

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

**Minutes of the Regular Meeting** of Council of the Village of Pemberton held on Tuesday, April 13, 2021 at 3:30 p.m. via electronic means through a ZOOM Webinar. This is Meeting No. 1536.

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

**ABSENT:**

**STAFF IN ATTENDANCE\*:** Nikki Gilmore, Chief Administrative Officer  
Sheena Fraser, Manager of Corporate & Legislative Services  
Lisa Pedrini, Manager of Development Services  
Joanna Rees, Planner  
Cameron Chalmers, Contract Planer  
Laura Murphy, Project & Research Coordinator  
Vinka Hutchinson, Communication & Grant Coordinator  
Gwendolyn Kennedy, Legislative Assistant

**PUBLIC:** 6

**MEDIA:** 1

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

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

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**1. CALL TO ORDER REGULAR MEETING (3:30 PM)**

At 3:31 p.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. VILLAGE OF PEMBERTON IN CAMERA (CLOSED) MEETING (3:30PM)**

Moved/Seconded

**THAT** the meeting is closed to the public in accordance with the *Community Charter* Section 90 (1) (c) Employee Relations, (e) Acquisition, Disposition or Expropriation of land, (k) Negotiations 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**

At 3:31 p.m. Council moved In Camera.

At 4:51 p.m. Council Rose without Report and the Regular Meeting was recessed.

**3. OPEN THE REGULAR MEETING (5:30 PM)**

At 5:31 p.m. the Regular Meeting was reconvened.

**4. APPROVAL OF AGENDA**

Moved/Seconded

**THAT** the agenda be approved as presented.

**CARRIED**

**5. ADOPTION OF MINUTES**

**a) Regular Council Meeting No. 1534, Tuesday, March 16, 2021**

Moved/Seconded

**THAT** the minutes of Regular Council Meeting No. 1534, held Tuesday, March 16, 2021, be approved as circulated.

**CARRIED**

**b) Special Council Meeting No. 1535, Thursday, April 1, 2021**

Moved/Seconded

**THAT** the minutes of Special Council Meeting No. 1535, held Thursday, April 1, 2021, be approved as circulated.

**CARRIED**

**6. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING**

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

**7. RISE WITH REPORT FROM IN CAMERA**

There was no rise with report.

**8. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE**

There was no business arising.

**9. COMMITTEE MINUTES - FOR INFORMATION**

There were no Committee minutes for receipt.

## 10. DELEGATION

There were no delegations.

## 8. REPORTS

### a) Office of the Chief Administrative Officer

#### i. Verbal Update

CAO Gilmore provided an update of a recent meeting of the Pemberton Valley Emergency Management Committee:

- Funding for work on the Arn Canal outlets has been received and the engineering work is in progress.
- Plans are in place to install the Ryan River and Miller Creek gauges before the freshet if possible.
- Sediment removal work will be complete in the next week with 60,000 m<sup>3</sup> removed.
- The Committee received an update regarding the Pole Yard Dike, the monitoring gauge for the Birkenhead River, and the Grandmother Slough.
- Discussion focused on funding of future work with concerns raised due to the Provincial requirement that the entity that makes application and receives funding must hold the Asset.
- An acknowledgement of the Village's letter regarding the Miller Dike seismic requirements has been received.
- A high rate of sediment accumulation has been observed in Pemberton Creek. Investigation is ongoing.

Moved/Seconded

**THAT** the CAO Verbal Report be received.

**CARRIED**

### b) Development Services

At 5:41 p.m. Joanna Rees and Cameron Chalmers joined the meeting.

#### i. Development Variance Permit No. 127 – 7665 Cerulean Drive

Joanna Rees, Planner, presented a report summarizing the revised variance request and the alternative options available to Council.

Following the Staff report, Mayor Richman opened the meeting to the public for comment regarding DVP No. 127.

The applicant, Stephanie Nicoll-Russell, spoke in support of the variance request, pointing out that they have made significant changes to the plans, reducing the height of the wall by 35%, increasing the side setbacks, and redesigning the home. Ms. Nicoll-Russell explained that the fill encroaching on the neighbouring lot will be removed once the Stop Work order is relaxed to allow the removal of form work. Ms. Russell noted that the proposed landscaping work would be completed by the deadline and asked Council to approve the variance with the proposed changes without further delay.

Mark McIvor, owner of the neighbouring property located at 7663 Cerulean Drive, spoke against the variance request, expressing concern regarding the property owners meeting their commitments in a timely manner and stating that building on hillside lots such as these can be accomplished without large retaining walls through the use of appropriate building designs and methods.

Sandi Britt, owner of the property located at 7661 Cerulean Drive, spoke in support of the variance request, stating that the revised retaining wall proposal is reasonable.

Mayor Richman called for further comments from the public and hearing none, opened the floor to Council for discussion.

Moved/Seconded

**THAT** Council authorizes issuance of the amended Development Variance Permit No. 127 (B) with the following conditions:

- a. Provision of a landscape bond in the amount of \$6,000.00, 120% of the soft landscaping costs; and
- b. The property owners continue to work with the neighbours to satisfy their concerns.

Further discussion ensued, the motion was withdrawn, and Staff sought clarification regarding Council's expectations of revisions prior to the variance request being reconsidered.

Moved/Seconded

**THAT** Council refers the application for Development Variance Permit No. 127 back to Staff to address with the Applicants considerations including revising the proposal to be in closer compliance with the Zoning Bylaw and addressing concerns identified by the neighbours located at 7663 Cerulean Drive, including potential soil sloughing and the height and elevation of the wall to restore the view of the neighbour.

**CARRIED**

**i. Development Variance Permit No. 128 – 7661 Cerulean Drive**

Joanna Rees, Planner, presented a report summarizing the revised variance request and the alternative options available to Council.

Following the Staff report, Mayor Richman opened the meeting to the public for comment regarding DVP No. 128.

The applicant, Sandi Britt, spoke in support of the variance request, explaining that they had not been aware of the zoning restriction on retaining walls when they submitted their plans for approval, and that the plans showing the proposed retaining walls were approved by the developer. The retaining walls have been proposed to permit the development of a flat, accessible, yard for the owners' enjoyment. The walls do not obstruct neighbours' views and match the style of the developer's rock stack walls located across the street.

Mark McIvor, owner of the neighbouring property located at 7663 Cerulean Drive, spoke in opposition to the variance requests, stating that the walls are unnecessary and defy the intent of the Hillside Development Design Guidelines.

Dave Russell, owner of 7665 Cerulean Drive, spoke in support of the variance request.

Mayor Richman called for more comments from the public and hearing none, opened the floor to Council for discussion.

Moved/Seconded

**THAT** Council refers the application for Development Variance Permit No. 128 back to Staff to address with the Applicants further considerations including revising the proposal to align with the intent of the Zoning Bylaw and demonstrating the visual impacts.

**CARRIED**

At 6:48 p.m. Ms. Rees and Mr. Cameron left the meeting.

At 6:48 p.m. Lisa Pedrini joined the meeting.

ii. **Sabre Way Road Renaming**

Moved/Seconded

**THAT** Council approves the naming of the unnamed road providing future access to Den Duyf Park and Lot C DL 211, EPP408024 Sabre Way, Sabre Way;

**AND THAT** the Den Duyf family be informed of the road naming.

**CARRIED**

At 6:52 p.m. Ms. Pedrini left the meeting.

At 6:52 p.m. Lena Martin joined the meeting.

### **13. BYLAWS**

#### **a) Bylaws for Adoption First, Second, Third Readings and Adoption**

##### **i. 2021 – 2025 Five Year Financial Plan Bylaw No. 895, 2021**

Moved/Seconded

**WHEREAS** Ministerial Order M192, issued June 17, 2020, enables municipalities during the Provincial State of Emergency to adopt certain financial bylaws on the same day it receives Third Reading;

**AND WHEREAS** the Ministerial Order M192 applies to section 165 (Financial Plan) of the *Community Charter*;

**AND WHEREAS** the Village of Pemberton is presenting the 2021-2025 Five Year Financial Plan Bylaw No. 895, 2021 for Council's consideration;

**THEREFORE BE IT RESOLVED THAT** the 2021-2025 Five Year Financial Plan Bylaw No. 895, 2021 receive First, Second and Third Readings and be Adopted.

**CARRIED**

At 7:08 p.m. Ms. Martin left the meeting.

#### **b) Bylaws for First, Second and Third Readings**

##### **i. Business Licence Bylaw No. 855, 2019 Amendment Bylaw No. 894, 2021**

Moved/Seconded

**THAT** Business Licence Bylaw No. 855, 2019 Amendment (Cannabis Fees) Bylaw No. 894, 2021 receive First, Second and Third Readings.

**CARRIED**

### **16. MAYOR'S Report**

#### **a) Sea to Sky Soils Request for Proposal – Organics Management at the North Shore Transfer Station - discussion**

Mayor Richman asked Councillor Noble to explain the concern raised by Sea to Sky Soils regarding the awarding of the contract for removal of organic waste from the North Vancouver waste facility to Princeton-based Arrow Transportation Systems, Inc.

Councillor Noble informed Council that Sea to Sky Soils is at risk of losing 80% of their business with the loss of this source of organic waste, and that the Sea to Sky Soils proposal offers value that was not considered in the Metro

Vancouver Staff recommendation to award the contract to Arrow Transportation Systems.

Moved/Seconded

**THAT** Staff prepare a letter of support for Sea to Sky Soils' proposal for presentation at the April 16<sup>th</sup> meeting of Metro Vancouver Zero Waste Committee;

**AND THAT** a delegation from the Village attend the meeting to speak on behalf of Sea to Sky Soils.

**CARRIED**

b) Mayor Richman reported on the following meetings and events:

- Attended meeting with the Sea to Sky Community Services Society, BC Housing, and local homeless outreach worker where the need for short-term and supportive housing was discussed;
- Received a call from a developer considering purchase of a parcel of land at the Hillside;
- Attended the Pemberton Valley Utilities and Services Committee meeting. Councillor Zant, also present, will report;
- Attended the Emergency Management Committee Meeting. CAO Gilmore has reported on this meeting;
- Attended the Squamish-Lillooet Regional District meetings:
  - The Pemberton Valley Utilities and Services Committee budgets were approved.
  - A toilet will be provided at Furry Creek;
  - Discussion focused on the Tiger Bay development which was referred back to Staff for more work prior to First reading.

c) **COVID-19**

- Met with Mayors, Members of Parliament, and Vancouver Coastal Health where discussion focused on the COVID-19 vaccine roll-out. Mayor Richman has made the case for Pemberton residents to be included in the Whistler vaccination due to the constant flow between the two communities.
- The next COVID-19 vaccination clinic in Pemberton will be at the **Pemberton Community Centre on Thursday April 29 from 10am to 5pm.**
- People aged 55+, Indigenous peoples aged 18+ and people deemed clinically extremely vulnerable aged 16+ are now eligible to register for a vaccine appointment. Please visit [getvaccinated.gov.bc.ca](https://getvaccinated.gov.bc.ca) to book or visit the Vancouver Coastal Health website.
- AstraZeneca/COVISHIELD vaccine is available for people age 55 - 65 - please book directly through a participating pharmacy.
- People aged 50+, 45+ and 40+ will be able to register later this week. Please visit the Vancouver Coastal Health website for more details.
- Pemberton residents, 18 years of age and older who have not yet been vaccinated, and who work in Whistler are eligible to receive a COVID-19 vaccination starting on April 12th. Visit [vch.ca/whistler](https://vch.ca/whistler) for full details.

## 17. COUNCILLORS Reports

### **Councillor Craddock reported on the following:**

- Attended the Spelkúmtn Community Forest Public Information Session on April 7<sup>th</sup> where Klay Tindall of Lil'wat Forestry Ventures delivered an excellent presentation setting out the 2021 harvest plan and Councillor Maxine Bruce did a great job as host of the event.

### **Councillor Zant reported on the following:**

- Attended the Pemberton Valley Utilities and Services Committee meeting where current projects were reviewed and provided a brief update on the basketball court project.
- Attended the Library Board meeting:
  - Instead of the donation of laptops as promised by ScotiaBank, \$15,000 will be donated so that the library may select the most suitable laptops.
  - The new Board plans to incorporate into their meeting opening statement a statement acknowledging meeting on the unceded territory of the Lil'wat Nation;
  - The library has signed on as a safe space for the LGBTQ2S+ community.

**Councillor Noble did not report.**

**Councillor Antonelli did not report.**

## 18. CORRESPONDENCE

### **a) For Action**

- i. **Vickey Brown, President, BC Farmers Market Association & Heather O'Hara, Executive Director, BC Farmers Market Association, dated March 5, 2021, reporting on the BC Farmers' Market Nutrition Coupon Program in Pemberton and requesting a thank you letter be sent to the Honourable Adrian Dix, Minister of Health, for supporting and funding the BC Farmers' Market Nutrition Coupon Program.**

Moved/Seconded

**THAT** correspondence be sent to the Honourable Adrian Dix, Minister of Health, thanking the Minister and the Ministry for its ongoing support and funding of the BC Farmers' Market Nutrition Coupon Program.

**CARRIED**

- ii. **Mayor Lisa Helps, City of Victoria, dated March 10, 2021, requesting endorsement of the Help Cities Lead Campaign and communicating this to the following Ministers:**



- **Minister of Environment and Climate Change Strategy, ENV.Minister@gov.bc.ca**
- **Minister of Municipal Affairs, MAH.Minister@gov.bc.ca**
- **Minister of Energy, Mines, and Low-Carbon Innovation, EMPR.Minister@gov.bc.ca**
- **Minister of Finance, FIN.Minister@gov.bc.ca**
- **Attorney General and Minister responsible for Housing, AG.Minister@gov.bc.ca**

Moved/Seconded

**THAT** the correspondence be received.

**CARRIED**

- iii. **Pemberton Secondary School Students, dated March 26, 2021, presenting a petition asking to be recognized as stakeholders in the Climate Action Plan being developed by the Village and suggesting actions to be included in the Plan.**

Moved/Seconded

**THAT** the Climate Action Plan Petition submitted by the Pemberton Secondary Students be received.

**CARRIED**

- iv. **Ruth Simons, Lead, Howe Sound Biosphere Region Initiative, dated March 27, 2021, extending an invitation to attend the Howe Sound Community Forum to be held from 10:00 am to 12:30 pm on Friday, April 23<sup>rd</sup>.**

Moved/Seconded

**THAT** Councillor Antonelli will attend the Howe Sound Community Forum.

**CARRIED**

- v. **Darquise Desnoyers, Director, BC Lyme Society, dated March 30, 2021, requesting that the Village participate in the Lighting Up Green campaign on May 3<sup>rd</sup> or throughout the month of May in recognition of Lyme Disease Awareness Month.**

Moved/Seconded

**THAT** the correspondence be received.

**CARRIED**

**b) For Information**

- i. Mike Little, Mayor, District of North Vancouver, dated March 4, 2021, addressed to UBCM members, requesting support for the Help Cities Lead campaign.**
- ii. Copy of correspondence from Lyn Hall, Mayor, City of Prince George, dated March 17, 2021, addressed to BC Utilities Commission, in opposition to BC Hydro's proposed 2020 Street Lighting Rate Application.**
- iii. Copy of correspondence from Lyn Hall, Mayor, City of Prince George, dated March 18, 2021, addressed to the Honourable Patty Hajdu, Minister of Health, presenting a resolution passed by Council regarding the overdose crisis and the need for immediate development of a Pan-Canadian overdose action plan.**
- iv. Copy of correspondence from District of Sicamous, dated March 18, 2021, addressed to the Honourable Katrine Conway, Minister of Forests, Lands, Natural Resource Operations and Rural Development, presenting a resolution requesting that federal and provincial governments adopt stricter enforcement measures to prevent the spread of aquatic invasive species.**
- v. Copy of correspondence from District of Sicamous, dated March 18, 2021, addressed to the Honourable George Heyman, Minister of Environment and Climate Change Strategy, presenting a resolution requesting that invasive Asian clams be designated a Prohibited Aquatic Invasive Species under the Controlled Alien Species Regulation under the Wildlife Act.**
- vi. Copy of correspondence from Lisa Helps, Mayor, City of Victoria, dated March 31, 2021, addressed to the Honourable Harry Bains, Minister of Labour, requesting consideration of a motion passed by Council expressing support for the right of laid off workers to return to their jobs when the pandemic eases.**

Moved/Seconded

**THAT** the correspondence be received

**CARRIED**

**15. DECISION ON LATE BUSINESS**

**16. LATE BUSINESS**

**17. NOTICE OF MOTION**

## **18. QUESTION PERIOD**

There were no questions from the public.

## **19. IN CAMERA**

Moved/Seconded

**THAT** the meeting is closed to the public in accordance with the *Community Charter* Section 90 (1) (c) Employee Relations, (e) Acquisition, Disposition or Expropriation of land, (k) Negotiations 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**

At 8:03 p.m. Council moved In Camera.

## **20. RISE FROM IN CAMERA**

At 9:30 p.m. Council rose from In Camera.

## **21. ADJOURNMENT OF REGULAR COUNCIL MEETING**

Moved/Seconded

**THAT** the Regular Council Meeting be adjourned.

**CARRIED**

At 9:30 p.m. the Regular Council Meeting was adjourned.

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer