parking Stalls from twelve (12) to eight (8).

AND THAT Development Permit No. 083 hereby varies Section 7.21 a) i) and 4.13 a) viii) of the Village of Pemberton Zoning Bylaw No. 832, 2018. to permit retaining walls above 1.2 metres in height in substantial compliance with the Elevation Site Plan Drawings prepared by Urban West Architecture, dated 2nd of October 2020. and Landscape Plan – Walls & Trees prepared by Urban West

Architecture, dated 28th of October 2020.

AND THAT the Developer consider ways to create a family friendly connecting trail through the Strata and soften the retaining wall.

CARRIED

OPPOSED: Councillor Antonelli

ii. Development Services Third Quarter Report – July - September

At 10:32 a.m. CAO Gilmore left the meeting.

Moved/Seconded

THAT the Development Services Third Quarter Report be received for information.

CARRIED

At 10:39 a.m. CAO Gilmore returned to the meeting.

e) Operations Department

i. Operations Department Third Quarter Report – July - September

Moved/Seconded

THAT the Operations Department Third Quarter Report be received for information.

CARRIED

At 10:49 a.m. the Regular Meeting was recessed.

At 10:57 a.m. the Regular Meeting was reconvened.

f) Recreation Services Department

i. Recreation Services Department Third Quarter Report – July - September

Moved/Seconded

THAT the Recreation Services Department Third Quarter Report be received for information.

CARRIED

g) Pemberton Fire Rescue Department

I. Pemberton Fire Rescue Third Quarter Report – July - September

Moved/Seconded

THAT the Pemberton Fire Rescue Department Third Quarter Report be received for information.

CARRIED

11. BYLAWS

a) Bylaw for Adoption

i. Village of Pemberton Development Procedures Bylaw No. 887, 2020

Moved/Seconded

THAT Development Procedures Bylaw No. 887, 2020 receive Fourth and Final Readings.

CARRIED

b) Bylaw for First, Second, Third and Fourth (Adoption) Readings

i. Village of Pemberton 2020-2024 Five Year Financial Plan Amendment Bylaw No. 891, 2020

Moved/Seconded

THAT Village of Pemberton 2020-2024 Five Year Financial Plan Amendment Bylaw No. 891, 2020 receive First, Second, Third, and Fourth and Final readings.

CARRIED

12. MAYOR'S Report

Mayor Richman thanked the Royal Canadian Legion – Pemberton Branch 201 for providing a live-streamed virtual Remembrance Day service that allowed us to be part of this importance ceremony while respecting COVID-19 distancing protocols.

Mayor Richman reported on meetings with Vancouver Coastal Health, the Honourable Adrian Dix, Minister of Health, the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General, the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, and Dr. Bonnie Henry, at which discussion took place respecting the new Provincial Health Orders (PHO). Several municipalities on the call brought up the need for advance notice to local governments of public health orders and the challenges of COVID fatigue. As well, those in attendance sought clarification regarding permission to travel for sports and asked if the current PHO measures would last longer than two weeks.

Mayor Richman reported on meetings with Patrick Weiler, MP for West Vancouver – Sunshine Coast – Sea to Sky Country, and local Mayors, during which discussion touched on universal broadband funding, local COVID-19 exposures, infrastructure grants, and a new safe injection site planned for Squamish.

Mayor Richman thanked the Public Works crew in handling the early snow fall and keeping the roads clear, reminded drivers to drive with caution in winter conditions, and reminded residents that winter parking regulations are now in effect.

Mayor Richman also reported on:

- Discussions with Innergex, Surf Pemberton, and Canoe-Kayak BC regarding enhancing the use of the Rutherford kayak surf facility;
- Conversation with Natalie Szewczyk from WorkBC regarding online training for early childhood educators;
- Discussion with local doctors regarding COVID-19 testing currently being done in a tent;
- Upcoming information session on landslides and wildfires in Pemberton and a workshop on emergency preparedness. Further information is available from the library.

Mayor Richman noted that although the Village is not able to mandate the use of masks in public spaces, however, all are encouraged to wear masks to protect themselves and others. As of November 9, 2020, masks are mandatory in all Village facilities.

Mayor Richman advised that he had received an email, which had been sent to various agencies, from a local resident respecting the closure of the Nairn Falls Provincial Park Parking Lot and requesting that the lot be opened and offering services to keep the lot cleared during the winter months so that locals and visitors alike may use the area. Mayor Richman sought Council's support in sending a letter to BC Parks requesting consideration in opening the Park gates.

BC Parks

Moved/Seconded

THAT correspondence be sent to BC Parks, requesting the gate to Nairn Falls Provincial Park be open during winter months for safety reasons and to encourage residents to take part in outdoor activities that can be accomplished safely while respecting COVID-19 distancing recommendations;

AND THAT Jordan Sturdy, MLA for West Vancouver – Sea to Sky, be copied on the correspondence.

CARRIED

13. COUNCILLOR'S Report

Councillor Craddock

Council Craddock reported on the following:

- Pemberton Valley Dyking District AGM
- School District 93 Public Information Session regarding the proposed new school to be built on Stage 2 of the Tiyata development.

Councillor Noble did not report.

Councillor Zant did not report.

Councillor Antonelli did not report.

14. CORRESPONDENCE

a) For Action

- Correspondence from Shannon Story, Executive Director, Lower Mainland Local Government Association, dated November 11, 2020, extending an invitation to Mayor and Councillors to attend the virtual CIVX event to be held November 23rd to November 25th, from 11:30 a.m. to 2:45 p.m.**

Moved/Seconded

THAT the correspondence be received.

CARRIED

b) For Information

- Correspondence from Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated October 29, 2020, relaying details of the Rapid Housing Initiative to help address urgent housing needs of vulnerable Canadians.**
- Correspondence from Cory Heavener, Provincial Director of Child Welfare, and Renaa Bacy, Provincial Director of Adoption, Ministry of Children and Family Development, dated November 2, 2020, regarding Adoption Awareness month.**
- Correspondence from Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated October 29, 2020, announcing the Universal Broadband Fund which will help connect 98% of Canadian households to high-speed internet by 2026.**

- iv. **Correspondence from Kaye Krishna, Deputy Minister, Ministry of Municipal Affairs and Housing, dated November 9, 2020, in response to meetings held at the Union of British Columbia Municipalities meetings in September.**
- v. **Correspondence from Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated November 10, 2020, regarding funding opportunities available under the Rural and Northern Capacity Fund launched by Food Banks Canada.**
- vi. **Correspondence from Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated November 10, 2020, as a reminder of the second intake of the CleanBC Communities Fund, a cost-sharing program for infrastructure projects that will focus on the management of renewable energy, access to clean-energy transportation, improved efficiency of buildings and the generation of clean energy.**
- vii. **Correspondence from Peter Ronald, Programs Officer, Union of British Columbia Municipalities/ Local Government Program Services, dated November 10, 2020, advising that funding has been approved for the Asset Management Plan & Long-Term Financial Modeling project under the 2020 Asset Management Planning Grant Program.**

Moved/Seconded

THAT the correspondence be received.

CARRIED

15. DECISION ON LATE BUSINESS

16. LATE BUSINESS

17. NOTICE OF MOTION

There was no Notice of Motion.

18. QUESTION PERIOD

Dan Falloon, Pique Newsmagazine, requested clarification regarding the following issues:

- The funding application for the North Arm outlet replacement, the Riverlands' culvert gate, and installation of hydrometric gauges on the Green and Miller Rivers;
- Property tax revenue collected to date; and
- Sought clarity on the effective date of the water rate increase established through an agreement between the Village and Lil'wat Nation for the water service at the Industrial Park.

At 11:52 a.m. the Regular meeting was recessed.

At 12:04 p.m. the Regular Meeting was reconvened.

19. IN CAMERA

Moved/Seconded

THAT the meeting is closed to the public in accordance with the *Community Charter* Section 90 (1) (k) Negotiations, (g) Litigation or potential litigation, (l) Municipal Objectives and related discussions that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.

CARRIED

20. MOVE IN CAMERA

At 12:04 p.m. Council moved In Camera.

21. RISE FROM IN CAMERA

At 1:36 p.m. Council rose from In Camera with report.

Council Rose with Report on the following resolution passed at the In Camera Meeting No. 1521, held Tuesday, September 1, 2020:

Transit Cost Sharing Agreement:

THAT the Mayor and Chief Administrative Officer be authorized to sign the Transit Cost Sharing Agreement between the Squamish-Lillooet Regional District, Lil'wat Nation and the Village of Pemberton as presented to Council on September 1, 2020.

22. ADJOURNMENT OF REGULAR COUNCIL MEETING

Moved/Seconded

THAT the Regular Council Meeting be adjourned.

CARRIED

At 1:37p.m. the Regular Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

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

Minutes of the Special Meeting of Council of the Village of Pemberton held on Tuesday, November 30, 2020 9:00 a.m. Via electronic means. This is Meeting No. 1528.

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, Development Services

PUBLIC: 3

MEDIA: 0

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

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

1. CALL TO ORDER REGULAR MEETING

At 9:09 a.m. Mayor Richman called the Regular 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 presented.
CARRIED

15. IN CAMERA

Moved/Seconded
THAT the meeting is closed to the public in accordance with the *Community Charter* Section 90 (1) (k) Negotiations and (l) Municipal Objectives and related discussions that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.
CARRIED

16. MOVE IN CAMERA

At 9:12 a.m. Council moved In Camera.

17. RISE FROM IN CAMERA

At 10:29 a.m. Council rose from In Camera with report.

18. RISE WITH REPORT

Development Cost Charge Bylaw

Moved/Seconded

THAT Staff be directed to prepare an Eligible Development for Waiving or Reducing Development Cost Charge Bylaw for consideration by Council in 2021.

CARRIED

19. ADJOURNMENT OF REGULAR COUNCIL MEETING

Moved/Seconded

THAT the Special Council Meeting be adjourned.

CARRIED

At 10:29 a.m. the Special Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Date: Tuesday, November 17, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Sheena Fraser, Manager, Corporate & Legislative Services
Subject: Notice on Title – 1350 Greenwood Street, Pemberton, BC
Lot 30, DL 2705, LLD, Plan76833.

PURPOSE

The purpose of this report is to recommend filing a Notice on Title on the property at 1350 Greenwood Street, Pemberton, BC legally described as Lot 30, District Lot 2705, Lillooet Land District, Plan KAP76833.

BACKGROUND AND COMMENTS

A Section 57 Notice on Title provides advice to any potential purchases of a property that unauthorized, uninspected construction has taken place on the site and the purchaser should investigate the matter to determine, to their own satisfaction, whether or not they wish to proceed with the purchase of the property.

If a property owner, having received a Notice on their Title, corrects the contravention to the satisfaction of the Village, they may apply to have the Notice removed, at their own expense.

The application of Notice on Title is governed by a statutory process and the property owner must be provided an opportunity to appear before Council to respond to the Village's position. Placing a Notice on Title may not move forward until that opportunity has been provided.

In 2018, the Village received a building permit application for a single-family home with suite to be constructed at 1350 Greenwood Street. A report from the Building Inspector is attached as **Appendix A** and outlines the background information respecting this matter.

The Building Permit was issued in December 2018; however, it was not until an occupancy inspection was requested for the suite that it was discovered that the rest of the house had not been constructed. It should be noted, that during this time, there was a change in Building Officials, which is why this was only noted during occupancy of the suite. Following delays due to the COVID-19 Pandemic, a review of the Building Permit file took place in anticipation of a new contractor taking over the project and it was further discovered that the building did not conform to the Village's Zoning Bylaw as the suite was in fact a carriage house and not connected to the main residence.

In this regard, the property is zoned R-1 and carriage houses are not permitted in the zone under section 11.1 of Zoning Bylaw 832, 2018 (**Appendix B**). As per section 7.1 of Zoning Bylaw No.

832, 2018 (**Appendix C**), the buildings would need to be connected by way of conditioned space¹ of no more than five (5) metres in length to be compliant with the Zoning Bylaw.

To remedy the non-compliance, the building would have to be redesigned in such a way that the two buildings (suite/carriage house) and the main home would be connected. This could be achieved by establishing a conditioned connection between the two buildings. However, this would be costly and impact the energy efficiency they owners were expecting to achieve.

Discussion took place with the Agents for the property owners to provide two options for consideration to address the non-compliance, which were to redesign the home to comply or the property owner agreeing to having a Section 57 Notice on Title registered. The Village reached out to the property owner advising of the two options. In this regard, the property owner elected to have the Village place a Section 57 Notice on Title as this would allow the project to proceed.

On December 4, 2020, Staff received email correspondence from the property owner reiterating that they agree with the solution arrived upon in October. However, the property owner did clarify that as the building permit was issued in 2018, they understood they had met the intent of the Village's bylaws as they had not received any indication there might be a need to modify the plans to address either building or zoning concerns. Further, based on advice provided by their contractor at the time, the property owner was of the understanding that the suite could be built before the house and that it could be occupied. The property owners wished to convey to Council that they did not in any way deliberately contravene the Village's bylaws and as they are in agreement with the Notice on Title they do not require time to be heard by Council on this matter.

DISCUSSION

Section 57 of the *Community Charter* provides Council with a tool to protect future purchases of any property deemed to be in contravention of Village bylaws, particularly as the relate to building and liability matters.

As noted in the Building Inspectors Report and in the background section of this report, the property owner was provided two options:

1. Bring the home into compliance by establishing a conditioned connection between the two buildings
2. Not bring the home into compliance but agree to the registration of a Notice on Title to ensure future owners are aware of a non-compliance to the Zoning Bylaw.

In this regard, the Village has confirmed with the property owner that they do not wish to undertake a redesign and have elected to have a Section 57 Notice placed on Title.

COMMUNICATIONS

Notification to the property owner of the intent to place a Section 57 Notice on Title respecting the non-conforming building was provided by email on Monday, November 30, 2020. As per the section 57 (3) of the *Community Charter*, the property owner has been advised that should the owner desire an opportunity to be heard will be provided at the Council Meeting at which the matter is being considered.

¹ Conditioned Space is defined in the *BC Building Code* as any space within a building the temperature of which is controlled to limit variation in response to the exterior ambient temperature by the provision, either directly or indirectly, of heating or cooling over substantial portions of the year.

LEGAL CONSIDERATIONS

Section 57 of the *Community Charter* sets out the process by which a local government may consider placing a Notice on Title in which the Building Inspector observes a condition that is contravention of a bylaw. The section is noted as **Appendix D** attached.

IMPACT ON BUDGET & STAFFING

The establishment of a Section 57 Notice on Title has been facilitated in-house; however, there will be some costs associated with the registration of the Notice on Title at the Land Title Office. These costs can be accommodated.

INTERDEPARTMENTAL IMPACT & APPROVAL

At this time there are no interdepartmental impacts or approvals required.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are no impacts on the region or neighboring jurisdictions.

ALTERNATIVE OPTIONS

There are no alternative options for consideration.

RECOMMENDATIONS

Recommendation One:

THAT the report from the Manager of Corporate & Legislative Services, dated December 8, 2020 be received.

Recommendation Two:

THAT the Corporate Officer be directed to file a Notice in the Land Title Office stating that:

- (a) A resolution relating to the land has been made under Section 57 of the Community Charter; and
- (b) Further information respecting the resolution maybe inspected at the Village of Pemberton Municipal Hall.

Attachments:

Appendix A: Building Inspectors Report, dated November 9, 2020

Appendix B: Zoning Bylaw No. 832, 2018 - Part 11: Residential Zones, Detached

Appendix C: Zoning Bylaw No. 832, 2018 – Part 7: Additional Zoning Regulations for Certain Uses – section 7.1

Appendix D: *Community Charter*, Section 57

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

Date: November 9, 2020
To: Sheena Fraser, Manager of Corporate & Legislative Services
From: Chris Derouin, Building Inspector
Subject: Section 57 NOTICE ON TITLE – 1350 Greenwood St.

PURPOSE

The purpose of this report is to recommend the filing of a Notice on Title with respect to the property at 1350 Greenwood Street, Pemberton, BC legally described as **Lot 30, District Lot 2705, Lillooet District, Plan KAP76833**.

BACKGROUND

The single-family dwelling with an accessory suite was flagged during a zoning review by the Village's Planner on September 19th, 2018 for being in contravention of Zoning Bylaw No. 832, 2018 due to the proposed construction of a carriage house. The R-1 Zone allows for a secondary suite to be completely contained within the principal building but not as a detached accessory residential building. The permit was issued by the previous Chief Building Official in December of 2018 with no mention of the non-compliant carriage house.

In December of 2019, the project contractor requested an occupancy inspection for the suite/carriage house. At that time, the Village's Interim Building Official declined to complete the inspection, stating that they could not offer occupancy to a suite when the rest of the house had not been constructed. The owner disregarded the Interim Building Official's requirement and allowed a paying tenant to move into the suite.

Around this time, the contractor formally withdrew from the project and filed a formal withdrawal notice with the Village on June 5, 2020. The Owner and Agent then sought a new contractor to take over the project.

It was brought to the Village's attention that a tenant had moved into the carriage house and a Do Not Occupy Notice was posted on March 10, 2020. However, due to COVID-19 concerns, the Village did not follow up with enforcement.

On June 30, 2020, the Village sent correspondence to the Owner and Agent informing them that work could not proceed until a new licensed home builder had been assigned to the project. An administrative hold was placed on the permit.

On July 27, 2020, the Village was provided updated information from the new contractor and as such released the administrative hold on the permit. At this time, during a plan review, it was noticed that the carriage house was in fact detached from the principal dwelling and non-conforming to the Zoning Bylaw.

The new contractor is continuing to work on the project. There is no current building permit contravention as there is a permit authorizing construction of a principal residence with suite.

On September 9, 2020, Staff met with the Agents for the property owner, architect and contractor to discuss the situation and possible solutions, such as creating a conditioned connection between the two buildings. This idea was rejected due the nature of modular passive house construction and that the augmentation of the prefabricated panels would undermine its thermal resistive capabilities. This would result in the contractor not being able to attain the level of energy efficiency of the original design and therefore the passive house certification.

As the option to create a connection between the principal dwelling and the detached suite was not supported, Staff is recommending placing a Section 57 Notice on Title.

A Stop Work notice was issued on October 7th, 2020 and removed two days later after the property owner agreed to the registering of a Notice on Title.

LEGAL CONSIDERATIONS

Section 57 of the *Community Charter* allows the Village to file Notice on Title of any property where the Building Inspector:

- a) observes a contravention of a municipal bylaw, provincial building regulation, or another enactment that relates to the construction or safety of buildings or other structures; or
- b) discovers that something was done without a permit or inspection.

Before notice may be filed on title under Section 57 of the *Community Charter*, Council must give the Building Inspector and the property owner an opportunity to be heard.

Section 57 of the *Community Charter* provides that the owner of the property must be provided the opportunity to be heard prior to a notice being registered on the title.

RECOMMENDATIONS

As a result of the contravention of Zoning Bylaw No. 832, 2018, the Building Official recommends to Council that it consider a resolution as per Section 57(3) of the *Community Charter* that states:

THAT after providing the Building Official and the Owner an opportunity to be heard, Council may confirm the recommendations of the Building Official and pass a resolution directing the Corporate Officer to file a Notice in the Land Title Office stating that:

- (a) a resolution relating to that land has been made under this section, and
- (b) further information about it may be inspected at the municipal hall.

Prepared by:	Chris Derouin, Building Official
Manager Approval:	Lisa Pedrini, Manager of Development Services

PART 11: Residential Zones, Detached

11.1 Residential 1 (R-1)

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

11.1.1. Permitted Principal Uses

- (a) *Dwelling, Detached*

11.1.2. Permitted Accessory Uses

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

11.1.3. Lot Regulations

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

11.1.4. Building Regulations

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

11.1.5. Conditions of Use:

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

PART 7: Additional Zoning Regulations For Certain Uses

7.1 Accessory Buildings or Structures and Uses

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

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

7.2 Accessory Greenhouse

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

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

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

Note against land title that building regulations contravened

57 (1) A building inspector may recommend to the council that it consider a resolution under subsection (3) if, during the course of carrying out duties, the building inspector

(a) observes a condition, with respect to land or a building or other structure, that the inspector considers

(i) results from the contravention of, or is in contravention of,

(A) a municipal bylaw,

(B) a Provincial building regulation, or

(C) any other enactment

that relates to the construction or safety of buildings or other structures, and

(ii) that, as a result of the condition, a building or other structure is unsafe or is unlikely to be usable for its expected purpose during its normal lifetime, or

(b) discovers that

(i) something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (i), and

(ii) the permit was not obtained or the inspection not satisfactorily completed.

(2) A recommendation under subsection (1) must be given in writing to the corporate officer, who must

(a) give notice to the registered owner of the land to which the recommendation relates, and

(b) after notice under paragraph (a), place the matter before the council.

(3) After providing the building inspector and the owner an opportunity to be heard, the council may confirm the recommendations of the building inspector and pass a resolution directing the corporate officer to file a notice in the land title office stating that

(a) a resolution relating to that land has been made under this section, and

(b) further information about it may be inspected at the municipal hall.

(4) The corporate officer must ensure that all records are available for the purpose of subsection (3) (b).

(5) If the registrar of land titles receives a notice under subsection (3) and payment of the prescribed fee, the registrar must make a note of the filing against the title to the land that is affected by the notice.

(6) The note of a filing of a notice under this section is extinguished when a new title to the land is issued as a result of the deposit of a plan of subdivision or a strata plan.

(7) In the event of any omission, mistake or misfeasance by the registrar or an employee of the registrar in relation to the making of a note of the filing under subsection (5), or a cancellation under section 58, after the notice is received by the land title office,

(a) the registrar is not liable and neither the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,

(a.1) the assurance fund or the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the *Land Title Act*, and

(b) the assurance fund or the minister charged with the administration of the *Land Title Act* as a nominal defendant is not liable under Part 20 of the *Land Title Act*.

(8) Neither the building inspector nor the municipality is liable for damage of any kind for the doing of anything, or the failure to do anything, under this section or section 58 that would have, but for this subsection, constituted a breach of duty to any person.

(9) The authority under this section is in addition to any other action that a building inspector is authorized to take in respect of a matter referred to in subsection (1).

Date: December 8, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Lena Martin, Manager of Finance
Subject: 2021 – 2025 Five Year Financial Plan Schedule

PURPOSE

To present to Council the proposed 2021 – 2025 Five Year Financial Plan Budget Timeline for scheduling purposes.

BACKGROUND

Each year, Staff prepares a budget deliberation timeline for review and consideration by Council. The timeline is in alignment with the meeting schedule as established by Council with an aim to complete the budget process by end of April or early May as the Bylaws must be submitted to the Ministry of Municipal Affairs and Housing before May 15th.

DISCUSSION & COMMENTS

In order to meet the legislated timelines to complete the 2021 – 2025 Five Year Financial Plan and Tax Rate Bylaws, Staff proposes the following timeline, with the addition of a Committee of the Whole meeting on an alternate *date:

Date	Description
Tuesday, December 8	Regular Council Meeting <ul style="list-style-type: none"> Draft Budget Timeline Report to Council
December/ January	Meetings/Discussion with Managers and CAO to finalize projects and priorities.
Tuesday, February 2	Committee of the Whole Meeting <ul style="list-style-type: none"> Budgeting Session #1– 2021 Operating Budgets, Capital and Project Budgets 1st Draft
Tuesday, February 16	Committee of the Whole Meeting <ul style="list-style-type: none"> Budgeting Session #2– 2021 Revised Operating, Approved Capital and Project Budgets
Tuesday, March 2	Committee of the Whole Meeting <ul style="list-style-type: none"> Tax Implications of 2021 Revised Draft Budget
Tuesday, March 16	Public Budget Information Session 2020 review (prior to Council)
Tuesday, March 16	Committee of the Whole Meeting <ul style="list-style-type: none"> Budgeting Session #3 – 2021 Final Budget with Tax Implications and 5 Year Financial Plan review prior to Bylaws coming forward for adoption.
Tuesday, April 13	Regular Council Meeting

	<ul style="list-style-type: none"> 2021 - 2025 Five Year Financial Plan Bylaw 1st, 2nd and 3rd readings (S.165 <i>Community Charter (CC)</i>)
Tuesday, April 27	Regular Council Meeting <ul style="list-style-type: none"> 2021 - 2025 Five Year Financial Plan Bylaw 4th & Final 2021 Tax Rates Bylaw 1st, 2nd and 3rd readings
Tuesday, May 11	Regular Council Meeting <ul style="list-style-type: none"> 2021 Tax Rates Bylaw 4th & Final (S.197 CC)

***Bold indicates Regular Council Meeting dates as per the 2021 Meeting Schedule approved by Council**

COMMUNICATIONS

Once the format and date for public consultation has been determined, Staff will provide notification through the eNEWS, Village Website and Facebook (Village’s page), as well as newspaper advertisements.

LEGAL CONSIDERATIONS

There are no legal considerations at this time.

IMPACT ON BUDGET & STAFFING

The Five Year Financial Plan and Tax Rates Bylaws must be adopted and forwarded to the Ministry of Municipal Affairs and Housing before May 15, 2021. The timeline provided above will enable the Village to meet this requirement.

INTERDEPARTMENTAL IMPACT & APPROVAL

There will be impact on all departments to prepare departmental projects and costs to be included in the 2021 – 2025 Five Year Financial Plan, which can be accommodated in each departments’ work plan.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There is no impact on the region or neighboring jurisdictions.

ALTERNATIVE OPTIONS

There are no alternative options for consideration.

RECOMMENDATIONS

THAT Council approve the schedule as presented.

ATTACHMENTS:

Appendix A: 2021 Council Calendar

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

2021 Council Meeting Schedule January – December

(Approved by Council: Meeting No. 1525 - Tuesday, October 20, 2020)

Council Meetings are held in Council Chambers located at 7400 Prospect Street (Village Office) unless otherwise posted.

COUNCIL January 12, 2021 5:30 p.m.	COUNCIL February 2, 2021 5:30 p.m.	COUNCIL March 2, 2021 5:30 p.m.	COUNCIL April 13, 2021 5:30 p.m.
	COUNCIL February 16, 2021 9:00 a.m.	COUNCIL March 16, 2021 9:00 a.m.	COUNCIL April 27, 2021 9:00 a.m.
COUNCIL May 11, 2021 5:30 p.m.	COUNCIL June 1, 2021 5:30 p.m.	COUNCIL July 13, 2021 5:30 p.m.	August 2021 Summer Break
	COUNCIL June 15, 2021 9:00 a.m.	COUNCIL July 27, 2021 9:00 a.m.	COUNCIL August 31, 2021 5:30 p.m.
COUNCIL September 21, 2021 5:30 p.m.	COUNCIL October 5, 2021 5:30 p.m.	COUNCIL November 2, 2021 5:30 p.m.	COUNCIL December 7, 2021 5:30 p.m.
	COUNCIL October 19, 2021 9:00 a.m.	COUNCIL November 16, 2021 9:00 a.m.	

Please note: Committee of the Whole and In Camera meetings will be scheduled as required.

Date: December 8, 2020

To: Nikki Gilmore, Chief Administrative Officer

From: Cameron Chalmers, RPP, MCIP, Consulting Planner
Matthew Rempel, Planning and GIS Technician

Subject: Development Variance Permit No. 124 – 1368 Fernwood Drive

PURPOSE

The purpose of this report is for Council to reconsider issuance of Development Variance Permit (DVP) No. 124 for the lot located at 1368 Fernwood Drive attached as **Appendix A**.

BACKGROUND

The Owners and Applicants, Karen and Miles Dyczkowski, submitted an application for subdivision approval on April 24, 2018. The subdivision proposal is to create three (3) new residential lots with a residential remainder on a 0.47 hectare (1.17 acre) property legally described as Lot 1, Plan KAP 38637, DL 203, LLD located at 1368 Fernwood Drive, as shown on **Appendix B**. The development variance permit application submitted on April 20, 2020 is to facilitate the proposed subdivision.

The history and relevant background information for Development Variance Permit (DVP) No. 124 was outlined in the report presented to Council on May 26, 2020 which is attached as **Appendix C**.

The DVP application was initially considered by Council at their Regular Meeting No. 1515, held on May 26, 2020. and the following resolution was passed:

Moved/Seconded

THAT Council refers the application for Development Variance Permit No. 124 back to Staff to address the following considerations:

- a) *Snow Clearing*
- b) *Drainage*
- c) *Setback on the house*
- d) *Impacts to neighbors (parking and road width)*
- e) *Snow storage*
- f) *Pedestrian connectivity*

CARRIED

The Applicants considered Council's comments and prepared an amendment to the variance proposal as detailed in this report. Staff have included comments on each matter raised by Council at their meeting of May 26; however, note that several items raised by Council are not directly included in the variance request but are subject to subdivision approval.

PROPOSAL DESCRIPTION

The Applicants have submitted an updated design to address Councils’ considerations. The proposed DVP No. 124 would vary two (2) requirements of Subdivision and Development Control Bylaw No. 677, 2012 to achieve a reduced road width and to permit overhead utility lines. The only difference in the updated design is that the Applicants are no longer requesting a variance to the front yard setback.

With respect to the road dimension variances, the following table outlines the Bylaw standard requirements for Hillside Road standards, and the variance requested. The effect would be to reduce the right-of-way and finished portion of the road, resulting in a narrower road. The variances to the road standards have not changed from the initial proposal.

Standard	Bylaw 677, 2012 Standard	Proposed Standard	Variance Requested
Right-of-Way Width	18.0 metres	15.0 metres	- 3.0 metres
Asphalt Width	8.1 metres	7.5 metres	- 0.5 metres
Lane Width	3.3 metres	3.0 metres	- 0.3 metres
Ditch Width	3.6 metres	2.0 metres	- 1.6 metres

Table 1: Road Variances

The following road cross section has been submitted by the applicant in support of the application:

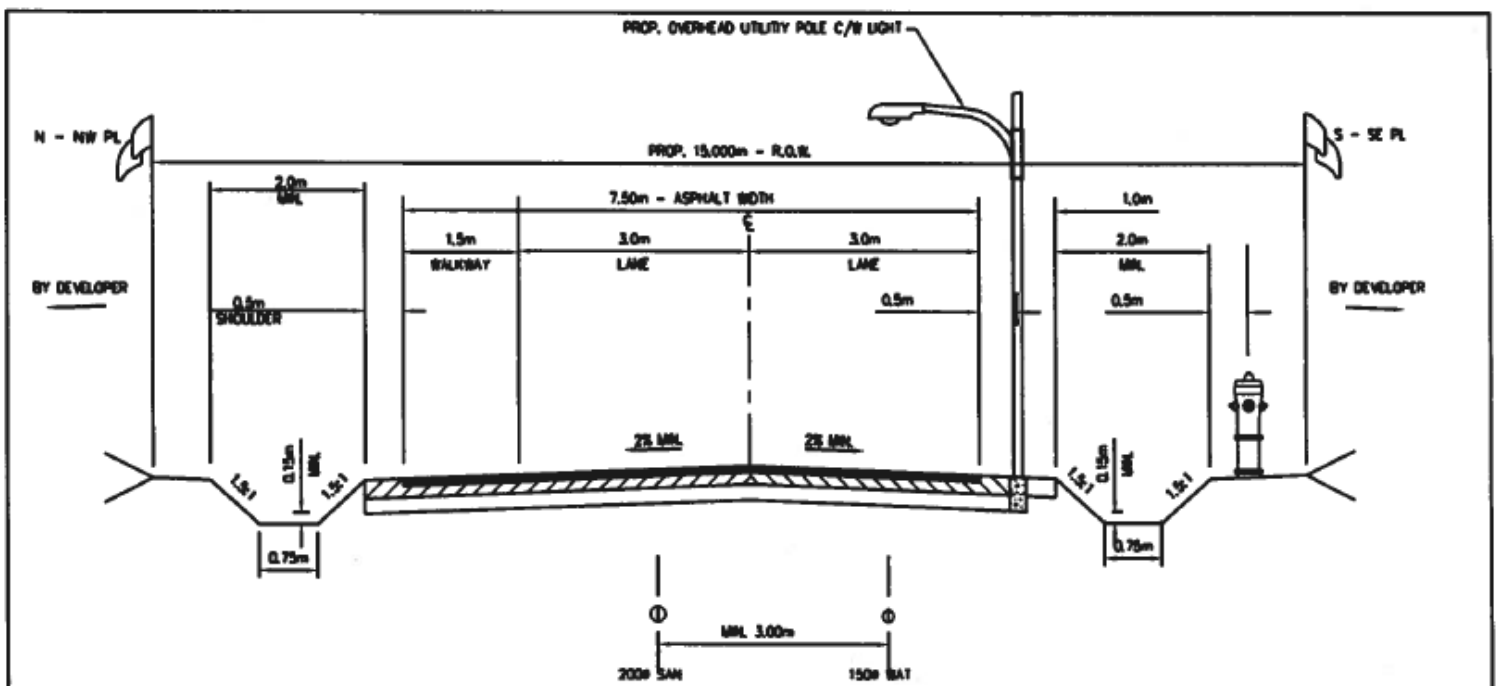


Figure 1: Road Cross Section

The second variance sought to the Subdivision and Development Control Bylaw is to Section 7.1.1 which requires electrical, cable, and telephone lines to be located underground in new

subdivisions. The effect of the variance would be to continue the overhead alignment of these current utilities through the new subdivision.

DISCUSSION & COMMENTS

On May 28, 2020, the Applicants and Staff reviewed the DVP No.124 application in the context of the considerations put forward at Council Meeting No. 1515. Below are the points of consideration as they pertain to this stage of the application:

Snow Clearing and Storage

The Applicant's engineer submits that the proposed design will improve the existing snow removal condition by providing an efficient snow clearing area for both the existing section of Fernwood Drive and the new road with a proper turn-around for snow maintenance equipment. The identification of snow stockpiling areas where dumping can occur would be looked at during the design process and can be secured through the Servicing Agreement required as a prerequisite to subdivision approval.

Drainage

A variance to the width of the road right-of-way has been requested which includes reducing the ditch width from 3.6m to 2.0m. Although the ditch width will be reduced if a variance is granted, the applicant is still required to meet the functionality and design standards outlined in the Subdivision and Development Control Bylaw No. 677, 2012. At the subdivision stage the Village will require a detailed design to ensure that the proposed ditch will adequately address drainage for the newly subdivided lots and neighboring properties. The subdivision will not be approved unless the Approving Officer is satisfied the proposed drainage will address the above noted requirements.

Dwelling Setback

The updated design has revised the proposed lot lines to accommodate the required front yard setback of 6.0m in the R-1 zone for the existing single-family dwelling. A variance is no longer required for this item and has been removed from the DVP application.

Impacts to Neighbors

As outlined in the first report, the proposed standards are not completely out of character for the Village or the neighborhood. Fernwood Drive is currently a substandard road in terms of width and surfacing. The roadway is constrained by topography and steep slopes and has resulted in an adaptive road alignment and finishing. The proposed right-of-way width is similar to a number of developments in Pemberton as seen in Table 2 below. Staff will ensure that each building will meet the required parking requirements set out in Zoning Bylaw No.832, 2018 through building permit review.

Standard	Bylaw 677, 2012 Standard	Fernwood Variance Requested	Tiyata Blvd. (Strata Road)	Pemberton Plateau (Strata Road)	Tenquille Place (Sunstone) (Public Road)
Right-of-Way Width	18.0 metres	15.0 metres	16.0 metres	12.0 metres	15.0 metres
Asphalt Width	8.10 metres	7.50 metres	7.50 metres	7.20 metres	6.6 metres
Lane Width	3.3 metres	3.0 metres	3.75 metres	3.60 metres	3.30 metres

Table 2: Road Standards Comparison

Staff acknowledge that Fernwood Drive is a small and isolated neighbourhood and accordingly any level of development will have perceptible impacts. However, Staff note the subject lands are suitably zoned for the proposed subdivision and accordingly, the lands have been deemed suitable for single-detached dwelling densities.

Pedestrian Connectivity

Under Sec. 510 of the *Local Government Act*, there is a requirement for the provision of park land or payment for parks purposes. This provides an opportunity for the Village to acquire 5% park land dedication or cash-in-lieu if a subdivision creates more than two (2) additional lots. At the subdivision stage the Approving Officer will have the opportunity to review the feasibility of increasing the pedestrian connectivity through the proposed subdivision as part of the park dedication requirements. Pathways can also be required by the Approving Officer as part of the road or access network.

However, during Staff and Approving Officer review of Council’s considerations from May 26, concern was raised about the dramatic topographic and grade constraints to developing and maintaining a municipal standard pathway in a cost-effective manner relative to the broader public benefit it would provide. There is also apprehension about the ability to access private lands for pedestrian connectivity which may preclude the ability to develop a public pedestrian trail.

Staff note that the proposed variances would be permissive and would not approve the road cross-sections or any other engineering design. Such approval would happen through the subdivision approval process as the Applicants are obligated to design and construct the new roadway as per the Tentative Approval Letter (TAL). Should Council approve the DVP application, the next step would be for the Applicants to prepare detailed engineering designs for Village review and ultimately approval by the Approving Officer.

The final design may or may not take advantage of all of the approved variances to the extent permitted in the attached permit, but that determination cannot be made until all of the considerations are addressed at the detailed design stage. At that stage, matters such as fire-hydrants, light-standards, and details around drainage and other technical considerations would be assessed. For clarity, these matters are not the subject of the DVP and have not been designed as yet.

A copy of Development Variance Permit No. 124 is attached as **Appendix C**.

COMMUNICATIONS

Notice of Council's intent to consider issuance of the Development Variance Permit (DVP) was again mailed out to adjacent property owners within 100 metres of the subject lands as per the Village Development Procedures Bylaw 877, 2020. A revised notification sign was also placed on the property.

At the time of this report, Staff received X response from the public, which are attached as **Appendix E**.

LEGAL CONSIDERATIONS

There are no legal considerations with this application.

IMPACT ON BUDGET & STAFFING

There are no impacts on budget or Staffing as the Applicants paid the requisite application fees and the Village will cost-recover any additional expenses as per the Development Procedures Bylaw No. 877, 2020.

INTERDEPARTMENTAL IMPACT & APPROVAL

Other municipal departments including Operations, Fire/Rescue and the Village Engineering Consultant have commented on the application and will be involved through the detailed design stage of Subdivision Approval.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are no impacts on the region or other neighbouring jurisdictions.

ALTERNATIVE OPTIONS

The following options have been provided for Council's consideration:

1. **THAT** Council approves Development Variance Permit No. 124 for 1368 Fernwood Drive.
2. **THAT** Council refuses the application for Development Variance Permit No. 124.

RECOMMENDATIONS

THAT Council approves Development Variance Permit No. 124 to facilitate a future subdivision of the lot located at 1368 Fernwood Drive.

AND THAT the Mayor and Chief Administrative Officer be authorized to execute the permit.

Attachments:

Appendix A: Development Variance Permit No. 124

Appendix B: Revised Lot Layout

Appendix C: May 26, 2020 Staff Report DVP124 1368 Fernwood Drive

Appendix D: Development Variance Response Binnie

Appendix E: Letters Received

Appendix F: Draft Site Servicing Plan

Prepared by:	Cameron Chalmers, RPP, MCIP, Consulting Planner & Matt Rempel, Planning & GIS Technician
Manager Approval:	Lisa Pedrini, Manager of Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer



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**VILLAGE OF PEMBERTON
Development Variance Permit 124
1368 Fernwood Drive Servicing Variance**

Issued to: **Karen and Miles Dyczkowski**

File No.
DVP#: DVP124

(Registered owners according to Land Title Office, hereafter referred to as the "Permittee")

Address: **Lot 1, District Lot, 203 Lillooet District, Plan KAP38637
PID: 008-391-181
1368 Fernwood Drive, Pemberton, BC**

- 1) This Development Variance Permit is issued subject to compliance with all Bylaws of the Village of Pemberton applicable thereto, except as specifically varied or supplemented by this permit.
- 2) This Development Variance Permit applies to and only to those lands within the Village of Pemberton described below:

Parcel Identifier: **081-391-181**

Legal Description: **Lot 1, DL 203, LLD, Plan KAP38637**

Civic Address: **1368 Fernwood Drive, Pemberton, BC.**

as shown on the attached **Schedule "A"**, attached hereto and forming part of this permit, referred to hereafter as the "Land".

- 3) Whereas the applicant has made application for subdivision to create three (3) fee-simple lots plus remainder generally as shown on **Schedule "B"**;

And,

Whereas creation of the new residential lots will necessitate the construction of a new highway extension of Fernwood Drive, and whereas the proposed extension of Fernwood Drive does not meet the road dimension and underground utility standards of the Village of Pemberton Subdivision and Development Control Bylaw No. 677, 2012.

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Therefore, the Village of Pemberton Subdivision and Development Control Bylaw No. 677, 2012 is hereby varied as follows and as shown on **Schedule "C"** which is attached to and forms part of this permit:

A) Road Standards:

Standard	Bylaw 677, 2012 Standard	Variance Granted
Right-of-Way Width	18.0 metres	15.0 metres
Asphalt Width	8.5 metres	7.5 metres
Lane Width	3.3 metres	3.0 metres
Ditch Width	3.6 metres	2.0 metres

B) Utility Design Standards: The Section 7.1.1 standard requiring underground utility connections in new subdivisions is varied to permit the continuation of overhead electrical, cable, and telephone service.

- 4) This Permit shall not have the effect of varying the use or density of the land specified in Village of Pemberton Zoning Bylaw No. 832, 2018 or a flood plain specification under s. 524 of the *Local Government Act RS2015*, or any other servicing standard or requirement in Village of Pemberton Subdivision and Development Control Bylaw No. 677, 2012.
- 5) This Permit authorizes variances to the standards in Village of Pemberton Subdivision and Development Control Bylaw No. 677, 2012, but does not constitute an approval of the detailed design of the proposed services for any approvals or construction.
- 6) This Permit prevails over the provisions of the Bylaw in the event of conflict.
- 7) Security Requirements: Nil
- 8) The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and

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specifications attached to this Permit shall form a part hereof.

- 9) This Permit is not a building permit.
- 10) Notice of this Permit shall be filed in the Land Title Office at New Westminster under s. 503 of the *Local Government Act RS2015*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the Land affected by the Permit.

**AUTHORIZED BY RESOLUTION PASSED BY THE VILLAGE COUNCIL THE
8th DAY OF DECEMBER 2020.**

Mike Richman, Mayor

Nikki Gilmore, Chief Administrative Officer

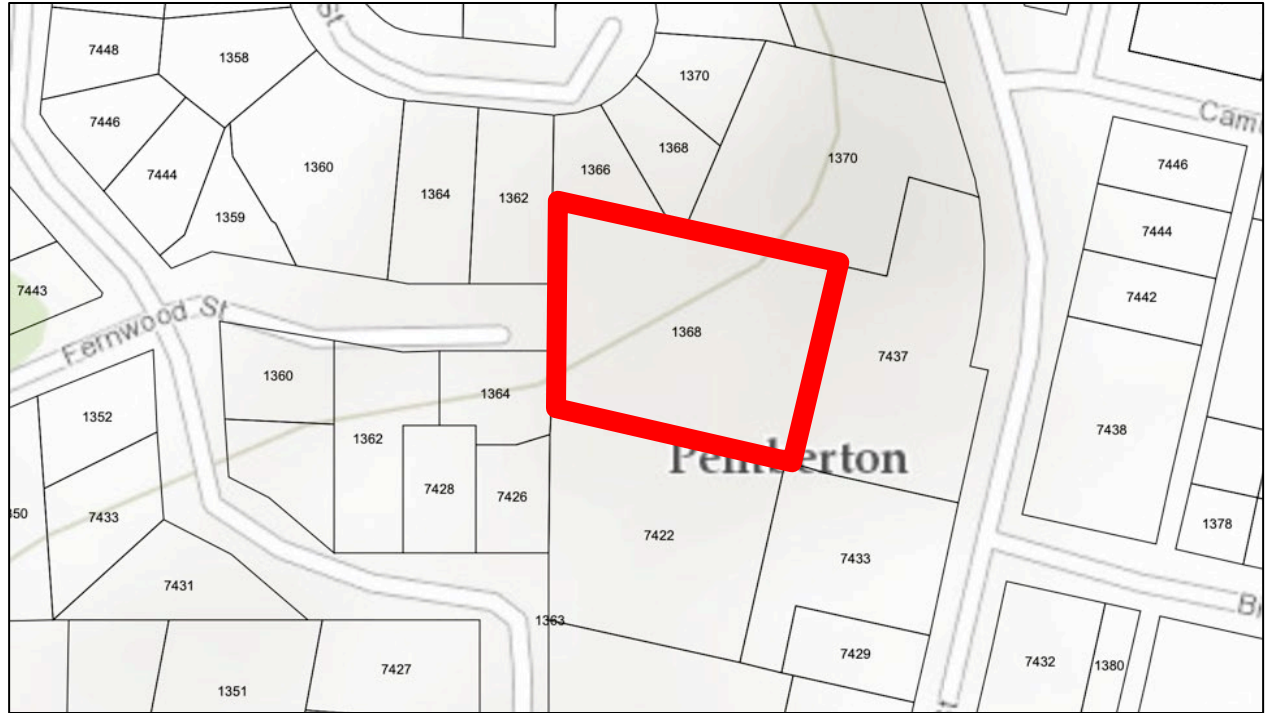
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Schedule "A"



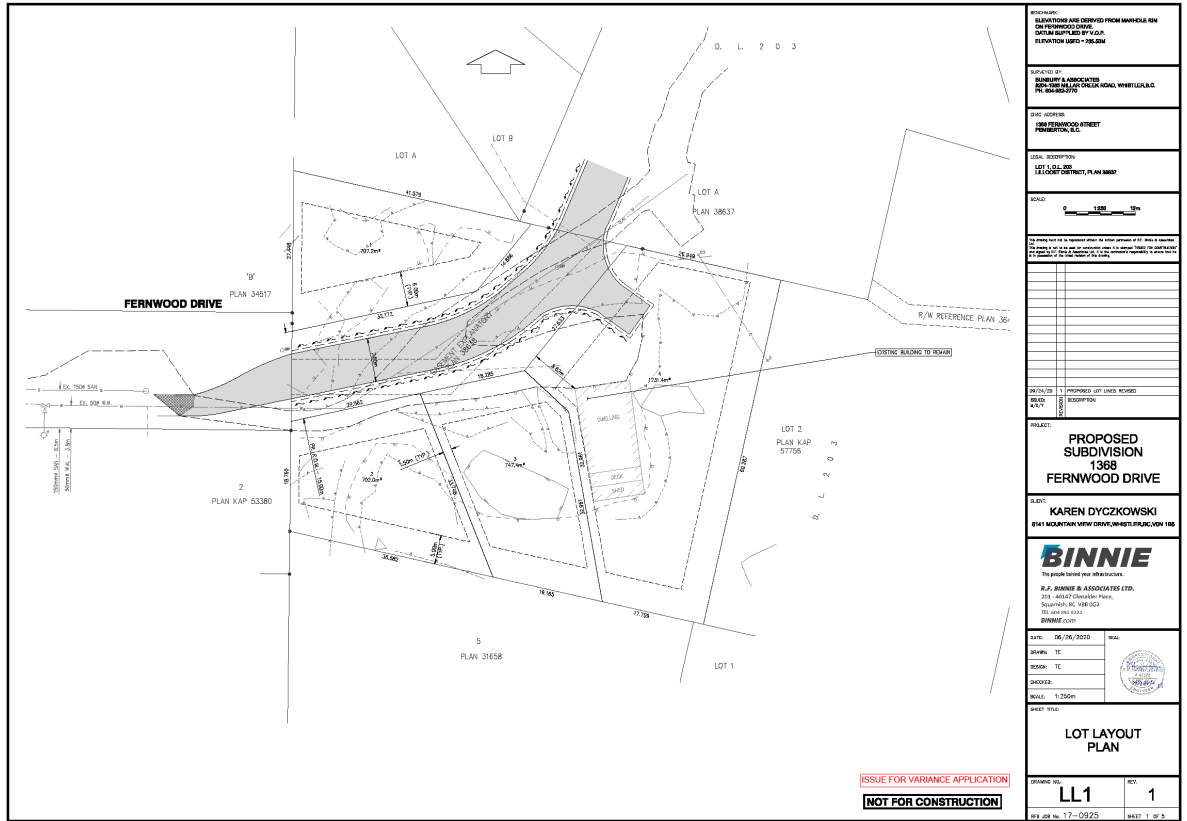
Village of PEMBERTON

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Schedule "B"

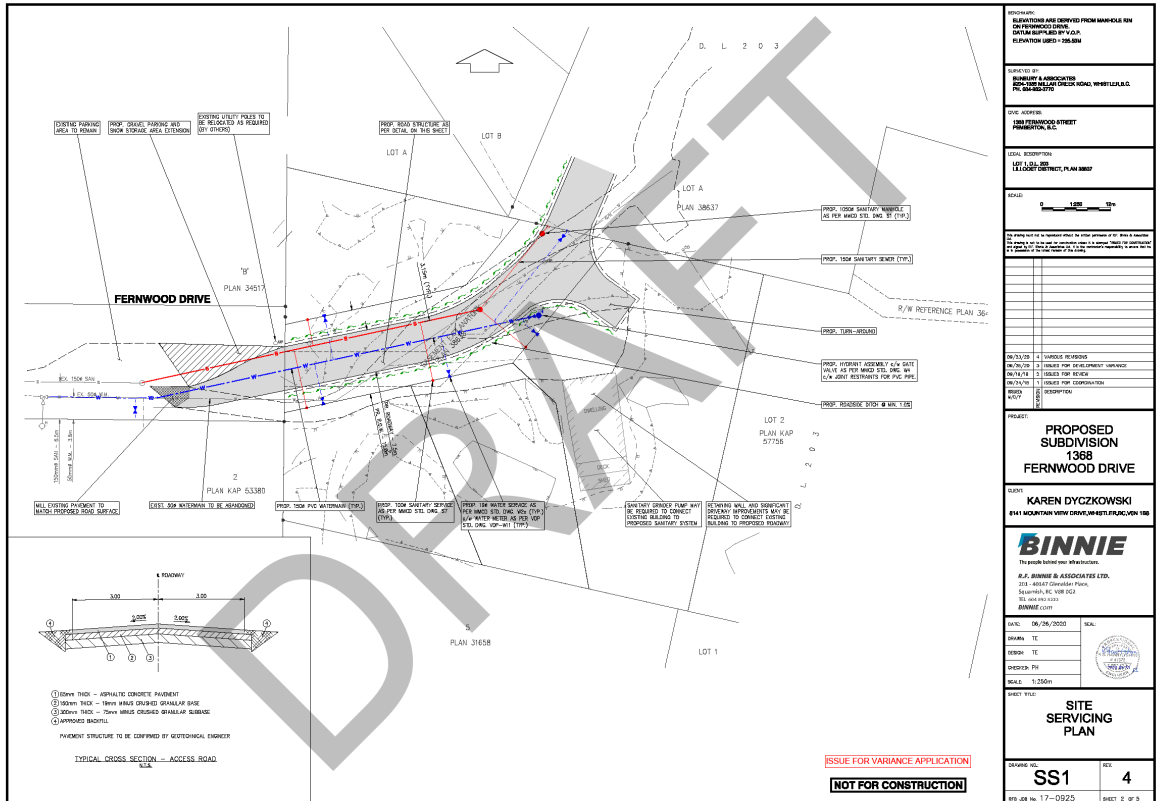


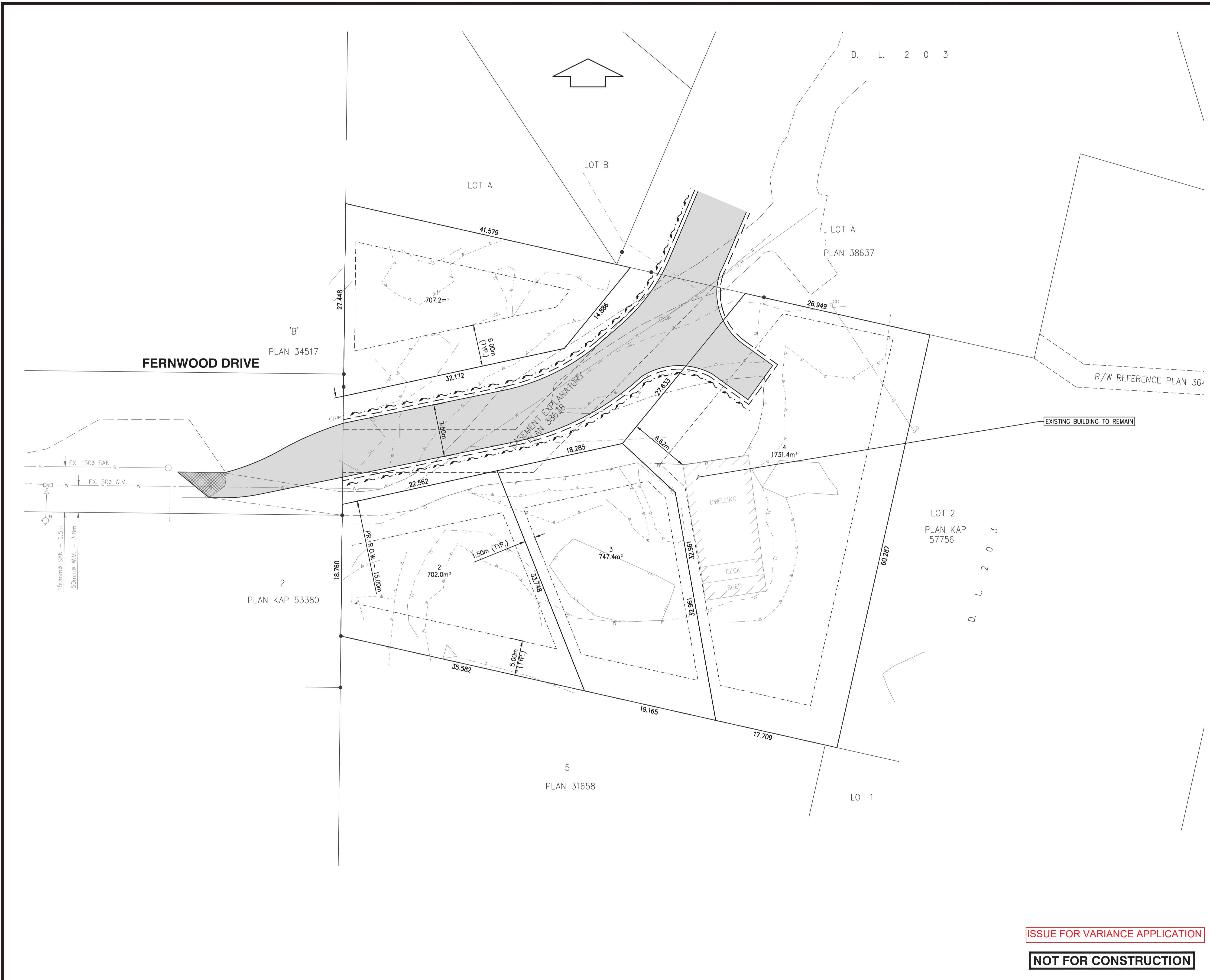
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Schedule "C"





BENCHMARK:
ELEVATIONS ARE DERIVED FROM MANHOLE RIM
ON FERNWOOD DRIVE.
DATUM SUPPLIED BY V.O.P.
ELEVATION USED = 235.50M

SURVEYED BY:
BUNBURY & ASSOCIATES
#204-1085 MILLAR CREEK ROAD, WHISTLER, B.C.
PH. 604-932-3770

CIVIC ADDRESS:
1368 FERNWOOD STREET
PEMBERTON, B.C.

LEGAL DESCRIPTION:
LOT 1, D.L. 203
LILLOOET DISTRICT, PLAN 38637



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REVISION	DESCRIPTION
09/24/20	1 PROPOSED LOT LINES REVISED
ISSUED: M/D/Y	DESCRIPTION

REVISION	DESCRIPTION
09/24/20	1 PROPOSED LOT LINES REVISED
ISSUED: M/D/Y	DESCRIPTION

PROJECT:
PROPOSED SUBDIVISION
1368
FERNWOOD DRIVE

CLIENT:
KAREN DYCZKOWSKI
8141 MOUNTAIN VIEW DRIVE, WHISTLER, BC, V0N 1B8

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R.F. BINNIE & ASSOCIATES LTD.
201 - 40147 Glenalder Place,
Squamish, BC V8B 0G2
TEL 604 892 8222
BINNIE.com

DATE: 06/26/2020	SEAL:
DRAWN: TE	
DESIGN: TE	
CHECKED:	
SCALE: 1:250m	

SHEET TITLE:
LOT LAYOUT PLAN

DRAWING NO.:	REV.
LL1	1
RFB JOB No. 17-0925	SHEET 1 OF 5

ISSUE FOR VARIANCE APPLICATION
NOT FOR CONSTRUCTION

Date: May 26, 2020

To: Nikki Gilmore, Chief Administrative Officer

From: Cameron Chalmers, RPP, MCIP, Consulting Planner

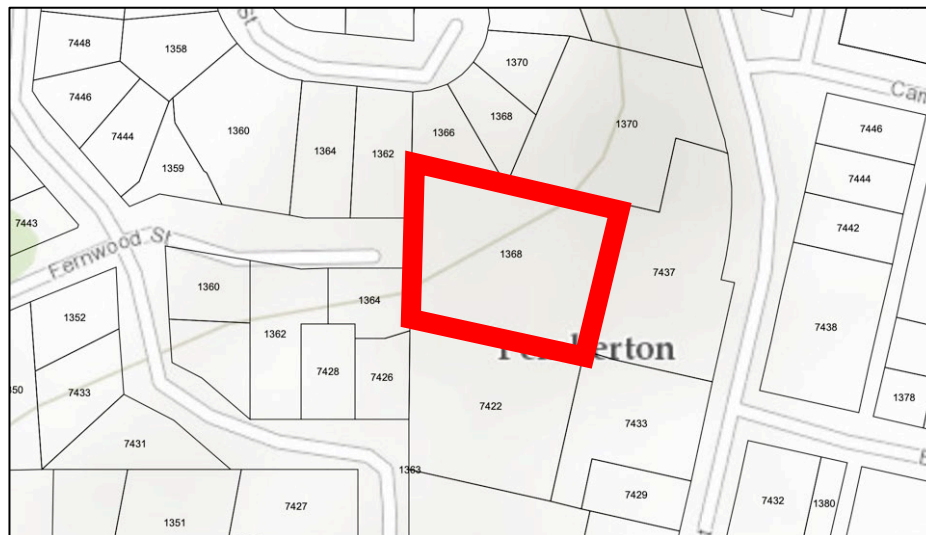
Subject: Development Variance Permit No. 124 – 1368 Fernwood Drive

PURPOSE

The purpose of this report is for Council to consider issuance of Development Variance Permit (DVP) No. 124 for a lot located at 1368 Fernwood Drive. The DVP has been submitted in furtherance of a subdivision application to create a three (3) lot plus remainder subdivision on the subject lands. The DVP is to reduce the Village of Pemberton road dimension standards and underground utility requirements in Subdivision and Development Control Bylaw No. 677, 2012 to facilitate alternate road and underground servicing standards for the extension of Fernwood Drive, as well as a building setback variance to the Village of Pemberton Zoning Bylaw No. 832, 2018 to accommodate a reduced setback for an existing single-detached dwelling.

BACKGROUND

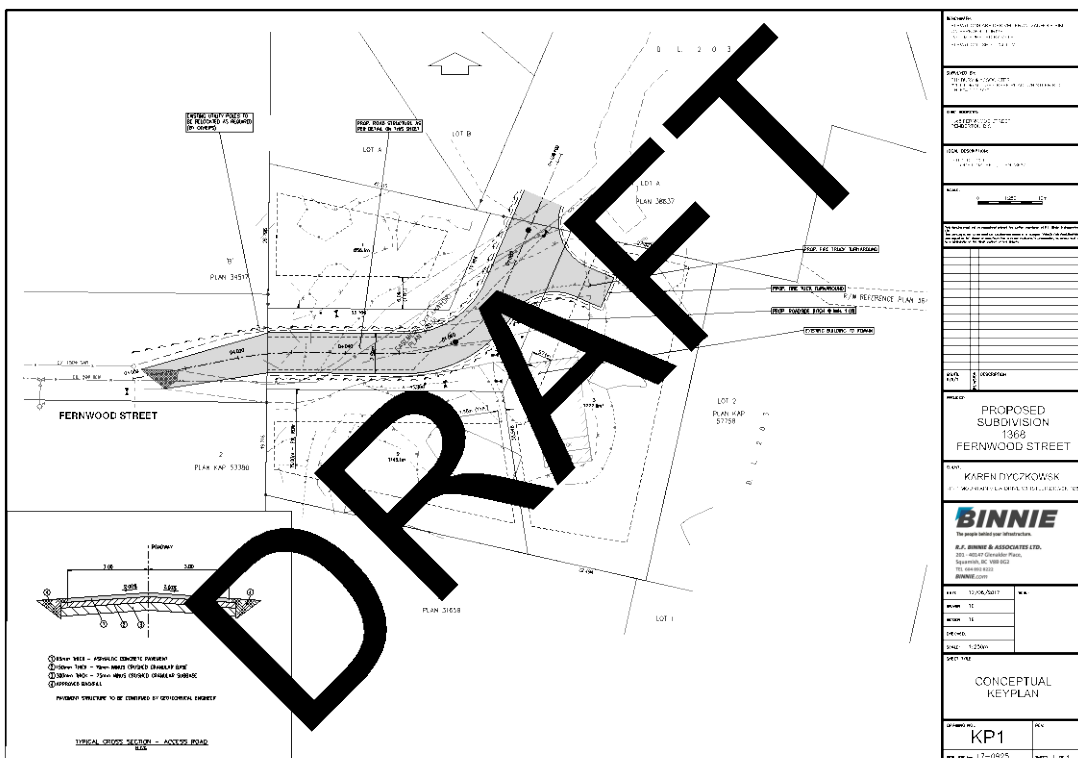
The Owners and applicants, Karen and Miles Dyczkowski, submitted an application for subdivision approval on April 24, 2018. The subdivision proposal is to create three (3) new residential lots on a 0.47-hectare (1.17) acre property legally described as Lot. 1, Plan KAP 38637, DL 203, LLD at 1368 Fernwood Drive.



Shortly following receipt of the application, a concern was identified with the obligation to provide access to lands beyond, and most specifically the property addressed as 1370 Fernwood Drive which is not part of the application. This adjacent lot has legal access off Prospect Street, but that legal access does not provide physical access to the property, which is instead achieved by an historic private easement through the subject lands at 1368 Fernwood Drive.

At the request of the Approving Officer, the Owners explored the option of creating a bareland strata subdivision, which would have necessitated the inclusion of the neighbouring property in the strata corporation. The current Owner of the adjacent 1370 Fernwood Drive did not wish to participate, thereby negating the ability to create a bareland strata subdivision while preserving unfettered access to the adjacent 1370 Fernwood Drive property.

Accordingly, the Owners of the subject property clarified their application in August 2018, to specifically apply for a fee simple subdivision application which would extend Fernwood Drive as a public road through the subject property to the adjacent property thereby providing access to both the newly created lots and the neighbouring property at 1370 Fernwood Drive as shown below:



I

The Approving Officer issued a Tentative Approval Letter (TAL) on November 26, 2019 with the requirement that that Owners construct the extension of Fernwood Drive either in accordance with the standards in the Subdivision and Development Control Bylaw or an approved variance. The Owners notified Staff that they intended to pursue the variance approach.

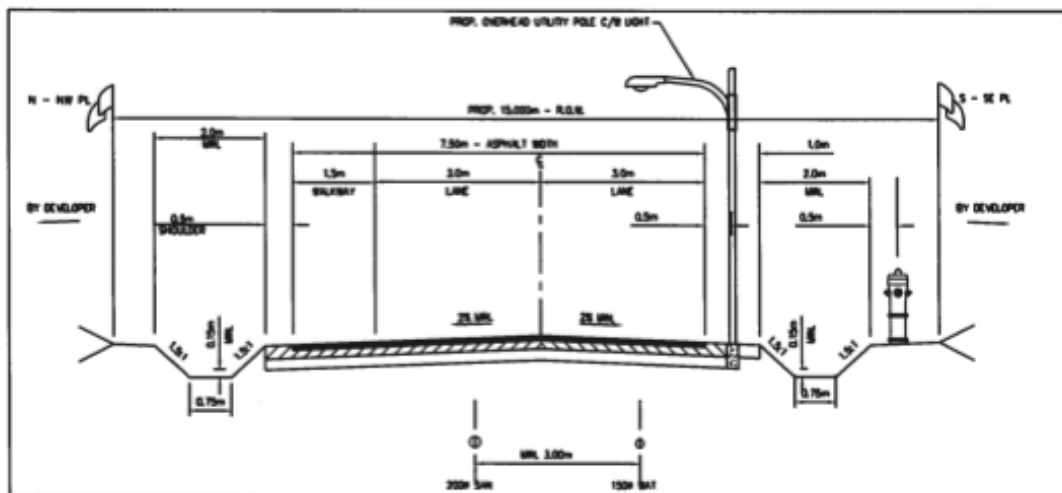
In order for the fee simple subdivision and public road dedication to proceed, the Owners submitted a DVP application on April 7, 2020. The purpose of the variance request is to modify the standards of the Subdivision and Development Control Bylaw No. 677, 2012 to narrow the width of the road extension being developed through the new subdivision, and to continue the overhead electrical, cable, telephone lines for the new portion of road. The dedication of the new road will also result in a front-yard setback encroachment for an existing dwelling, and the Owners have requested a setback variance from 6 metres to 2.25 metres for a small portion of that building.

PROPOSAL DESCRIPTION

The proposed DVP No. 124 would vary two general requirements of Subdivision and Development Control Bylaw No. 677, 2012, generally to achieve a reduced road width and to permit overhead utility lines. The proposed DVP would also vary the front yard setback of an existing single-detached dwelling from the newly created road.

With respect to the road dimension variances, the following table outlines the Bylaw standard requirements for Hillside Roads, and then the variance requested. The effect would be to reduce the right-of-way and finished portion of the road, resulting in a narrower road. The following road cross section has been submitted in support of the application

Standard	Bylaw 677, 2012 Standard	Variance Requested	Difference
Right-of-Way Width	18.0 metres	15.0 metres	- 3.0 metres
Asphalt Width	8.5 metres	7.5 metres	- 1 metre
Lane Width	3.3 metres	3.0 metres	- 0.3 metres
Ditch Width	3.6 metres	2.0 metres	- 1.6 metres



PROP. TYPICAL SECTION
 SCALE 1:100

The second variance sought to the Subdivision and Development Control Bylaw is to section 7.1.1 which requires electrical, cable, and telephone lines to be located underground in new subdivisions. The effect of the variance would be to continue the overhead alignment of these current utilities through the new subdivision.

The proposed DVP also includes a variance to front yard setback from 6 metres to 2.25 metres to accommodate the corner an existing single-detached home that will encroach on the newly created road.

DISCUSSION & COMMENTS

Staff has reviewed the application for DVP against the most applicable hillside standards for roads and note that the variances are not completely out of character with the area or the neighbourhood. Fernwood Drive is currently a substandard road in terms of width and surfacing. The roadway is constrained by topography and steep slopes, and has resulted in an adaptive road alignment and finishing.

The Owners submit that given the constraints imposed by parcel size and topography, the variances are necessary to achieve a public roadway to provide access to lands beyond and provide access to the new subdivision.

In support of the setback variance, the Owners submit that the building will not align with the new roadway, and only a portion or corner of the building will encroach into the newly created setback. If approved, the other new lots would be required to meet the Zoning Bylaw setback of 6 m.

Staff note that the proposed variances would be permissive, and would not approve the road cross-sections or any other engineering design. That would happen through the subdivision approvals process as the Owner is obligated to design and construct the new roadway through the TAL. Should Council approve the DVP application, the next step would be for the Owner to prepare detailed engineering designs for Village review and ultimately approval by the Approving Officer. The ultimate design may or may not take advantage of all of the approved variances to the extent permitted in the permit, but that determination cannot be made until all of the considerations are addressed at the detailed design stage. At that stage, matters such as fire-hydrants, light-standards, and details around drainage and other technical considerations would be assessed. For clarity, these matters are not the subject of the DVP and have not been designed as yet.

A copy of Development Variance Permit No. 124 is attached as **Appendix A**.

REFERRAL COMMENTS

Operations: Operations has commented on the variance, and particularly the need to adequately address drainage through the detailed design at the subdivision stage. Operations would be integral to the approval of any future engineering design in the subdivision process.

Fire: Fire commented primarily on the need for suitable fire access and vehicle movements given the reduced road width. Additional hydrant locations may be required. These items will be addressed at subdivision stage.

Engineering: The Village Consulting Engineer has reviewed the variance application and has noted comments on drainage. The Village Engineer will have an approval role at subdivision stage.

Pemberton Valley Dyking District (PVDD): PVDD reviewed the variance request and had no comments at this stage. Should concerns be raised regarding drainage impacts of the subdivision, this will be addressed at the subdivision stage.

COMMUNICATIONS

Notice of Council's intent to consider issuance of the Development Variance Permit (DVP) was sent to adjacent property owners within 100 metres of the subject lands as per the Village Development Procedures Bylaw 725, 2013. A notification sign was also posted on the property.

The advertising has yielded several letters as of the report deadline which are attached as **Appendix B** to this report. Correspondence received after the report deadline will be provided separately in advance of or during Council consideration of the DVP.

LEGAL CONSIDERATIONS

There are no legal considerations with this application.

IMPACT ON BUDGET & STAFFING

There are no impacts on budget or staffing as the Owners paid the requisite application fees and the Village will cost-recover any additional expenses as per the Development Procedures Bylaw No. 725, 2013.

INTERDEPARTMENTAL IMPACT & APPROVAL

Other municipal departments including operations, fire, and the Village engineering consultant have commented on the application and will be involved through the detailed design stage.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are no impacts on the region or other neighbouring jurisdictions.

ALTERNATIVE OPTIONS

The following options have been provided for Council's consideration:

1. **THAT** Council approves Development Variance Permit No. 124 for 1368 Fernwood Drive.
2. **THAT** Council refuses the application for Development Variance Permit No. 124.

3. **THAT** Council refers the application for Development Variance Permit No. 124 back to Staff to address the following considerations:
 - a. (to be added by Council)
 - b.

POTENTIAL GOVERNANCE CONSIDERATIONS

Consideration of this Development Variance Permit application meets with:

Strategic Priority Two: Good Governance in which the Village is committed to citizen engagement and to being open and accountable; 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 Council approves Development Variance Permit No. 124 for 1368 Fernwood Drive.

AND THAT the Mayor and Chief Administrative Officer be authorized to execute the permit.

ATTACHMENTS:

Appendix A: Development Variance Permit No. 124

Appendix B: Correspondence Received to Report Deadline

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



201 – 40147 Glenalder Place TEL 604 892 8222
 Squamish, BC V8B 0G2 FAX 604 892 8225
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September 23, 2020
 Binnie File No. 17-0925

Village of Pemberton
 7400 Prospect Street
 Pemberton, BC, V0N 2L0

Attention: Nikki Gilmore
Subject: Development Variance Permit No. 124
Response to Council Concerns

Dear Village of Pemberton Council,

This letter is a response to the Council's concerns regarding the variance request for the proposed subdivision in Pemberton. The following concerns have been acknowledged in this letter:

- Snow clearing
- Snow storage
- Drainage
- Impacts to neighbors (parking and road width)

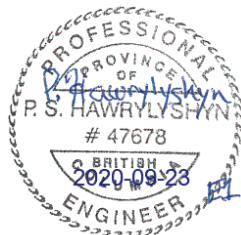
Regarding snow clearing, the proposed design will improve the existing condition by providing an efficient snow clearing area for both the existing section of Fernwood Drive and the new road with a proper turn-around for snow maintenance equipment. Identification of snow stockpiling areas where dumping can occur would be looked at during the design process. A medium sized truck has been assumed for turning movements. Additionally, drainage will be given consideration due to location and size of the area. Both drainage and snow stockpiling areas will be addressed in a separate report.

Parking considerations will also be included in the design process, where areas for extra parking could be identified in non-utilized sections of the road. A proposed turn-around would improve access and maneuverability of fire, emergency and utility vehicles for east Fernwood Drive. However, it should be noted that it is highly unlikely that it would be feasible to make remedial repairs to the existing section of Fernwood Drive given the size and scope of the project.

Respectfully,

R.F. BINNIE & ASSOCIATES LTD.

Peter Hawrylyshyn, P.Eng
 Design Engineer



The people behind your infrastructure.

Village of Pemberton
 Regular Council Meeting No. 1529
 Tuesday, December 8, 2020

November 16th, 2020

Hello!

Please forward to Mayor, Council and Building Department.

I own the property next door to 1368 Fernwood Street, and I would like to express my full support for the development variance application they have in progress. DVP#124.

I'm a proponent of infill before sprawl, and I believe this project is exactly the type of development the Village of Pemberton should be supporting.

The front yard setback variance they have requested is perfectly reasonable, especially considering it is consistent with the homes already existing on the street. 1360, 1362, and 1364. It appears that those homes also would have had to apply for variances to their front setbacks, or at least have skirted around the bylaw by building the garage much closer to the road than six metres. 1360 has a detached garage so close to the road you can almost touch it driving by and 1362 is also built very close to the road. 1364 has a corner that looks very similar in distance from the road that the applicants are proposing, maybe even closer.

The width variances they are applying for are insignificant. If you look at the state of the road currently, it appears that even with the variances requested, the new section of road will be wider than the current section.

And finally, there are already overhead wires coming to my property, so if it turns out that they aren't able to put the services underground, having a couple more wires overhead won't be any more noticeable than what already exists.

There are several issues that came up during the public hearing that are not relevant to the current application, so I hope you are able to filter them out and approve the current variance requests to allow this project to take the next step.

Thank you kindly,

Erica Finnsson

Date: December 8, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Lisa Pedrini, Manager of Development Services
Subject: Request to rename Sabre Way to Sunstone Way

PURPOSE

The purpose of this report is to seek Council's consideration of a request made on behalf of Sunstone Ridge Developments Ltd. to change the name of the municipal road currently designated as "Sabre Way" to "Sunstone Way". A location map of the subject area is attached as **Appendix A**.

BACKGROUND

In 2011, through an Agreement signed between the Village of Pemberton and Art and Nellie Den Duyf, a portion of lands, now known as the Pemberton and District Recreation Site, was identified to be donated to the Village of Pemberton for the purposes of recreation. Between 2011 and 2017, Staff and the family worked through the details and obligations of the *Lease and Option to Purchase Agreement* to finalize the formal dedication of the subject lands to the Village of Pemberton.

As part of the subdivision process, a road crossing the lands to connect Pemberton Farm Road East to the properties beyond (Sunstone Ridge and the Education Site) was dedicated to replace the former access which ran along the rail lines. As a condition of the subdivision approval, the road was dedicated in 2014 and registered on Title. In 2014, the family asked that the road be named "Sabre Way" in recognition of their donation.

A report to Council was presented at the Regular Meeting No. 1447, held April 11, 2017, to seek Council's approval with respect to the naming of the road. The following resolution was passed:

Moved/Seconded

THAT Council approve the naming of the unnamed road located at the recreation site, Sabre Way;

AND THAT the Den Duyf family be informed to this effect.

CARRIED

Moved/Seconded

THAT staff prepare a new Street Naming and Addressing Bylaw.

CARRIED

At the time, as noted in the resolution above, the Village of Pemberton did not have a Street Naming Bylaw. Rather the Village had relied upon a policy, which was adopted by resolution of Council in 1973, that established the existing street names within the Village of Pemberton and

gave Council the option of choosing future names with historical significance and naming new streets by resolution. In 2003, Council again reviewed the street name listing and amended the above policy at Special Meeting No. 1059, held October 29, 2003, as follows:

Moved/Seconded

THAT street names within the residential areas of the Village be assigned from the names of native plants or animals;

AND THAT street names within the Industrial Park be assigned on the theme of industry.

CARRIED

Accordingly, on September 12, 2017, Council adopted the Street Naming and Civic Addressing Bylaw No. 819, 2017 (Bylaw No. 819) to regulate the assignment of street names and addressing numbers within the Village and also approved the street naming terms and names listing. Bylaw No. 819, 2017 is attached as **Appendix B**.

On April 19, 2019, Council was presented with a report introducing, for Council’s approval, street names for the Sunstone Ridge Subdivision. The entrance to the subdivision, which is accessed off Pemberton Farm Road East via Sabre Way, is named Sunstone Way. This road serves as the main collector for the subdivision.

On August 18, 2020, the Village received a written request from Nyal Wilcox, President of Sunstone Ridge Developments Ltd., to change the name of Sabre Way and outlining the rationale for this request. The letter is attached as **Appendix C**.

DISCUSSION & COMMENTS

Within the request submitted, Mr. Wilcox notes that changing the name of Sabre Way to Sunstone Way would result in improved wayfinding, be less confusing and potentially avoid life safety issues as directions into the Sunstone area for first responders would be clearer.

Mr. Wilcox’s main rationale pertains to the Village’s Street Naming Bylaw No. 819, 2017, namely section 3.A. ii. which states: “All streets shall be known by the same name for the entire length, except where the street crosses a base line or a geological barrier such as a river or dyke.” The railroad crossing is considered a human-made obstruction not a geological barrier. The request also notes that as per the Street Naming Bylaw, section 3.A. iv. “The Village [has] the right to name or rename all private roads, access or easements and Village owned streets.”

The Bylaw notes the following as acceptable reasons for renaming streets pursuant to 4.A ii. “Where a street or street alignment connects streets with different names to form one continuous street” and 4.A iii “Where Council deems it appropriate to rename an existing street”.

Street Renaming Criteria

The following is a table from Bylaw No. 819 outlining information that Council should review with respect to requests concerning the renaming of streets:

<p>Historic significance of the existing street name</p>	<p>Sabre Way is named after the original owners’ (Art and Nellie Den Duyf’s) family business at the request of the family to recognize their donation of land to the Village for recreational purposes.</p>
---	---

Length of time the name has existed	3.5 years (since April 2017)
Total Number of Street addresses on the Street affected	One (1) – 2000 Sabre Way, legally described as Lot A, DL 211, LLD, Plan EPP21848. The civic address of the Pemberton & District Recreation Site is 7366 Pemberton Farm Road East. The Education Site has not been assigned a civic address.
Current Land Use at Each Address	2000 Sabre Way is currently vacant – the property is zoned Rural Resource 1; its intended future use as per the <i>Hillside Lands, Planning Status Report, 2011</i> is Neighbourhood Commercial; however, a rezoning application has yet to be submitted.
In-Stream development application on the street affected	None – 2000 Sabre Way was the subject of a Site Alteration Permit which has been completed. There are no in-stream applications for the Education Site.
Existing and planned road systems for the affected area	The road currently leads to the Sunstone Ridge subdivision, the Education Site and offers access to the Pump Station and Soccer Field Parking area located on the Pemberton & District Recreation Site.

The Bylaw notes that a street renaming proposal should include a petition signed by a minimum of 2/3 of the owners of property directly affected by the proposed street name change. Given that there is only one (1) owner with a civic address on Sabre Way, and the other main affected property owner is the Village itself, such a petition was not possible. Staff reached out to the Den Duyf family to seek their opinion on the name change on December 1, 2020 and was advised by a representative of the family that, in light of the Village’s plan to name a major recreational facility in honor of Mr. and Mrs. Den Duyf’s contribution, the family is agreeable to the proposed street name change.

Bylaw No. 819 Section 4.C.iv. states that the Manager of Development Services may deem it necessary for the applicants to hold a Public Information Session in regard to the proposed renaming and implementation to seek the input from the community at large. As one of the property owners of Sunstone, the Manager of Development Services would seek to abstain from making this determination due to a perceived conflict of interest on the part of the Village. Given that Section 9.1 of the Bylaw also permits the Manager of Development Services to “*make incidental rules and regulations not inconsistent with this bylaw*”, the Manager has delegated this determination to the Chief Administrative Officer, who has deemed that a Public Information Meeting is not necessary. Staff are supportive of the request to rename Sabre Way to Sunstone Way pursuant to Section 4.A.ii. “*to connect streets with different names to form one continuous street*”.

COMMUNICATIONS

As part of the implementation of a street name change, a minimum one (1) months’ notice of a street renaming must be provided to Owners and Occupiers affected by the street renaming.

Upon approval of the new street names, Staff will advise the Developer so that they may install street signs which is their responsibility under the Subdivision and Development Control Bylaw.

Following the legal plan registration, Village Staff will notify all agencies of the new names and addresses.

LEGAL CONSIDERATIONS

Under Section 39 of the *Community Charter*, the Village has the authority to assign street names to municipal streets, roads, lanes, etc. The process by which streets are named or changed has been established in the Street Naming & Civic Addressing Bylaw No. 819, 2017. The Bylaw clearly states that Council may consider renaming a street. As such, there is no legal review required.

Any Resident(s) or Developer requesting the renaming will bear the costs of reimbursement for up to one (1) year of change address service with Canada Post for Owners and Occupiers affected by the changed street name.

IMPACT ON BUDGET & STAFFING

As per section 4.C (ix.) of Bylaw No. 819, 2017, all costs associated with the notification to the public, Staff coordination and attendance at the public information session as may be required, new street sign design, fabrication and installation of those signs, if renaming is approved, shall be borne by the applicant or cost recovered by the Village as noted in **Schedule A**.

INTERDEPARTMENTAL IMPACT & APPROVAL

The facilitation of street naming is undertaken by the Development Services Department and is incorporated into the day to day work plan as required and can be accommodated.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

The establishment of new streets and names for the Sunstone Development has no impact on the region or neighbouring jurisdictions. Upon registration of the street names and establishment of the civic addressing, new mapping will be prepared and provided to the appropriate authorities such as BC Assessment, ECOMM (911) and the Village of Pemberton Fire Rescue Department.

ALTERNATIVE OPTIONS

Option One: Approve the renaming of Sabre Way to Sunstone Way to aid in wayfinding without requesting the holding of a Public Information Session. Direct Staff to proceed with one month's notice and inform the developers of Sunstone as per the Street Naming Bylaw.

Option Two: Not approve the request to rename Sabre Way to Sunstone Way.

RECOMMENDATION

THAT Council approve the renaming of Sabre Way to Sunstone Way to aid in wayfinding without requesting the holding of a Public Information Session.

AND THAT Staff be directed to proceed with one month's notice and inform the developers of Sunstone as per the Street Naming Bylaw.

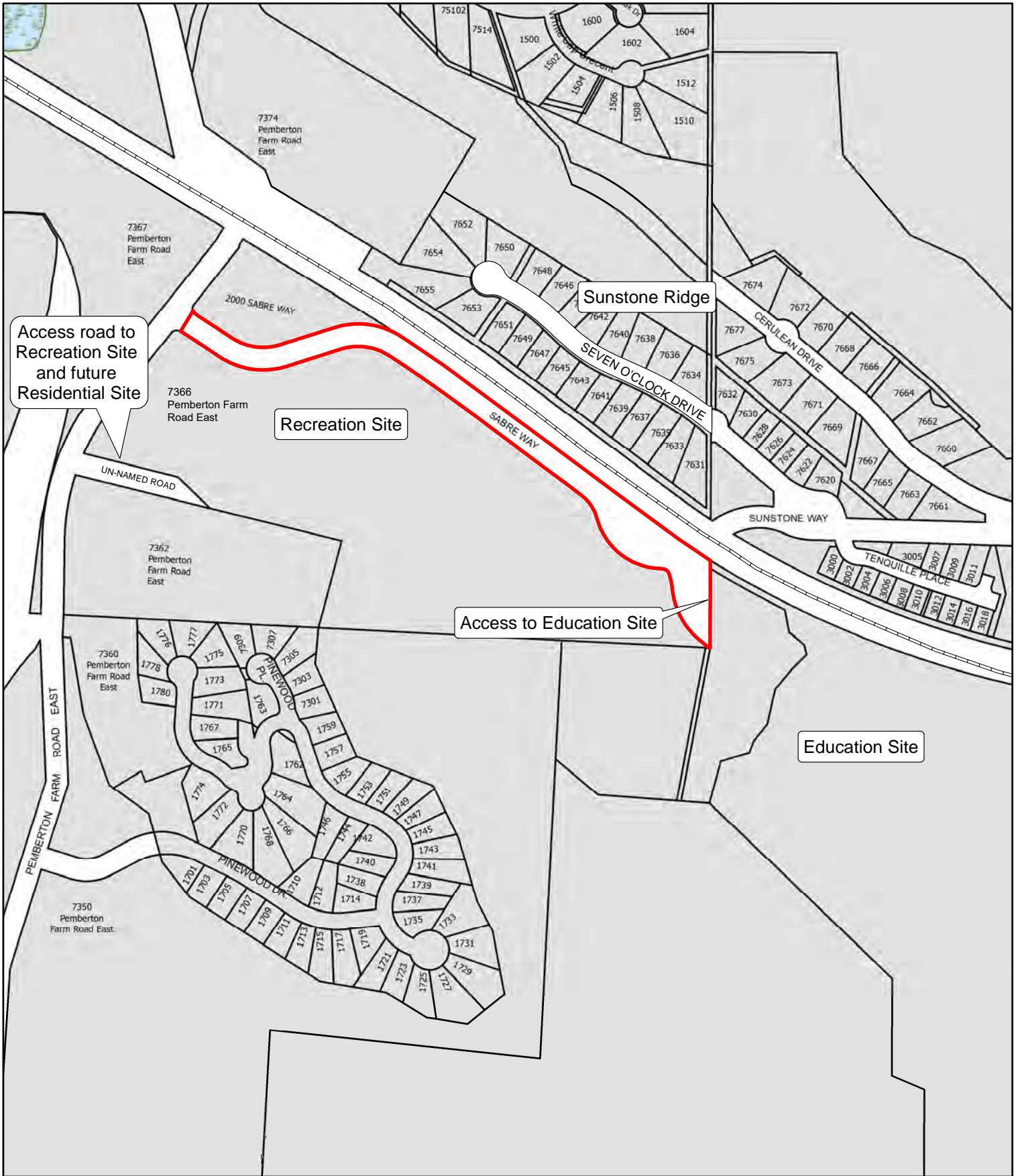
Attachments:

Appendix A: Subject Area Map

Appendix B: Street Naming and Civic Addressing Bylaw No. 819, 2017

Appendix C: Request from Nyal Wilcox, Sunstone Developments Ltd., dated August 18, 2020

Submitted by:	Lisa Pedrini, Manager of Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer



Sabre Way Location Map

N



Village of Pemberton
Regular Council Meeting No. 1529
Tuesday, December 8, 2020

VILLAGE OF PEMBERTON

BYLAW No. 819, 2017

A bylaw to regulate street naming and addressing in the Village of Pemberton.

WHEREAS pursuant to Section 39 of the *Community Charter* the Council may, by bylaw, assign a name or number to a highway within the municipality;

AND WHEREAS pursuant to Section 39 of the *Community Charter* the Council may, by bylaw, assign numbers to buildings and other structures within the municipality;

AND WHEREAS pursuant to Section 39 of the *Community Charter* the Council may, by bylaw, require owners or occupiers of real property to place building or structure numbers assigned by the Village in a conspicuous place.

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

1. **CITATION**

This Bylaw may be cited as “Street Naming and Civic Addressing Bylaw No. 819, 2017.”

2. **DEFINITIONS**

In this bylaw the following definitions have the following meanings:

“Address” Means the number assigned to a parcel of land and/or each separate building, unit, or dwelling on a property, including strata property, within the Village of Pemberton;

“Building” Means a structure that is used for or intended to be used for supporting or sheltering persons, animals or property, except those prescribed by regulation as exempted from the British Columbia Building Code;

“Civic Address” Consists of a civic number and a unit number if it is required;

“Civic Number” Means those numbers assigned by the Village for the purposes of numbering building and or properties;

“Council” Means the Council of the Village of Pemberton.

“Developer”	Means the party or contractor who has the authority to act on behalf of and represent the Owner in carrying out works and services under this bylaw.
“Development Services”	Means a division of the Village of Pemberton’s Operations & Development Services Department.
“Manager”	Means the Manager of Operations and Development Services for the Village of Pemberton.
“Owner”	Means the registered owner in the records of the Land Title Office and includes strata property.
“Unit Number”	Means a qualifying description used to distinguish a group of buildings or dwellings with the same civic number.
“Street”	Means a highway, road, lane or other public thoroughfares.
“Village”	Means the Village of Pemberton.

3. STREET NAMING

Streets are named in accordance with the following criteria:

A. General Provisions

- i. Street names shall be required of every access that serves at least three dwellings and or business establishments or combination thereof except in mobile home parks;
- ii. All streets shall be known by the same name for the entire length, except where the street crosses a base line or geological barrier such as a river or dyke;
- iii. The application of street name(s) in any area of the Village must not repeat one (1) name with multiple suffixes;
- iv. The Village shall have the right to name or rename all private roads, access or easements and Village owned streets.

B. Street Name Categories

The proposed street names within the Village of Pemberton must be reasonably easy to spell and pronounce, have no adverse connotations or the same as used in neighbouring jurisdictions and are:

- i. Names that reference local pioneers, flora and fauna, native plants and local animals;

- ii. Have significance to the history of the Pemberton Valley and First Nations Traditional history;
- iii. Names of Pemberton residents who have achieved remarkable success in their field at the local, provincial, federal or international levels; or connected to the community as a whole;
- iv. Specifically for the Industrial Park, have the name themed on industry;
- v. Based on the Street names established in the Street Naming Listing as approved by Council and amended from time to time.

C. Street Name Suffixes

Suffixes may be determined based on the street type; and are applied to the following types of streets:

Avenue (Ave)	A through local street, collector or arterial carrying east-west or north-south traffic
Boulevard (Blvd)	Arterial or collector carrying east-west or north-south traffic
Crescent (Cr)	Street or minor collector curvilinear in nature and shaped like a crescent
Court (Ct)	A non-through street (cul-de-sac)
Drive (Dr)	A non-through street (cul-de-sac)
Lane (Ln)	Service or access street behind a limited number of homes and/or businesses
Place (Pl)	A non-through local street (cul-de-sac)
Road (Rd)	A rural connector street
Street (St)	A through local road, collector or arterial serving carrying east-west or north-south traffic
Way (Wy)	Street or minor collector

D. Street Naming Process

- i. All street name proposals are processed through Development Services;
- ii. A written request is submitted to Development Services, as part of the subdivision and/or strata development approval process, including;
 - a. A list of at least three (3) names for each street, a brief, but complete, explanation as to the reasons for the proposed name (s);
 - b. the street name category, as set out in subsection 2, how the proposed name applies;
 - c. a map identifying all the streets with the associated proposed names.
- iii. The Manager is authorized to approve the assignment of a street name(s).

- iv. Notwithstanding subsection (iii), where a street naming proposal is submitted under Section 3 (B) (ii) and (iii), the Manager will submit the street naming proposal, and the recommended street name, for Council's consideration and approval.
- v. All costs associated with the design, fabrication and installation of street signs within a new development are borne by the Developer.

4. RENAMING STREETS

A. Reasons for Renaming Streets:

- i. On a case by case basis, for duplicate or similar name situations;
- ii. Where a street or street realignment connects streets with different names to form one continuous street; or
- iii. Where Council deems it appropriate to rename an existing street.

B. The following information is collected for all requests concerning the renaming of streets:

- i. Historic significance of the existing street name and the length of time each existed;
- ii. Total number of street addresses on the street affected;
- iii. Current land use at each address;
- iv. In-stream development applications on the street affected; and
- v. Existing and planned road systems for the affected area(s).

C. Street Renaming Process:

- i. Street renaming proposals are processed through Development Services and will be subject to Street Renaming Application Fee as set out in Schedule A.
- ii. Proposed street renaming must use names conforming to the Street Naming Criteria set out in Section 3;
- iii. Resident(s) or Developer(s) proposing a renaming shall make a written submission to Development Services that includes the following information:
 - a) A Street Renaming Proposal which includes the new name and outlines the rationale for the request;
 - b) A petition signed by a minimum of two-thirds of the owners of property directly affected by the proposed street name change;

- iv. Resident(s) or Developer(s) proposing a renaming may also be required to hold a Public information Session in regard to the proposed renaming and implementation to seek the input from the community at large if deemed necessary by the Manager;
- v. Development Services will submit a Street Renaming Proposal for Council's consideration and approval, including the information gathered from the proponent, a summary of input received during the Public Information Session, and the recommended street name;
- vi. As part of implementation, a minimum one (1) months' notice of a street renaming must be provided to Owners and Occupiers affected by the street renaming;
- vii. Street naming will not take place during the following periods: April 15 to July 1 and November 1 to January 15.
- viii. Any Resident(s) or Developer requesting the renaming will bear the costs of reimbursement for up to one (1) year of change address service with Canada Post for Owners and Occupiers affected by the changed street name.
- ix. All costs associated with the notification to the public, staff coordination and attendance at the public information session as may be required, new street sign design, fabrication and installation of those signs, if renaming is approved, shall be borne by the applicant or cost recovered by the Village as noted in Schedule A.

5. CIVIC ADDRESSING

A. Authority

- i. It is the authority of the Village to assign civic addresses to all properties and buildings associated with the property;
- ii. The Village may assign, change, or reassign civic addresses where necessary to resolve potentially confusing numbering, discontinuities or irregularities, and to ensure an adequate supply of civic addresses for existing and future development;
- iii. The Manager is authorized to allocate numbers to buildings and structures within the Village and may designate a member of Development Services to undertake his/her responsibilities for street numbering under this Bylaw;
- iv. The Manager is authorized to make minor changes, alterations, or additions in the display of numbers, including, but not limited to requiring additional reflective signage to indicate the location of buildings in multiple building developments.

B. Civic Address Requirement and Assignment

- i. Every property and principal building/dwelling, constructed or placed on any lot, or part of a lot, in the Village, must be assigned a number by the Manager or his/her designate for that purpose.
- ii. The assignment of civic addresses will be based on the fronting street;
- iii. A building on a corner lot is addressed off the street to which the front door faces;
- iv. A duplex dwelling is given one civic address based on the fronting street and each dwelling is given an "A" or "B" suffix;
- v. Row houses are given separate civic addresses for each unit;
- vi. Addressing for multi-family residential properties are off the street to which the primary driveway serves the particular building or multi-family residential property and civic and unit numbering for Multi-family residential properties shall be established at the discretion of the Manager;
- v. A civic address change may be requested by the Owner or Developer for any property subject to an administrative fee set out in Schedule A. The proposed new addresses are provided by Development Services and options will be discussed with the Owner and Developer;
- vi. Discretion may be used by the Manager when addressing a dwelling without a clear street frontage or front door location;

6. AFFIXING BUILDING NUMBERS

1. Every property owner or Developer of a building, commercial or multi-family residential complex which is assigned a number must supply and affix, or caused to be affixed, the assigned number in a conspicuous place on the building or display it elsewhere on the property where it can be easily be seen from the driveway entrance;
2. Every property owner must ensure that the building number assigned remains in perpetuity, be securely attached to the building, fence or other structure, and to remain plainly visible and legible from the street, and must replace, repaint or otherwise maintain the number as required from time to time to maintain its visibility and legibility;
3. For detached accessory suites with access from a lane, the assigned number must be affixed where it can be easily seen from the lane;
4. For large commercial or multi-family developments, adequate directional signage detailing building and unit numbers, must be affixed where it can be easily seen from the fronting street;

5. Civic Numbering must be affixed within ninety (90) days of receiving notification from the Village;
6. If any owner fails to comply with the requirement to supply and attach or to maintain a building number the Village may, after having notified the owner of its requirements, supply the building number, enter on the land and attach the building number, or enter on the land and maintain the building number, as the case may be, including by altering buildings or other structures or vegetation on the land to render the number visible, and recover the cost of doing so from the owner. The Village may recover any unpaid costs in the same manner and with the same remedies as property taxes.

7. MEASUREMENT AND DESIGN REQUIREMENTS

1. For all buildings all assigned numbers must be:
 - i. No less than one (1) meter and no more than three (3) meters from the ground upon which the building or structure is constructed;
 - ii. Visible from the street and clear from any vegetation or other obstructions;
 - iii. If reflective material is used then each number must be at least 6.5 cm in height;
 - iv. If reflective material is not used, then each number must be at least 15 cm in height;
 - v. Of a dark colour where placed on a light background or of a light colour where placed on a dark background;
 - vi. Numbers must be displayed as numbers not text.
2. For buildings which are greater than ten (10) metres from the street or where numbers are not visible from the street, the following applies:
 - i. In addition to the civic address on the building, a duplicate set of numbers must be permanently displayed beside the driveway at the intersection with the street to which the civic number applies;
 - ii. The numbers must meet the requirements as outlined in Section 7.1.
3. If more than one property or building is accessed via a common driveway;
 - i. Individual civic numbers and/or unit numbers must be clearly posted on each building as described in Section 7.1
 - ii. Each civic address must be displayed at the street as outlined in Section 7.2;
 - iii. If a driveway branches to provide access to more than one property, numbering meeting the requirements of Section 7.1 shall be displayed at each point of intersection to indicate which driveway leads to which address;
 - iv. Section 7.3 (iii) does not apply if the buildings are accessed via signed strata roads.

8. Alteration of Civic Address

1. No owner of a building or property will display or cause to be displayed any other number other than the civic number or unit number which has been assigned by the Village;
2. No person shall alter, renumber or change any civic address without first receiving permission from the Village.

9. POWERS OF THE MANAGER

1. The Manager may make incidental rules and regulations not inconsistent with this bylaw, as amended from time to time.
2. The Manager may exempt a Developer or Owner from providing some or all of the information as set out in this bylaw, as amended from time to time.
3. The Manager may levy fines for any contravention of this Bylaw, as amended from time to time.

10. OFFENCE

1. Any person who contravenes, violates or fails to comply with any provision of this bylaw, suffers or allows any act or thing to be done in contravention or violation of this bylaw or fails or neglects to do anything required to be done under this bylaw is deemed to have committed an infraction of, or an offence against, this bylaw; and is liable on summary conviction to a fine of not more than ten thousand dollars (\$10,000) and each day such an infraction is caused, or allowed to continue, constitutes a separate offence.

11. SEVERABILITY

1. If any section, subsection, clause, sentence, clause, definition, phrase, map or other portion of this bylaw is held to be invalid for any reason by a court or competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

12. REPEAL

House Numbering Bylaw No. 189, 1985 is hereby repealed.

READ A FIRST TIME this 25th day of July, 2017.

READ A SECOND TIME this 25th day of July, 2017.

READ A THIRD TIME this 25th day of July, 2017.

ADOPTED this 12th day of September, 2017.

Mayor
Mike Richman

Corporate Officer
Sheena

Schedule A

FEES

	Bylaw Section	Fee
Street Renaming Application Fee	Section 4 (C) (i)	\$150.00
Civic Address Change Application Fee	Section 5 (B) (iv)	\$150.00
Notification and staff time associated with the Public Information Session	Section 4 (C) (iv)	Based on actual costs and recovery of staff time, wages and benefits
Design, fabrication and installation of new Street Signs as renamed	Section 4 (C) (iv)	Based on actual costs and recovery of staff time, wages and benefits plus parts and material



Date: August 18, 2020

Development Services Dpt.
Village of Pemberton
PO Box 100
Pemberton, BC
VON 2L0

Attention: Lisa Pedrini

Village of Pemberton (“VoP”) Bylaw No. 819, 2017
“Street Naming and Civic Addressing Bylaw”
(“Street Naming Bylaw”)

Dear Ms. Pedrini;

I write to request that the VoP renames “Sabre Way” to “**Sunstone Way**”.

As you are aware, as part of developing our Sunstone subdivision, the VoP required Sunstone Ridge Developments to construct, pave, landscape and pay for a new road that starts at Pemberton Farm Rd E, just south of the CN Rail line, and continues up the hillside into our Sunstone development (the “**New Road**”). Regrettably, that portion of the New Road from Pemberton Farm Rd E to the CN Rail Line was given a different name than that portion of the New Road that starts at the CN Rail line and travels up the hill side. In our view, this is causing confusion for people trying to find addresses in the Sunstone subdivision. While this may merely be an inconvenience at this point in time, one can see this matter potentially having more serious consequences if first responders have delays in responding to a call because of the confusion in street naming. In our view, having Sunstone Way leading people to the Sunstone subdivision assists in wayfinding, is generally less confusing and avoids any potential life safety issues by being able to give clear directions to first responders should the need arise.

The rationale for this request can be found in the VoP’s Street Naming Bylaw. Specifically, I would like to draw your attention to paragraph 3 (ii) which states that *“All streets shall be known by the same name for the entire length, except where the street crosses a base line of geological barrier such as a river or dyke”*. I



respectfully submit that this section of the Street Naming Bylaw should prevail and that the entire road, which does not cross a geological barrier, should be called **Sunstone Way**. I note also that paragraph 4 enumerates some reasons for renaming streets and includes (ii) where a street connects to form **one continuous street**. We know that the New Road is one continuous street. Furthermore, paragraph 4(iii) indicates that Council can rename a street if it deems it appropriate to do so, which essentially gives Council broad discretion to rename streets.

If Council deems it appropriate to recognize Sabre in some fashion, then I believe that Council could chose to do so in some other manner that would not lead to confusion and appear to contradict the VoP's own Street Naming Bylaw.

I thank you for your time in considering this request.

Nyal Wilcox, President
Sunstone Ridge Developments Ltd.

Date: December 8th, 2020
To: Nikki Gilmore, Chief Administrative Officer
From: Joanna Rees, Planner
Subject: Major Development Permit No. 087 – Mountain Side Collection

PURPOSE

The purpose of this report is for Council to consider authorizing issuance of the attached amended Development Permit, which includes a variance to the Village of Pemberton Zoning Bylaw No. 832, 2018 off-street parking requirements with respect to tandem parking and accessible parking. The Development Permit No. 087 is attached to this report as **Appendix A**.

BACKGROUND

On February 12, 2020, the Village received a Major Development Permit application from Coombs Development Corporation to develop a 30-unit multi-family residential townhouse project at 7360 Crabapple Court. Following Staff review and the standard referral process, the application was presented to the Advisory Design Review Commission (ADRC) on Thursday May 7, 2020. The following resolution was passed:

Moved/Seconded

THAT the Advisory Design Review Planning Commission recommends that Council support the proposed Development Permit No. 87, Coombs Mountain Side Collection, in general, but that the proposal be referred back to the Commission for further review after consideration has been given to the following aspects that are important to family living in Pemberton:

- a. garage door heights;
- b. the size of balconies;
- c. parking for large vehicles and the impact of parking on traffic circulation;
- d. traffic flow at entrance;
- e. size and siting of community space;
- f. snow stops; and
- g. snow dump areas.

CARRIED

Staff have worked with the Applicant to revise the application where applicable to address the comments provided by the ADRC. The revisions and response to comments are identified by the Applicant in the letter attached as **Appendix B**.

DISCUSSION AND COMMENTS

SITE DESCRIPTION

The subject lands are legally described as Lot 5, District Lot 203, Lillooet District, Plan KAP72731 and are municipally referenced as 7360 Crabapple Court (see Figure 1) The property is designated in the Village's Official Community Plan (OCP) as Development Permit (DP) Area No.1 Environmental Protection, No. 2 Land Constraints, and No. 6 – Multi-family and/or Commercial Development.



Figure 1: Location Map

The lands are 4,550 square metres (0.455 Hectares/1.12 acres) in area and are presently vacant. The site has been pre-loaded in preparation for future construction under Site Alteration Permit 2019-21 issued on November 15, 2019. The subject lands are bounded to the east by Arn Canal. Adjacent land uses to the north, south and west include multi-family residential, and mixed residential and commercial. A digital rendering of the proposal is shown in context of the adjacent lands in Figure 2.



Figure 2: Digital rendering of the proposal in the context of adjacent lands.

PROPOSAL DESCRIPTION

The proposal is to develop thirty (30) townhouses, in four (4) multi-family buildings. There will be eleven (11) different floor plans (Type 'A' to Type 'C') accommodating two (2), three (3) and four (4) bedroom unit designs. The proposal includes a service building for on-site garbage/recycling collection. The site offers vehicle circulation with access off Crabapple Court as depicted in Figure 3. Living spaces are located on the 2nd and 3rd levels to ensure all habitable space is above the flood construction level.



Figure 3: Digital rendering of the subject lands site entrance.

Each unit has two (2) ground level garage parking spaces, orientated away from the public realm. Visitor parking and bicycle parking is offered throughout the site. The site is located close to public amenities, bus routes, and footpaths to encourage walkability and cycling.

Green design initiatives include electrical vehicle charging outlets, water retention through extensive softscape, light wood frame construction, bicycle parking provided throughout and high walkability to community amenities.

The applicant has advised that the proposed architectural design of the townhouses is Modern Mountain Farmhouse and will feature two colour palettes of earthen hues featuring shades of beige, brown and grey as depicted in Figure 4. White is used as an accent colour for doors and trim. Painted wood window shutters and window boxes are used to frame windows. Visual variety along the streetscape is provided with multiple unit sizes, and a variety of colour and building façade materials. All dwelling units have entrances from both the adjacent street/pathway and the proposed private road, a front patio and a rear balcony.



Figure 4: Digital rendering of proposal from Arbutus Street.

The proposed landscaping plan includes a variety of trees, shrubs and grasses considering the four seasons. To address the two (2) metres of elevation gain between Arbutus Street and the units on the west side of the site, terraced retaining walls are proposed. They will be constructed from naturalized stone and be incorporated into the landscaping. Units along the Arn Canal will have private back yards with large pavers inset in the grass and privacy screening between units. A shared picnic area located at the entrance of the site from Crabapple Court will serve as the main entrance to encourage community connections within the development. The entire site will be irrigated with an automatic irrigation system. LED lighting is proposed throughout the site to illuminate pathways, bike racks and parking locations.

The site provides pedestrian connectivity with access points from Arbutus Street, the Arn Canal Trail and Crabapple Court. Buildings 1 and 2 are adjacent to Arbutus Street addressing the public realm, separated by tiered retaining walls; stairs are used to provide pedestrian access. Buildings 3 and 4 are parallel to the Arn Canal Trail and pathways are proposed from each unit to connect to the Trail. Additionally, a pathway is proposed between Buildings 3 and 4 to provide ease of pedestrian and cyclist access to the site.

ZONING BYLAW NO. 832, 2018

The subject property is zoned Commercial, Portage Road (C-3). The following is an assessment of the proposal in the context of the Zoning Bylaw No. 832, 2018 requirements:

- a) Residential Townhouses are a permitted land use in the C-3 zone.
- b) The proposal is below the maximum 1.5 FAR density permitted on the site, and the maximum site coverage of 50%.

- c) The building siting complies with the lot line setback requirements.
- d) The buildings comply with the 10.5 metre maximum height requirements of the zone.
- e) The proposed retaining wall measures 1.06 metres in height complying with the maximum height of 1.2 metres.

VARIANCE REQUESTS

Parking

Parking will be provided with double garages attached to each unit. Accordingly, each unit will have two (2) parking spaces. Tandem garages are proposed for twenty out of the thirty units. The Applicant is seeking a variance to permit tandem parking in the garage of twenty dwelling units with a floor area larger than 110 m². The floor area of these units ranges from 123.4 m² to 129.8 m². Due to the proximity of the subject lands to commercial amenities, recreational uses and public institutions supporting a walkable neighborhood and reducing the presence of vehicles, this variance is supported by Staff. If the variance is approved, the proposal will meet the requirement of sixty residential parking spaces.

The application proposes (7) visitor spaces including two (2) small vehicle spaces. The Applicant is seeking a variance to reduce the visitor parking from eight (8) spaces required to the seven (7) spaces proposed, a relaxation of one (1) parking space. While the site can accommodate eight (8) visitor parking spaces, the variance will permit for a turnaround at the end of the Strata Road. This variance is supported by Staff to contribute to improved vehicular circulation of the site.

Staff recommend that Council support both variance requests included in DP No. 087.

Table 1: Parking Analysis

Unit Type	Parking required	Number of dwelling units	Total Parking required	Proposed Parking per unit	Total Proposed
2 & 3 Bedroom Townhouse	2 per dwelling unit	30	60	2 per dwelling unit **20 units propose tandem parking**	60
Visitor Parking	0.25 spaces per dwelling unit	30	8	N/A	Small Car: 2 (4.6m by 3.05m) (0.25% of required visitor parking) Standard: 5 Total: 7
Small Vehicle Parking	33% of the required parking spaces may be small vehicle only	N/A	8		

EV Parking	All multiple unit residential requiring at least ten (10) parking spaces shall provide one (1) electric vehicle for every ten (10) parking stalls required, which is readily accessible for charging a vehicle in a required parking space.	N/A	N/A	N/A	All Garages will be pre-wired for electric vehicle charging stations and electrical vehicle charging is available for visitor spaces.
Bicycle Parking	All multiple unit residential shall provide bicycle parking at a rate of 20% of the required vehicle parking	N/A	14	N/A	14

COMPLIANCE WITH DEVELOPMENT PERMIT GUIDELINES

The subject property is situated within three (3) Development Permit Areas: No. 1 Environmental Protection, No. 2 Land Constraints, and No. 6 Multi-Family and/or Commercial Development.

- The DPA No. 1 establishes guidelines for the regulation of development adjacent to watercourses.
- The DPA No. 2 guidelines are due to the location of the proposed development in the flood plain.
- The DPA No. 6 guidelines address the form and character of multi-family buildings, and particularly address siting, building form, open spaces, circulation & parking, and streetscape improvements & landscaping.

The guidelines can be found in the Village of Pemberton’s Official Community Plan, Section 7.0 – Development Permit Area Guidelines.

The following table summarizes Staff’s review of the application against the applicable DPA guidelines:

Development Permit Areas No. 1 – Environmental Protection	
Applicable Guideline	Comments
a) Submit an Environmental Assessment prepared by a qualified environmental	A draft Riparian Areas Assessment Report dated October 8 th , 2020 completed by a

<p>professional identifying the possible impacts and proposed mitigation of the proposed development. The qualified environmental professional shall have the required expertise related to the environmental issues of the proposal. The terms of reference for the Environmental Assessment are included as Schedule C.</p>	<p>qualified environmental professional was completed.</p> <p>Formal approval must be received from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development prior to issuance of a building permit.</p> <p>The detailed assessment resulted in a calculated Streamside Protection and Enhancement Area (SPEA) setback width of 22.9 metres. The calculated SPEA falls entirely within the Dyke Reserve managed by the Pemberton Valley Dyking District (PVDD).</p>
<p>b) Mitigation may be required where there may be potential for damage to the natural environment during the approved construction; or to retain, resolve or replace native vegetation.</p>	<p>It is recommended that the developer contact the PVDD to discuss the development of a coordinated public education program for the Dyke Reserve. If an agreement for a coordinated education program between the developer and the PVDD is not achievable, then the developer will design and install educational signage along the SPEA adjacent to the Site. Signage would be appropriately designed to inform residents of the existence of the SPEA, the importance of the SPEA in maintaining surface water quality and riparian wildlife habitat for Arn Canal East, and the sensitivity of the SPEA to encroachment (e.g., dogs).</p>
<p>c) Development shall include construction management plans indicating how non disturbance areas will be protected during construction such as preventing encroachment (fencing), erosion and sedimentation, storage and maintenance of vehicles and controlling invasive plant species.</p>	<p>A Site Alteration and Construction Management Plan was submitted by the applicant. All construction materials and equipment will be maintained within the site's property lines and the site will be fenced and screened during construction.</p>
<p>d) Require monitoring reports at the expense of the applicant/ developer by a qualified environmental professional during construction to ensure the conditions of the Development Permit have been fulfilled.</p>	<p>A qualified Environment Professional will be retained as a Project Environmental Monitor by the developer Coombs Development Corp. to ensure the SPEA of Arn Canal East is adequately protected during active construction with the site.</p>

<p>e) Development shall result in no net increase in post development surface water flows and impermeability and not affect the quality of water available within the non-disturbance area unless specified in the development permit.</p>	<p>Storm Water Management Controls are proposed in the Storm Water Management Report completed by Aplin Martin, dated August 4th 2020, to ensure the development shall result in no net increase in post development.</p> <p>No issues were identified in the draft Riparian Areas Assessment Report regarding Stormwater Management.</p>
<p>f) Consider wildlife crossing whenever protected wildlife corridors are interrupted by roadways, as determined by the environmental assessment.</p>	<p>A protected wildlife corridor was not identified to be interrupted.</p>
<p>g) Encourage landscaping plans that include the retention, mitigation or replanting of native vegetation.</p>	<p>A variety of plants from the Village of Pemberton Plant List are utilized to consider the four seasons and reduce maintenance.</p>
<p>h) Site Alteration– Mitigate the impacts of a new development specifically related to site clearing, preloading and ongoing construction activities and in accordance with the approved environmental impact assessment, by:</p> <ul style="list-style-type: none"> • landscaping, screening or fencing the site should be provided, if the site works include the removal of an existing vegetated buffer to a public road; • identifying the re-routing of any pedestrian/trails and temporary construction and emergency service access (if applicable also achieve approval from the Ministry of Transportation and Infrastructure); • identifying the location of any construction offices and related parking (preference to locate within existing development, limit use of temporary trailers); • indicating the location of storage areas and type of materials to be stored, as well as garbage/waste/recycling containers. Such storage shall not be attractants to wildlife; and • identify a timeline for the completion of mitigation works outlined above that may include 	<p>A Site Alteration and Construction Management Plan was submitted by the applicant. All construction materials and equipment will be maintained within the site's property lines and the site will be fenced and screened during construction.</p> <p>Entrance and egress to the site will be off Crabapple Court through a gate.</p> <p>Storage containers and on-site buildings will be located off Crabapple Court.</p> <p>The projected timeline for construction will be eight months from start to occupancy.</p>

posting security to guarantee the proposed site alteration enhancements prior to the issuance of the Development Permit.	
Development Permit Area No. 2 – Land Constraints	
Applicable Guideline	Comments
Flood and Debris Hazards Guidelines	
a) Provide professional reports and certification that ensures that the development meets the Flood Construction Level requirements for the Lillooet River and Pemberton Creek.	The draft Riparian Areas Assessment Report, dated October 8 th , 2020, completed by a qualified environmental professional identifies that the development meets the Flood Construction Level requirements.
b) Provide professional reports and certification that ensures that the development will be able to mitigate the impacts of debris flow of Pemberton Creek.	

Development Permit Areas for the Form and Character of Development	
Applicable Guideline	Comments
<p>a) Siting - Development should recognize and complement the site's existing conditions, topography, natural vegetation, hydrology, solar exposure, site circulation and view corridors.</p> <ul style="list-style-type: none"> • Design for solar exposure to public and private spaces (summer shade and winter sun) and define and enhance the street edge in the placement and design of buildings and open spaces. • Provide a strong visual and physical relationships to pedestrian walkways and public spaces and provide opportunities for natural surveillance (eyes on the streets and open spaces). • Achieve privacy for residential units through inseting balconies, decks and patios, and screening. • Provide barrier free access. 	<p>The buildings are oriented towards the East and West. Common open spaces are generally south-facing with solar access.</p> <p>The site is organized with multiple pedestrian access points from Arbutus Street, Crabapple Court and the Arn Canal.</p> <p>Buildings 1 and 2 are oriented towards Arbutus Street, providing opportunities for natural surveillance. The pedestrian walkway parallel to Arbutus Street creates a positive interface with the public realm and contributes to the streetscape.</p> <p>Residential units will have moderate privacy, each with its own porch and balcony. Units in buildings 3 and 4, adjacent to the Arn Canal feature private backyards providing both privacy and natural surveillance.</p>
b) Building Form – Buildings are to be consistent with Pemberton's small town character and reflect its rural traditions of strong, simple and functional building forms.	<p>The proposal demonstrates a cohesive design.</p> <p>Visual variety along the streetscape is provided with multiple unit sizes, and a variety of colour and building façade materials.</p>

<ul style="list-style-type: none"> • Provide a cohesive design program for the development (i.e., structural, mechanical, lighting and landscaping). • Avoid blank walls which are visible from the street or parks which lack architectural detailing. • Reduce the mass and scale of buildings through design features such as variations in roof form, wall recesses/projections, texture/colour, vertical accents, windows, balconies, dormers and façade detailing. • Design buildings to positively address the public realm on street frontages and sidewalks. • Encourage decks, balconies and porches to provide sunny, usable outdoor spaces. • Create interest with the roof structure using architectural features such as chimneys, cupolas, towers and venting. Roof mounted equipment should be concealed from pedestrian viewpoints. • Provide visual variety along streetscapes by varying individual unit designs. • Face main entrances to the street, being clearly visible and directly accessible from the sidewalk. Entrances should reinforce proximity to grade level, particularly avoiding multi-storey features. Diminish the appearance of garage doors from public streets. • Preference for side by side, up and down or staggered unit configuration to maximize the number of units facing the street. • Create interest by varying use of the building's scale, modulation, materials and colour in the placement and detailing of elements such as bay windows, entrances lighting, graphics and street furnishings. 	<p>The building mass and scale have been reduced with alternating colours and building façade textures. The buildings are articulated with shutters, window plant ledges and variation in roof form.</p> <p>Buildings 1 and 2 positively address Arbutus Street with front porches, a pedestrian walkway, multiple pedestrian access points, landscaping, garages and cars situated at the rear of the building.</p> <p>All units have a front porch and rear balcony.</p> <p>The roof structure is varying within buildings and features architectural features such as chimneys.</p> <p>The buildings have been designed to positively address the public realm and street frontage along Arbutus Street.</p> <p>Garages are oriented to the rear of buildings 1 and 2 to diminish the appearance of garages from the Arbutus Street interface.</p>
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<p>c) Construction Materials – The building should be sufficiently durable to withstand Pemberton’s varied climate while also exhibiting quality construction and a small town character:</p> <ul style="list-style-type: none"> • Use exterior materials that have been traditionally applied and/or are durable for the area including stone, wood, brick, and glass. • Discourage the use of the following exterior building materials: vinyl siding, plywood, particle board and synthetic materials such as cultured stone. Stucco and tile for large areas should be discouraged. • Use well designed window treatments of articulated wood, stone or metal details. Relective or heavily tinted glass and snap-in muntin bars are not recommended. • Apply exterior building colours that complement nature’s spectrum; earth hues and the natural colours of foliage grass, sky and woods. • Brighter colours may be appropriate as accents such as doorways, window frames, signs, graphics, store fronts and/or displays. • Ensure approval of all playground and park infrastructure by the Canadian Standards Association. • Complement neighbouring roof lines/pitches. Brightly-coloured metal roofs are discouraged. • Anchoring buildings with continuous durable finishing providing a sense of permanence and protection from street level impacts. • Wood roofing (Class A) will not be permitted under any circumstances as per the Village’s Building Bylaw. • Use muted or natural roof colours where appropriate. 	<p>Building materials are generally hearty with the use of fibre cement shingles, siding and painted concrete.</p> <p>The application includes two colour palettes of earthen hues featuring shades of beige, brown and grey. White is used as a brighter accent colour for doors and trim.</p> <p>Roofing materials include laminated fibre glass black shingles.</p> <p>Painted wood window shutters and plant shelving is used to frame windows.</p>
<p>d) Streetscape Improvements and Landscaping – The development should provide amenities for residents and visitors, while also adding interest to the street and showcasing local businesses.</p> <ul style="list-style-type: none"> • Incorporate planting consistent with the Village’s standards contained within the Plant List. • Consider four season landscaping for both aesthetics and maintenance reasons. 	<p>The landscape plan attached to the DP submission includes an appropriate level of landscaping for ornamentals and open spaces.</p> <p>A variety of plants from the Village of Pemberton Plant List are utilized to consider the four seasons and reduce maintenance. Retaining walls will be constructed from naturalized stone and incorporated into landscaping.</p>

<ul style="list-style-type: none"> • Appropriately design, protect and select durable landscaping as not to be harmed by snow clearing or other maintenance works (i.e. sweeping). • Prioritize the retention of existing trees and vegetation • Accommodate grading on individual properties, minimizing cut and fills and discourage retaining walls. • Incorporate Low Impact Development Techniques into site, service and landscape planning. • Provide irrigation for all landscaped and open areas. • Incorporate landscaped areas within parking lots to break up large paved areas. The landscaped areas can also be used in the winter for snow storage. 	<p>Irrigation will be provided for all landscaped and open space areas.</p> <p>Landscaped areas are included adjacent to parking areas.</p>
<p>e) Circulation and Parking - A development's accommodation of internal and external vehicular circulation, parking and servicing is an important consideration in the functioning and accessibility of the project.</p> <ul style="list-style-type: none"> • Screen or camouflage from public view all exterior services including utility tanks, hydro transformers, gas installations, garbage and recycling containers, preferably with a durable fenced enclosure, landscaping or printed art or images. • Ensure that garbage and recycling receptacles and dumpsters are provided and located within a lockable building (bear proof). • Accommodate efficient snow removal, including designated snow storage and drainage areas for access roads, loading and parking areas • Abide by the Village Construction Requirements as not to unsafely or inconveniently disrupt adjacent business operations or pedestrian movements during construction. 	<p>The proposal includes residential parking within enclosed garages and visitor parking concentrated at the entrance of the site from Crabapple Court and between buildings.</p> <p>The site offers vehicle circulation with two access points from Crabapple Court.</p> <p>Garbage receptacles are located within a secure building.</p> <p>Three (3) locations for on-site snow storage are proposed through out the site. Snow storage calculations were completed by Aplin Martin indicating sufficient snow storage.</p>
<p>f) Snow Management – Site and building design shall mitigate the challenges related to freezing temperatures and precipitation. All developments shall manage snow through the site plan design and building form.</p>	<p>The roofs will utilize strategically placed Snow Clips to facilitate snow management and retention.</p> <p>Three locations for on-site snow storage are proposed through out the site. Snow clearing</p>

<ul style="list-style-type: none"> • Restrict snow from dumping or being dumped onto adjoining streets, sidewalks and right of ways. • Mitigate freeze / thaw cycle impacts including snow shed, roof drip, icicles, ice dams, and water infiltration. • Prevent roofs from shedding towards pedestrian walkways, points of entry and loading or parking areas. 	<p>within the site is the responsibility of the Strata.</p> <p>Snow clearing on sidewalks and footpaths abutting the property are required to be removed by the Strata and will be included in a Boulevard Maintenance Agreement.</p>
<p>g) Lighting - Provide a lighting plan for new development. Fixtures on public roads shall be in accordance with Village Lighting Standards, while lighting on private property should be down shielded, as to illuminate only the desired display, pedestrian corridor, sign or building feature. Flashing, blinking or coloured lighting except for festival lighting is not supported.</p>	<p>Lit bollards are used to cast low light on the pathways.</p> <p>Over head lights are utilized at bike rack and parking locations.</p> <p>All lighting is LED.</p>
<p>h) Crime Prevention Through Environmental Design (CPTED) Principles - Development shall comply with the following principles:</p> <ul style="list-style-type: none"> • Provide clear border definition of controlled space. • Provide clearly marked transitional zones that indicate movement from public to semi-public to semi-private to private spaces. • Locate vehicle and pedestrian access points, gathering areas and loitering areas to locations with natural surveillance in order to increase safety and perception of safety of users, and increase risks (deterrent) to offenders. • Design and land use should relate to the context of on-site land uses and structures, immediate adjacencies, and the surrounding neighbourhood. • Site landscaping should have clear sight lines, prevent concealment, direct users safely, be permeable and maintain relationships (eyes on street). • Re-designate the use of space to provide natural barriers to conflicting activities. • Seek land use mix that promotes natural surveillance. • Overcome distance and isolation through improved communication, break-up large impersonal space, enhance sight lines, provide a range 	<p>The proposal appears to conform to generally accepted CPTED principles.</p>

<p>of land uses, and offer legitimate activity generators.</p> <ul style="list-style-type: none"> Avoid building designs, public amenities/services and street furniture that create excuses for loitering, nuisance and criminal behaviour. 	
<p>i) Site Alteration– Mitigate the impacts of a new development specifically related to site clearing, preloading and ongoing construction activities, by:</p> <ul style="list-style-type: none"> landscaping, screening or fencing the site should be provided, if the site works include the removal of an existing vegetated buffer to a public road; identifying the routing of any pedestrian/sidewalk detours and temporary construction and emergency service access (if applicable also achieve approval from the Ministry of Transportation and Infrastructure); identifying the location of any construction offices and related parking (preference to locate within existing development, limit use of temporary trailers); indicating the location of storage areas and type of materials to be stored, as well as garbage/waste/recycling containers. Such storage shall not be attractants to wildlife; and identify a timeline for the completion of mitigation works outlined above that may include posting security to guarantee the proposed site alteration enhancements prior to the issuance of the Development Permit. 	<p>See above.</p>

Development Permit Area No. 6 Multi-Family and/or Commercial Development

Applicable Guideline	Comments
<p>a) Siting – The site design should minimize direct visual intrusion to surrounding homes. Privacy can be achieved through inseting balconies, decks and patios, screening and/or off-setting windows.</p>	<p>Buildings 3 and 4 have private yard space.</p> <p>Building 1 has two offsets, improving front porch privacy.</p> <p>Additional screening between units is achieved through landscaping.</p>
<p>b) Building Form – The development should break up larger buildings into smaller units or clusters while ensuring that intensive residential developments</p>	<p>Larger buildings are broken up into smaller clusters using changes in surface building materials and colour.</p>

<p>reflect the scale and character of the area. Also provide sufficient and secured exterior accessed storage areas for each unit.</p>	<p>Each unit has a garage that may be used for storage.</p>
<p>c) Open Spaces – The development should be designed to accommodate the appropriate passive and/or recreational activities of the neighbourhood and:</p> <ul style="list-style-type: none"> • Provide private outdoor open space for all units (i.e. patio, porch, deck, balcony, yard, etc.). • Consider fences only if they positive contribute to the attractiveness of the neighbourhood and will be durable over time. 	<p>All units have a private porch and balcony or yard space.</p> <p>Fence styles are open reducing visual barriers creating a separation between public and private/semi-private spaces.</p>
<p>d) Circulation and Parking – The accommodation of internal and external vehicular circulation, parking and servicing is an important 49 consideration in the functioning and accessibility of a development.</p> <ul style="list-style-type: none"> • Situate residential parking areas, garages and driveways as a minor component of the site when viewed from the street. • Fully screen from public view all exterior services including utility installations, garbage and recycling containers, preferably with a durable fenced enclosure and landscaping. 	<p>Garages and parking areas are situated away from the street view of the site.</p> <p>Garbage and recycling are fully screened within an accessory building.</p>
<p>e) Streetscape Improvements and Landscaping - The development should provide amenities for residents and the surrounding neighbourhood.</p> <ul style="list-style-type: none"> • Install landscaping along all property lines, except where there is an access point. • Provide irrigation for all landscaped yards and open areas (excluding areas undisturbed in their natural state). • Utilize landscaping to provide definition for pedestrian corridors and defining private or semi-private spaces. • Accommodate grading on individual properties, minimizing cut and fills and discouraging retaining walls. • Incorporate landscaped areas within parking lots to break up large paved areas. The landscaping can 	<p>See above.</p>

also be used in the winter for snow storage areas.	
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COMMUNICATIONS

This application process does not require a communication element.

LEGAL CONSIDERATIONS

The issuance of Development Permits is regulated by the *Local Government Act (LGA)* ss. 489 and 490.

IMPACT ON BUDGET & STAFFING

All costs associated with the processing of this application, including Staff and consulting time, are recoverable as per the Village of Pemberton Development Procedures Bylaw 725, 2013 as amended from time to time.

INTERDEPARTMENTAL IMPACT & APPROVAL

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

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

There are no impacts on the region or neighbouring jurisdictions.

ALTERNATIVE OPTIONS

The following options have been provided for Council's consideration:

1. **THAT** Council authorizes issuance of Development Permit No. 087 with the following conditions:
 - a) Provision of a landscape bond in accordance with British Columbia Society of Landscape Architects standards in the amount of 120% of the soft landscaping costs; and
 - b) Payment of any outstanding review fees.

AND THAT both variance requests be supported.

2. **THAT** Council refuses the application for Development Permit No. 087; and
3. **THAT** Council refers the application for Development Permit No. 087 back to Staff to address further considerations.

RECOMMENDATION

THAT DP No. 087 be authorized for issuance, and the Mayor and Chief Administrative Officer be authorized to execute the Permit, subject to the successful completion of the following conditions to the satisfaction of the Manager of Development Services:

- a) Provision of a landscape bond in accordance with British Columbia Society of Landscape Architects standards in the amount of 120% of the soft landscaping costs in the amount of \$239,393.232
- b) Payment of any outstanding review fees

AND THAT DP No. 087 hereby varies Section 8.10 a) of the Village of Pemberton Zoning Bylaw No. 832, 2018 by permitting tandem parking in a garage for twenty (20) units with a floor area larger than 110 m².

AND THAT DP No. 087 hereby varies Section 8.3 of the Village of Pemberton Zoning Bylaw No. 832, 2018 by reducing the required number of Visitor Parking Stalls from eight (8) to seven (7).

Attachments:

Appendix A: Development Permit No. 87

Appendix B: Applicant Response Letter to ADRC – July 8th 2020

Appendix C: Design and Landscape Rationale

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

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**VILLAGE OF PEMBERTON
Development Permit #087**

Issued to: **Coombs Development Corporation**
File No: **2020-DPA-087**

(Registered owner according to Land Title Office, hereinafter referred to as the "Permittee")

Address: **203-8975 Ontario Street,
Vancouver, B.C., VSK 3E8**

- 1) This Development Permit applies to and only to those lands within the Village of Pemberton, Province of British Columbia, legally described as:

Parcel Identifier: 025-587-919

Legal Description: Lot 5 District Lot 203 Lillooet District Plan KAP72731

Civic Address: 7360 Crabapple Court

as shown in the Subject Property Map attached as **Schedule A**.

- 2) This Development Permit No. 087 is issued pursuant to the authority of the Village of Pemberton *Official Community Plan Bylaw No. 654, 2011*, as amended and, except as varied in this permit, in conformity with all Village of Pemberton bylaws, as amended, and shall not be in any way varied except as so identified in this Permit.

The Permit relates to Development Permit Area No. 1 Environmental Protection, Development Permit Area No. 2 Land Constraints, and Development Permit Area No. 6 Form and Character of Multi-family and/or Commercial Development.

- 3) Whereas the applicant has made application to develop four (4) townhouse buildings comprising of thirty residential units, on the said lands, the following terms and conditions of this Development Permit shall apply to said land:

- a) Dimensions and Siting of Buildings and Structures of the Land

All buildings and structures to be constructed on the said lands shall be in substantial compliance with the drawings prepared by Formwerks Architectural Inc. dated 23rd of November 2020 attached to and forming a part of this Permit as **Schedule B**:



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- A000 Cover Sheet
- A0.01 Data Sheet
- A0.02 General Notes

- A1.00 Site Plan
- A1.01 Parking Plan
- A1.02 Fire Access Plan
- A1.03 Ground Level Plan
- A1.04 Level 1 Plan
- A1.05 Level 2 Plan
- A1.06 Level 4 Plan
- A1.07 Site Sections
- A1.08 Building Sections
- A1.09 Building Sections
- A1.10 Colour Scheme Key Plan
- A1.11 Colour Scheme A Elevations
- A1.12 Colour Scheme B Elevations

- A2.00 Building 1 Plans L1-L2
- A2.01 Building 1 Plans L3 - Roof
- A2.02 Building 1 Elevations
- A2.03 Building 2 Plans L1-L2
- A2.04 Building 2 Plans L3- Roof
- A2.05 Building 2 Elevations
- A2.06 Building 3 Plans L1-L2
- A2.07 Building 3 Plans L3-Roof
- A2.08 Building 3 Elevations
- A2.09 Building 4 Plans L1-L2
- A2.10 Building 4 Plans L3-Roof
- A2.11 Building 4 Elevations

- A3.00 Unit Type A1 Plans
- A3.01 Unit Type A1E Plans
- A3.02 Unit Type A2 Plans
- A3.03 Unit Type A3 Plans
- A3.04 Unit Type B1 Plans
- A3.05 Unit Type B2 Plans
- A3.06 Unit Type B3 Plans
- A3.07 Unit Type B2E Plans
- A3.08 Unit Type B1E Plans
- A3.09 Unit Type BLE Plans
- A3.10 Unit Type BRE Plans
- A3.11 Unit Type C1 Plans
- A4.00 Unit Sections

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- A4.01 Unit Sections
- A5.00 Entry Monument
 - A5.01 Site Monument
 - A5.02 Service Building Plans
 - A5.03 Service Building Elevations
- A6.00 Schedules
 - A6.01 Assemblies
 - A6.02 Assemblies
- A7.00 Architectural Details
 - A7.01 Architectural Details
 - A7.02 Architectural Details
 - A7.03 Architectural Details
- A8.00 Building Envelope Details
 - A8.01 Building Envelope Details
 - A8.02 Building Envelope Details
 - A8.03 Building Envelope Details

approved by the Village Council on the 8th day of December 2020.

- b) Use of the Land
The residential uses that will be permitted within the building will be contingent upon satisfying the applicable off-street parking requirements in the Village Zoning Bylaw No. 832, 2018, except as varied by this Development Permit.
- c) On Site Landscaping
 - (i) All landscaping to be installed on the said lands shall be in substantial compliance with the Landscape Plans prepared by KSalin Land Planning, dated 5th August 2020, attached to and forming a part of this Permit as **Schedule C**;

L-1.0 Landscaping Plan

approved by the Village Council on the 8th day of December 2020.

- (ii) All landscaped areas shall be provided with in-ground irrigation systems, the details of which shall be provided at the time of Building Permit.
- (iii) The Permittee shall be responsible for maintaining all the

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landscaping, in an orderly and responsible manner.

- (iv) Landscaping adjacent to Arbutus Street is subject to a Boulevard Maintenance Agreement with the Village, which is required prior to Building Permit Issuance.
- 4) This Development Permit is issued subject to the Permittee providing a Landscape Cost Estimate indicating soft, hard and total landscaping costs.
 - 5) This Development Permit is issued subject to the Permittee providing security in the form of Cash, Bond or an Irrevocable Letter of Credit in the amount of \$231,532.80 which is equal to 120% of the estimated total cost of the required works (\$199,494.36) to secure provision of the on-site soft landscaping. The Letter of Credit shall be received before issuance of a Building Permit and kept in force until all the landscaping works are completed and installed to the satisfaction of the Village.
 - 6) The Permittee shall complete all works and landscaping referenced in Item 3 (c) building phase to the satisfaction of the Municipality within one (1) year from the date that the Building Permit has been issued for any phase of construction. If the landscaping is not completed to the satisfaction of the Municipality within the required time, the security deposit may be used to undertake the required landscaping. Extensions to the one (1) year time limit may be applied for in writing thirty days prior to the expiry date. Once landscaping is installed, the Village will inspect and if satisfied, will release the bond with the exception of a ten percent hold back for one (1) year to guarantee the survival of the plantings.
 - 7) Pursuant to Section 490 of the *Local Government Act*, Council of the Village of Pemberton approved variances to Zoning Bylaw No. 832, 2020 on the 8th day of December 2020 with respect to this development in the following manner:
 - a) Section 8.10 a) of the Village of Pemberton Zoning Bylaw No. 832, 2018 is varied by permitting tandem parking in a garage for twenty (20) units with a floor area in excess of 110 m².
 - b) Section 8.3 of the Village of Pemberton Zoning Bylaw No. 832, 2018 by reducing the required number of Visitor Parking Stalls from eight (8) to seven (7).
 - 8) Servicing Agreements and Security Deposits will be addressed separately to provide services to the development authorized by DP No.087 prior to issuance of a Building Permit.



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- 9) Formal approval of the Riparian Areas Assessment Report completed by Pacific Land Resource Group Inc. dated October 8th 2020 must be received from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development prior to issuance of a building permit.
- 10) If the Permittee does not commence the Development permitted by the Permit within one (1) year from the date of the issuance of the Permit, this Permit shall lapse.
- 11) This Permit is not a Building Permit. While development on the lands described in 3) of this Permit is subject to the conditions and requirements set out in this Permit, this Permit does not authorize development or any construction. Council reserves the right at any time prior to issuance of a Building Permit to alter the permitted use, density or conditions of use that affects the Lands.
- 12) The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part hereof.
- 13) Notice of this Permit shall be filed in the Land Title Office at New Westminster under Section 503 of the *Local Government Act RS2015*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by the Permit.
- 14) The Development Permit is issued subject to payment of any outstanding review fees.

AUTHORIZING RESOLUTION PASSED BY COUNCIL
the 8th day of December 2020.

IN WITNESS THEREOF this Agreement has been executed under the seal of the Village of Pemberton, on the _____ day of _____, 2020.

The Corporate Seal of the Village of Pemberton
was here unto affixed in the presence of:

_____)
Mike Richman)
Mayor)



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)
)
)
Nikki Gilmore
Chief Administrative Officer

STATEMENT OF INTENT

Coombs Development Corporation having read and understood the terms and conditions of this Development Permit, hereby agree to abide by such terms and conditions and to complete all of the works and services and all other requirements under this Development Permit and in accordance with the Village Bylaws.

Per: Coombs Development Corporation

Date

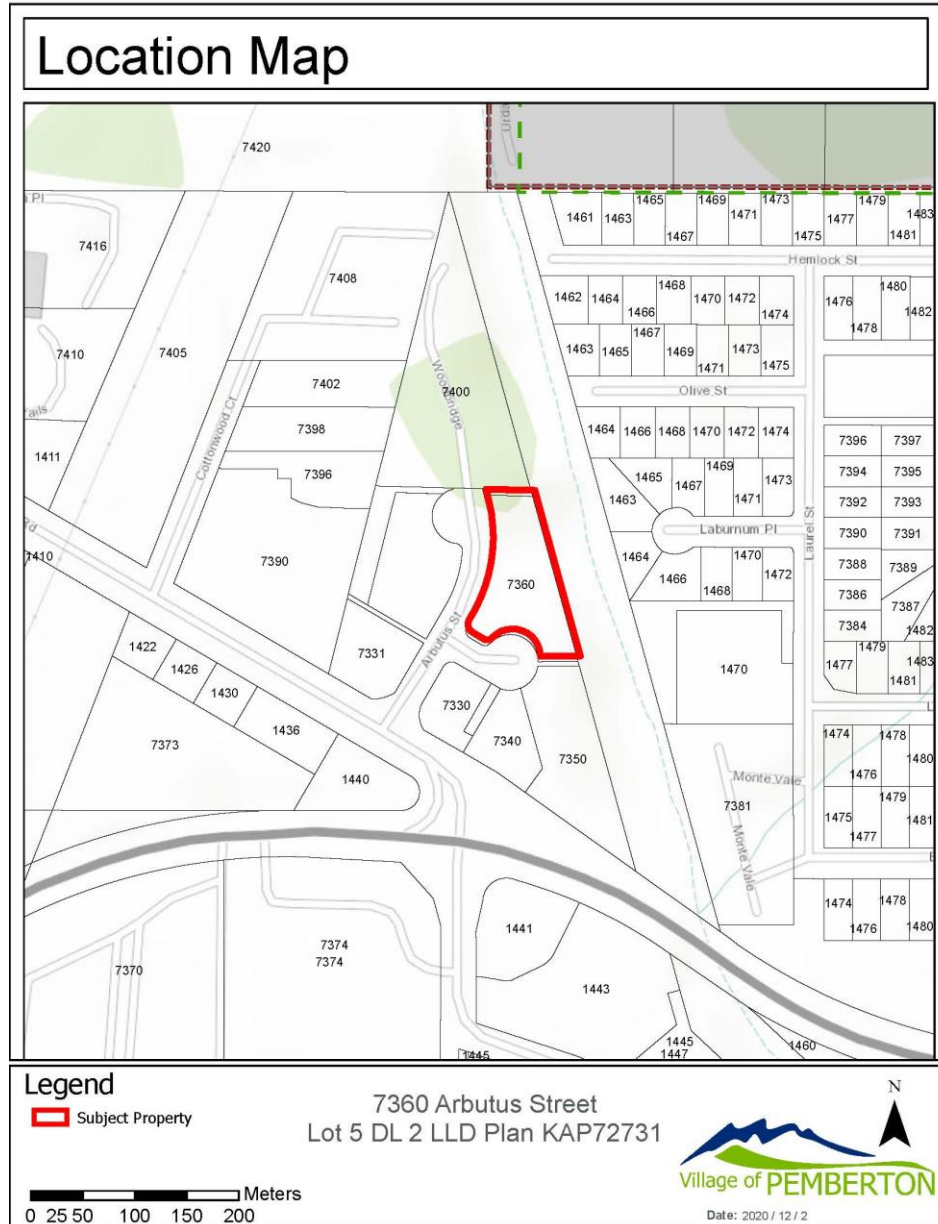
Attached: Schedules A, B, and C

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SCHEDULE A Location Map





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SCHEDULE B Architectural Drawings

Due to the large file sizes, the drawings, site plan and parking plan have not been included in the package but are available for download. Click on the links below to download the file:

[Download Architectural Drawings](#)

[Download Site Plan and Parking Plan](#)



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Schedule C Landscape Drawings

Due to the large file size, the drawing has not been included in the package but is available for download. Click on the link below to download the drawing.

[Download Landcape Drawing](#)



Advisory Design Review Commission
Village of Pemberton
P.O. Box 100
7400 Prospect Street
Pemberton, British Columbia
Canada
V0N 2L0

July 8, 2020

RE: DP#87 – Mountain side Collection – ADRC Response Letter

Dear Advisory Design Review Committee Members,

I appreciate the time and effort each member has put forward with the design feedback provided on February 10, 2020 during the ADRC design meeting. I am a firm believer in the benefits of collaborative efforts and believe as a result the final home design will be the most liveable and best fit for Pemberton residents. I have itemized the concerns heard during the meeting below and explain how our design team has addressed these concerns with design alterations to the original DP plans. I am very happy with the reworked drawings and believe they make each and every home better.

Concerns:

Snow loads on roof and impact from potential slides - This has been addressed by Doug Andrews, Snow Management Systems, by incorporating mechanically fastened snow guards. Portage Station in Pemberton uses the same system. It is designed to keep the snow on the roof to provide additional insulation in the winter allowing the snow load to melt slowly and run off into the gutters. I have provided system design drawings with this letter.

Areas to pile snow in the winter - The exterior common gathering area has been redesigned so snow can be piled there during the winter months without affecting the area for summer use. We have added an additional snow storage area at the end of the common driveway in front of homes #14 & 15. Aplin Martin, Civil Engineering Consultant, has identified areas for snow storage on the drawings with consideration for early season rain events and storm water management.

Patio sizes - I have provided a complete breakdown of revised patio spaces and private backyard areas. All units have a front and back patio with the units along Arn Canal having an additional private fenced backyard. Formwerks Architecture has identified a main patio space for each home and has increased the average size to approximately 63 sq. feet (6' X 10'). The revised patios are all designed for BBQ's and seating areas with close proximity to kitchens off the second floors. When adding the two patio spaces together every home has in excess of 110 sq. ft. of patio spaces (approx..10' X 11').

Driveway access and concerns over traffic - A traffic impact study was reviewed by Daniel Fung, Bunt & Associates, and he did not believe it was necessary as the site was already zoned C-3. He stated that "30 town homes would have a negligible affect on traffic flow in the area". The driveway of concern is for the private use of the homeowners which does not invite public use and

diminishes loads drastically. He does not believe the private driveway to the complex will have the congestion concerns raised by the ADRC members. The project is substantially below site coverage, 50% permitted compared to the 45.7% proposed, this is also true for density (FSR), 1.5% permitted compared to the 0.80 proposed. We have taken the concerns of the ADRC into a redesign of the front driveway entrances by locating development identification signage only by the west entrance, using landscaping to deemphasize the east entrance along with the addition of a traffic calming feature between the east and west buildings. The design changes are to encourage the use of the West entrance to complex and remove traffic from the East entrance by the common area building and gather space.

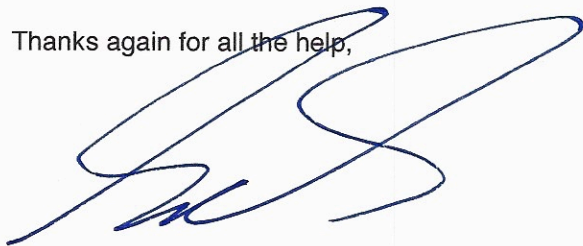
Placement of common area building - The structure was located in a central corridor to reduce travel distance. 70% of the garage doors are less than 60 feet away from common area mailboxes and out buildings. The proximity of the common area building is set to reduce the need to drive to pickup mail or drop off garbage. I hope this further explanation along with the traffic calming measures help to resolve the concerns.

Additional park space/common area - The site is located on the Arn Canal with bike paths along both sides and the community centre playground less than 500 meters away. The common area space was designed as an area for residents to gather in the summer for conversation. Duplicating additional common area space, which is already provided by Arn Canal park setbacks and the community centre, seems like a waste of resources/priority. The density (FSR) 1.5% permitted compared to the 0.80 proposed also helps reduce additional common area and parking requirements.

Garage door sizes - we have discussed this concern with many people in Pemberton and agree trucks are the mode of choice for transportation and need to be accommodated. We have altered the original DP design to maximize garage door heights and widths from (7' by 8') to (8' by 9'). We are restricted by total building heights and the need to have 6" inside between the open garage door and garage ceiling to accommodate garage door openers. The new design suits the building, and at the same time, the needs of Pemberton homeowners.

I believe some of the confusion was a result of the inability to have large scale drawings available so the ADRC members could understand the layout better. Zoom meetings are an amazing tool to keep the process moving but have some limitations. I hope the changes alleviate any and all design concerns regarding the project as we move forward.

Thanks again for all the help,



Greg A. Coombs
President/Founder



DESIGN RATIONALE

Location, Transportation and Community Context

The proposed development is on a 48,973 square-foot site located at 7360 Crabapple Court. The surrounding context is 3 storey mixed use buildings to the South, townhomes to the North, and single-family dwellings across the dyke to the East. The site is in close proximity to the Village Centre, Community Centre, bus routes to Whistler and Mount Currie, Arn Canal Linear Park, Pemberton Skate Park, Signal Hill Elementary, and Pemberton Secondary School.

Built Form

3 Storey townhomes (2 storeys with a garage at grade) are proposed with a 18 - 34' separation. The development's massing is reduced to a 2 storey expression along Arbutus Street to assure a comfortable pedestrian interface. The proposed development features at-grade parking accessed off a central private road. The living spaces are positioned on the 2nd and 3rd levels to assure that all habitable spaces are above the flood construction level.

We are proposing 4 – three storey buildings fronting Arbutus Street and Arn Canal Linear Park connected by a private road. Tiered gardens, expansive lawns and greenery all work to form a connection with the surrounding nature while units with front-back patios assure a friendly interface both internally and with the public realm.

Generous end units with bay windows, chimney elements, and large wrap-around decks create a friendly public interface at pedestrian entries.

A 4.5 meter setback is proposed along Arbutus Street and Crabapple Court. A 3.0 meter rear yard setback is proposed along the canal. We have proposed a 3.0 meter side yard setback on both the north and south property lines. Vehicular access to the site is proposed off Crabapple Court. Pedestrian access to the site from Arbutus and the Arn Canal path is provided by a series of green spaces through the centre of the site. Additional pedestrian access is proposed from North and South city owned footpaths.

Housing and Livability

We are creating a series of 30 modern mountain farmhouse-style, individual family townhomes designed to fit into the existing neighbourhood context. All but nine units are designed as three-bedroom, with larger units on the corners to frame the development. The unit sizes range between 105.5 square metres and 144.1 square metres.

Visitor parking is provided throughout the site's central circulation; we have provided the required number of residential and visitor parking stalls, which include two accessible parking stalls. Short term bicycle parking racks are proposed at the site entry and various green spaces.

Private outdoor space is provided through a variety of porches and decks. Communal green areas are positioned to integrate the development with the adjacent linear park. A shared child-friendly picnic area is proposed at the site's entry to encourage community connections within the development and surrounding community.

The site is located close to amenities, bus routes, and footpaths to encourage walkability and promote car-free commuting.

Architectural Style

We are proposing a modern mountain farmhouse architecture that compliments the small-town character of Pemberton. Design elements include generous decks, welcoming front porches and pitched roof forms. All dwelling units have entrances from both the adjacent street / pathway and the proposed private road. Architectural details include expressive window trims, a variety of siding types, window shutters, window boxes, wood brackets, chimneys, and stone elements.

Green Design Initiatives

All units will have roughed in EV charging plug-ins to allow for future electric car charging.

Water retention through extensive softscape and the treatment of stormwater runoff will aid in stormwater management for the site.

Light wood frame construction will assure a reduced initial embodied energy (CO2e) environmental footprint for the development in comparison to other construction methods. Furthermore, meeting the stipulations outlined in the Provincial Energy Step Code will assure that the development will have low emissions over time.

The integration and improvement (as a community contribution) of the site's adjacent accessible footpaths and boulevards will encourage car-free commuting and walkability within both the development and the community.

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REVISIONS

ISSUE FOR DEVELOPMENT PERMIT FEB 13, 2020

**FORMWERKS
ARCHITECTURAL**

1625 West 5th Ave., Vancouver, BC V6J 1N5
Fax 685-2076 Phone 683-5441

PROJECT

**MOUNTAIN
SIDE
COLLECTION**

7360 CRABAPPLE COURT
PEMBERTON, BC

DRAWING

**DESIGN
RATIONALE
& PRECEDENT
PHOTOS**

SCALE

SHEET

NTS

DATE

FEB 2020

A0.01

K R I S T I N A J S A L I N

RPP, MCIP, MBCSLA, MBA, BLA, BA

PO BOX 353 ▪ Whistler BC ▪ V0N 1B1 ▪ Cell 604-967-2907 ▪ kristina@kristinasalin.com

Via Email

February 11, 2020

Greg Coombs

Re: Mountainside Collection, Crabapple Court Pemberton Development Permit Application

The Mountain Side Collection development at Crabapple Court will be smartly and simply landscaped, utilizing the Village of Pemberton proposed plant list recommendations, sustainable and current best practices.

The street boulevard is lined with stately, shade producing Red Maples in a boulevard of grass. The property frontage will require a stone stacked retaining wall and the planting scheme along the wall will both soften and enhance the walls features. Utilizing both evergreen and seasonal plantings, the intent is to create seasonal interest and colour while allowing for a predictable and intentional blocks of planting, alternating and contrasting views to the stone wall. The planting scheme will reduce the impact of tiered walls along the frontage of the project and suggest a 'green wall' with trailing roses, spreading yews, azaleas, dogwoods and perennials.

Stairs have been minimized along the frontage and are flanked with similar planting. The second level allows for a continuously arcing pathway that traverses the site from east to west. The arc is illuminated with a series of lit bollards casting low light to the pathways. Overhead lights are utilized at bike rack and parking locations where additional security is required. All lighting is proposed night sky friendly, LED. The pathway, south to north organically flows with a continuous look and feel. The north south pathway is articulated by wood pergolas, typical plant materials and unit paving.

Unit entries will have wooden screens between some units and planting screening to articulate a division between personal and private space without creating a harsh barrier. A mix of low to mid-level grasses and perennials with spots of high level grasses will bound and define spaces without creating a sense of division.

Units along Arn canal enjoy private back yards with larger pavers inset in grass with privacy screening between units. Pathways are crushed granite, matching the upgraded pathways flanking the site and connecting to the Arn Canal trail. Each backyard has a native shade tree (Amur maple). There will be a more formal 'backyard' fence along the rear yards between the canal trail and the development with gates at each walkway entry. The use of a cedar split rail fence will be utilized throughout the site to indicate entry points and divide private from public spaces throughout the development.

The central 'commons area' is intended to invite relaxation and community in a natural setting. The orchard tree area is a passive recreation spot that will allow for gathering and respite from the sun and the circular bench invites conversation as well as the occasional outdoor picnic and barbeque

at the picnic areas. There is a spot reserved for a potential natural play or combination of natural play and art installation, calling local Pemberton artists to take part and create an art feature. Accessible overflow parking spaces are available here at the Community Hall building. Site furnishings are intended to be mountain contemporary, utilizing natural wood, concrete and durable hardware.

Paving pads at each unit are concrete and walkways throughout the project will be edged to create clean lines and intentional boundaries. Drip lines will be 18" of clean river rock, edged to the landscaping and crushed granite pathways will be similarly edged.

The landscape design intent for this development is to enhance the architecture yet downplay the need for retention along the street front. Planting and pathways invite clear direction and suggest safe passage within and throughout the site without encroaching on personal space. Community is encouraged and integration into the community at large is fostered through connection to the Arn Canal trail and surrounding communities. The choice of plant materials is intended to provide seasonal colour, allow for shade and visual interest and although the entire site will be irrigated with an automatic irrigation system, be low maintenance and environmentally sensitive.

Best regards,

A handwritten signature in black ink, appearing to read 'K. Salin', with a long horizontal flourish extending to the right.

Kristina Salin, MBCSLA, MCIP, RPP

KSalin Land Planning



Pure Extract Technologies
7341 Industrial Way, Units 6,7,8
Pemberton B.C V0N 2K0

November 26,2020

Dear Mayor and Council,

My name is Doug Benville. I am the founder and COO of a cannabis processing company called Pure Extract Technologies located in the industrial park.

I am writing regarding the business license fees being charged to cannabis companies in Pemberton .

The fees, quite simply, are unjust. I see no reason why the fees should be different than any other business operating in Pemberton.

Cannabis businesses face one of the most regulated operating environments of any business. This combined with higher and higher operating expenses/fees and lower sale prices for product are causing many companies to fail. These failures are only increased by many governing bodies "cash grab" mentality when it comes to the industry.

I understand the misconceptions that drove municipalities to make these kinds of decisions at the dawn of the cannabis industry. The industry was based on unrealistic and over estimated profit margins. The reality is that cannabis is a tough business, profits are hard to come by. Part of the problem is the fees and charges, like your business license fees, being unfairly charged to cannabis companies.

Myself, and the other cannabis operators in Pemberton are attempting to create a lasting local industry. We create new, well paying long term jobs for the local community. Yet the local governments that are supposed to support this type growth in the community treat us like a cash grab and put us at a disadvantage.

I implore you, change the Business Licensing Fee for cannabis operators in Pemberton. The fee should be no different than that of a standard business licence.

Kind Regards,

Doug Benville

Pure Extract Technologies

Chief Operating Officer

[REDACTED]

doug@[REDACTED]

File: 0410-31

November 30, 2020



THE CORPORATION OF THE CITY OF VERNON

3400 - 30TH STREET VERNON, BRITISH COLUMBIA V1T 5E6

TELEPHONE (250) 545-1361 FAX (250) 545-4048

Premier John Horgan
Box 9041, STN PROV GOVT
Victoria, BC V8W 9E1

Selina Robinson, Minister of Finance
email: Fin.Minister@gov.bc.ca

OFFICE OF THE MAYOR

Adrian Dix, Minister of Health
PO Box 9050 ST PROV GOVT
Victoria, BC V8W 9E2

Harwinder Sandhu, MLA Vernon-Monashee
email: harwinder.sandhu@bcndp.ca

Council, at their Regular meeting held on Tuesday, October 13, 2020, passed the following resolution:

"WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities; and

WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system; and

WHEREAS contraceptive methods such as condoms or vasectomies are available at low cost, no cost, or are covered by BC's Medical Services Plan, whereas all contraceptive methods for people with uteruses (such as birth control pills, intrauterine devices, or hormone injections) have high up-front costs, making access to contraception unequal and gendered;

THEREFORE BE IT RESOLVED

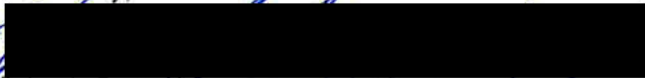
THAT the City of Vernon write to the Provincial Minister of Finance, the Provincial Minister of Health, the Premier of BC, and the local MLA supporting universal no-cost access to all prescription contraception available in BC under the Medical Services Plan; and

THAT this letter be forwarded to all BC municipalities asking to write their support as well

CARRIED."

Thank you for your consideration.

Yours truly,


Victor I. Cumming
Mayor

Copy: Mayor & Council
W. Pearce, CAO
BC Municipalities

November 24, 2020



Royal Canadian Legion Branch #201
Box 182
Pemberton, BC V0N 2L0

To: SLRD Board Chair
Cc: Pemberton Valley Utilities and Services Committee
Cc: Village of Pemberton Mayor and Council

To whom it may concern,

We would like to extend our sincerest thanks for your support with our Pemberton Cemetery Enhancement Project! We are pleased to announce that, with your help, we have successfully completed over \$200,000 worth of work at our community cemetery, including new fencing, a parking lot, and our tool shed.


The Pemberton Cemetery was founded in 1935, and upon establishment of the site, the community expressed a desire for a non-denominational cemetery meant for all citizens of Pemberton and surrounding areas. As no suitable organization existed at the time to administer and maintain the site, a committee of community volunteers was formed to assume the role of caretakers. This unique arrangement has continued through the decades and exists to this day.


The upgrades we have made through our 'Pemberton Cemetery Enhancement Project' has demonstrated that this tradition of community volunteerism is alive and well! The list of businesses, organizations, and individuals that have come together to accomplish this massive undertaking is lengthy, including 30 businesses and over 50 volunteers. The enthusiasm of so many in support of this project has been astounding, and quite frankly, difficult to put into words.

The Pemberton Cemetery Committee would like to express our thanks for your contribution to the success of this project. Without the generosity we have received from individuals and businesses such as yourself, this project would not have been possible!

For your interest, photos and a video of the project are available at pembertoncemetery.ca.

Sincerely,


Krista Walden
On behalf of,
Pemberton Cemetery Committee


Tanis Ayers
Secretary/Manager
Royal Canadian Legion #201

From: Teale Phelps Bondarof [REDACTED]
Sent: November 27, 2020 11:37 PM
To: VoP Admin <admin@pemberton.ca>
Subject: Thank you for supporting increasing access to contraception!

Dear Members of Pemberton Council,

We are writing to thank you for supporting resolutions EB76 and EB77 at the recent meeting of the Union of British Columbia Municipalities (UBCM). Both of these resolutions called on the provincial government to make all prescription contraception in BC available at no cost under the Medical Services Plan.

With your help, these resolutions passed and have already helped push this issue forward. In the recent provincial election, all three major parties pledged to increase access to prescription contraception. We are currently advocating for the inclusion of this important policy in the forthcoming 2021 provincial budget.

In addition to thanking you for your support, we also wanted to offer some additional recommendations for ways that you can step up to support gender equality and promote sexual health in your municipality:

1. Help reduce period poverty by providing free menstrual products in the washrooms of municipal facilities.

In BC, too many people who menstruate have to choose between purchasing menstrual products and purchasing food. When people don't have access to menstrual products they use unsanitary alternatives that jeopardize their health, skip work, miss school, and stay home so that they can't access services and programming that can help them. Lack of access to menstrual products can exacerbate the impacts of poverty in our community, and undermine the health of people who menstruate.

In many of our communities, tampons, pads, and environmentally friendly alternatives are treated like luxury items reserved for people who can afford them. Importantly, we don't do this with other essential products that you would find in a washroom, including toilet paper, hand soap, or paper towels.

With the help of United Way and their Period Promise campaign, some BC municipalities are starting to see the role that they could play in helping to address the issue, with Coquitlam, Victoria, Port Coquitlam, Port Moody, Burnaby, New Westminster, and Vancouver all working towards implementing policies on access to menstrual products in their cities. If you would be interested in hearing about policy options that your municipality could implement, please connect with Neal Adolph of the United Way, at periodpromise@uwlm.ca.

2. Make free condoms available at municipal facilities.

While increased access to prescription contraception is an important step in improving the health and well-being of BC residents, it is not a sexual and reproductive health silver bullet. Prescription contraception can sometimes fail to prevent unwanted pregnancies, and it does not protect against sexually transmitted infections (STIs). While the BC government has promised to make

prescription contraception free, that policy has not yet been put into action; even when it is, other barriers may impede some people's access to prescription contraception.

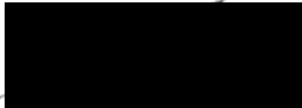
Making internal and external condoms, and small sachets of lubricant, available at discreet locations in public facilities, is a highly cost-effective way to improve sexual and reproductive health in your community. When barrier methods of contraception, like condoms, are combined with prescription contraception like pills or IUDs, they increase the effectiveness of pregnancy-prevention and also protect against STIs.

Access to condoms and lubricant also helps protect the sexual health of people who cannot become pregnant. STIs are a concern for people in the LGBTQ2S+ community as well, and providing safer sex supplies can help reduce stigma and be part of building a municipality that is inclusive and supportive.

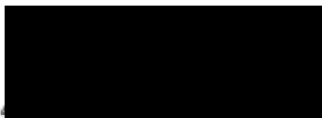
If you need any support in increasing access to free condoms in your municipality, please contact us - we would be happy to assist you.

Thank you for your support!

On behalf of the AccessBC Campaign for free prescription contraception in BC,



Dr. Teale Phelps Bondaroff
Chair and Co-Founder



Devon Black
Co-Founder





City of Fort St. John
10631 100 Street | Fort St. John, BC | V1J 3Z5
250 787 8150 City Hall
250 787 8181 Facsimile

December 1, 2020

File # 0230-20

Email: jjustason@ubcm.ca

Union of BC Municipalities
Suite 60 - 10551 Shellbridge Way
Richmond, BC V6X 2W9

Attention: Jamee Justason

Dear Ms. Justason,

Reference: **UBCM Convention Schedule**

City Council has been reviewing its memberships in various organizations, taking into consideration the value provided by the organization versus the expense to be a member. At the July 27, 2020 Council meeting, Council had a robust discussion regarding this topic as well as the current format of the annual UBCM Convention.

The resolutions session, in which many municipalities contribute submissions for discussion, are debated at the same time as individual local government Minister meetings are scheduled. Both are important to attend which leaves local government elected officials conflicted with competing priorities since their resolution submission(s) may be discussed at the same time as they are scheduled to meet with a Minister.

Since the 2020 UBCM convention is virtual, this allowed the Ministers meetings to be scheduled from September 14 to 18 with the convention itself taking place from September 21 to 24. It is recognized that the alternate format was developed due to the pandemic although this change may bode well to incorporate as part of the regular convention schedule moving forward. This would allow local government elected officials to participate in the convention as well as attend requested Minister meetings.

It is acknowledged that UBCM is undertaking a review of its existing resolution process to streamline the number and content of submissions which may result in the number of resolutions being reduced.

... 2

It would be appreciated if UBCM could provide an update on members' response to the resolution submission process changes and the change in Minister meeting scheduling.

If you have any questions, please contact me at (250) 787-8160 or by email at lackerman@fortstjohn.ca.

Yours truly,



Lofi Ackerman
Mayor

cc member municipalities



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Patrick Weiler

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

December 2, 2020

Dear Friends & Neighbours,

The early learning and child care sector is evolving in increasingly complex and challenging environments. Identifying innovative practices and solutions that better meet the needs of children and families is necessary to improving early learning and child care practices for the benefit of Canadian families.

Our Government is committed to promoting and investing in innovative projects that help Canadian children get the best start in life and have a fair chance to succeed. To that end, last month we launched the [Early Learning and Child Care Innovation Program](#) Call for Proposals in order to find new and innovative ways to support early learning and child care across Canada with a priority for projects that address the needs of families through the next phase of recovery from the pandemic.

Canadian not-for-profit organizations, provincial and territorial entities, municipalities and Indigenous organizations are encouraged to apply. Consideration will also be given to projects that also address affordability, flexibility, accessibility and inclusivity. Project proposals can be local, regional or national in scope and must target early learning and child care for children under six.

For more information about the Early Learning and Child Care Innovation Program and to apply, [please visit this webpage](#). The deadline to submit a proposal is now January 7, 2021 at 11:00 am PST.

My office stands ready to support your application in any way that we can, so please feel free to contact us with any questions or concerns.

Sincerely,



Patrick Weiler, MP
West Vancouver-Sunshine Coast-Sea to Sky Country

Constituency *Ottawa*

6367 Bruce Street Suite 282, Confederation Building Village of Pemberton
West Vancouver 229 Wellington Street, Ottawa Regular Council Meeting No. 1529
British Columbia V7W 2G5 Ontario K1A 0A6 Tuesday, December 8, 2020
Tel.: 604-913-2660 | Fax.: 604-913-2664 Tel.: 613-947-4617 | Fax.: 613-847-4620 106



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Patrick Weiler

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

December 2, 2020

Dear Friends & Neighbours,

In August, we announced adjustments to the [Investing in Canada Infrastructure Program \(ICIP\)](#) so that provinces and territories can use federal funding to act quickly on a wider range of pandemic-resilient infrastructure projects. A new temporary **COVID-19 Resilience Stream**, with over \$3 billion available in existing funding, has been created to provide provinces and territories with added flexibility to fund quick-start, short-term projects that might not otherwise be eligible under the existing funding streams.

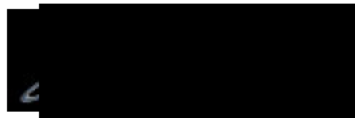
This week, the Government of British Columbia launched their application page for the **BC COVID-19 Resilience Stream**. This new stream is jointly funded by the Government of Canada and the Province of British Columbia through an investment of \$136.5 million under the ICIP and will support projects that:

- Provide retrofits, repairs and upgrades to local government and Indigenous government buildings, health infrastructure and educational infrastructure
- Support development of active transportation networks
- Allow communities to improve their infrastructure to increase the resiliency and efficiency in preventing the spread of COVID-19 (including protective screens and ability to physically distance)
- Support development of active transportation networks
- Complete disaster mitigation and adaptation infrastructure projects

For more information, eligibility criteria, and to apply for the BC COVID-19 Resilience Stream, [please visit this web page](#). The application deadline is January 27, 2021 (2:00pm PST).

Our office stands ready to support your application, so please do not hesitate to reach out with any questions or concerns.

Sincerely,



Patrick Weiler, MP
West Vancouver-Sunshine Coast-Sea to Sky Country

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

Village of Pemberton

Regular Council Meeting No. 1529

Tuesday, December 8, 2020

107

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*