

**VILLAGE OF PEMBERTON
BYLAW No. 924, 2022**

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

The Council of the Village of Pemberton in open meeting assembled **ENACTS AS FOLLOWS:**

CITATION AND PURPOSE

1. This Bylaw may be cited for all purposes as “Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 921, 2022”.
2. The purpose of this bylaw is to correct errors and omissions and to improve clarity by text and mapping amendments to Zoning Bylaw No. 832, 2018

APPLICATION

3. **Village Of Pemberton Zoning Bylaw No. 832, 2018 is amended as follows:**

3(1) Section 1.4 is amended by inserting new paragraphs (b) and (c) as follows:

- (b) The Chief Administrative Officer, Manager of Corporate and Legislative Services, Manager of Development Services, Planner, Chief Building Official, Bylaw Enforcement Officer, Manager of Operations and Projects, and their designates and any other person appointed by the Council are hereby authorized to administer this Bylaw.
- (c) Persons appointed under paragraph (b) may enter any property subject to this Bylaw at all reasonable times for the purpose of ascertaining whether this Bylaw is being observed.

3(2) Section 1.5 is amended by:

- (a) in paragraph (a), striking out the words “and is liable to penalties imposed under the Village of Pemberton’s Municipal Ticket Utilization Bylaw”; and
- (b) inserting a new paragraph (c) as follows:
 - (c) A person who commits an offense under this Bylaw is liable if:
 - i. proceedings are brought under the Offense Act (B.C.), to pay a fine to a maximum of \$50,000 and such other amounts as the court may impose in relation to the offence; or
 - ii. a bylaw notice is issued under a bylaw made under the Local Government Bylaw Notice Enforcement Act, to pay a penalty to a maximum authorized under that Act.

3(3) **Part 3: Definitions** is amended by:

- (a) inserting the following new definitions in alphabetical order:

Balcony

means an exterior floor system projecting from a structure and supported by that structure, with no additional independent supports.

Deck

means an exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

Dwelling Unit, Accessory

means a dwelling unit that is ancillary to the principal building including an *accessory residential dwelling, carriage house* and *secondary suite*.

Emergency Shelter

means a use staffed and supervised by a public authority or non-profit agency for the purpose of providing temporary sleeping accommodation for people in need of emergency shelter on a short-term basis (to a maximum of 30 days). Emergency Shelter use includes drop-in and meal services as well as accessory administration and office space for use by program staff

- (b) striking out the definition of Carriage House and inserting the following in its place:

Carriage House

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

- (c) striking out the definition of Home Occupation and inserting the following in its place:

Home Occupation

means the use of a *residential dwelling unit* for a licensed commercial occupation, profession or craft by the primary occupant of the residential unit that is contained entirely within the *permitted residential use* and conducted in accordance with the regulations in section 7.17 of this Bylaw.

- 3(4) Section 4.13 (a) vii. is amended by striking out the word “front”.
- 3(5) Section 6.3(a) is amended by inserting a new subparagraph (xviii) *Emergency Shelter*.
- 3(6) Section 7.1 (a) (v) is struck out and the following inserted in its place:
- No *accessory building* shall be located in the front yard except a *garage, carport, or carriage house*.
- 3(7) Section 7.10 (a) is amended by striking out subparagraph ii. and inserting in its place the following:
- The *accessory dwelling unit* of the *carriage house* shall be located on the second storey of a *detached garage*.
- 3(8) Section 7.18 (a) is amended by
- (a) inserting the term “Rural Residential 1” between the terms “Parks and Recreation” and “and Outdoor Recreation Zones,”; and
 - (b) Striking out subparagraph (ii) and inserting in its place the following: be limited to a maximum two (2) per *lot* in *Agricultural, Public, Parks and Recreation, Rural Residential 1, and Outdoor Recreation Zones*, and one (1) per leasehold for the *Aerodrome use* at the *Airport*.
- 3(9) Section 7.18 is amended by inserting a new subparagraph (c) as follows:
- Notwithstanding regulations in section 7.18 (a) ii. the maximum of two (2) Intermodal Storage Containers may be exceeded on the parcel known as Den Duyf Park, legally described as LOT B DISTRICT LOT 211 LILLOOET DISTRICT PLAN EPP40824. Size, location, and placement of Intermodal Storage Containers at Den Duyf Park must be approved by the Chief Administrative Officer.
- 3(10) Section 7.21 (a) (i) is amended by inserting the words “or finished grade” after the words “average natural grade”.
- 3(11) Section 7.23 (e) is struck out and the following is inserted in its place:
- In *detached dwellings, secondary suites* shall have a total *gross floor area* of not more than 90 m² and shall have an area less than 40% of the *floor area* of the *detached dwelling unit excluding the garage*.
- 3(12) A new section 7.26.1 is inserted as follows:
- Swimming Pools, Spas, and Hot Tubs

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

3(13) Section 7.28 is repealed.

3(14) Section 7.29 is repealed.

3(15) Section 7.30 is repealed.

3(16) Section 8.1 (j) is struck out and the following inserted in its place:

Where ten (10) or more parking spaces are required by this Bylaw, the required spaces shall be accessible to persons with a disability, as outlined in the table below:

Total Required Parking Stalls	Required Number of Disability Parking Spaces
10-20	1
21-50	2
51-80	3
81-110	4
111-140	6
141-170	8

3(17) Section 8.2 is repealed.

3(18) Section 8.3 is struck out and the following is inserted in its place:

Residential Vehicular Parking Requirements

<i>Apartment Dwelling</i>	
One Bedroom	1 per <i>dwelling unit</i>
Two Bedroom	1.75 per <i>dwelling unit</i>
Three Bedroom	2 per <i>dwelling unit</i>
Visitor parking	0.25 per <i>dwelling unit</i>
<i>Detached Dwelling</i>	
<i>Detached Dwelling Unit</i>	

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

3(19) Section 8.8 is amended by inserting the word “commercial” before the phrase “parking standards” in paragraph (a).

3(20) Section 8.11 is amended by:

- (a) Striking out subparagraph (l) and inserting the following in its place:
 - (l) That portion of any *lot* used as a driveway from the *lot line* to a required parking area shall not exceed a grade of 20%.;
- (b) Inserting a new subparagraph (q) as follows:
 - (q) For driveways with grades over 8% a driveway profile drawing is required pursuant to Village of Pemberton Building Bylaw No. 912, 2021.; and
- (c) Inserting a new subparagraph (r) as follows:
 - (r) The following applies to any lot created through subdivision approved after Bylaw 921, 2022 is adopted:
 - i. The maximum gradient for driveways adjoining all roads shall not exceed 10%.
 - ii. The maximum driveway gradient may be exceeded with the approval of a stamped drawing from a registered engineer to the satisfaction of the Building Official.

3(21) Section 13.1. is amended by:

- (a) in subsection 13.1.2, striking out paragraph (a); and
- (b) in subsection 13.1.3,
 - i. striking out the phrase “an accessory suite or” from paragraph

(a); and

ii. striking out the phrase “accessory suite” from paragraph (d).

3(22) Section 13.2 is amended by

(a) in subsection 13.2.3, adding the phrase “or Duplex” to paragraph (e) (ii);

(b) in subsection 13.2.4, adding the phrase “or Duplex” to paragraph (b);

(c) in subsection 13.2.5, adding the phrase “or Duplex” to
i. paragraph (b) and
ii. paragraph d; and

(d) in subsection 13.2.6., adding the phrase “or Duplex” to
i. paragraph b),
ii. paragraph d),
iii. paragraph f),
iv. paragraph h),
v. paragraph j),
vi. paragraph l), and
vii. paragraph n).

3(23) Section 13.3 is amended by

(a) in subsection 13.3.2, striking out paragraph (a); and

(b) in subsection 13.3.3,

i. striking out the phrase “an accessory suite” from paragraph (a), and

ii. Striking out the phrase “accessory suite” from paragraph (d).

3(24) Section 14.1 is amended by

(a) in subsection 14.1.2, striking out paragraph (a); and

(b) in subsection 14.1.3,

i. striking out the phrase “an accessory suite” from paragraph (a), and

ii. striking out the phrase “accessory suite” from paragraph (d).

3(25) Section 14.2.6 is amended by inserting a new paragraph (l) as follows:

l) Maximum Number of <i>Accessory Buildings</i> :	2
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3(26) Section 15.1.3 is amended by striking out paragraph (i) and inserting in its place the following:

- (i) Combined Commercial Residential: The Combined Commercial Residential Use is permitted only on lands legally described as Lot A, DL 203 and 7926, LLD, EPP95387.

3(27) Schedules A and A-1 are removed and replaced with new Schedules A and A-1 that are attached to and form part of this Bylaw.

READ A FIRST TIME this 5th day of April, 2022.

READ A SECOND TIME this 5th day of April, 2022.

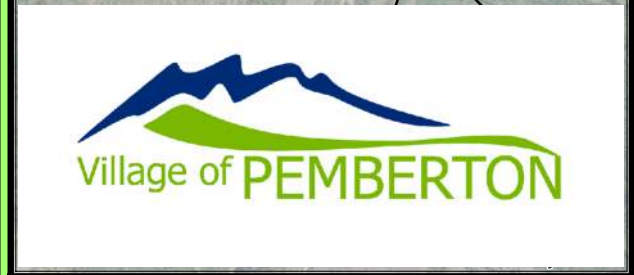
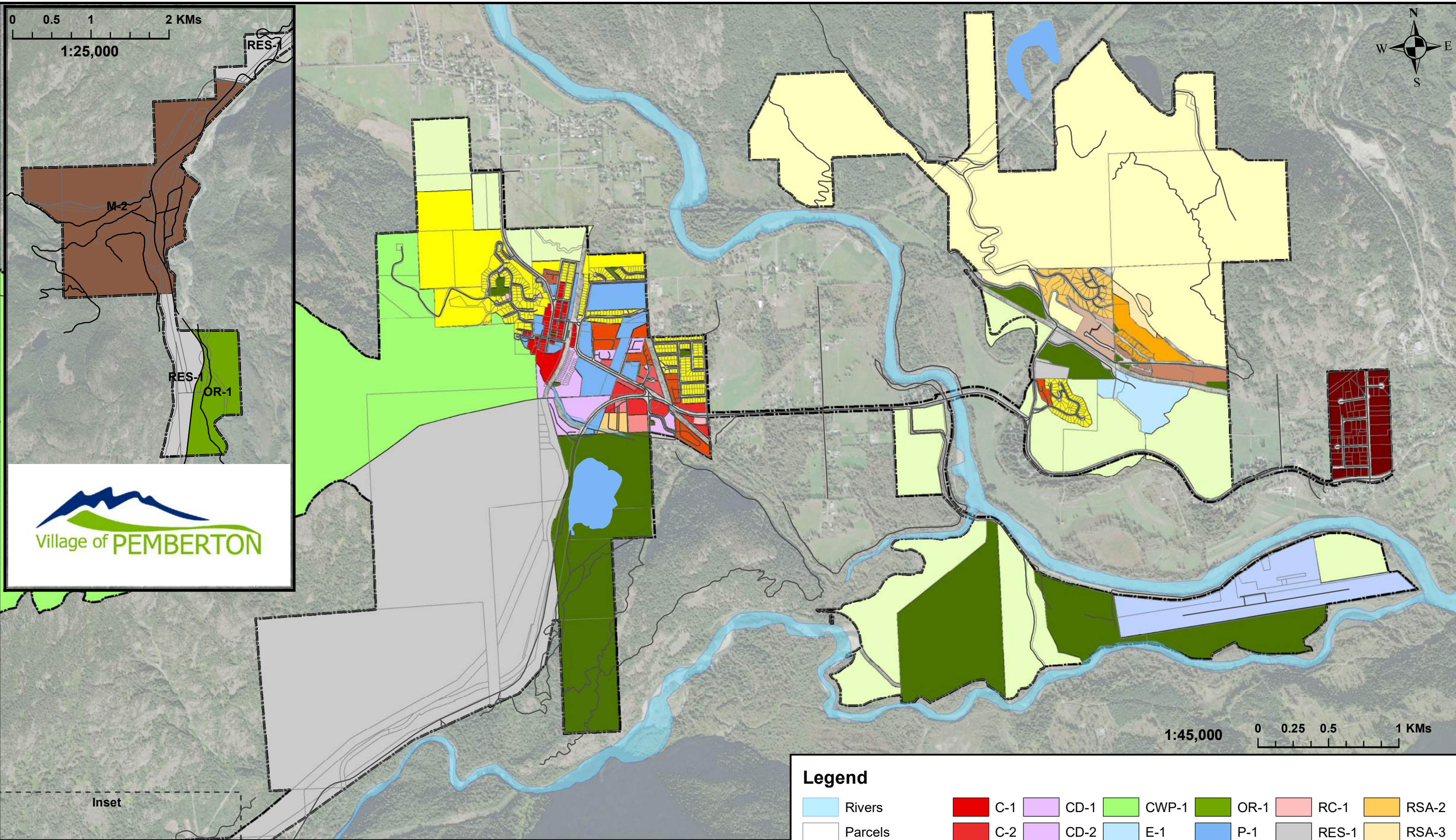
NOTICE OF WAIVING OF PUBLIC HEARING TO AMEND the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Housekeeping) Bylaw No. 924, 2022 was **PUBLISHED IN THE** Pique Newsmagazine on May 5 and May 12, 2022.

READ A THIRD TIME this 17th day of May, 2022.

ADOPTED this 17th day of May, 2022.

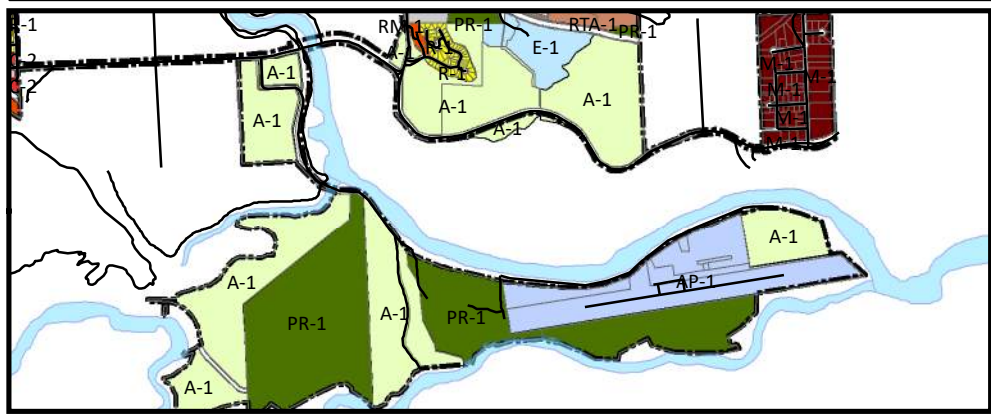
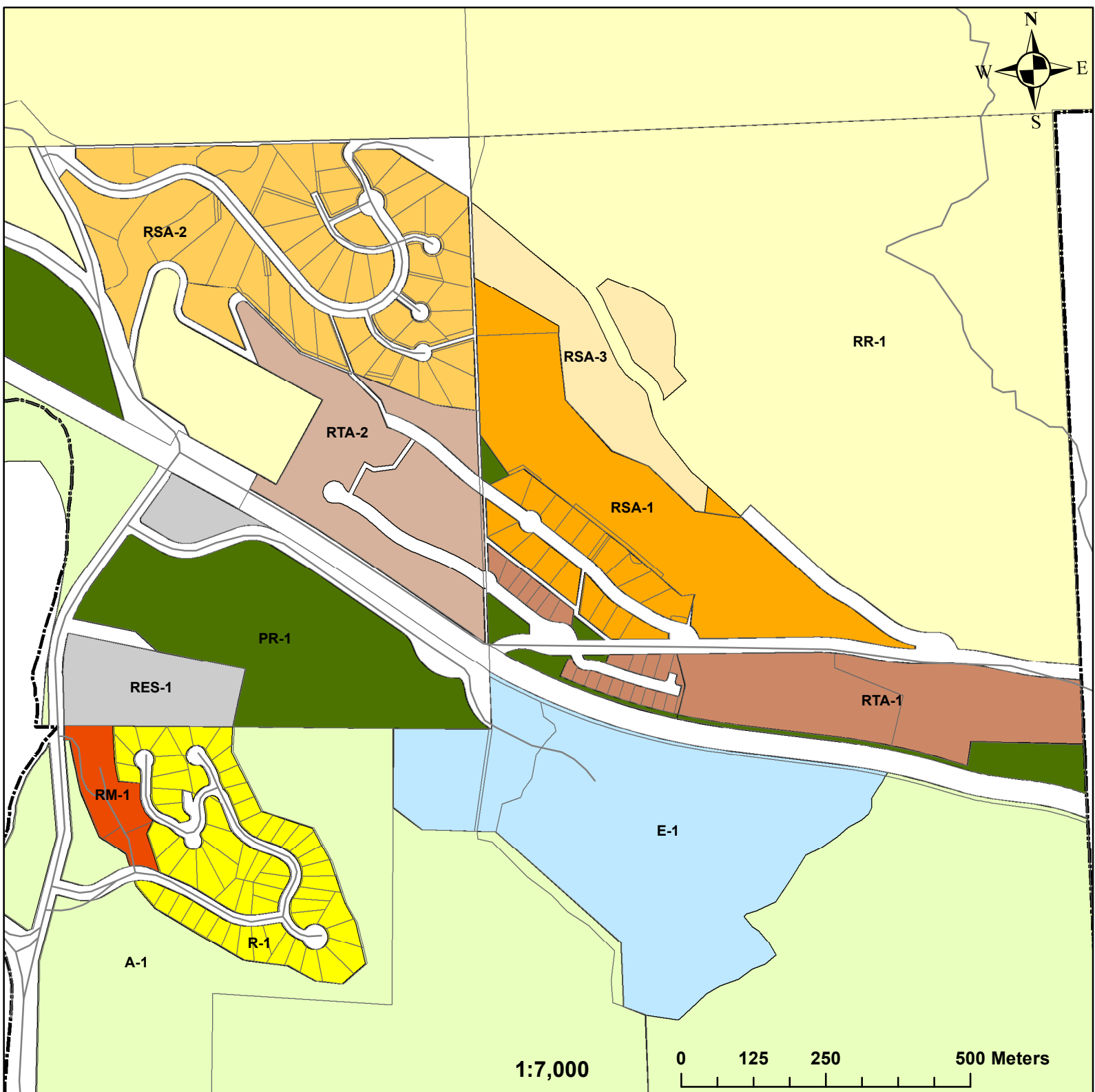
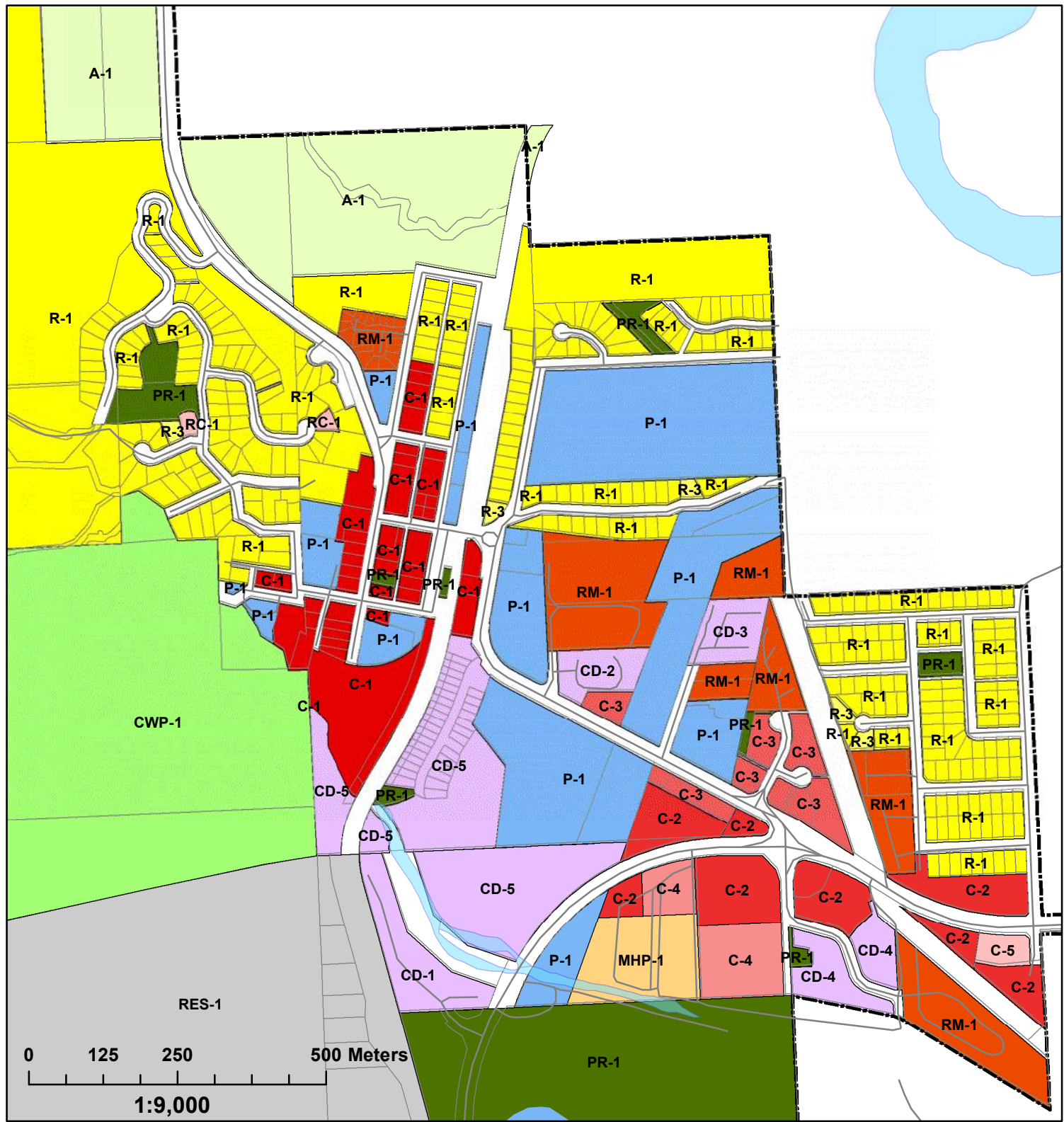
Mike Richman
Mayor

Sheena Fraser
Corporate Officer



Schedule A
Village of Pemberton Zoning Bylaw No. 832, 2018
Amendment Bylaw No. 924, 2022

Legend													
	Rivers		C-1		CD-1		CWP-1		OR-1		RC-1		RSA-2
	Parcels		C-2		CD-2		E-1		P-1		RES-1		RSA-3
	Village Boundary		C-3		CD-3		M-1		PR-1		RM-1		RTA-1
	A-1		C-4		CD-4		M-2		R-1		RR-1		RTA-2
	AP-1		C-5		CD-5		MHP-1		R-3		RSA-1		



**Schedule A - 1
Village of Pemberton
Zoning Bylaw No. 832, 2018
Amendment Bylaw No. 924, 2022**



Legend

Rivers	C-1	CD-1	CWP-1	OR-1	RC-1	RSA-2
Parcels	C-2	CD-2	E-1	P-1	RES-1	RSA-3
Village Boundary	C-3	CD-3	M-1	PR-1	RM-1	RTA-1
A-1	C-4	CD-4	M-2	R-1	RR-1	RTA-2
AP-1	C-5	CD-5	MHP-1	R-3	RSA-1	