



Meeting #: 1585  
Date: Tuesday, July 18, 2023, 5:30 pm  
Location: Council Chambers & Zoom Webinar  
7400 Prospect Street

"This meeting is being recorded as authorized by the Video Recording & Broadcasting of Open Meetings Policy.

Pages

1. **CALL TO ORDER (10:00am)**

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. **IN CAMERA**

**Recommendation:**

**THAT** the meeting is closed to the public in accordance with the *Community Charter* section 90 (1) (c) employee relations and (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.

3. **RECESS REGULAR MEETING**

4. **RECONVENE REGULAR MEETING (5:30pm)**

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

5. **ADOPTION OF AGENDA**

**Recommendation:**

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

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

6.1 **Pemberton Secondary School Bursary Award**

7. **APPROVAL OF MINUTES**

7.1 **Regular Council meeting No. 1585, Tuesday June 20, 2023**

**Recommendation:**

**THAT** the minutes of the Regular Council Meeting No. 1585, held Tuesday, June 20, 2023, be adopted as circulated.

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

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

10. **COMMITTEE MINUTES - FOR INFORMATION**

11. **DELEGATION**

12. **STAFF REPORTS**

12.1 **Office of the CAO**

a. **CAO Verbal Report**

a. **Electric Vehicle Charger Update**

**Recommendation:**

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

12.2 **Development Services**

- a. Development Variance Permit No. 133 - Daycare Building Variance to Interior Side Lot Line Setback and Parking Requirements Zoning Bylaw No. 832, 2018 11  
**Recommendation:**  
**THAT** Council authorize issuance of Development Variance Permit (DVP) No. 133 for the lands located at 7396A/B Cottonwood St., and 7390 Cottonwood St. to vary the parking requirements and interior side lot line setbacks in the Village of Pemberton.
  
- b. ALC2023-001 Non-Adhering Residential Use, 7367 Pemberton Farm Road East 22  
**Recommendation:**  
**THAT** the application for Non-Adhering Residential Use, submitted for the property at 7367 Pemberton Farm Road East, be authorized to proceed to the Agricultural Land Commission, and provide the following conditions:
  - 1. That approval of this application be contingent on a restrictive covenant or another satisfactory mechanism to ensure that;
    - a. The proposed barn and dwelling unit are linked to the expansion of farm operations as described in Section 2 of ALC Policy L-26;
    - b. That the barn portion of the building is used for farm activities to minimize further impact on farmland.

**12.3 Finance**

- a. Municipal Finance Authority Equipment Financing - Public Works: Truck, Dump, Body, Wing, and Plow 45  
**NOTE:** Report and recommendation included.  
**Recommendation:**  
**THAT** Council of the Village of Pemberton authorizes up to \$165,000 be borrowed, under Section 178 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of a Public Works F550 Truck, Dump Body, Wing and Plow;  
**AND THAT** the loan be repaid within five (5) years, with no rights of renewal.
  
- b. Fire Truck Loan Authorization  
**NOTE:** Information and recommendation to be provided at the meeting.

**13. BYLAWS**

13.1	<b>Zoning Amendment Bylaw No. 948, 2023 (Comprehensive Development Zone 7 - Prospect Apartments)</b>	48
	<p><b>Recommendation:</b>  <b>THAT</b> Zoning Amendment (Comprehensive Development Zone 7 - Prospect Apartments) Bylaw No. 948, 2023 be given First and Second Reading;</p> <p><b>AND THAT</b> Council set Tuesday, September 12, 2023 at 5:30pm as the date and time of the public hearing for Zoning Amendment Comprehensive Development Zone 7 (Prospect Apartments) Bylaw No. 948, 2023 to be held in Village of Pemberton Council Chambers and/or in accordance with the Village's digital meeting policy subject to the following condition:</p> <p style="padding-left: 40px;">i. That the Applicant completes a developer-led public information meeting prior to the Public Hearing.</p> <p><b>AND THAT</b> Final adoption only be considered upon the completion of a development agreement between the Applicant and the Village of Pemberton detailing downtown character enhancements.</p>	
14.	<b>MAYOR'S Report</b>	
15.	<b>COUNCILLORS' Reports</b>	
16.	<b>CORRESPONDENCE</b>	
16.1	<b>Correspondence for Action</b>	
	<p>a. Sophie Rivers, Resident, Village of Pemberton, dated June 18, 2023 regarding the Rezoning Application for Lot A Plan KAP73119 District Lot 202 Land District 27</p> <p style="text-align: right;">58</p> <p><b>Recommendation:</b>  <b>THAT</b> the correspondence be referred to staff for incorporation into the rezoning application review process;</p> <p><b>AND THAT</b> the correspondence be sent advising the development application review process.</p>	
	<p>b. David Rossellat, Resident, Village of Pemberton, dated July 4, 2023 regarding Air Quality</p> <p style="text-align: right;">61</p> <p><b>Recommendation:</b>  <b>THAT</b> Council provide direction regarding the resident's concern.</p>	
16.2	<b>Correspondence for Information</b>	
	<p>a. Leslie Kellett, Deputy Corporate Officer, City of Prince George, dated June 14, 2023 regarding Resolution Submitted to the 2023 UBCM Convention</p> <p style="text-align: right;">65</p>	
	<p>b. Abbey-Jane McGrath, Community Engagement Leader, Vancouver Coastal Health, dated June 29, 2023 regarding Health Vision Sea to Sky Engagement Opportunity</p> <p style="text-align: right;">67</p>	
	<p>c. Brenda Locke, Mayor, City of Surrey, dated July 4, 2023 regarding Police Services in Surrey</p> <p style="text-align: right;">70</p>	
17.	<b>DECISION ON LATE BUSINESS</b>	
18.	<b>LATE BUSINESS</b>	
19.	<b>NOTICE OF MOTION</b>	
20.	<b>QUESTION PERIOD</b>	73

**21. IN CAMERA, CONTINUED**

**Recommendation:**

**THAT** the meeting is closed to the public in accordance with the *Community Charter* Section 90 (1) (a) Personnel and (c) Employee Relations, related discussions that in the view of Council could reasonably expect to harm the interest of the municipality if they were held in public.

**22. RISE WITH REPORT**

**23. ADJOURNMENT OF REGULAR COUNCIL MEETING**

**Recommendation:**

**THAT** the meeting be adjourned.

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

Meeting #: 1585  
Date: Tuesday, June 20, 2023, 5:30 pm  
Location: Council Chambers  
7400 Prospect Street

COUNCILLORS: Councillor Ted Craddock  
Councillor Jennie Helmer  
Councillor Katrina Nightingale

ELECTRONIC ATTENDANCE: Mayor Mike Richman  
Councillor Laura Ramsden

STAFF: Elizabeth Tracy, Chief Administrative Officer  
Sheena Fraser, Manager of Corporate & Legislative Services  
Ethan Fredeen, Deputy Corporate Officer

PUBLIC: 5

MEDIA: 0

*This meeting was held via electronic means by Zoom webinar. A recording of the meeting was made available to the media and the public.*

**1. CALL TO ORDER (1:00pm)**

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

At 1:02pm Mayor Richman called the meeting to order.

**2. IN CAMERA**

Moved/Seconded

**THAT** the meeting is closed to the public in accordance with the *Community Charter* section 90 (1) (c) employee relations, (k) negotiations, and (g) litigation 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 1:03pm Council moved to In Camera.

**3. RECESS REGULAR MEETING**

At 3:27pm Council recessed the Regular Council Meeting.

**4. RECONVENE REGULAR MEETING (5:30pm)**

At 5:30pm Council reconvened the Regular Council meeting.

**5. RISE WITH REPORT**

**5.1 Real Estate Principles Policy**

At the In Camera portion of the meeting that occurred earlier today Council rose with report. Mayor Richman advised that during the In Camera Meeting No. 1584, held on May 30<sup>th</sup>, 2023 Council directed staff to draft a Real Estate Principles Policy.

**5. APPROVAL OF AGENDA**

Moved/Seconded

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

**CARRIED**

**6. ADOPTION OF MINUTES**

**6.1 Regular Council Meeting No. 1584, Tuesday May 30, 2023**

Moved/Seconded

**THAT** the minutes of the Regular Council Meeting No. 1584, held Tuesday, May 30, 2023, be adopted as circulated.

**CARRIED**

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

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

At the Committee of the Whole Meeting No. 246 held earlier today, the Committee provided the following resolutions for consideration:

**Hillside Planning Study**

Moved/Seconded

**THAT** staff be directed to initiate a comprehensive neighbourhood planning process, generally as described in the Committee of the Whole Report dated June 20, 2023;

**AND THAT** Staff report back to Committee of the Whole, as needed, for any additional direction regarding the project schedule and funding.

**CARRIED**

**Daycare Project Nature Playscape Structure Relocation**

Moved/Seconded

**THAT** Staff explore options for an alternative location for the Nature Playscape structure;

**AND THAT** options be referred to the Pemberton Valley Utilities and Services Committee for consideration.

**CARRIED**

**9. COMMITTEE MINUTES - FOR INFORMATION**

## 10. DELEGATION

### 10.1 Pemberton Rotary Club

#### a. James Linklater, President, Karen Tomlinson, President Elect, Pemberton Rotary Club

Mr. Linklater and Ms. Tomlinson provided an overview of the extensive contributions the Rotary Club of Pemberton has made to the local community since its inception in 2005.

Mr. Linklater noted that the Club is proud of what it can accomplish each year given its small membership of nine and acknowledged the important partnerships that have been developed with other community groups to put on events such as the annual Chamber and Rotary Golf Tournament and the Lion's/Rotary Barn Dance.

Mr. Linklater thanked the Village for its support through the Pemberton & District Initiative Fund, sponsorship of annual events (barn dance and golf tournament) and the purchase of the flower baskets of which the funds received finance three Rotary Bursaries to graduating students.

## 11. STAFF REPORTS

### 11.1 Office of the CAO

Chief Administrative Officer Tracy, provided an update on the following items:

- UBCM resolution submission – that the resolution respecting the incorporation of a farm tax exemption for municipalities has been accepted with some minor changes as recommended by the UBCM staff.
- Whistler Blackcomb Foundation Grant – Pemberton Fire Rescue has received \$48,987.11 to retrofit Engine 11.
- FireSmart Community Grant Funding, in the amount \$200,000, has been approved for 2023.
- Rotary Club of Pemberton has provided contribution of \$8,500 to go towards One Mile Lake dock repairs.

Additionally, CAO Tracy informed Council that tonight's meeting marked the final Council session for Ms. Fraser as the Corporate Officer of the Village. Council members expressed their appreciation for Ms. Fraser's dedicated service to the community over the course of 22 years and conveyed their gratitude that she would remain involved with the Village in a consulting capacity.

Moved/Seconded

**THAT** Council receive the report for information.

**CARRIED**

**11.2 Corporate and Legislative Services**

**a. Community Enhancement Fund: Pemberton Barn Dance**

Moved/Seconded

**THAT** funding, in the amount of \$400, from the Community Enhancement Fund be allocated for a Personal Sponsorship of the 2023 Pemberton Barn Dance.

**CARRIED**

**b. Corporate Officer Appointment**

Moved/Seconded

**THAT** the appointment of Sheena Fraser as Corporate Officer for the Village of Pemberton be rescinded effective June 30, 2023;

**AND THAT** Elizabeth Tracy be appointed as Corporate Office for the Village of Pemberton with all the duties and responsibilities assigned under Section 148 of the *Community Charter* and the Village of Pemberton Officers Bylaw No. 683, 2011, effective June 30, 2023.

**CARRIED**

**11.3 Development Services**

**a. ALC2023-001 Non-Adhering Residential Use, 7367 Pemberton Farm Road East**

Moved/Seconded

**THAT** the consideration of ALC2023-001 application be deferred to the July 18, 2023 Regular Council Meeting;

**AND THAT** staff prepare an update to the report providing clarification with respect to the options for referral to the Agricultural Land Commission.

**CARRIED**

**b. Housing Needs Report 2023**

Moved/Seconded

**THAT** the Village of Pemberton Housing Needs Report be received for information.

**CARRIED**

**11.4 Finance**

**11.5 Operations**

**11.6 Recreation**

**11.7 Pemberton Fire Rescue**

**12. BYLAWS**

**13. MAYOR’S Report**

Mayor Richman attended and reported on the following meetings and events;

- Spelkúmtn Community Forest Board; and
- Pemberton Secondary School Graduation.



Furthermore, Mayor Richman conveyed apprehension regarding the absence of a clear procedure for determining which correspondence is received by Council during Council meetings. Council collectively emphasized the necessity of establishing a formal process that ensures best practices and enhances transparency with the public.

Moved/Seconded

**THAT** staff prepare a report on best practices for managing correspondence to Mayor and Council for discussion at a future Committee of the Whole meeting.

**CARRIED**

#### 14. **COUNCILLORS' Reports**

Councillor Craddock attended and reported on the following meetings and events:

- Spelkúmtn Community Forest Board.

Councillor Nightingale attended and reported on the following meetings and events:

- United Nations Declaration of the Rights of Indigenous Peoples Workshop; and
- Pemberton Arts Council.

#### 15. **CORRESPONDENCE**

##### 15.1 **Correspondence for Action**

There was no correspondence for action.

##### 15.2 **Correspondence for Information**

- a. **Letters received from residents between April 19, 2023 and June 20, 2023, providing comments and/or concerns, respecting the Nkwúkwma (Benchlands) sub-area plan**
  - Matt DesBrisay, Village of Pemberton, April 19, 2023
  - Allison Megeney, Village of Pemberton, April 19, 2023
  - Myson Effa, Village of Pemberton, April 21, 2023
  - Terrence Halliday, April 26, 2023
  - Tim Hailwood, Village of Pemberton, May 6, 2023
  - Cathy Bennis, Village of Pemberton, May 16, 2023
  - Andrew Eells, Village of Pemberton, May 20, 2023
  - LeeAnne Patterson, Village of Pemberton, May 21, 2023
- b. **Rosa Andrew, Skel7aqsten Skel7antsut, dated May 28, 2023, regarding Declaration of 1911**
- c. **Sharon Gregson, Spokesperson, Coalition of Child Care Advocates of BC, dated June 4, 2023, regarding UBCM Child Care resolution**
- d. **Jen Ford, President, UBCM, dated June 6, 2023, regarding Municipal Farmland Tax Exemption resolution**
- e. **Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated June 6, 2023, regarding funding under Youth Innovation Component of the Enabling Accessibility Fund**

- f. **Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky Country, dated June 7, 2023, regarding Visa-free travel to Canada**
- g. **Sarah Valentine, dated June 13, 2023, concerning development near Mosquito Lake**
- h. **Lisa Richardson, dated June 14, 2023, expressing concerns regarding development near Mosquito Lake**

Moved/Seconded

**THAT** correspondence be received for information.

**CARRIED**

**16. DECISION ON LATE BUSINESS**

**17. LATE BUSINESS**

**18. NOTICE OF MOTION**

**19. QUESTION PERIOD**

There were no questions from the public.

**20. IN CAMERA CONTINUED**

Moved/Seconded

**THAT** the meeting is closed to the public in accordance with the *Community Charter* section 90 (1) (c) employee relations, (k) negotiations, and (g) litigation 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 7:11pm Council moved to In Camera.

**21. RISE WITH REPORT**

At 7:43 Council rose without report.

**22. ADJOURNMENT OF REGULAR COUNCIL MEETING**

At 7:44pm the meeting was adjourned.

Moved/Seconded

**THAT** the meeting be adjourned.

**CARRIED**

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Mike Richman, Mayor

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Sheena Fraser, Corporate Officer

**Date: Tuesday, July 18, 2023**

**To: Elizabeth Tracy, Chief Administrative Officer**

**From: Mia Bojic, Planning Assistant**

**Subject: Development Variance Permit No. 133 – Daycare Building Variance to Interior Side Lot Line Setback and Parking Requirements Zoning Bylaw No. 832, 2018**

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### **PURPOSE**

The purpose of this report is to present to Council, for their consideration, an application for Development Variance Permit (DVP) No. 133 received from the Village of Pemberton to facilitate a new daycare building. If approved, DVP133 would enable a reduction in onsite parking requirements and a reduction to the interior side lot line setback from the regulations set in the Village of Pemberton Zoning Bylaw No. 832, 2018 to enable the development of the expansion of the Pemberton Children's Centre operations.

### **BACKGROUND**

The Pemberton Child Care Needs Assessment and Strategy completed in 2019 highlighted the shortage of childcare services in the Village of Pemberton. Following several submissions to the provincial New Spaces Fund, in 2022 the Village was awarded grant funding to build an expansion of the existing daycare facility. The daycare expansion will provide two additional classrooms for a total of 50 additional spaces for children aged 30 months to school age, nap/gross motor rooms, additional staff and child washrooms, an office, kitchen, storage room, and additional 344m<sup>2</sup> of outdoor space. This development will assist in decreasing the shortage of childcare spaces in the Village of Pemberton.

The initial drawing submission and application package is available on the Village of Pemberton Website at <https://www.pemberton.ca/public/download/files/232622>.

In Figure 1, the yellow highlighted line is the existing lot line prior to any variance. Lot A is 7390 Cottonwood St. (Community Centre) and Lot B is 7396 Cottonwood St. (Daycare). 7396 Cottonwood St. has now been assigned two civic addresses, 7396A and 7396B, for the current and new building respectively, however this report will exclude the letters for simplicity. Figure 1 shows how the current lease lot line intersects with the new building footprint. The existing daycare is approximately 3 metres to the east (right) of the new daycare expansion while the smaller building to the left, the Youth/Seniors building, is approximately 3 metres west (left) of the newly proposed building. The Community Centre is further to the south of the new Daycare. The lease lot line must be shifted to avoid causing issues with leasehold foreclosure risk and for ease of legal title registration.

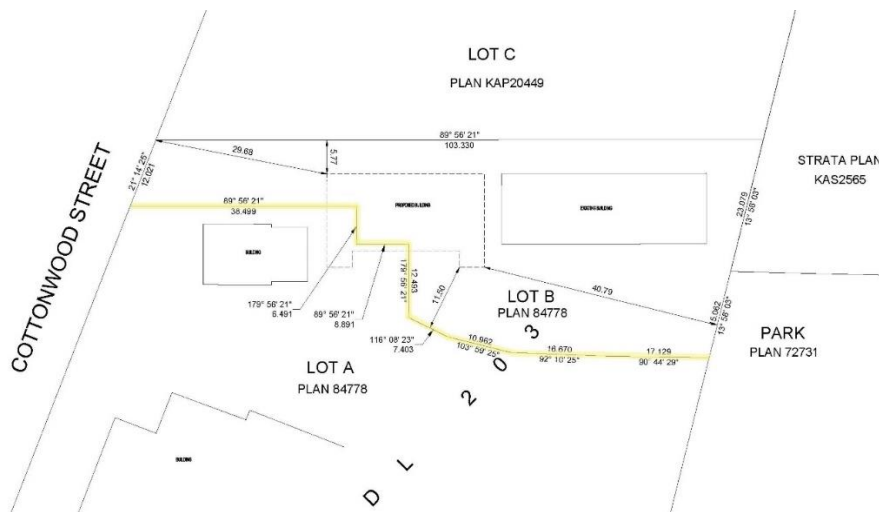


Figure 1 Highlighted existing interior lot line between 7396 Cottonwood St. and 7390 Cottonwood St.

Figure 2 shows a red line as the proposed change of the interior lease lot line. The lease lot line will be redefined roughly as shown with signature from the Approving Officer and amendment of the lease at the Land Title Office. The new lease lot line will be defined once the new building foundation and fence line is installed to ensure there are no trespass issues. This will be done prior to building occupancy. However, since the gap between the existing and the new building is only 3 metres, and the Village of Pemberton Zoning Bylaw No. 832, 2018 sets a minimum 3 metre interior lot line setback from any building to the lot line, a variance is required.

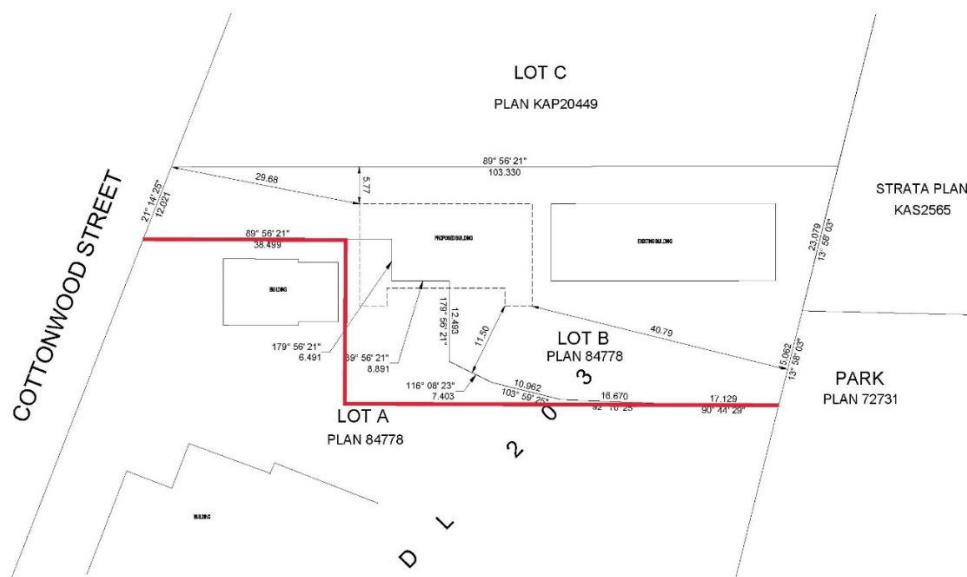


Figure 2 Tentative new lot line between 7396 Cottonwood St. and 7390 Cottonwood St.

## **DISCUSSION & COMMENTS**

This Development Variance Permit application is to assist in the development of an additional daycare facility at the existing Pemberton Children’s Centre located at 7396 Cottonwood St. DVP No. 133, attached as **Appendix A**, is in response to a variance application, submitted by the Village as the developer, that combines different variances on two parcels of land: the Community Centre parcel and the daycare parcel, both currently zoned P-1 ‘Civic, Institutional, and Recreation Zones’. The parking variance is only applicable to the daycare parcel (7396 Cottonwood St.). The interior side lot line variance is applicable to both parcels as it is likely that the final location of the lease lot line will be less than 3 metres from buildings on both lots.

### **PARKING VARIANCE DESCRIPTION**

DVP No.133 is an application for a parking variance on the current land parcel at 7396 Cottonwood St. (PID 027-219-313). Under Village of Pemberton Zoning Bylaw No. 832, 2018, the new Children’s Centre would be required to provide 1 off-street parking stall per daycare employee. This application is to reduce the parking requirement to 0 stalls.

When the current daycare was built, arrangements were made through an agreement that seven (7) spaces at the parking lot located across the street from the Pemberton & District Community Centre were designated for use by the Pemberton Children’s Centre. However, the spaces were never specifically assigned and to date there have been no issues with the shared use of the parking lot.

The rationale for making application for a parking variance is that, due to the site geometry, there is a lack of sufficient space on site. There are adjacent areas to the daycare site that can provide alternative parking options for future employees. The surface parking lot across the street from 7369 Cottonwood St. can provide parking spaces for staff at the new facility. The Community Centre has an existing drop-off area for parents and additional parking underground. The existing daycare facility offers bike parking for current staff members; it is anticipated that the operator will provide additional bicycle parking for the new staff as well.

### **INTERIOR SIDE LOT LINE SETBACK DESCRIPTION**

This Development Variance Permit application is also seeking to vary the interior lot line setback on both parcels: the daycare lease lot at 7369 Cottonwood St. (PID 027-219-313), and the Pemberton and District Community Centre lot at 7390 Cottonwood St. (PID 027-219-305). The Village of Pemberton Zoning Bylaw No. 832, 2018 specifies the interior lot line setback for the P-1 zone as 3 metres. The existing lease lot line between the two parcels currently slices through the location of the new daycare building. This lease lot line will be adjusted once the new structure is in place but will almost certainly be within 3 metres of a building on either lot. The two parcels are under the same zoning and Village ownership. Therefore, the adjustment of the interior lot line setback on both parcels from 3 metres to 0 metres will allow for the development of the proposed building. The 0-metre setback was decided as it provides the most flexibility given the density of recreational amenities on both sites and the exact distance between the final lot line and any buildings or structures will not be known until later in the construction process.

### **COMMUNICATIONS**

Notice of Council's intent to consider issuance of the Development Variance Permit (DVP) was mailed out to adjacent property owners within 100 meters of the subject lands as per the Village Development Procedures Bylaw 877, 2020. The Notice was mailed on July 4, 2023 and comments will be accepted until Monday July 17, 2023 at 4:00pm. The notice is attached as **Appendix B**.

At the time this report was prepared, Staff have received no response from the public.

### **LEGAL CONSIDERATIONS**

There are no legal considerations at this time.

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

This item has limited impact on budget or staffing and was accommodated in the workplan for the Development Services department as a contingency item. The costs associated with the application review and advertising were covered by the grant funding.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

This item does not require interdepartmental approval.

### **COMMUNITY CLIMATE ACTION PLAN**

This matter has no impact on the Community Climate Action Plan strategies.

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

There are no regional impacts or impacts on neighbouring jurisdictions.

### **ALTERNATIVE OPTIONS**

Alternative options for consideration are as follows:

#### **Option One:**

**THAT** Council authorize issuance of Development Variance Permit (DVP) No. 133 for the lands located at 7396A/B Cottonwood St. and 7390 Cottonwood St. to vary the parking requirements and interior side lot line setbacks in the Village of Pemberton Zoning Bylaw No. 832, 2018.

#### **Option Two:**

**THAT** Council refers the application for Development Variance Permit (DVP) No. 133 for the lands located at 7396A/B Cottonwood St. to vary the parking and lot line setback requirements in the Village of Pemberton Zoning Bylaw No. 832,

2018 back to Staff to address the following matters before reconsideration by Council:

1. *{To be inserted by Council}*

**Option Three:**

**THAT** Council refuse the application for Development Variance Permit (DVP) No. 133 by the Village of Pemberton.

**RECOMMENDATIONS**

**THAT** Council authorize issuance of Development Variance Permit (DVP) No. 133 for the lands located at 7396A/B Cottonwood St., and 7390 Cottonwood St. to vary the parking requirements and interior side lot line setbacks in the Village of Pemberton.

**ATTACHMENTS:**

**Appendix A:** Development Variance Permit (DVP) No. 133

**Appendix B:** Notice to nearby property owners

Submitted by:	Mia Bojic, Planning Assistant
Manager Approval:	Scott McRae, Manager of Development Services
CAO Approval by:	Elizabeth Tracy, Chief Administrative Officer



VILLAGE OF PEMBERTON  
Development Variance Permit # DVP133  
Daycare Expansion Parking and Setback

PO Box 100  
7400 Prospect St.  
Pemberton  
British Columbia  
CANADA  
V0N2L0

P. 604.894.6135  
F. 604.894.6136

www.pemberton.ca

Issued to: **Village of Pemberton**

File No.  
**DVP#: DVP133**

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

Addresses: 7390 Cottonwood St.  
**(PID 027-219-305)**

7396A/B Cottonwood St.  
**(PID 027-219-313)**

- 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: **027-219-305;**  
**027-219-313**

Legal Description: Lot A, District Lot 203, Lillooet District, Plan KAP84778 EXCEPT Plan KAP89553;  
Lot B, District Lot 203, Lillooet District, Plan KAP84778

Civic Address: 7390 Cottonwood Street;  
7396A/B Cottonwood Street

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 a building permit to develop a new daycare building on Lot B in compliance to that attached hereto, and forming a part of this Permit as shown on **Schedule B**;

And,

Whereas the Owner has made application to vary the Village of Pemberton Zoning Bylaw No 832, 2018;

Therefore, the Village of Pemberton Zoning Bylaw No 832, 2018 is hereby varied for the standards applicable to 7390 Cottonwood St., and 7396A/B Cottonwood St. as follows:





# Village of PEMBERTON

PO Box 100  
7400 Prospect St.  
Pemberton  
British Columbia  
CANADA  
V0N2L0

P. 604.894.6135  
F. 604.894.6136

[www.pemberton.ca](http://www.pemberton.ca)

Section	Description	Bylaw Standard	Proposed Variance
VOP Zoning Bylaw No.832, 2018 Section 8.6	Civic, Institution, and Recreation Parking Requirements	1 stall per employee	0 stalls
VOP Zoning Bylaw No. 832, 2018 Section 17.1.3	Minimum Interior Side Lot Line Setback	3m	0m

In substantial compliance with the location, plans and drawings identified as **Schedule B** attached hereto and forming part of this permit.

- 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*.
- 5) This Permit prevails over the provisions of the Bylaw in the event of conflict.
- 6) Security Requirements: Nil
- 7) 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.
- 8) This Permit is not a building permit.
- 9) 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**

\_\_\_\_\_ **DAY OF** \_\_\_\_\_, \_\_\_\_\_.

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

\_\_\_\_\_  
Elizabeth Tracy, Chief Administrative Officer

END OF DOCUMENT

PO Box 100  
7400 Prospect St.  
Pemberton  
British Columbia  
CANADA  
V0N2L0

P. 604.894.6135  
F. 604.894.6136

[www.pemberton.ca](http://www.pemberton.ca)



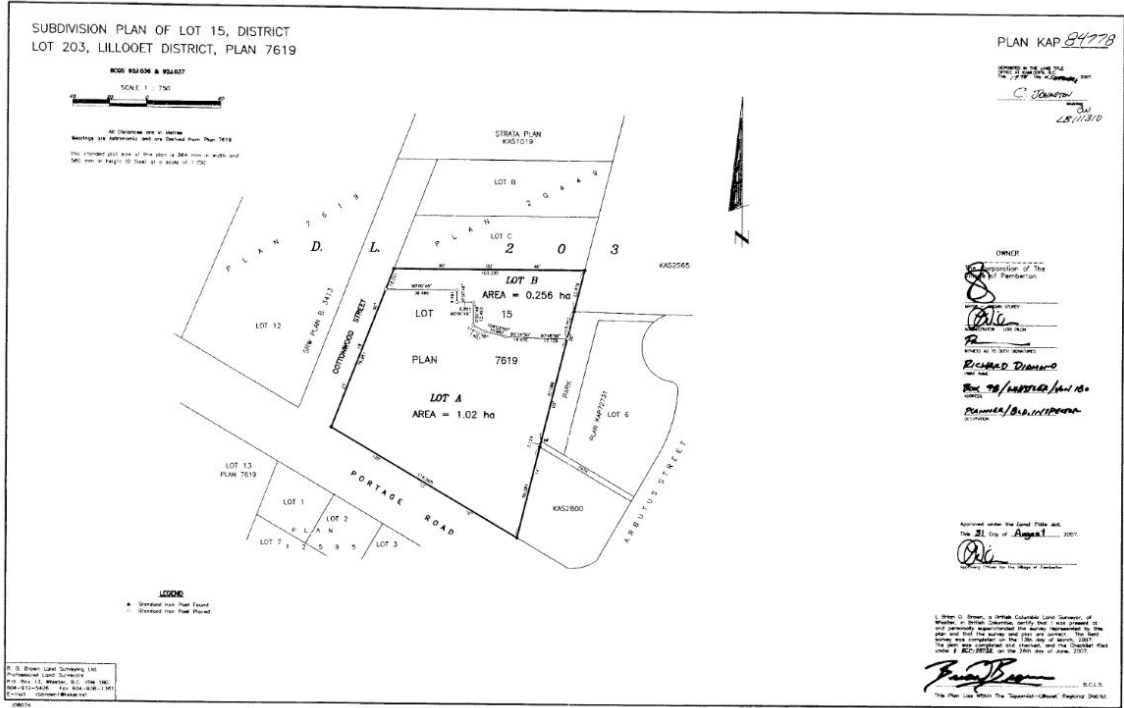
# Village of PEMBERTON

PO Box 100  
7400 Prospect St.  
Pemberton  
British Columbia  
CANADA  
V0N2L0

P. 604.894.6135  
F. 604.894.6136

www.pemberton.ca

## Schedule "A": Legal Plan



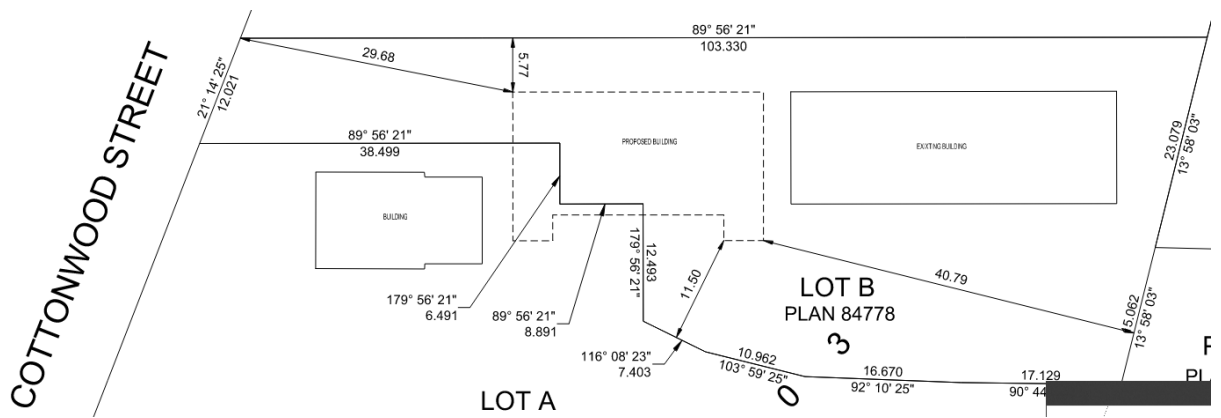


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**Schedule "B": Legal Survey showing proposed building footprint**



**NOTICE OF COUNCIL CONSIDERATION OF AN APPLICATION  
TO VARY ZONING BYLAW NO. 832, 2018  
7390, 7396-A and 7396-B Cottonwood Street- Lots A and B  
DL 203, LILLOOET DISTRICT PLAN KAP84778 - DVP #133**

Notice is hereby given in accordance with Section 499 of the *Local Government Act, R.S.B.C. 2015*, that the Village of Pemberton will consider a variance to Zoning Bylaw No. 832, 2018 at its **Regular Meeting** scheduled on **Tuesday July 18, 2023, commencing at 5:30 pm** in Council Chambers or via Zoom Webinar, Meeting ID: 840 0997 7920

**Variance Requested:**

The Village of Pemberton has applied to vary the parking requirements and lot line setback to accommodate the new Village of Pemberton Daycare.

**Parking Variance Requested for 7369A & 7369B Cottonwood St:**

- Section 8.6 Parking requirement from 1 space per employee to 0 spaces

**Lot Line Setback Variance Requested for 7369A Cottonwood St., 7369B Cottonwood St., and 7390 Cottonwood St.:**

- Section 17.1.3 Building Regulations Minimum Interior Side Setback from 3m to 0m



**Where is the subject property?**

The variance request considers the subject property located at 7390 Cottonwood Street (Pemberton Community Centre) and 7396-A and 7396-B Cottonwood Street (Pemberton Daycare) as shown on the map above.

**How Can I provide Feedback?**

If you would like to provide feedback at the July 18th Regular Council Meeting, please log-in to the ZOOM Webinar as an Attendee. Following the presentation of the DVP application by staff the meeting will be opened for public comment.

Written submissions pertaining to the application may be submitted to the attention of Elizabeth Tracy, CAO in person at 7400 Prospect Street, via email at [admin@pemberton.ca](mailto:admin@pemberton.ca), by mail at PO Box 100, Pemberton, BC V0N 2L0 or by fax at 604-894-6136 **prior to Tuesday, July 17th at 4:00 pm**.

Elizabeth Tracy  
Corporate Officer



**Regular Meeting**

**Tuesday July 18th, 2023,  
commencing at 5:30 pm in  
Council Chambers 7400  
Prospect Street or via  
Zoom Webinar, Meeting  
ID: 840 0997 7920**

**How do I get more information?**

Copies of the proposed Development Variance Permit application may be inspected online at [www.pemberton.ca](http://www.pemberton.ca) under the current applications webpage or at the Village of Pemberton Office, 7400 Prospect Street during office hours from Tuesday July 4th to Tuesday July 18th.

Scan the QR Code below to view the application.



**Date:** Tuesday, July 18, 2023

**To:** Elizabeth Tracy, Chief Administrative Officer

**From:** Colin Brown, Planner II

**Subject:** ALC2023-001 Non-Adhering Residential Use Application, 7367 Pemberton Farm Road East **\*\*Updated\*\***

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### **PURPOSE**

The purpose of this report is to update decision options, provide additional information, and seek input from Council on a Non-Adhering Residential Use application to construct a residential unit over a barn in the Agricultural Land Reserve.

### **BACKGROUND**

The Village of Pemberton (the Village) has received an application from the Agricultural Land Commission (ALC), on behalf of Joanne Den Duyf, property owner at 7367 Pemberton Farm Road East. The application is to allow a proposed barn with a residence above, similar to a carriage house. A Location Map and the Application Package is attached as **Appendix A**.

The proposed barn complies with Village of Pemberton Zoning Bylaw No. 832, 2018; however, the property is in the Agricultural Land Reserve (ALR) and as such must comply with ALR Regulations. The regulations restrict the floor area of the second dwelling unit, above the barn, to a maximum of 90 square metres. The proposed dwelling unit is to be 183 square metres. The proposed barn and dwelling unit therefore require ALC approval as a Non-Adhering Residential Use.

The ALC process requires that the Village of Pemberton provide input before the application is sent to the commission for consideration.

At the Regular Council Meeting No. 1585, held on June 18, 2023, Council referred the report back to staff with the following resolution:

*Moved/Seconded*

**THAT** the consideration of ALC2023-001 application be deferred to the July 18, 2023 Regular Council Meeting;

**AND THAT** staff prepare an update to the report providing clarification with respect to the options for referral to the Agricultural Land Commission.

**CARRIED**

## **DISCUSSION & COMMENTS**

The property has established agriculture as a principal use, and currently produces hay. A developing farm application was submitted in November 2022 for an orchard. The applicant is concerned about the affordability of developing the principal dwelling, the barn, and new farm infrastructure (clearing, irrigation, drainage, fencing) at the same time. Constructing the barn with a residence first will allow the owner to live on the property before proceeding with the house and farm improvements for the orchard.

Zoning for the property is A-1 Agriculture, which allows for a Farm Residence, of up to 350 square metres (m<sup>2</sup>). The proposed dwelling unit over the barn will be 183 square metres. The zone also allows a Detached Dwelling that will permit the primary Farm Residence in the future, and the secondary dwelling unit as a Detached Dwelling for Farm Help.

ALR Regulations allow for two (2) dwelling units to be located on a property; however, they restrict the floor area for properties of less than 40 hectares (subject property is 8.9 hectares):

Primary Dwelling – restricted to maximum of 500 square metres  
Secondary Dwelling – restricted to maximum of 90 square metres

The regulations do not stipulate which dwelling must be constructed first, which allows for the applicant to build the barn before the primary dwelling. The floor area of the proposed barn with the secondary dwelling is 183 square metres which exceeds the restriction of 90 square metres and requires approval from the Agricultural Land Commission (ALC) to allow the non-adhering residential use. The ALC is an independent administrative tribunal which makes decisions based on its own policy documents with a goal to preserve the agricultural land reserve and to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest.

Staff review confirms that the proposed development complies with Village of Pemberton Zoning Bylaw No. 832, 2018. Furthermore, the current Village of Pemberton Official Community Plan provides policies and direction that supports development and enhancement of agriculture:

### ***5.8 AGRICULTURE AND RELATED BUSINESSES ARE RETAINED AND ENCOURAGED***

*Agriculture has been fundamental to the settlement of the Pemberton Valley. The community recognizes the importance of this economic and social generator. The area has fertile soil and a climate that permits a longer growing season that will assist in providing farming products to the region. The following policies, strategies and actions puts an increased emphasis on the importance of not only protecting agriculture but also expanding the opportunities in both rural and developed areas.*

#### ***5.8.1 Agriculture Policies***

- Preserve and facilitate the enhancement of productive farmland;*
- Promote local food production and sales;*

- *Accommodate community supported agricultural opportunities and land uses; and*
- *Support a wide range of agricultural practices and preserve land to build local food protection capacity.*

Given that the proposed development complies with Village bylaws and is part of improvements to agricultural production on the property, staff recommends that Council authorize the application for non-adhering residential use to proceed to the ALC for their review and decision. Furthermore, the proposed residential unit will use the same footprint as the barn and leaves more land available for agriculture.

### **Update – Decision Options**

Staff have reviewed the options for Council and the role of the local government for this type of ALC application. The ALC adopted Policy L-26, dated April 2020, that outlines general guidelines for the ALC’s consideration of Non-Adhering Residential Use (NARU) applications that request residential uses in excess of those permitted in the ALR and its regulations. ALC Policy L-26 is attached at **Appendix B**. The role of the local government is excerpted below:

#### Role of the Local Government:

Local governments must review NARU applications and either provide comments and recommendations for the Commission’s consideration or, in some cases, authorize the application to proceed to the Commission: ALCA, ss. 25(3), 34(4)-(5). For applications in relation to settlement lands, the first nation government must authorize the application to proceed to the Commission: ALCA, s. 25(3.1).

An absence of local zoning bylaws does not relieve a landowner of complying with the restrictions in the ALCA and Agricultural Land Reserve Use Regulation (the “ALR Use Regulation”).

Local government bylaws can be more restrictive of residential use of the ALR than the ALCA: ALCA, s. 46(6). The ALR Use Regulation identifies certain designated farm uses and permitted non-farm uses that local governments must not prohibit, but places no limitation on local government powers to prohibit or otherwise restrict residential uses of ALR land.

Village staff consulted with ALC staff to ensure a clear understanding of the options available to Council. Council may, by resolution, choose to either authorize the application to proceed to the ALC, or they may choose to refuse to authorize the application to proceed to the ALC. In either case, staff are required to submit the resolution of Council to the ALC. In addition, Council may choose to include a comment in support of the project, include a comment of non-support, or include no comment. The comments are optional, but the resolution must be uploaded. For clarity, the decision options are:

1. Choose to authorize or refuse the application to proceed to the Commission
2. Provide comments in support, in non-support, or provide no comment



Staff have reviewed Council’s discussion and have drafted resolutions that reflect the conversation on June 20, 2023. These are presented in the Alternative Options section, later in this report.

**COMMUNICATIONS**

The application package was circulated to internal departments seeking input. No concerns were identified and seeing that the proposed development complies with Village bylaws, there are no further communications considerations at this time.

**LEGAL CONSIDERATIONS**

The property at 7367 Pemberton Farm Road East is in the Agricultural Land Reserve and is subject to ALR Regulations. If Village bylaws and policies are in conflict, the ALR Regulations take precedent. For this application, the ALR Regulations have different requirements for a second residence on a farm and requires ALC approval for the proposed development. More information on the Agricultural Land Reserve is available on the website: <https://www.alc.gov.bc.ca/>

**IMPACT ON BUDGET & STAFFING**

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

**COMMUNITY CLIMATE ACTION PLAN**

The Community Climate Action Plan (CCAP) was adopted in March 2022, and contain six “Big Moves” to reduce emissions from vehicles, buildings, waste, and provides direction on leadership opportunities. Agriculture and food do not figure into the big moves; however, these are important sustainability considerations for Pemberton. CCAP provides strategies for other opportunities outside of the big moves, including Food:

<b>FOOD</b>	
FOOD 1.1 Support local food production and consumption	a. Accelerate implementation of the <a href="#">Village of Pemberton Community Agricultural Parks Master Plan</a> . b. Support local food production through the encouragement of farmer’s markets and community gardening space within multi-family developments.
FOOD 1.2 Reduce regional food waste/increase regional food recovery	a. Implement relevant actions from the <a href="#">Sea to Sky Food Recovery Strategy and Action Plan</a> . b. Continue to work with community stakeholders and regional partners to advance food recovery, security and resiliency in the Sea to Sky.

**IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

The development of this property must adhere to the policies and regulations of the Agricultural Land Reserve and the decisions of the Agricultural Land Commission. Riparian setbacks from the Lillooet River North Arm must be followed using provincial regulations. Development in the

flood plain must follow the established flood construction level and consult the Pemberton Valley Dyking District, as needed.

### **ALTERNATIVE OPTIONS**

Staff have reviewed the previous Council discussion and have drafted resolutions that attempt to capture the concerns expressed on June 20, 2023. In summary, the four options are (1) provide recommendation that the application proceeds with conditions, (2) that the application proceeds with comments, (3) that the application proceeds with no comments, or (4) recommendation that the application does not proceed. In all cases, the approved resolution must be uploaded to the ALC portal to communicate Council's decision.

#### **Option One:**

**THAT** the application for Non-Adhering Residential Use, submitted for the property at 7367 Pemberton Farm Road East, be authorized to proceed to the Agricultural Land Commission, and provide the following conditions:

1. That approval of this application be contingent on a restrictive covenant or another satisfactory mechanism to ensure that:
  - a. The proposed barn and dwelling unit are linked to the expansion of farm operations as described in Section 2 of ALC Policy L-26;
  - b. That the barn portion of the building is used for farm activities to minimize further impact on farmland.

#### **Option Two:**

**THAT** the application for Non-Adhering Residential Use, submitted for the property at 7367 Pemberton Farm Road East, be authorized to proceed to the Agricultural Land Commission, and provide the following comments:

1. Agricultural uses must be prioritized.
2. Size and intensity of residential uses should reflect the farm operations and accommodations required for farm operations.
3. Approvals for additional residential uses should be conditional on appropriate mechanisms to ensure farm operations are optimized.

#### **Option Three:**

**THAT** the application for Non-Adhering Residential Use, submitted for the property at 7367 Pemberton Farm Road East, be authorized to proceed to the Agricultural Land Commission, with no comments.

#### **Option Four:**

**THAT** the Village of Pemberton refuses to authorize the application for Non-Adhering Residential Use, submitted for the property at 7367 Pemberton Farm Road East, to proceed to the Agricultural Land Commission

**RECOMMENDATIONS**

**THAT** the application for Non-Adhering Residential Use, submitted for the property at 7367 Pemberton Farm Road East, be authorized to proceed to the Agricultural Land Commission, and provide the following conditions:

1. That approval of this application be contingent on a restrictive covenant or another satisfactory mechanism to ensure that;
  - a. The proposed barn and dwelling unit are linked to the expansion of farm operations as described in Section 2 of ALC Policy L-26;
  - b. That the barn portion of the building is used for farm activities to minimize further impact on farmland.

**ATTACHMENTS:**

**Appendix A:** Location Map and Application Package

**Appendix B:** ALC Policy L-26, Non-Adhering Residential Use Applications, April 2020

Prepared by:	Colin Brown MCP, Planner II
Manager Approval:	Scott McRae, Manager of Development Services
CAO Approval by:	Elizabeth Tracy, Chief Administrative Officer



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 67818

**Application Status:** Under LG Review

**Applicant:** Joanne Den Duyf

**Local Government:** Village of Pemberton

**Local Government Date of Receipt:** 04/20/2023

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Non-Adhering Residential Use - Additional Residence for Farm Use

**Proposal:** I am seeking approval to build an oversized secondary residence ahead of the primary residence. My property is 22 acres, making a second residence of 90m<sup>2</sup> possible. I would like to build a 32'x64' (190.27m<sup>2</sup>) barn/garage with suite above. When I remove the deck size and add the lower entry, the suite is approximately 183m<sup>2</sup>.

## Mailing Address :

[REDACTED]

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

**Parcel Identifier :** 030-164-541

**Legal Description :** LOT D DISTRICT LOT 211 LILLOOET DISTRICT PLAN EPP40824

**Parcel Area :** 8.9 ha

**Civic Address :** 7367 Pemberton Farm Road East

**Date of Purchase :** 07/07/2017

**Farm Classification :** Yes

### Owners

1. **Name :** Joanne Den Duyf

**Address :**

[REDACTED]

## **Current Use of Parcels Under Application**

### **1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*The property has been producing hay for some time. A developing farm application was submitted November 9, 2022 for an orchard. A similar application was submitted October 27, 2017.*

### **2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*I was unable to get hydro onsite until July 2021, in spite of paying \$15,000 for a Hydro design in 2018. Field drilling dug a well in August 2022.*

*It is my intent to plant an orchard including - clearing, installing irrigation, drainage, fencing, and planting.*

### **3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*No non-agricultural activity.*

## **Adjacent Land Uses**

### **North**

**Land Use Type:** Other

**Specify Activity :** Rail line

### **East**

**Land Use Type:** Recreational

**Specify Activity :** Village of Pemberton Recreation Site

### **South**

**Land Use Type:** Agricultural/Farm

**Specify Activity :** PID 013-256-378 haying

### **West**

**Land Use Type:** Agricultural/Farm

**Specify Activity :** PID 013-256-378 haying

## **Proposal**

### **1. What is the purpose of the proposal?**

*I am seeking approval to build an oversized secondary residence ahead of the primary residence. My property is 22 acres, making a second residence of 90m<sup>2</sup> possible. I would like to build a 32'x64' (190.27m<sup>2</sup>) barn/garage with suite above. When I remove the deck size and add the lower entry, the suite is approximately 183m<sup>2</sup>.*

### **2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.**

*There are currently no structures on the property. I cannot afford to build a primary residence, a barn and*

*invest in farming infrastructure/start up at the same time.*

*Having one structure with combined uses preserves the area of farm land available for farming.*

*Having the suite on site will facilitate our family living on the land ahead of building a primary, larger home in future and allow us to invest funds in the property - orchard (fencing, irrigation, whips), bees, chickens and eventually grazing animals. We have been hesitant to do anything beyond hay without living on the property.*

**3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.**

*N/A*

**4. What is the total floor area of the proposed additional residence in square metres?**

*183 m<sup>2</sup>*

**5. Describe the rationale for the proposed location of the additional residence.**

*The barn/garage with suite will be parallel to an existing driveway which leads to the site of the future primary residence.*

**6. What is the total area of infrastructure necessary to support the additional residence?**

*There would be a small driveway to access both ends of the barn off the existing driveway.*

*A well house needs to be built for watering the farm. My understanding is that no permit is required for a 10'x10' building. I would like a larger building so that the water treatment system can be properly contained within. No larger than 20'x20'.*

**7. Do you need to import any fill to construct the additional residence or infrastructure?**

*Yes*

**Proposal dimensions**

**Total fill placement area (0.01 ha is 100 m<sup>2</sup>)** *0.03025 ha*

**Maximum depth of material to be placed as fill** *0.61 m*

**Volume of material to be placed as fill** *164.53 m<sup>3</sup>*

**Estimated duration of the project.** *1 Years 6 Months*

**Describe the type and amount of fill proposed to be placed.**

*6" minus - 216m<sup>2</sup>*

*3/4" minus - 54m<sup>2</sup>*

**Briefly describe the origin and quality of fill.**

*Lot D was part of Lot 4 until subdivided. Lot 4 was entirely considered ALR land until removed sometime around 2016. The 6" material from Lot C (7362 Pemberton Farm Road E) stockpile. The 3/4" minus from Lot A (2001 Sunstone Way) stockpile.*

**Applicant Attachments**

- Proposal Sketch - 67818
- Other correspondence or file information - Barn-Suite Plan
- Other correspondence or file information - Site Plan
- Other correspondence or file information - Aerial Photo
- Certificate of Title - 030-164-541

## **ALC Attachments**

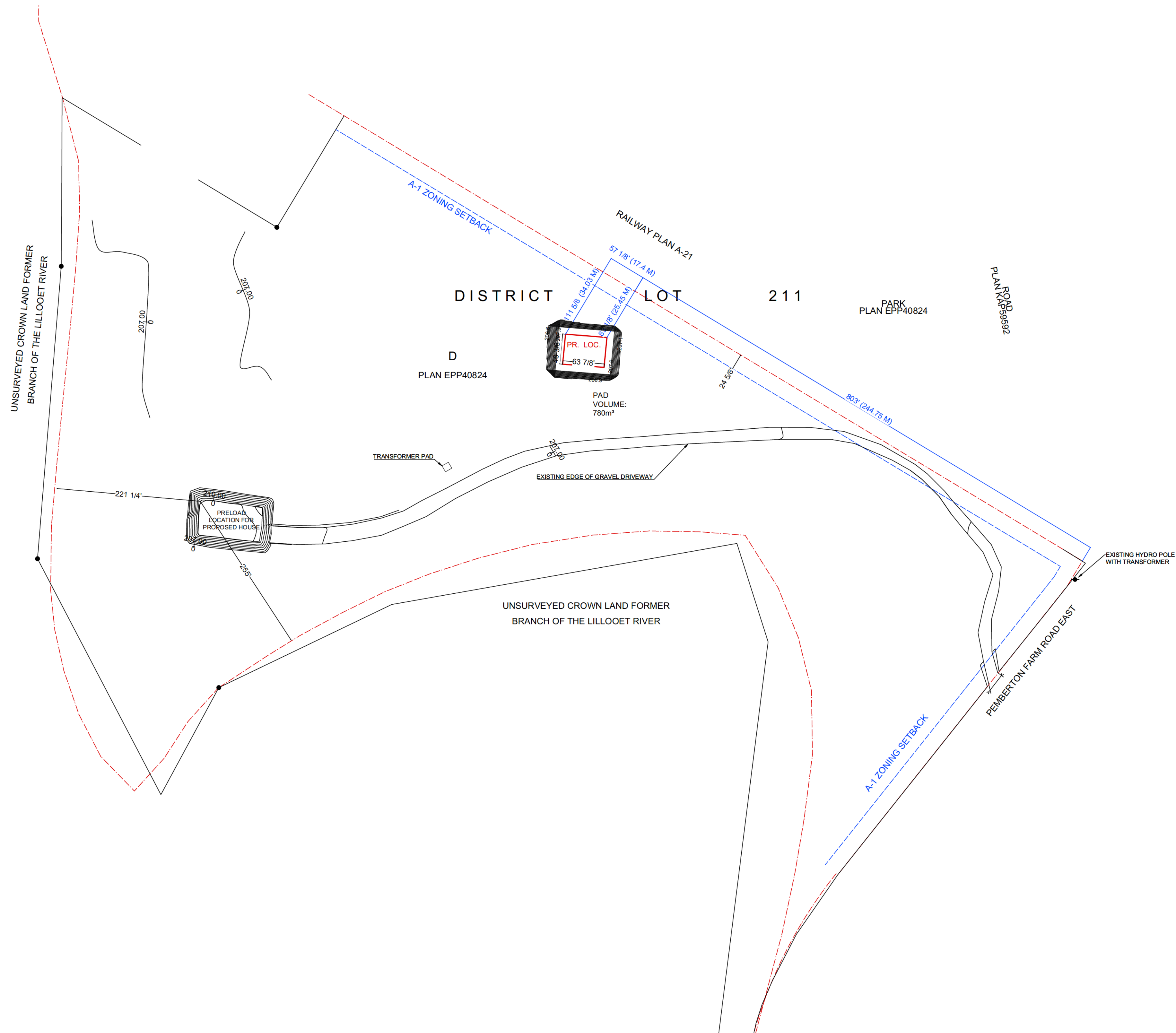
None.

## **Decisions**

None.

**SITE STATISTICS**

<b>CIVIC ADDRESS</b>	7367 PEMBERTON FARM ROAD EAST	
<b>LEGAL DESCRIPTION</b>	LOT D, DISTRICT LOT 211, LILLOOET DISTRICT, PLAN EPP40824 PID: 030-164-541	
<b>ZONING</b>	AGRICULTURE A (A-1)	
<b>SITE AREA:</b>	8.9 Ha	
<b>FLOOD CONTROL LEVEL:</b>	208.75 M'	
<b>PROPOSAL INFORMATION</b>	<b>ALLOWED/REQUIRED</b>	<b>PROPOSED</b>
<b>PROPOSED LOT COVERAGE:</b>	N/A	.003% (N/A)
<b>PROPOSED GFA:</b>	350 SQ M	332 SQ M
<b>MAX HEIGHT: FROM LOWEST AVERAGE GRADE</b>	10.5 M (34.4')	7 M (22' 11-12")
<b>FRONT LOT LINE SETBACK:</b>	7.5 M	244.75 M
<b>REAR LOT LINE SETBACK:</b>	7.5 M	N/A
<b>INTERIOR SIDE SETBACK:</b>	7.5 M	25.45 M
<b>EXTERIOR SIDE SETBACK</b>	7.5 M	N/A



FOR BUILDING PERMIT		
No.	Date	Issue Notes
A	MAR 20/2023	Minor amendment to site plan (transformer location) and area overlays
Design Firm 6226 Eagle Drive Whistler, BC, VON 1B6 as@allieshieldesign.com 604 966-7758		
1. This drawing is not to be scaled. Dimensions are approximate. Any discrepancies noted on this drawing must be reported to the consultant immediately. 2. By using this document the client agrees that the consultant's liability for services including negligence and omissions is strictly limited to the value of fees paid. The client agrees to indemnify and defend the consultant in the event of third party claims alleging negligence and/or injury as a result of services rendered.		
Project Title 7367 PEMBERTON FARM ROAD EAST PEMBERTON, BC		
<b>SITE</b>		
Date	Project ID	
AUGUST 2020	1811	
Drawn By	Scale	
AS	1:1000 @ ARCH D	
Sheet No		
		A 0.00
CAD File Name		Page 32 of 73
1811 LOT211		

1 SITE PLAN  
Scale: 1:1000





**SITE STATISTICS**

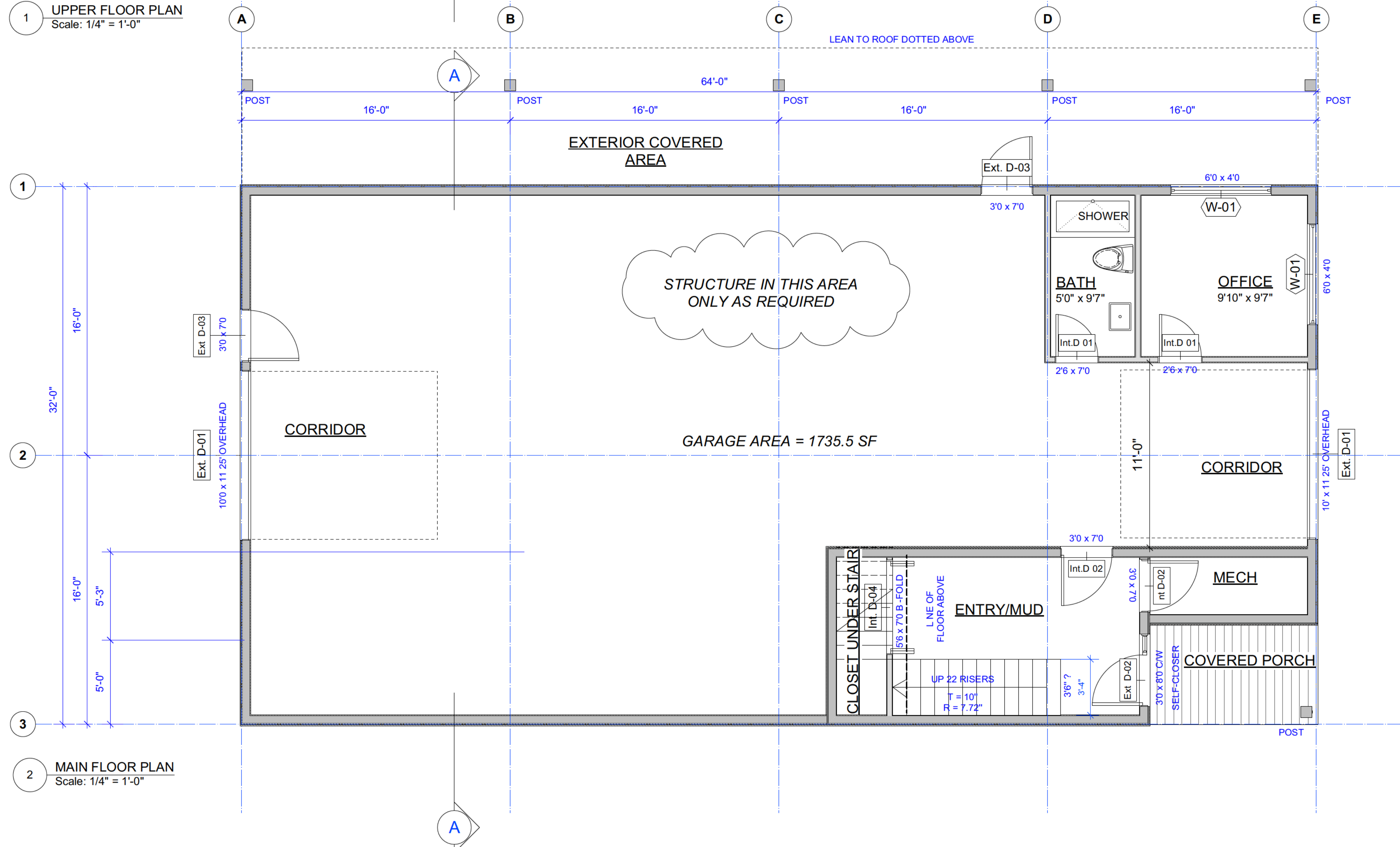
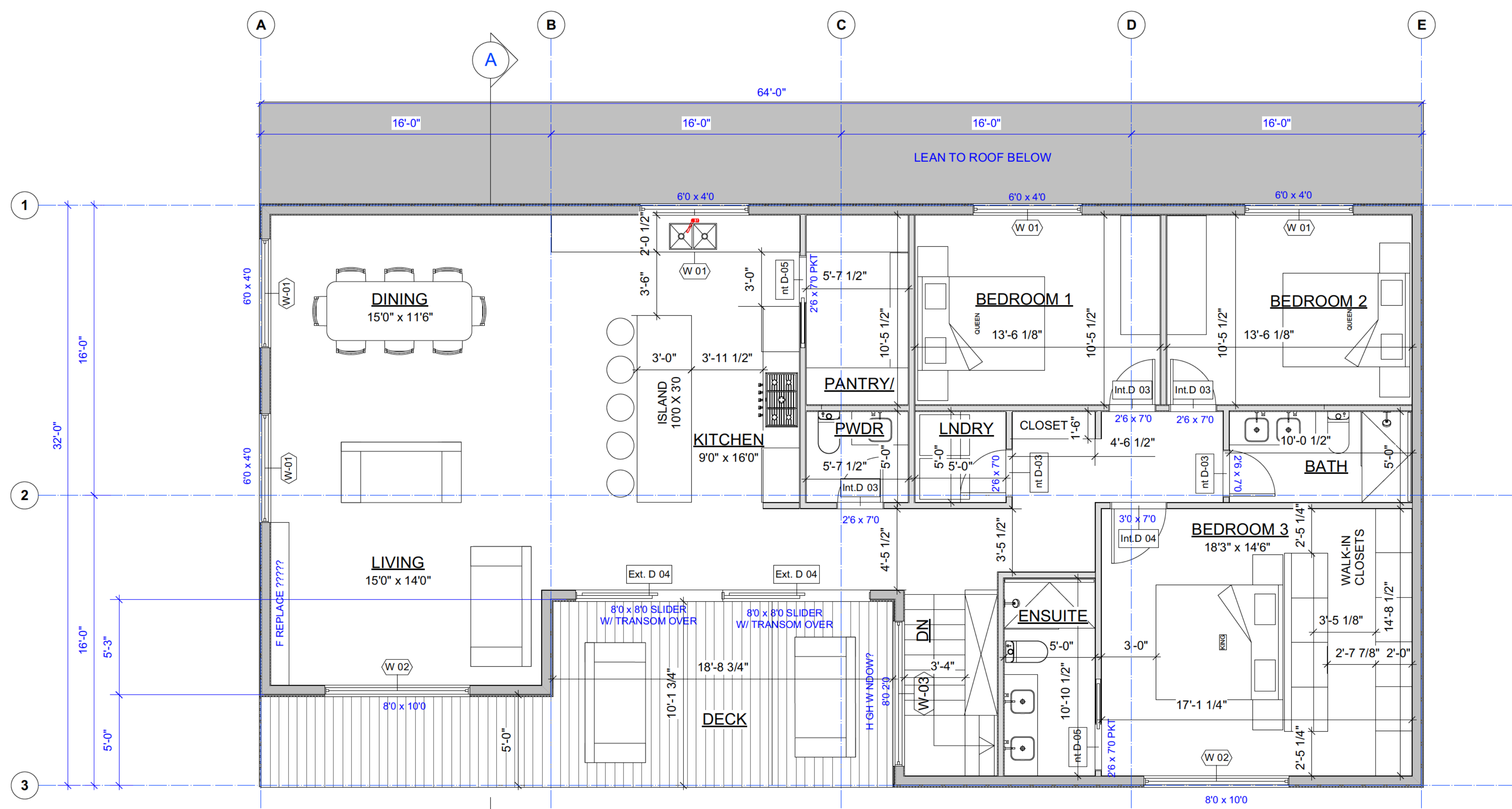
<b>CIVIC ADDRESS</b>	7367 PEMBERTON FARM ROAD EAST	
<b>LEGAL DESCRIPTION</b>	LOT D, DISTRICT LOT 211, LILLOOET DISTRICT, PLAN EPP40824 PID: 030-164-541	
<b>ZONING</b>	AGRICULTURE A (A-1)	
<b>SITE AREA:</b>	8.9 Ha	
<b>FLOOD CONTROL LEVEL:</b>	208.75 M'	
<b>PROPOSAL INFORMATION</b>	<b>ALLOWED/REQUIRED</b>	<b>PROPOSED</b>
<b>PROPOSED LOT COVERAGE:</b>	N/A	.003% (N/A)
<b>PROPOSED GFA:</b>	350 SQ M	332 SQ M
<b>MAX HEIGHT: FROM LOWEST AVERAGE GRADE</b>	10.5 M (34.4')	7 M (22'-11-1/2")
<b>FRONT LOT LINE SETBACK:</b>	7.5 M	244.75 M
<b>REAR LOT LINE SETBACK:</b>	7.5 M	N/A
<b>INTERIOR SIDE SETBACK:</b>	7.5 M	25.45 M
<b>EXTERIOR SIDE SETBACK</b>	7.5 M	N/A



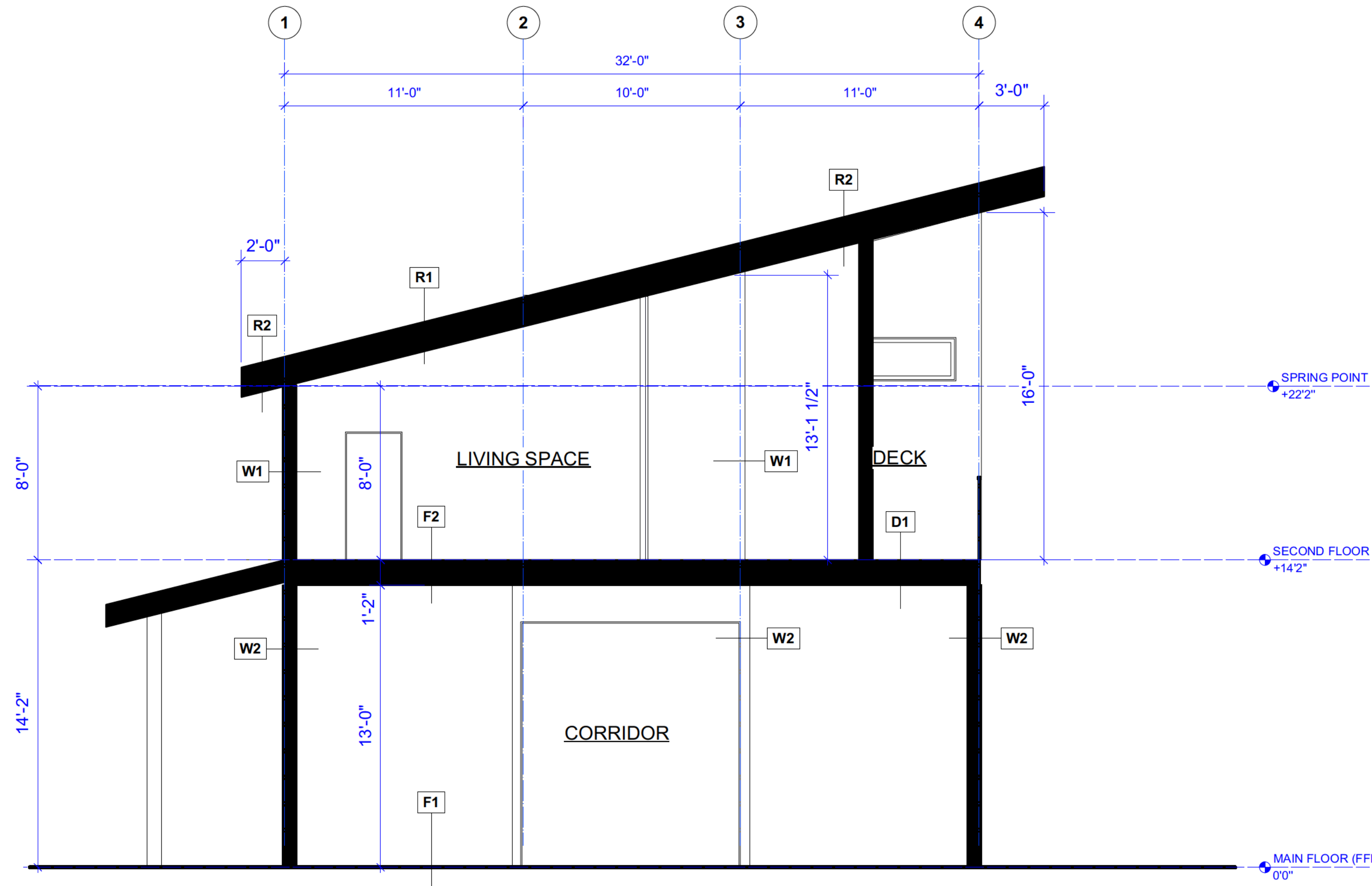
1 SITE PLAN  
Scale: 1:1000



FOR BUILDING PERMIT		
No.	Date	Issue Notes
A	MAR 20/2023	Minor amendment to site plan (transformer location) and area overlays
		
Design Firm 6226 Eagle Drive Whistler, BC, V0N 1B6 as@allieshielddesign.com 604 966-7758		
1. This drawing is not to be scaled. Dimensions are approximate. Any discrepancies noted on this drawing must be reported to the consultant immediately. 2. By using this document the client agrees that the consultant's liability for services including negligence and omissions is strictly limited to the value of fees paid. The client agrees to indemnify and defend the consultant in the event of third party claims alleging negligence and/or injury as a result of services rendered.		
Project Title 7367 PEMBERTON FARM ROAD EAST PEMBERTON, BC		
<b>SITE</b>		
Date	Project ID	
AUGUST 2020	1811	
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AS	1:1000 @ ARCH D	
	Sheet No	
		A 0.00
CAD File Name	Page 33 of 73	
1811 LOT211		



FOR INFORMATION		
REV. A - FEBRUARY 28, 2019		
REV. B - MARCH 06, 2019		
REV. C - MAY 15, 2020		
REV. D - MAY 19, 2020		
REV. E - MAY 25 2020		
REV. F - JUNE 19 2020		
No.	Date	Issue Notes
 Allie Shield Landscape & Building Design		
Design Firm 6226 Eagle Drive Whistler, BC, VON 1B6 as@allieshielldesign.com 604 966-7758		
<small>1. This drawing is not to be scaled. Dimensions are approximate. Any discrepancies noted on this drawing must be reported to the consultant immediately.                      2. By using this document the client agrees that the consultant's liability for services including negligence and omissions is strictly limited to the value of fees paid. The client agrees to indemnify and defend the consultant in the event of third party claims alleging negligence and/or injury as a result of services rendered.</small>		
Project Title DISTRICT LOT 211 PEMBERTON, BC		
Sheet Title <b>PLANS</b>		
Date	FEB 2019	Project ID
Drawn By	AS	Scale
		1/4" = 1'0" @ TABLOID
		Sheet No
		SK01
CAD File Name 1811 LOT211		



1 SECTION AA  
Scale: 1/4" = 1'-0"

NOTE: ALL ASSEMBLIES TO BE CONFIRMED BY ENERGY ASSESSOR/STEP CODE REPORT

**Roof Assemblies**

Assembly	RSI	REQ'D
R1 Insulated Sloped Roof	4.67	REQ'D
Ext. Air Film	0.03	R-26.5
2 ply SBS modified bitumen Roofing membrane	-	
5/8" Exterior grade T & G plywood sheathing	0.135	
Strapping layed to create 1% min fall	-	
TJI roof joists as per Struct	-	
R28 Roxul Insulation 7 1/4"	4.93	
1/2" GWB or Wood ceiling finish	0.08	
Int. air film	0.11	
RSI Provided	5.29	
	R-30.0	
R2 Uninsulated Flat Roof over Exterior Space		UNINSULATED
Same as above but without Insulation		
Continuous Vented Wood Soffit		

**Floor Assemblies**

Assembly	RSI	REQ'D
D1 Insulated Deck	4.93	REQ'D
1-1/4" Decking	0.16	R-28.0
Counter battens	-	
Roofing membrane	-	
5/8" Exterior grade T & G plywood sheathing	0.161	
Strapping to create min. 2% fall	-	
Vapour barrier	-	
R28 Roxul Insulation 7 1/4"	4.93	
Roof joists as per Structural Engr.	-	
Continuous air barrier	-	
Continuously vented soffit	-	
RSI Provided	5.251	
	R-29.8	
F1 Slab On Grade - Insulated	2.84	REQ'D
Air Film	0.16	R-13.2
2" Concrete topping for in-floor heating	0.02	
4" XPS rigid insulation	3.41	
Concrete slab (See Structural)	0.05	
6 Mil poly vapour barrier	-	
Min 6" free draining compacted crushed gravel (See Geotech)	-	
Suitable bearing ground or structural fill	-	
RSI Provided	3.645	
	R-20.7	

Assembly	RSI	REQ'D
F3 Interior Floor Over Unheated Space/Crawlspace	4.93	REQ'D
Int. Air Film	0.16	R-28.0
3/4" Floor Finish	0.161	
3/4" Plywood sheathing glued & screwed - See structural	0.161	
TJI Floor Joists (See Structural)	-	
R28 Roxul Insulation 7 1/4"	4.93	
Continuous air barrier	-	
Soffit with continuous venting	-	
Ext. air film	0.03	
RSI Provided	5.442	
	R-30.9	

**Wall Assemblies**

Assembly	RSI	REQ'D
W1 Exterior Wall - 2 x 6 OR 2 x 8 studs (2nd Floor)	4.23	REQ'D
Ext. Air Film	0.03	R-24.0
Stained Cedar Siding/Whitewash Pine or Metal Cladding	0.026	
- See Elevations for location and extent	-	
Pressure treated 1/2" x 1 1/2" strapping rain screen or 1/2" exterior grade plywood strips	0.15	
Building Wrap / Air barrier - Taped and Continuous	-	
1/2" Ext grade plywood sheathing - vented top and bottom	0.109	
2x6 Wood studs @ 16" o.c.	-	
R24 Batt Insulation 5 1/2"	4.23	
6 Mil poly vapour barrier	-	
1/2" GWB or Water Resistant GWB at bathroom locations	0.08	
Ceramic tile/ stone at bath/ shower locations	-	
Int air film	0.12	
RSI Provided	4.745	
	R-26.9	
W2 ICF Exterior Wall (to First Floor)	2.98	REQ'D
Ext. Air Film	0.03	R-16.9
Stained Cedar Siding/Whitewash Pine or Metal Cladding	0.026	
- See Elevations for location and extent	-	
Pressure treated 1/2" x 1 1/2" strapping rain screen or 1/2" exterior grade plywood strips	0.15	
ICF Block Assembly	5.28	
1/2" GWB or Water Resistant GWB at bathroom locations	0.08	
Ceramic tile/ stone at bath/ shower locations	-	
Int air film	0.12	
RSI Provided	5.686	
	R-32.3	

Assembly	RSI	REQ'D
W Typical 2x4 Interior Wall		
3A 1/2" Gypsum Wall Board	0.08	
2x4 Wood studs @ 16" o.c.	-	
R14 Roxul Stone Wool Batt insulation in wall cavity at walls requiring sound proofing	-	
1/2" Gypsum Wall Board (moisture resistant in bathrooms)	-	
W Typical 2x6 Interior Wall		
3B Same as above but w/ 2"x6" wood studs		
W Interior Wall to Unheated Space	2.92	REQ'D
4 Int air film	0.12	R-16.6
1/2" Gypsum Wall Board	0.08	
Plywood sheathing one or both sides (See Structural)	-	
2x6 Wood studs @ 16" o.c.	-	
R24 2 F.G. Batt Insulation	4.23	
6 Mil poly vapour barrier	-	
1/2" Gypsum Wall Board	0.08	
Int air film	0.12	
RSI Provided	4.63	
	R-26.3	
W 2x4 Sheer Wall - See Structural		
5A 1/2" Gypsum Wall Board on Plywood sheathing one or both sides (See Structural)		
2x4 Wood studs @ 16" o.c.		
1/2" Gypsum Wall Board (moisture resistant in bathrooms)		
W 2x6 Sheer Wall - See Structural		
5B 1/2" Gypsum Wall Board on Plywood sheathing one or both sides (See Structural)		
2x6 Wood studs @ 16" o.c.		
1/2" Gypsum Wall Board (moisture resistant in bathrooms)		

**FOR INFORMATION**

REV. A - FEBRUARY 28, 2019  
 REV. B - MARCH 06, 2019  
 REV. C - MAY 15, 2020  
 REV. D - MAY 19, 2020  
 REV. E - MAY 25 2020  
 REV. F - JUNE 19 2020

No. Date Issue Notes



Design Firm  
 6226 Eagle Drive  
 Whistler, BC, V0N 1B6  
 as@allieshielldesign.com 604 966-7758

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Project Title  
 DISTRICT LOT 211  
 PEMBERTON, BC

**SECTION AA**

Date FEB 2019 Project ID 1811

Drawn By AS Scale 1/4" = 1'0" @ TABLOID

Sheet No

SK02

CAD File Name

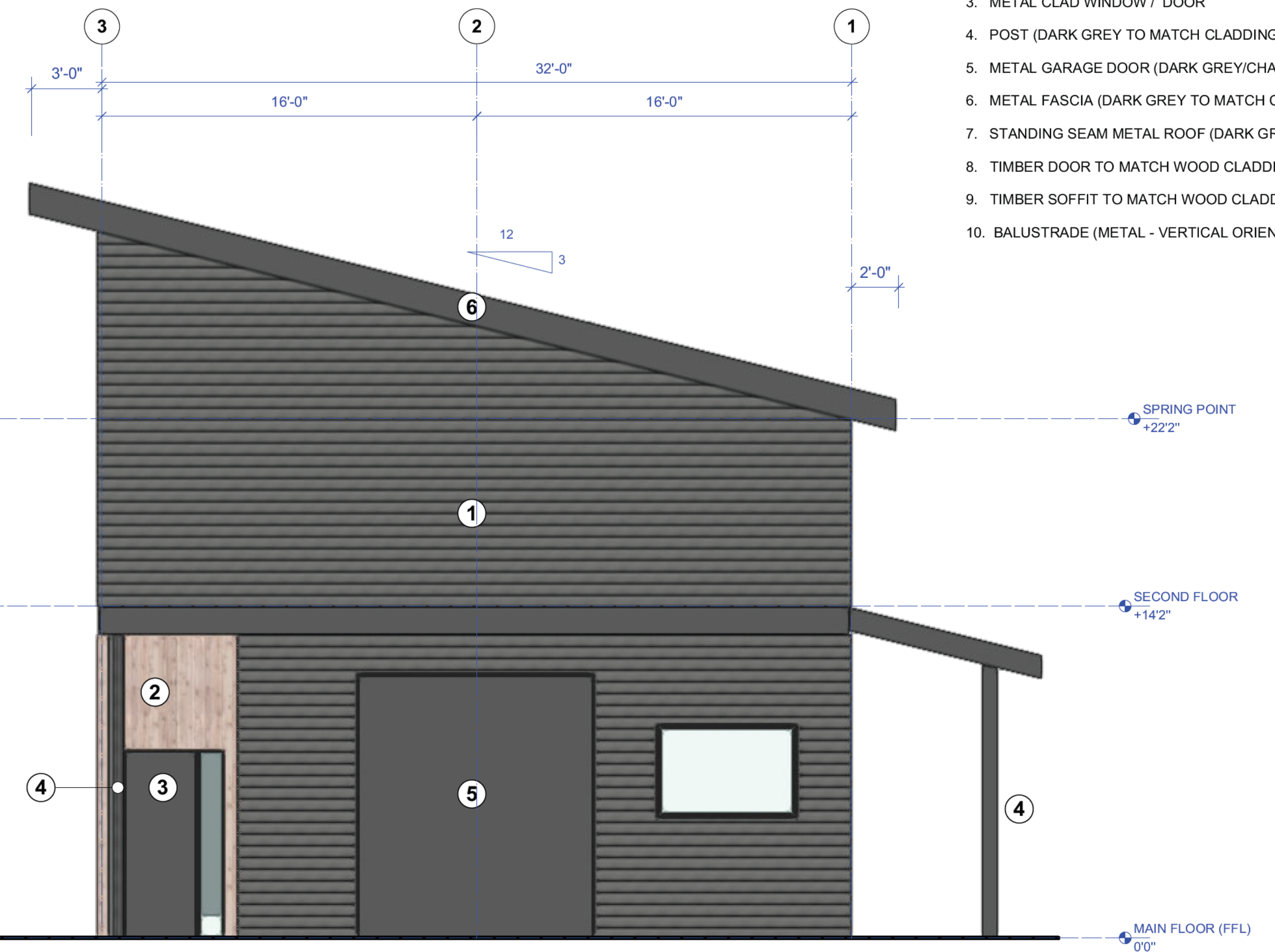
1811 LOT211

**EXTERIOR FINISHES**

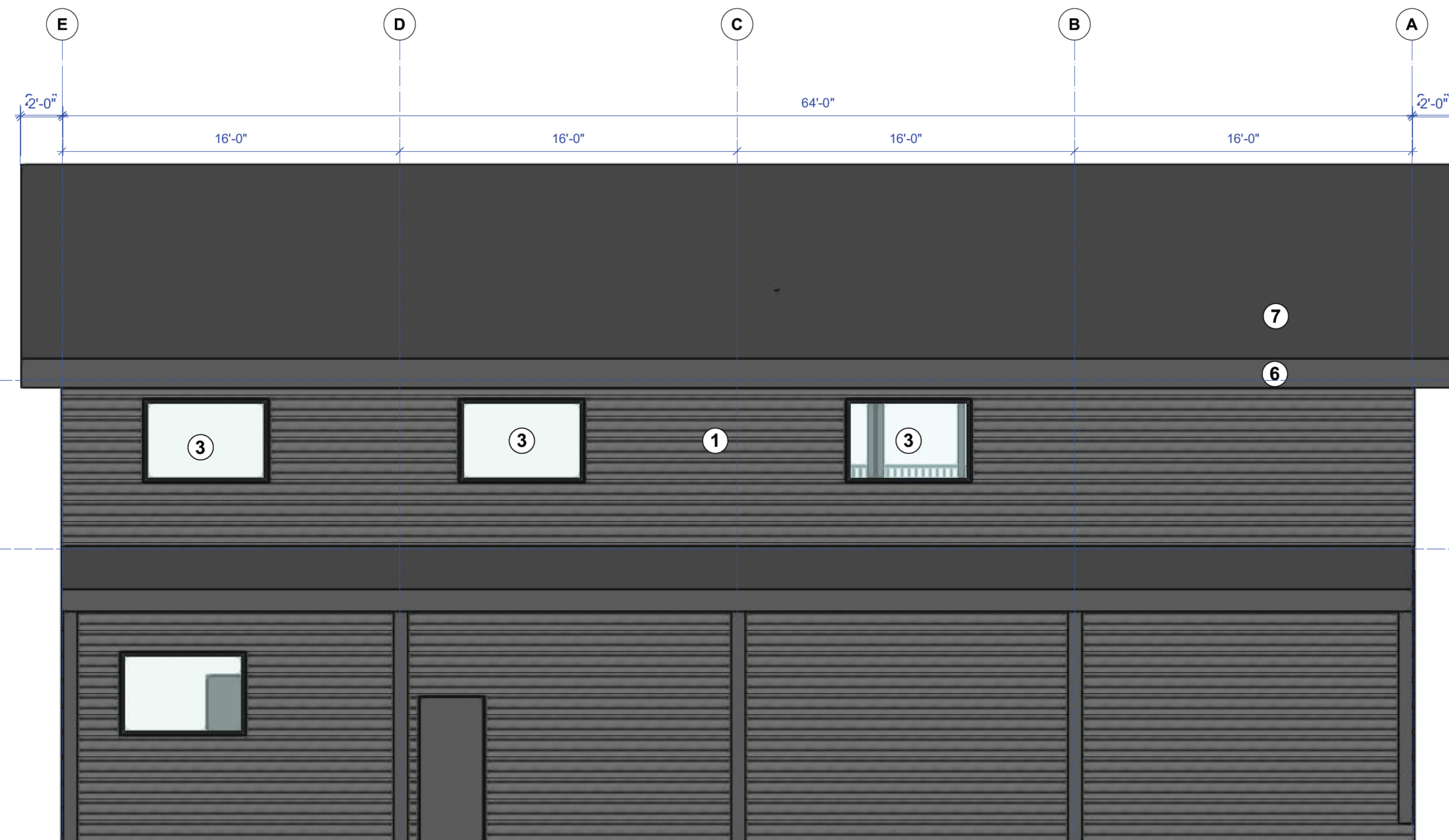
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2. WHITE WAHSED WOOD/HARDIE CLADDING
3. METAL CLAD WINDOW / DOOR
4. POST (DARK GREY TO MATCH CLADDING)
5. METAL GARAGE DOOR (DARK GREY/CHARCOAL)
6. METAL FASCIA (DARK GREY TO MATCH CLADDING)
7. STANDING SEAM METAL ROOF (DARK GREY TO MATCH CLADDING)
8. TIMBER DOOR TO MATCH WOOD CLADDING
9. TIMBER SOFFIT TO MATCH WOOD CLADDING
10. BALUSTRADE (METAL - VERTICAL ORIENTATION SLATS)



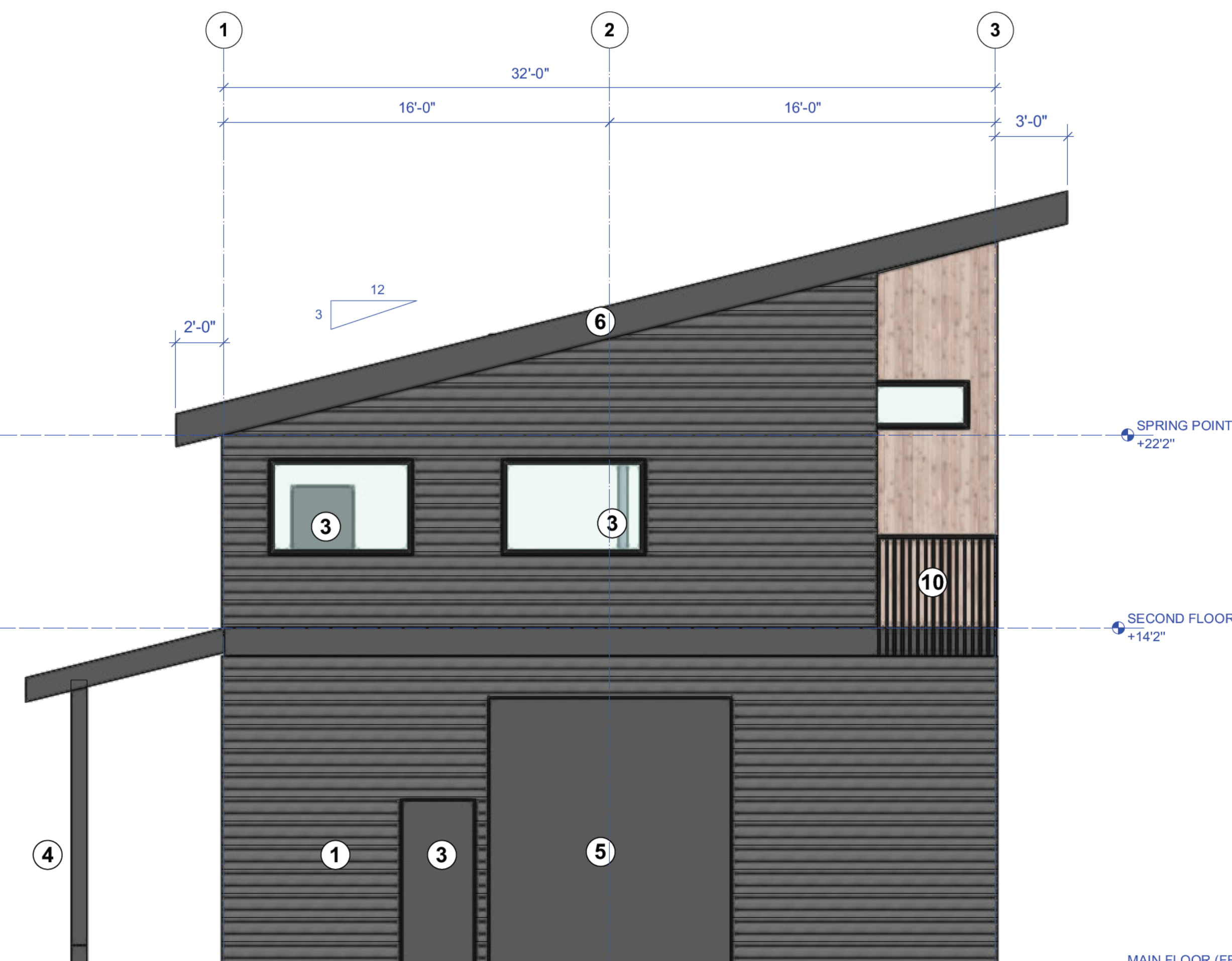
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Scale: 1/4" = 1'-0"



2 SIDE ELEVATION (ENTRY)  
Scale: 1/4" = 1'-0"



3 REAR ELEVATION  
Scale: 1/4" = 1'-0"



4 SIDE ELEVATION (REAR)  
Scale: 1/4" = 1'-0"

**FOR INFORMATION**

- REV. A - FEBRUARY 28, 2019
- REV. B - MARCH 06, 2019
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6226 Eagle Drive  
Whistler, BC, VON 1B6  
as@allieshielldesign.com 604 966-7758

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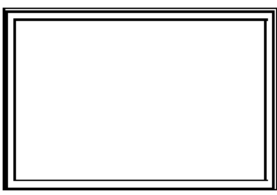

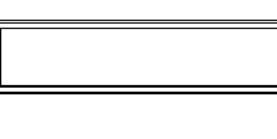
Project Title  
DISTRICT LOT 211  
PEMBERTON, BC

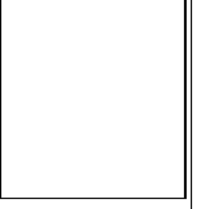
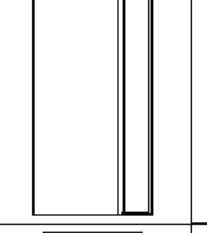
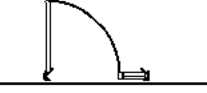
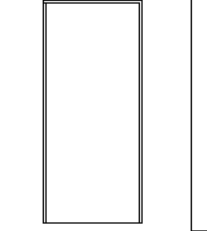
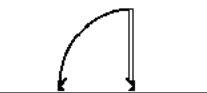
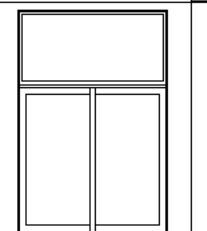

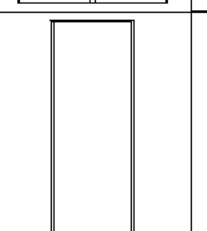

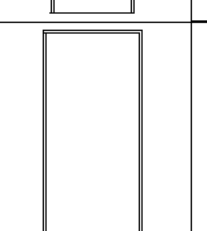

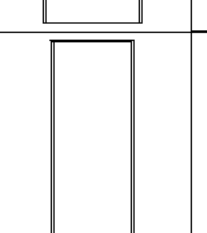

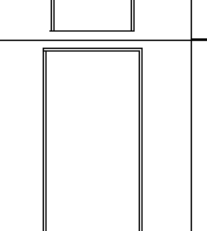

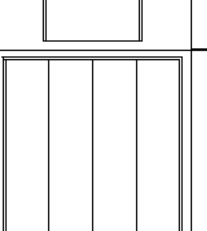
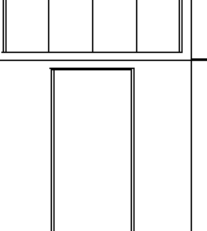
**ELEVATIONS**

Date	FEB 2019	Project ID	1811
Drawn By	AS	Scale	1/4" = 1'0 @ TABLOID

CAD File Name	1811 LOT211	Sheet No	SK03
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Window Schedule - District Lot 211							
Elevation	ID label	Qty	Nominal Size		Window Style		
			Width	Height	Sash Operation	Top Shape	Comments
	W-01	7	6'0"	4'0"	Casement	Square	
	W-02	2	8'0"	10'0"	Casement	Square	
	W-03	1	8'0"	2'0"	Casement	Square	

Door Schedule - District Lot 211										
Mark	Qty	Elevation	Plan	Width	Height	Type				Type
Ext. D- 01	2			10'0"	11'3"					Overhead
Ext. D- 02	1			3'0"	8'0"					Swing Simple
Ext. D- 03	2			3'0"	7'0"					Swing Simple
Ext. D- 04	2			8'0"	8'0"					Slider
Int. D-01	2			2'6"	7'0"					Swing Simple
Int. D-02	2			3'0"	7'0"					Swing Simple
Int. D-03	5			2'6"	7'0"					Swing Simple
Int. D-04	1			3'0"	7'0"					Swing Simple
Int. D-04	1			5'6"	7'0"					Bi-fold Bi-part
Int. D-05	2			2'6"	7'0"					Pocket Simple

**FOR INFORMATION**

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 REV. B - MARCH 06, 2019  
 REV. C - MAY 15, 2020  
 REV. D - MAY 19, 2020  
 REV. E - MAY 25 2020  
 REV. F - JUNE 19 2020

No.	Date	Issue Notes	
 Allie Shiell Landscape & Building Design			
Design Firm 6226 Eagle Drive Whistler, BC, VON 1B6 as@allieshiell.com 604 966-7758			
<small>1. This drawing is not to be scaled. Dimensions are approximate. Any discrepancies noted on this drawing must be reported to the consultant immediately.            2. By using this document the client agrees that the consultant's liability for services including negligence and omissions is strictly limited to the value of fees paid. The client agrees to indemnify and defend the consultant in the event of third party claims alleging negligence and or injury as a result of services rendered.</small>			
Project Title DISTRICT LOT 211 PEMBERTON, BC			
<b>SCHEDULES</b>			
Date	FEB 2019	Project ID	1811
Drawn By	AS	Scale	1/4" = 1'0 @ TABLOID
		Sheet No	SK05
CAD File Name		1811 LOT211	
		Page 37 of 73	

 <p><b>Agricultural Land Commission</b></p>	<p><b>NON-ADHERING RESIDENTIAL USE APPLICATIONS</b></p>	<p><b>POLICY L-26</b></p> <p>Adopted April 2020</p>
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*This policy outlines general guidelines for the ALC’s consideration of non-adhering residential use applications which request residential uses in excess of those residential uses permitted by the Agricultural Land Commission Act (the “ALC Act”) or its regulations. This includes applications for temporary farm worker housing, and other housing for farm labour, as well as applications to construct or alter a principal residence which will exceed 500m<sup>2</sup> in total floor area.*

*The Ministry of Agriculture is currently undertaking engagement on the proposed residential flexibility options outlined in the [Residential Flexibility Policy Intentions Paper](#). In consideration of this, there may be future regulatory changes to the permitted residential uses in the ALR.*

*For more information on the kinds of factors the ALC may consider when deciding on applications, please see the [“What the Commission Considers”](#) page on the ALC’s website.*

**Principal Decision-Making Considerations:**

**1.0 Housing for temporary farm workers under the Canadian Seasonal Agricultural Worker Program**

Employers who are approved for farm workers under the Canadian Seasonal Agricultural Worker Program (“SAWP”) have already been assessed for farm business legitimacy and employment need as part of the SAWP application process. As such, the Agricultural Land Commission’s (“ALC or “Commission”) determination of a Non-Adhering Residential Use (“NARU”) application for temporary farm worker housing (“TFWH”) registered in the SAWP will be based on already determined legitimacy and need.

The Commission prefers that temporary housing for farm workers, including foreign workers, should be in an existing building, or a residential structure constructed or manufactured to be moved from one place to another, and installed on a temporary foundation with no basement.

On April 26, 2019, the Commission delegated decision-making authority to the Chief Executive Officer (“CEO”) for NARU applications for TFWH registered in the SAWP that meet specific criteria outlined in Appendix A.

**2.0 Housing to reflect agricultural activity**

In considering whether an additional residence is necessary for a farm use, the Commission will assess the scale and intensity of the farm operation. Where an applicant can demonstrate that the scale and intensity of the farm operation has exceeded the labour capacity of the owner/residents, the Commission may determine that an additional residence would be necessary to support the farm operation. Examples of supporting evidence that may be submitted with an application to aid the Commission in its determination is found in Appendix B.

The Commission may not be supportive of housing proposals which “intend” to expand or intensify the farm operation unless it considers there to be a satisfactory mechanism to ensure that expansion is undertaken after the new housing is constructed.

### 3.0 Limiting housing's physical impact on the productive parcel

The type of additional residential structure should reflect the agricultural use of the property. Preference will be provided to residential uses which utilize existing structures and/or residences that are sized appropriately and located in an area which minimizes negative impacts to the agricultural land or can easily be removed from the property, such as a manufactured home.

The total residential footprint, meaning the portion of a property used for the principal residence, the additional residence(s), and the accessory residential facilities (e.g. yard, driveway, servicing, etc.), should maintain a viable agricultural remainder and should not unnecessarily infringe upon the productive farming area of the property. Unless a more restrictive local government bylaw is in place, the following parameters, consistent with the Minister's Bylaw Standards, will inform the Commission's consideration of the appropriate total residential footprint:

- a) **Principal Residence:** The total residential footprint for a principal residence should not be more than 2,000 m<sup>2</sup>.
- b) **Additional Residence:** The total residential footprint for each permitted additional residence should not be more than 1,000 m<sup>2</sup>.
- c) **Temporary Farm Worker Housing:** The total residential footprint for each permitted temporary farm worker housing space should not be more than 35 m<sup>2</sup> per worker.
- d) **Siting:** The setback from the front lot line to the rear or opposite side of the total residential footprint should not be more than 60 metres. Lots narrower than 33 metres are exempted from the 60 metre maximum setback guideline (for the total residential footprint) from the front lot line, however, the footprint should fill the front of the lot to a maximum of 2,000 m<sup>2</sup>.
- e) The following exceptional circumstances may also apply to the siting of residential footprints and may be considered by the Commission:
  - i) **Existing Footprints:** The clustering of a residence with other existing non-agricultural uses on the property to limit the fragmentation of ALR land and avoid the restriction of agricultural activities.
  - ii) **Commodity-Specific Needs:** The strategic placement of a residence to benefit or optimize the agricultural operation (e.g. monitoring of livestock on a large property).
  - iii) **Topographic Features:** Siting of a residence as appropriate to reduce the use of potentially productive farming land for residential purposes (e.g. sited on a non-farmable area of the property).

Further explanation of sample conditions that the Commission may place on an approved NARU application are summarized in Appendix C.

### 4.0 Principal Residences Larger than 500 m<sup>2</sup>

Section 25(1.1)(b) of the ALCA does not apply to a NARU application for a principal residence larger than 500 m<sup>2</sup>. However, the necessity for farm use of the proposed principal residence is still a relevant factor in determining whether a size over 500 m<sup>2</sup> should be allowed. For these applications, the Commission will generally consider whether the requested increase in total floor area would be supportive of the current farming operation and necessary for farm use. The Commission may also consider unique or extenuating circumstances that do not negatively impact the agricultural use of the property.

## **5.0 Building a New Principal Residence While Occupying an Existing Residence**

It is the Commission's preference that the original principal residence be removed prior to the construction of a new principal residence, so that the new principal residence can be constructed in the same location as the original residence, thus minimizing the impact on the land base. However, the Commission recognizes that in some circumstances this may not be feasible.

On October 23, 2019, the Commission delegated its decision-making authority to the CEO for NARU applications which propose to build a new residence while occupying an existing residence, when the proposal meets the criteria outlined in Appendix D.

### **Role of the Local Government:**

Local governments must review NARU applications and either provide comments and recommendations for the Commission's consideration or, in some cases, authorize the application to proceed to the Commission: ALCA, ss. 25(3), 34(4)-(5). For applications in relation to settlement lands, the first nation government must authorize the application to proceed to the Commission: ALCA, s. 25(3.1).

An absence of local zoning bylaws does not relieve a landowner of complying with the restrictions in the ALCA and Agricultural Land Reserve Use Regulation (the "ALR Use Regulation").

Local government bylaws can be more restrictive of residential use of the ALR than the ALCA: ALCA, s. 46(6). The ALR Use Regulation identifies certain designated farm uses and permitted non-farm uses that local governments must not prohibit, but places no limitation on local government powers to prohibit or otherwise restrict residential uses of ALR land.



## Appendix A:

### CEO Delegated Decision-Making Criterion 15:

Non-adhering residential use applications for temporary farm worker housing (TFWH) for workers registered in a federal temporary worker program that comply with the following criteria:

- i. The parcel where the TFWH is to be located is classified as 'farm' under the BC Assessment Act;
- ii. The minimum size of the farm operation\* on which the TFWH can be located is 4 ha;
- iii. The maximum number of workers per farm operation\* is limited to no more than:
  - a. 130 workers for greenhouse, mushroom and berry/vegetable production
  - b. 40 workers for all other commodities
- iv. The workers are housed in an existing building or a manufactured home designed to be moved from one place to another;
- v. Siting and placement of the TFWH minimizes the residential impacts on agricultural land taking into consideration topography, agricultural capability, access, and encourages the clustering of residential structures;
- vi. The registration of a restrictive covenant stating that the TFWH will only be used by temporary farm workers and that the owner will remove the TFWH and restore the land to agricultural use if the TFWH is vacant for two consecutive years; and
- vii. The receipt of an ILOC sufficient to remove the TFWH provided to the ALC upon approval of the NARU.

*\*Clarification: farm operation means an area of land used for a farm operation consisting of one or more contiguous or non-contiguous lots, that may be owned, rented or leased, which forms and is managed as a single farm.*

## Appendix B:

NARU applications should include an appropriate level of information to aid the Commission in its determination of whether the proposed use is appropriate. The following are examples of the information that may be submitted with an application:

- i. Size (ha) of the current farming operation (including leased lands)
- ii. Type(s) and amount of commodity(ies) produced on the property
- iii. Description and number of current farm labourers with details of roles and responsibilities
- iv. Rationale for additional farm labour requirements based on the applicant's agricultural operation or commodity
- v. Proposed number of farm workers to reside in the additional residence or principal residence >500 m<sup>2</sup>
- vi. Proposed length of occupancy of farm workers (e.g. seasonal, temporary, year-round)
  - a. Include date ranges, if applicable
  - b. Include expected work hours (part-time or full-time)
- vii. Details of the proposed residence
  - a. Size of residence and total residential footprint
  - b. Foundation type
  - c. Site map
  - d. Associated infrastructure requirements
- viii. Farm plan or farm business plan (support future expansion, if applicable)
- ix. Professional reports (e.g. report by a professional agrologist, geotechnical report)
- x. Farm succession plan, if applicable
- xi. Expense receipts demonstrating equipment, start-up, or infrastructure costs
- xii. Lease agreements for other properties associated with the farm operation
- xiii. Farm quota records

## Appendix C:

If the Commission approves a NARU application to place or construct an additional residence, to construct or alter a principal residence, or to reside in a residence while constructing another residence, its permission may be granted with limits or conditions. Examples of conditions may include:

- i. Siting of the residence in accordance with specified criteria
- ii. A requirement that farm help must be contributing to the farm operation as described within the application
- iii. Registration of a restrictive covenant requiring the removal or decommissioning of the additional residence should the residence not be used for the purpose of farm labour requirements or should the residence be unoccupied for a certain length of time
- iv. Residing in a residence while constructing another may require the posting of a financial security in the form of an Irrevocable Letter of Credit in the amount of \$50,000 or as otherwise determined to ensure decommissioning of a residence. Without limiting other potential repercussions to the applicant or property owner, the Commission may access some or all of the financial security upon failure to comply with any or all aspects of the conditions of permission ordered by the Commission
- v. Consolidation with neighbouring parcel(s) and/or restrictions on the future residential use of other parcels included within the farm operation

## Appendix D:

### CEO Delegated Decision-Making Criterion 17:

Non-Adhering Residential Use applications for building a new principal residence while occupying an existing residence that complies with the following criteria:

- i. At the time of the application there is only one residence on the parcel;
- ii. Siting\* of the new principal residence has a maximum 60 metre setback from the front lot line to the rear or opposite side of the total residential footprint, with the total residential footprint being a maximum of 2,000 m<sup>2</sup>. Lots narrower than 33 metres are exempted from the 60 metre maximum setback (for the total residential footprint) from the front lot line; however, the footprint must fill the front of the lot to a maximum of 2,000 m<sup>2</sup>; and,
- iii. Receipt/confirmation of the following within 30 days of the date of a decision to approve is issued:
  - a. registration of a restrictive covenant requiring the removal of the original residence;
  - b. a signed affidavit committing to removal of the original residence; and,
  - c. an ILOC sufficient to ensure removal of the original residence within 60 days of completion of the new principal residence.

\* The following exceptional circumstances may also be considered with respect to the siting of the new principal residence:

- a. Clustering with Existing Residential Structures: The clustering of the new principal residence with other existing non-agricultural uses on the parcel to limit the fragmentation of ALR land and avoid the restriction of agricultural activities.
- b. Commodity-Specific Needs: The strategic placement of the new principal residence to benefit or optimize the agricultural operation (e.g. monitoring of livestock on a large parcel).
- c. Topographic Features: Siting of the new principal residence as appropriate to reduce the use of potentially productive farming land for residential purposes (e.g. sited on a non-farmable area of the parcel).

**Date:** July 18, 2023

**To:** Elizabeth Tracy, Chief Administrative Officer

**From:** Thomas Sikora, CPA,CMA, Manager of Finance

**Subject:** Municipal Finance Authority Equipment Financing –Public Works: Truck, Dump Body, Wing, and Plow

---

## **PURPOSE**

The purpose of this report is to seek Council's approval to apply for short term equipment financing with the Municipal Finance Authority (MFA) of BC, for the funding of the Public Works F550 Truck, Dump Body, Wing and Plow, as per the Five Year Financial Plan.

## **BACKGROUND**

As identified in the 2023 - 2027 Five Year Financial Plan and 2023 budget, a F550 with sander, plow and additional loader wing is requested to maintain service levels, effectively supplementing the aging Western Star to manage increasing service requirements.

As highlighted through budget discussions, the strategy to purchase and accessorize a F550 and delay purchase of an additional Western Star, and other alternatives, were considered. Cost competitive bids were reviewed exhaustively for the proposal.

## **DISCUSSION & COMMENTS**

MFA has an Equipment Financing Program that takes the place of the former Leasing Program. Loans under this short-term borrowing program are available to municipalities pursuant to section 178 of the *Community Charter* – Short Term Capital Borrowing.

Benefits of the programs are:

- Low interest rates based on the Canadian Dollar Offered Rate (CDOR) rate
- No fees or taxes
- Local Government retains ownership of asset
- Extra principal payments may be made at any time
- No penalties or fees for paying out early

Terms of the loan:

- Financing agreements having amortization periods between 1 - 5 years do not require discrete approval from the public beyond current approval framework
- Variable interest rate with fixed payment schedule

As planned capital expenditures in the 2023 Financial Plan, the F550, with sander, plow and wing accessories can be accommodated in the current operating budget. The calculated floating interest rate of the loan is 5.23%.

**Public Works Truck, Dump Body, Wing and Plow**

Loan Summary

Loan Details	
Principal Value	\$170,000.00
Current Interest Rate	5.23%
Amortization Period	60
Payments in Term	60
<b>Fixed Monthly Payment</b>	<b>\$3226.05</b>
<b>Total Principal</b>	<b>\$170,000</b>
<b>Total Estimated Interest</b>	<b>\$23,622.69</b>
<b>Total Estimated Cost</b>	<b>\$193,622.69</b>
<b>Final Payment*</b>	

\* Final payment amount will change based on interest rate fluctuations over the term of the loan.

**COMMUNICATIONS**

There are no communications considerations at this time.

**LEGAL CONSIDERATIONS**

Loans under this short-term borrowing program are available to municipalities pursuant to section 178 of the *Community Charter* – Short Term Capital Borrowing.

**IMPACT ON BUDGET & STAFFING**

The annual cost of equipment financing has been estimated on a five (5) year amortization schedule and can be accommodated in the 2023 Operating budget, with pressure due to supply chain offset by savings borne by redeployment of the Bylaw truck, which now performs duties that would have been covered by the Garbage Truck. The incremental pressure arising from higher interest rates compared with estimates presented at time of budget preparation are immaterial and can be managed within the budget.

This purchase is new debt and is not replacing an end of life asset.

**INTERDEPARTMENTAL IMPACT & APPROVAL**

The securing of the financing will be facilitated through the Finance Department and can be accommodated as part of the regular duties.

**IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

There is no impact on the region or neighbouring jurisdictions.

**ALTERNATIVE OPTIONS**

There are no alternative options that Staff recommends at this time.

**RECOMMENDATIONS**

**Recommendation One: Bylaw Truck**

**THAT** Council of the Village of Pemberton authorizes up to \$165,000 be borrowed, under Section 178 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of a Public Works F550 Truck, Dump Body, Wing and Plow;

**AND THAT** the loan be repaid within five (5) years, with no rights of renewal.

Submitted by:	Thomas Sikora, Manager of Finance
CAO Approval by:	Elizabeth Tracy, Chief Administrative Officer

**Date:** Tuesday, July 18, 2023  
**To:** Elizabeth Tracy, Chief Administrative Officer  
**From:** Mark Barsevskis, RPP, MCIP Consulting Planner  
**Subject:** Zoning Amendment (Comprehensive Development Zone 7 - Prospect Apartments) Bylaw No. 948, 2023 – First and Second Reading

**PURPOSE**

The purpose of this report is for Council to consider First and Second Readings to the Zoning Amendment (Comprehensive Development Zone 7 – Prospect Apartments) Bylaw No. 948, 2023, from Zoning Bylaw No. 832, 2018, and ask Council to consider setting a date for a Public Hearing.

**BACKGROUND**

STARK Architecture Ltd, on behalf of the property owner, has made an application to the Village of Pemberton to amend the zoning bylaw to change the zoning of the subject lands from Commercial, Town Centre (C-1) to Comprehensive Development Zone 7 (Prospect Apartments). If approved, the proposed amendment would be site specific to the subject lands. The subject lands are Lot 1, District Lot 203, Lillooet District, Plan EPP124721 (PID: 031-847-226).



Figure 1: Context Plan



The application does not meet the proposed height or parking requirements of the existing C-1 zone. As this is a larger building than is usually contemplated in the Downtown area of the Village and due to the processes by which the Zoning Bylaw No. 832, 2018 considers density, Staff suggested the applicant apply for a rezoning application to accommodate the proposed height (4<sup>th</sup> storey) and proposed parking parameters.

An amending bylaw has been prepared for Councils consideration in response to an application submitted by STARK Architecture, Agent for the landowner 1268913 BC Ltd. (Fitzgerald Building Co.). The application proposes to change the zoning of the subject lands from Commercial, Town Centre (C-1) to Comprehensive Development Zone 7 (Prospect Apartments).

### **DISCUSSION & COMMENTS**

The Village of Pemberton received an application submission for a Zoning Bylaw amendment (assigned file number OR138) in March 2023 to permit the development of a mixed-use residential building. The four (4) storey mixed-use building would include:

- 1,000 m<sup>2</sup> of commercial space on the ground floor;
- Forty-five (45) residential units on the 2<sup>nd</sup> to 4<sup>th</sup> floors;
  - Unit mix of studio, 1 bedroom, and two-bedroom units;
- Fifty-four (54) secure underground parking stalls; of which ten (10) will include electric vehicle charging connections and the remaining forty-four (44) will be electric vehicle (EV) ready
- Ninety (90) Class A bike stalls.

The subject property is located within the Village’s OCP as Downtown and is zoned Commercial, Town Centre (C-1) in the Zoning Bylaw.

The drawings and technical studies submitted in support of the application are available at the following link: [OR 138 - 7421-7425 Prospect Street: Village of Pemberton](#). The application includes a development application form, architectural concept drawings, geotechnical report, land title, rezoning rationale, site disclosure statement, and a transportation impact assessment.

### **Proposed Comprehensive Development (CD) Zone**

The subject property is zoned Commercial, Town Centre (C-1). The application proposes to change the zoning of the subject lands from Commercial, Town Centre (C-1) to Comprehensive Development Zone 7 (Prospect Apartments). The following is an assessment of the proposal in the context of the Zoning Bylaw No. 832, 2018 requirements:

<b>Regulations</b>	<b>C-1 Zone (existing zoning)</b>	<b>CD Zone (proposed zoning)</b>
Maximum Lot Coverage	100%	100%
Minimum Front Setback	0 m	0 m
Minimum Rear Setback	4.5 m	4.5 m
Minimum Interior Side Setback	0 m	0 m
Minimum Exterior Side Setback	0 m	0 m
Maximum Building Height, Principal	10.5 m	18 m

Maximum Building Height, Accessory	4.6 m	4.6 m
Bicycle Parking	N/A	90
Maximum Density	2.5 FAR	2.5 FAR

As the proposal does not meet the current C-1 Zone designation in regard to the proposed maximum building height (10.5m), a new Comprehensive Development (CD) zone is being proposed and can be found in **Appendix A**.

### Housing Needs

How this project fits into Pemberton’s housing needs			
	Project contribution	Units needed	Percent of need achieved by this project
Studio/one bedroom	33	317	10.4%
Two bedroom	12	134	8.9%

This project will contribute much needed housing supply to the community to help alleviate some of the housing pressures experienced by residents. The recently completed Village of Pemberton Housing Needs Report (HNR) indicates that the Village needs to provide approximately 850 new dwelling units over the next 5 years to improve housing attainability. This project provides 33 studio/one bedroom units towards the 317 studio/one bedroom units identified in the HNR as needed over the next 5 years. The project provides a similar proportion of about 10% of the identified need for two bedroom units to help ease housing pressures over the next 5 years.

### Traffic / Parking

Vehicle access to the development will be provided from Aster Street to the south of the subject site. A transportation impact assessment was conducted by Bunt & Associates in January 2023 to determine whether the proposed number of residential, visitor, and retail parking supply is adequate for potential demand. The report concluded that the proposed parking supply for the development is 54 spaces (48 residential and 6 shared residential visitor/commercial spaces) which is 14 spaces short of the requirement. As such, a parking relaxation of 20% or 14 parking spaces is requested, with the proposed off-street parkade accommodating all residential parking, with shared spaces for visitors associated with the residential and commercial units at the site.

As per the Traffic Impact Assessment (TIA) report, it is recommended that the Village consider a lower rate of parking spaces per unit, which is in line with the average rates of other municipalities of similar size and context that are also located in more remote locations. Residential Parking rates for two-bedroom units are recommended as 1.25 spaces per unit. Residential Visitor Parking is suggested as 0.08 spaces per unit to be shared with commercial spaces. On-street parking along the site frontages and in the surrounding village centre is considered adequate to support the limited commercial parking needs of the site.

The proposed CD zone lists the follow parking criteria for the development as supported by the findings of the Traffic Impact Assessment.

<b>Stall type</b>	<b>Required</b>
<b>Standard Parking Stalls</b>	1 stall per studio dwelling unit 1 stall per 1 bed dwelling unit 1.25 stalls per 2 bed dwelling unit 2 stalls per 3 bed dwelling unit 1 electric vehicle stall for every 10 stalls required
<b>Visitor Parking Stalls</b>	6 per building
<b>Neighbourhood Commercial Use Parking Stalls</b>	6 off street (shared with visitor parking)
<b>Disability Parking Stalls</b>	Minimum 3 stalls
<b>Bicycle Parking</b>	Minimum 2 class a per dwelling unit

Staff have reviewed the application and referred it to internal departments of the Village and external organizations. It was noted that the proposed development will be a benefit for downtown Pemberton, adding significant housing options close to jobs, shops, and services. The added foot traffic from this building will boost local businesses and reduce the need for private vehicles. Staff support the mix of housing being proposed, as the community highlighted need for studio and one-bedroom units in recent engagement events. The commercial spaces will further diversify the availability of space for local businesses and entrepreneurs, with appropriate limitations on commercial uses to be cognizant of noise and odour complaints from residents. From an engineering standpoint, a servicing agreement will be required to secure all site improvement works as outlined in the current Subdivision and Development Control Bylaw 677, 2011. Staff anticipate additional oversight if the project moves forward to construction due to the project’s proximity to the Village’s existing water source duty well.

The Lil’wat Nation assessed the site as having medium potential for archaeological resources and asked that a Lil’wat Nation Archaeological Field Technician be hired to monitor any and all ground disturbance/excavation onsite. Other external referral agencies shared detailed comments that are most relevant at the Development Permit stage and will be considered in detail at that time.

Staff is prepared to support the Zoning Bylaw Amendment and bring the corresponding amendment bylaw forward for Council consideration.

### **Community Amenity Contributions**

As mentioned previously in this report, additional residential units in the community’s downtown core creates numerous benefits which are valid considerations to weigh as described in the Village’s Community Amenity Contribution Policy. Greater demand for local businesses, more

attainable housing located near grocery stores and other services, and more commercial floor space for local entrepreneurs will all add to the vibrancy of Pemberton's downtown. An active, lively, and interesting downtown is an amenity for any community. The current C-1 'Commercial, Town Centre' zoning of the project site allows for buildings up to 10.5m, or 3 storeys. The proposed CD-7 'Prospect Apartments' zoning will enable a 4th storey. As a result, the difference in values between the current and proposed zoning is unlikely to support a considerable amenity offering.

Staff have begun the amenity negotiation process with the proponent. A variety of ideas have been discussed, with a common theme of enhancing the streetscape or parks near the project. The applicant is preparing an offer which will be secured via a development agreement prior to adoption of the Zoning Amendment.

### **COMMUNICATIONS**

This report and request for Council consideration of First and Second Readings does not require communication beyond appearing on a regular agenda of Council.

Should Council send the proposed bylaw to Public Hearing, the Hearing will be advertised in accordance with Section 465 of the *Local Government Act*. Notice to the Public will be issued by way of an advertisement in two (2) consecutive issues of the Pique Newsmagazine, not less than three (3) days prior and not more than ten (10) days before the public hearing.

Should Council choose to waive the public hearing in accordance to Section 464(2) of the *Local Government Act*, the notice to waive a public hearing must be advertised pursuant to Section 467 of the *Local Government Act*.

### **Applicant-led Engagement Activities**

The Applicant scheduled an in-person Public Information Meeting on July 4, 2023, however, due to a closure of Highway 99 related to an accident that day, the Public Information Meeting had to be cancelled. While Staff initially communicated that an in-person public information meeting was expected before council consideration, since no inquires or comments about the application have been received from the public since the application documents were uploaded on the Village of Pemberton website, and the application requires a Public Hearing as part of the Zoning Amendment process, Staff made the decision to bring the bylaw forward for consideration by Council at this time. The applicant still plans to hold an in-person Public Information Meeting which will inform the review process. In this regard, Staff have communicated that the resulting report must be received prior to the official public hearing for the proposed application.

### **LEGAL CONSIDERATIONS**

The processing of a Zoning Amendment application is regulated by various sections contained in the *Local Government Act* – Part 26 and by the Village's Development Procedures Bylaw 887, 2020, as amended from time to time.

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

Staff time is covered by the application fees and recoverable from the applicant in accordance with the Village of Pemberton’s Fees and Charges Bylaw 905, 2021. Consulting fees are cost recoverable in accordance with the same bylaw.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impact or approvals required.

### **COMMUNITY CLIMATE ACTION PLAN**

This zoning bylaw amendment will have a positive impact on the CCAP strategies.

- *Shift Beyond the Car*
  - The proposed development enables car-free living in more attainable housing in the middle of Pemberton’s downtown core and includes storage for at least 2 bikes per new unit.
- *Electrify Transportation*
  - The proposed development includes 10 secure underground parking stalls with electric vehicle charging connections and 44 secure electric vehicle (EV) ready underground parking stalls.

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

This item is not anticipated to have a substantial impact on neighbouring jurisdictions.

### **ALTERNATIVE OPTIONS**

#### **Option One:**

**THAT** Zoning Amendment (Comprehensive Development Zone 7 - Prospect Apartments) Bylaw No. 948, 2023 be given First and Second Reading;

**AND THAT** Council set Tuesday, September 12, 2023 at 5:30pm as the date and time of the public hearing for Zoning Amendment (Comprehensive Development Zone 7 - Prospect Apartments) Bylaw No. 948, 2023 to be held in Village of Pemberton Council Chambers and/or in accordance with the Village’s digital meeting policy subject to the following condition:

- i. That the Applicant completes a developer-led public information meeting prior to the Public Hearing.

**AND THAT** Final adoption only be considered upon the completion of a development agreement between the Applicant and the Village of Pemberton detailing downtown character enhancements.

**Option Two:**

**THAT** Zoning Amendment (Comprehensive Development Zone 7 - Prospect Apartments) Bylaw No. 948, 2023 be referred back to staff to address the following concerns:

- {to be provided by Council}
- {...}

**RECOMMENDATIONS**

**THAT** Zoning Amendment (Comprehensive Development Zone 7 - Prospect Apartments) Bylaw No. 948, 2023 be given First and Second Reading;

**AND THAT** Council set Tuesday, September 12, 2023 at 5:30pm as the date and time of the public hearing for Zoning Amendment Comprehensive Development Zone 7 (Prospect Apartments) Bylaw No. 948, 2023 to be held in Village of Pemberton Council Chambers and/or in accordance with the Village's digital meeting policy subject to the following condition:

- i. That the Applicant completes a developer-led public information meeting prior to the Public Hearing.

**AND THAT** Final adoption only be considered upon the completion of a development agreement between the Applicant and the Village of Pemberton detailing downtown character enhancements.

**ATTACHMENTS:**

**Appendix A:** Zoning Amendment (Comprehensive Development Zone 7 – Prospect Apartments) Bylaw No. 948, 2023

Submitted by:	Mark Barsevskis, RPP, MCIP, Consulting Planner
Manager Approval:	Scott McRae, Manager of Development Services
CAO Approval by:	Elizabeth Tracy, Chief Administrative Officer

**THE VILLAGE OF PEMBERTON  
BYLAW NO. 948, 2023**

**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**

1. This Bylaw may be cited for all purposes as “Zoning Amendment (Comprehensive Development Zone 7 – Prospect Apartments). Bylaw No. 948, 2023.”

**APPLICATION**

- 2(1)** Amending Schedule “A” Zoning Map by rezoning the lands identified in Schedule “A” of this amending bylaw from Commercial, Town Center (C-1) to Comprehensive Development Zone 7 (CD-7).
- 2(2)** Adding the following Comprehensive Development Zone as section 18.7 Comprehensive Development Zone 7 (Prospect Apartments):

*18.7 Comprehensive Development Zone 7 (CD-7) (Prospect Apartments)*

The intent of this zone is to accommodate mixed use development in the Pemberton downtown with the development of apartments and compact commercial spaces, suitable for local businesses, with a small walking radius of downtown amenities and services.

18.7.1. Permitted Principal Uses

- (a) *Uses Permitted in the Commercial, Town Center (C-1) Zone*

18.7.2. Permitted Accessory Uses

- (a) *Accessory Retail*
- (b) *Accessory Residential Dwelling*
- (c) *Home Occupation*

18.7.3 Density Regulations

a) Maximum Density:	2.5 FAR
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## 18.7.4. Lot Regulations

a) Minimum <i>Lot Size</i> :	220 m <sup>2</sup>
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## 18.7.5. Building Regulations

a) Maximum <i>Lot Coverage</i> :	100%
b) Minimum <i>Front Setback</i> :	0 m
c) Minimum <i>Rear Setback</i> :	4.5 m
d) Minimum <i>Interior Side Setback</i> :	0 m
e) Minimum <i>Exterior Side Setback</i> :	0 m
f) Principal Building Height	18 m
g) Accessory Building Height	4.6 m

## 18.7.7. Off-Street Parking and Loading

- (a) Off-street parking and loading shall be provided in accordance with the requirements of Part 8 of the Village of Pemberton Zoning Bylaw No. 832, 2018 this Bylaw.
- (b) Notwithstanding the parking requirements in Part 8 of the Zoning Bylaw the off-street parking requirements for the *Residential* use in the CD-7 zone shall provided as follows:

Stall type	Required
<b>Standard Parking Stalls</b>	1 stall per studio dwelling unit 1 stall per 1 bed dwelling unit 1.5 stalls per 2 bed dwelling unit 2 stalls per 3 bed dwelling unit 1 electric vehicle stall for every 10 stalls required
<b>Visitor Parking Stalls</b>	6 stalls per building
<b>Neighbourhood Commercial Use Parking Stalls</b>	6 stalls off street (shared with visitor parking)



<b>Disability Parking Stalls</b>	3 stalls per building
<b>Bicycle Parking</b>	Minimum 2 class a per dwelling unit

**READ A FIRST TIME** this \_\_\_\_\_.

**READ A SECOND TIME** this \_\_\_\_\_.

**NOTICE OF PUBLIC HEARING** was advertised utilizing reasonably equivalent alternatives as set out in section 94.1 (3) of the *Community Charter* on \_\_\_\_\_ and \_\_\_\_\_ and **PUBLISHED IN THE PIQUE NEWSMAGAZINE** on \_\_\_\_\_.

**READ A THIRD TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**MINISTRY OF TRANSPORTATION AND INFRASTRUCUTRE APPROVAL OF THE BYLAW** was granted on \_\_\_\_\_, 2023.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

\_\_\_\_\_  
Elizabeth Tracy  
Corporate Officer

██████████ Street,  
Pemberton  
BC

Sunday 18 June 2023

Dear Mayor and Council,

**Rezoning Application for Lot A Plan KAP73119 District Lot 202 Land District 27,  
PID 025-641-620**

I am writing to object to the application made by Bruce Van Mook to the Village of Pemberton to rezone the above mentioned lot from R-1 (Single Family Dwelling) to CD (Comprehensive Development).

After carefully reviewing the Application Package I was shocked to see the proposed level of density being put forward by the Developer for this site, especially considering its current zoning designation. In addition I was also disheartened to see that the geotechnical report submitted with the Application is outdated and based on a previous site design:

*SFA Geotechnical Report, Dec 2018 - Report is based upon development of 44 townhomes and a four storey apartment building with 27 units. There are to be two entrances to the development, one from Prospect Street and one from Pemberton Meadows Road.*

With flooding being a constant risk to the Valley I would hope that the Village would require a developer to submit an up to date report based on the design submitted with their Application, not a previous iteration.

In addition to including outdated and incorrect information, the Application also ignores some significant issues that I feel Council should take into account when considering rezoning of this site:

1. The site plan currently includes a single access point at the end of Prospect Street, a quiet, low traffic area. With the lot bordering Pemberton Meadows Road the plan should include an additional access point, both to reduce traffic impact along Prospect and Frontier Streets, but also for the safety of site residents should evacuation be required.

2. The site design includes a designated 'small car' garage, plus a single parking space per unit. Due to poor site design in the existing Meadows Lane and Expedition Station complexes, both Prospect and Camus Streets are already full of trucks and larger vehicles unable to park at these complexes. With Tenquille Place also breaking ground in 2023, there stands to be nowhere left for oversized vehicles to park overnight in the area, especially during winter.
  
3. The area the lot occupies is marshland, and prone to flooding both seasonally and during high water events (identified in the Preliminary Environmental Assessment, P1). Should the site be developed to the scale suggested by the developer, the possible side effects of removing vegetation and diverting water should be considered as it may impact existing Residential units in the surrounding area.

Finally, in addition to the points above, while I understand the pressure both Provincially and Federally for the Village of Pemberton to increase population density, at present there are applications in process for a number of high density residential projects that stand to potentially increase the size of the Village by 349 units:

Redwoods - 134 Units  
Harrow Road- 63 Units  
River Town- 34 Units  
Tenquille Building- 10 Units  
Prospect St - 45 units  
Co-Living- 63 Units  
**TOTAL: 349**

This total does not include the additional completion of the larger Sunstone and Nkwukwma Developments which will add even more density. A word that often comes up with these developments is the word affordable. While the VoP can't control the building costs associated with developments, nor control the property market, one thing they can influence is the affordability of taxes. With Pembertons population increasing ever closer to the 5,000 people required to provide our own RCMP, something that tax-payers will have to pay for, it might be time to slow development of high density developments so that the existing tax base are not faced with even higher municipal bills each year.

As the fastest growing Municipality in BC, perhaps it's time for the Vop to be proud of the level of growth that has been achieved in such a short time and pass the responsibility of rapid growth onto other municipalities in the Province.

Regards

Sophie Rivers

**From:** [no-reply@webguidecms.ca](mailto:no-reply@webguidecms.ca) <[no-reply@webguidecms.ca](mailto:no-reply@webguidecms.ca)>

**Sent:** Tuesday, July 4, 2023 10:25 AM

**To:** Ethan Fredeen <[efredeen@pemberton.ca](mailto:efredeen@pemberton.ca)>; Elizabeth Tracy <[etracy@pemberton.ca](mailto:etracy@pemberton.ca)>

**Subject:** Website Submission: Write to Mayor & Council - pemberton.ca

Village of Pemberton - Website Submission: Write to Mayor & Council - pemberton.ca

# Website Submission: Write to Mayor & Council - pemberton.ca

## Form Submission Info

**First Name:** David

**Last Name:** Rossellat

**Street Address:** [REDACTED]

**PO Box:**

**Town/City:** Pemberton

**Province:** BC

**Postal Code:** V0N2L3

**Phone Number:** [REDACTED]

**Email:** [REDACTED]

**Please attach any related documents (if applicable):**

**Message to Mayor & Council:** Greetings,

I had initially sent the attache letter to [info@slrd.bc.ca](mailto:info@slrd.bc.ca), which appears unmonitored.

Resending this here now.

Dear Mayor Richman,

I hope this email finds you well. I am writing to bring to your attention a matter of utmost concern that requires immediate action. As a concerned resident of Pemberton, I have drafted a letter addressing the lack of appropriate steps taken by local health authorities to safeguard the public during periods of poor air quality.

Please find attached the letter as a PDF document. It highlights the alarming levels of air pollution measured independently by an IQAir station on Prospect Street, which consistently

exceeds the healthy threshold for PM2.5 particles. The absence of local monitoring in Pemberton poses a significant risk, particularly to our vulnerable populations such as children, pregnant women, seniors, and people with COPD who rely on local health authority alerts for guidance.

I kindly request your personal attention and urgent intervention in this matter. It is essential that we take immediate action to ensure the health and well-being of Pemberton's residents. The letter outlines specific actions that can be taken, including an urgent review of the current air quality monitoring infrastructure, the establishment of additional monitoring stations within Pemberton, enhanced public awareness campaigns, and advocating for increased resources and support from higher-level authorities.

I would greatly appreciate it if you could carefully review the attached letter and consider the recommended actions. I am available for further discussion and would be pleased to offer any assistance that I can provide to address this critical concern. Together, we can make a significant difference in safeguarding the health and safety of our community.

Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,

David Rossellat

**Freedom of Information:**

Village of Pemberton

David Rossellat

[REDACTED]  
V0N2L3 Pemberton, BC

[REDACTED]  
May 18, 2023

Mayor Mike Richman  
Pemberton Municipal Hall  
1350 Aster Street  
Pemberton, BC V0N 2L0

Subject: Urgent Concerns Regarding Lack of Measures to Protect Public during Poor Air Quality

Dear Mayor Richman,

I hope this letter finds you in good health and high spirits. I am writing to bring to your attention a matter of utmost concern that demands immediate action. As a resident of Pemberton and a responsible member of our community, I would like to address the lack of appropriate steps taken by local health authorities to safeguard the public during periods of poor air quality.

Recent independent measurements obtained from an IQAir station on Prospect Street reveal alarming levels of air pollution. The recorded concentration of PM2.5 particles consistently surpasses the healthy threshold, indicating an air pollution index between 81 and 92 yesterday and reaching 152 today, which corresponds to  $58\mu\text{g}/\text{m}^3$ . According to the World Health Organization, any concentration above  $15\mu\text{g}/\text{m}^3$  is considered harmful. The EPA further warns that particles smaller than 2.5 micrometers in diameter, known as fine particles or PM2.5, pose the greatest risk to health as they can penetrate deep into the lungs and bloodstream.

While the only official air pollution station is located in Meadow Park, Whistler, where PM2.5 levels have been consistently three to four times lower than those in Pemberton and still categorized as moderate risk, I find it deeply troubling that our community lacks local monitoring to adequately protect our residents. Of particular concern is the impact on vulnerable members of our society, including children and seniors, who rely on local health authority alerts for guidance. Unfortunately, due to the absence of local monitoring, they remain unaware of the hazardous levels of air pollution, leaving them exposed and at risk.

It is crucial that we take immediate action to address this situation and implement measures that prioritize the health and well-being of Pemberton's residents. I kindly request that you take the following actions:

1. Initiate an urgent review of the current air quality monitoring infrastructure in Pemberton to ensure its adequacy in providing accurate and timely information to the public.

2. Collaborate with relevant health authorities and environmental organizations to establish additional air pollution monitoring stations within Pemberton to ensure comprehensive coverage across our community.
3. Enhance public awareness campaigns to educate residents about the risks associated with poor air quality and provide guidance on protective measures during hazardous conditions.
4. Advocate for increased resources and support from higher-level authorities to address air pollution concerns and implement effective mitigation strategies in Pemberton.

By taking these actions, we can ensure that our community is better equipped to respond to poor air quality situations and protect the health and safety of our residents, particularly our most vulnerable population segments.

I kindly request your personal attention and urgent intervention in this matter. I would welcome the opportunity to discuss this issue further and offer any assistance that I can provide to address this critical concern. I believe that by working together, we can make a significant difference in safeguarding the well-being of our community.

Thank you for your time and consideration. I eagerly await your prompt response.

Sincerely,

David Rossellat



## City of Prince George Resolution Submission to 2023 UBCM Convention

Kellett, Leslie <Leslie.Kellett@princegeorge.ca>

Wed 2023-06-28 2:47 PM

📎 1 attachments (55 KB)

City of Prince George Resolution - Reimbursing Local Governments for Medical Services Provided by Local Government Fire and.pdf;

Good afternoon, Mayor and Council,

At the June 26, 2023 regular council meeting, City of Prince George Council approved submitting a resolution to the 2023 UBCM Convention regarding “Reimbursing Local Governments for Medical Services Provided by Local Government Fire and Rescue Services” and further resolved to share this resolution with UBCM member municipalities.

We appreciate your consideration to support this resolution at the 2023 UBCM Convention.

Sincerely,



**LESLIE KELLETT**

Deputy Corporate Officer

5<sup>th</sup> Floor, 1100 Patricia Blvd., Prince George, B.C. V2L 3V9

p: 250.561.7655 | f: 250.561.0183

[leslie.kellett@princegeorge.ca](mailto:leslie.kellett@princegeorge.ca)

[www.princegeorge.ca](http://www.princegeorge.ca)

**Reimbursing Local Governments for Medical Services Provided by Local Government Fire and Rescue Service**

*WHEREAS communities across British Columbia are facing a significant increase in calls to respond to emergency medical incidents;*

*AND WHEREAS local governments provide for their fire departments to support prehospital patient care in their community by providing emergency medical services that assist the Provincial Government's BC Ambulance Service;*

*AND WHEREAS the costs associated with supporting prehospital care by local government fire departments has increased significantly in relation to response hours and increased use of first aid and other medical supplies and that such costs are funded solely through local government property taxation;*

*THEREFORE BE IT RESOLVED that the Provincial Government develop a funding model to compensate local governments who provide emergency medical services through their fire and rescue services fulfilling the responsibility of the provincial government with consideration given to community population and the fire department's authorized level of emergency medical response.*

**From:** Mcgrath, AbbeyJane [VCH]  
**Sent:** Thursday, June 29, 2023 5:25 PM  
**To:** cao\_office@pemberton.ca  
**Subject:** VCH Health Vision Sea to Sky Engagement Opportunity - Information and Poster

Good afternoon,

Further to my discussion with Renee earlier today, I am writing from Vancouver Coastal Health to share some information on the **Health Vision Sea to Sky engagement**.

### **What's Happening?**

Vancouver Coastal Health is creating a new integrated health services master plan for the Sea to Sky region, including site-specific plans for the Squamish, Whistler and Pemberton areas.

To shape this plan, we are asking about current and future health care needs along the Sea to Sky corridor. The goal of the plan is to help ensure that patients and clients in these communities have access to safe quality care while maximizing the services offered locally –whether acute care, long-term care, or community health services. Engagement input will help shape a new health services master plan for the region, enhancing community health and wellbeing.

Our online survey is open until July 31, 2023 which is at [engage.vch.ca](https://engage.vch.ca)  
For more information, you can also send us a message at [healthvisionsts@vch.ca](mailto:healthvisionsts@vch.ca)

### **Posters and Hard Copy Surveys**

We have attached a poster on the engagement and would be grateful if you would share with those who might be interested in providing their input – whether that is by posting a poster on a staff or any relevant public notice boards, or by sharing with those who you think would be interested in participating in the survey.

We would also be happy to drop off hard copies of the survey if you think it would be helpful to do so.

Thank you for your help with this. I am happy to answer any questions.

Kind regards,

Abbey-Jane

**Abbey-Jane McGrath**  
Leader, Community Engagement  
Vancouver Coastal Health

mobile [REDACTED]  
e-mail [REDACTED]@vch.ca



I acknowledge that my place of work lies on the unceded traditional homelands of the Musqueam, Squamish and Tsleil-Waututh Nations.

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# HEALTH VISION SEA TO SKY

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# CITY OF SURREY

OFFICE OF THE MAYOR

July 4, 2023

Pemberton (Village)  
7400 Prospect Street  
Pemberton, BC V0N 2L0

By email: [admin@pemberton.ca](mailto:admin@pemberton.ca)

Dear Mayor and Council,

It is important for local governments to know the impact of the Surrey Police Transition on your city, town or regional district, should it go ahead.

As you may know, Surrey Council voted to keep the RCMP as the police of jurisdiction (POJ). We communicated our decision to the Solicitor General (SG) who, continued to “recommend” that the city stay with the transition to the Surrey Police Service (SPS), but asked that the City choose between two options,

- 1) To continue the transition to the SPS with no evaluation of the SPS model.
- 2) To stay with the RCMP as the POJ with conditions.

The Premier, the SG and the Ministry’s report recognize that it is the role of municipalities to choose their policing model. The SGs’ authority under the Act is a safety net if the “adequate and effective” policing standard is not met. It does not grant the SG the authority to impose hundreds of millions of dollars’ worth of costs into the municipal budget on a political whim.

I am writing to you today for two reasons.

**Firstly**, is to express my deep concern for the statements made by the provincial government and the Solicitor General suggesting that should Surrey remain with the RCMP would create a public safety crisis; this is not truthful.

In fact, the ministry’s own report states *“It is not based on a failure by police to deliver adequate and effective policing nor a failure in public safety. Quite the opposite is true, front-line officers in the SPS and the RCMP are working hard to serve those who reside in and visit Surrey”*. It went on to say *“This Director’s Report is not a comparative assessment of the two police models. It is also not intended to provide a comprehensive assessment of the impacts of continuing with the current police transition to the SPS.”*

This interference should have significant concern to local government if the SG establishes a precedent of indiscriminately imposing massive costs onto municipal government with no rationale other than vaguely referencing public safety concerns.



BRENDA LOCKE  
MAYOR

MAYOR@SURREY.CA  
604.591.4126

Adequate and effective policing is in place in our city and our province, and for the Premier and the Solicitor General to infer there is a public safety crisis is not supported by data.

The central fear articulated by the premier and SG is the sudden dissolution of the SPS may lead to a walk out. The SPS Board has provided assurances that the SPS officers will remain on duty. Because the SPS Board reports to the province (not the city), they will take its instructions from the Ministry of the Solicitor General and Public Safety. One simple mandate letter from the province would remove the only concern for this public safety threat.

On the other hand, approving the SPS would create massive pressure on policing in the province, which would not exist if we remained with the RCMP. The only police training facility in the province, the JIBC, was past its capacity to meet the needs of municipal policing in BC even before the SPS was established. It is also important to recognize that police officer training at the JIBC has been under scrutiny. In order to properly address the police training needs in British Columbia would require expanding the JIBC. To date, the provincial budget has not addressed this expensive and time-consuming need. Waiting years for the JIBC training to fill the SPS cadet requirement will not only cost Surrey millions in time delays, but it will also impact other municipal police forces who cannot get seats at the JIBC.

Therefore, the only other route to full capacity for the SPS is hiring experienced police officers from your communities as they have done to date.

If the SG were to impose the SPS on Surrey, I would strongly recommend you communicate directly to the SG that you expect him to impose the same "public safety" restrictions on the SPS hiring from LMD communities as he has placed on the RCMP.

**Secondly**, and perhaps more important to local governments, is the financial and human resource impact that continuing with the Surrey Police Transition will have on every city, town, transit police and regional district in the province.

The SG's plan to move forward with the SPS will cost you financially if you are currently an RCMP jurisdiction. As RCMP divisional administrative costs are shared costs among all RCMP jurisdictions, so far it is estimated that because of the size of the Surrey detachment, your policing costs will increase by up to 7%.

If you are served by a municipal police force, it is important to know that the provincially appointed Surrey Police Board signed the richest collective agreement in Canada. This agreement will likely impact all future municipal police board negotiations.

The Surrey RCMP requires approx. 170 officers to return to full complement. Over 80 SPS officers have expressed interest in making this move according to the Officer in Charge. Further, the RCMP has stated that they can and will accommodate the human resource needs, not only to Surrey, but throughout the region, with the new recruiting and experienced officer programs.

In contrast, the Surrey Police Service (SPS) requires over 400 additional officers beyond those hired to date, to get to full strength. Although the province recognized the scope of the Surrey police transition from the beginning, they did not increase the funding to the Justice Institute of British Columbia (JIBC) in order to accommodate the officer training needed. The reality is that, just as the SPS has done to date, the vast majority of the SPS hires will come by recruiting from the RCMP, TransLink and other municipal forces throughout the province.



**In closing,**

My concern is the duplicity of the provincial government on this matter. The Ministry report and SG explicitly stated that we had two choices - to remain with the RCMP or the SPS - and conditions to meet with either option.

Based on the facts we examined, we chose the RCMP - with a more significant majority of council than we had originally - and we have committed to meeting the binding conditions.

The SGs' response is to move the goalposts and claim the need to review the plan and potentially overturn the council decision. I have offered to work with the province to ensure the requirements are met, and the province refuses to acknowledge the offer.

As local government leaders, we need to stand up for our authority under the Police Act. Like with your municipality, Surrey Council knows our community best. We cannot allow a "manufactured crisis" to drive a significant and costly public safety decision that will impact generations to come.

Please do not hesitate to contact me if you have any questions, I look forward to hearing from you.

Sincerely,

A black rectangular redaction box covering the signature of Brenda Locke.

Brenda Locke  
Mayor





## OPEN QUESTION PERIOD POLICY

**THAT** the following guidelines for the Open Question Period held at the conclusion of the Regular Council Meetings:

- 1) The Open Question Period will commence after the adjournment of the Regular Council Meeting;
- 2) A maximum of 15 minutes for the questions from the Press and Public will be permitted, subject to curtailment at the discretion of the Chair if other business necessitates;
- 3) Only questions directly related to business discussed during the Council Meeting are allowed;
- 4) Questions may be asked of any Council Member;
- 5) Questions must be truly questions and not statements of opinions or policy by the questioner;
- 6) Not more than two (2) separate subjects per questioner will be allowed;
- 7) Questions from each member of the attending Press will be allowed preference prior to proceeding to the public;
- 8) The Chair will recognize the questioner and will direct questions to the Councillor whom he/she feels is best able to reply;
- 9) More than one Councillor may reply if he/she feels there is something to contribute.

*Approved by Council at Meeting No. 920  
Held November 2, 1999*

*Amended by Council at Meeting No. 1405  
Held September 15, 2015*