

**VILLAGE OF PEMBERTON  
-COMMITTEE OF THE WHOLE MEETING AGENDA-**

**Agenda** for the **Committee of the Whole** of Council of the Village of Pemberton to be held Tuesday, October 6, 2009 at 1:30 pm in the White Building, 7400 Prospect Street. This is meeting No. 023

<b>Time</b>	<b>Item of Business</b>	<b>Page No.</b>
1:30 p.m.	<p><b>1. CALL TO ORDER</b></p> <p><b>2. APPROVAL OF AGENDA</b></p> <p><b>Recommendation: THAT</b> the agenda be approved as presented.</p> <p><b>3. Sea to Sky Trails Update – Pemberton Routing</b></p> <p><b>Council Action:</b> To provide input on the alignment of the Sea to Sky Trail through the Village as well as offering comment on possible Trail consultation opportunities within Pemberton.</p> <p><b>4. Delegation – Bruce Van Mook, BCR/Signal Hill Homes – Status of Rezoning Application – For Discussion</b></p> <p><b>5. BC Crown Land Referral Process and Ticket 2 Ride Enterprise Ltd. Application</b></p> <p><b>Recommendation: THAT</b> Council provide comments related to the appropriate process in which Village staff should deal with referrals for the use of provincially owned lands; and</p> <p><b>THAT</b> Council provide comments related to the Licence of Occupation request submitted by Ticket 2 Ride Enterprises Ltd. for guided commercial recreation on lands within the MacKenzie Basin.</p> <p><b>6. Regional Growth Strategy – For Discussion</b></p> <p><b>7. Finance – Reserve Fund – For Discussion</b> Report to follow on Monday</p> <p><b>8. ADJOURNMENT</b></p>	<p></p> <p></p> <p><b>2</b></p> <p></p> <p><b>14</b></p> <p><b>17</b></p> <p></p> <p></p> <p><b>34</b></p> <p></p> <p></p>

**Date:** October 6, 2009

**From:** Caroline Lamont  
Manager of Development Services

**Subject:** Sea to Sky Trail  
Pemberton Routing

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**COUNCIL ACTION:**

To provide input on the alignment of the Sea to Sky Trail through the Village as well as offering comment on possible Trail consultation opportunities within Pemberton.

**PURPOSE**

This report introduces for Council's consideration the options for the routing of the Sea to Sky Trail through and in proximity to the Village of Pemberton.

**BACKGROUND**

In early September, staff met with Gordon McKeever, Executive Director for the Sea to Sky Trail. At this meeting, Mr. McKeever requested clarification of the preferred alignments of the Sea to Sky Trail between Nairn Falls and the Village. The Sea to Sky Trail concept has been in existence since the early 1990's when two trail visionaries established the implementing Society. The initiative was to construct a non-technical, multi-user mountain-bike trail between the communities of Squamish and D'Arcy. In the first decade of existence, the Society was challenged by limited resources and the magnitude of not only linking the trail network but also to securing the necessary right of ways. Regardless, during this time, certain routes were identified and trail connections were built relying on volunteer efforts as well as several funding grants. The route was also registered through the Ministry of Forests under the Forest Standards Act as Recreation Trail, subject to approval by the Squamish Forest District on a section-by-section basis.



New interest in the project was again spurred in 2003 as the Sea to Sky Trail morphed into a Standing Committee of the Squamish Lillooet Regional District. As awareness grew (and the value of cycling in the corridor was realized), interest was also expressed from other communities to expand the project from Horseshoe Bay to Lillooet. A Master Plan has since been completed for the Squamish to D'Arcy sections and significant funding has been realized from the Whistler Blackcomb Foundation. The Trans Canada Trail Board of Directors has also expressed interest in the Sea to Sky Trail becoming part of the Trans Canada Trail network.

A summary of the recent status of the trail is available on the website [www.seatoskytrail.ca](http://www.seatoskytrail.ca), while the alignment from Squamish north to D'Arcy is included in Appendix A.

**TRAIL ROUTING OPTIONS**

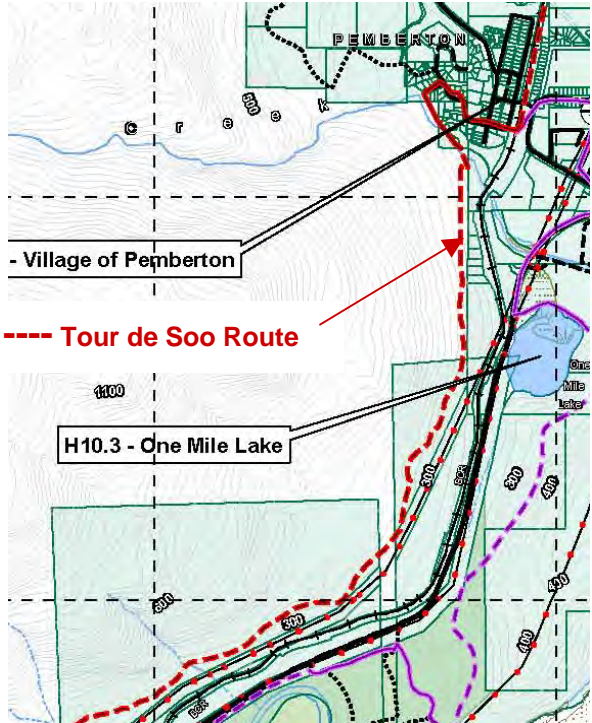
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**1. Tour de Soo Route**

**Description** – This trail alignment follows an old forestry road on a bench to the west and above Highway 99 through to the Village. The trail would be accessible from downtown in a location near the existing municipal offices (currently users must cross the existing rail bridge and then scuttle up/down a steep bank). The surface for the most part is an old road bed with reasonable grades and blast rock surfacing. There are spur roads that descend to the highway and Nairn Falls Provincial Park. It is understood that portions of this route was once part of the historic Pemberton Trail.

**Improvements** – For the most part the improvements would involve trail surfacing (removal of large rocks) and significant reinforcements south of Pemberton Creek. A bridge would also be required across Pemberton Creek.

**Advantages** – This route would provide a direct link from the Sea to Sky Trail to downtown Pemberton, showcasing the community and local businesses. Further it would provide a loop bike route from downtown to Nairn Falls. It will also be a connection to the Valley Loop trail and One Mile Lake Park once the BCR/Signal Hill section is completed. The trail also offers incredible views of the Village and the surrounding area.



**2. Nairn Falls Provincial Park to One Mile Lake Route**

**Description** – This alignment would connect to the southern Tour de Soo route by crossing Highway 99 at the entrance to Nairn Falls Provincial Park. The route would then travel through the campground to the Provincial Park’s trail access to One Mile Lake Park. The condition of this existing trail within the Provincial Park is excellent (grades, surfacing, signage), however once it leaves the park boundary the grades and surfacing become quite difficult. The trail then will connect with the (under construction) accessible One Mile Lake trails and (new) Pemberton Creek Bridge.

**Improvements** – Trail re-routing (switchbacks), surfacing and small bridges/boardwalks will be needed to bring the trail into the appropriate standards for the Sea to Sky Trail.

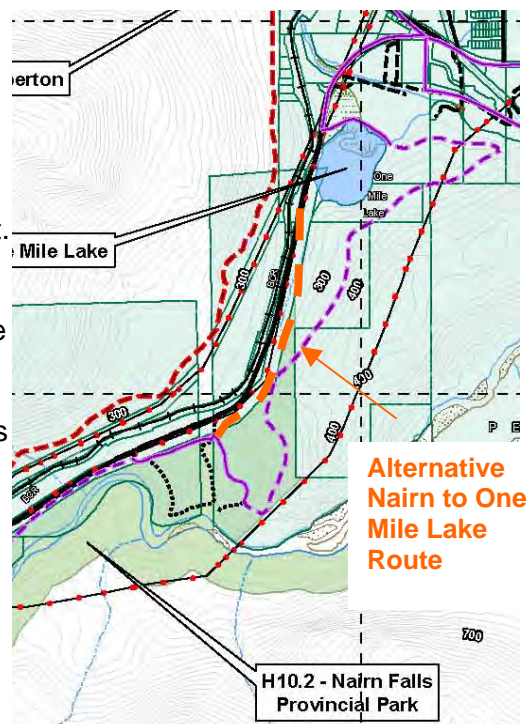
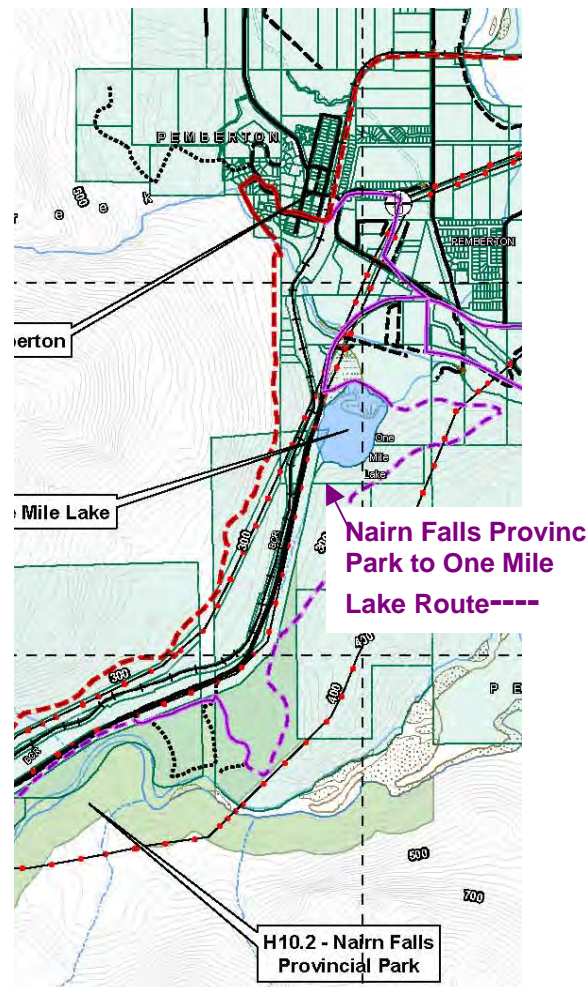
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**Improvements** – As mentioned an entirely new trail would need to be constructed, and must work around the existing large rock outcrops and the transmission lines).

**Advantages** – This route would also introduce trail users to Pemberton via One Mile Lake Park, without such a strenuous climb as the trail would be gently sloping and therefore more conducive with the desired Sea to Sky Trail experience. As with the previous option, this alignment would also provide readily available links to Downtown via the proposed Valley Loop improvements.



## **DISCUSSION**

The Sea to Sky Trail Committee would like to have direction from the Village with regard to the preferred routing through and to the Village of Pemberton. The purpose of this report and staff presentation is to compile Council feedback on the three alignments as well as suggestions related to additional public dialogue.

## **BUDGET IMPLICATIONS**

The expense for any public outreach would be the responsibility of the Squamish Lillooet Regional District.

## **STRATEGIC PLAN**

Trail enhancements and regional partnerships are consistent with the Village's Strategic Plan.

September 30, 2009

Email correspondence from Bruce Van Mook to Caroline Lamont  
Committee of the Whole Delegation Request – Re: BCR/Signal Hill Homes

Caroline;

With respect to the Council meeting to be held on October 6th, we request that we be included on the agenda to discuss the current status of our re-zoning application for the Phare's land and BCR Properties Mill site.

It does appear that the desired grant as applied for by the Pemberton Valley Dyking District has been unsuccessful, and with this the responsibility for the cost of this public safety issue becomes a topic of discussion once again.

Our position is as follows:

The proponents are willing to be responsible for the cost with respect to dyke improvements as they affect the subject properties.

The proponents are also agreeable to site specific improvements and/or amenities that include;

1. Bus staging area.
2. Creekside park with normal playpark improvements.
3. Community garden
4. Pemberton Creek bridge

The above would be in lieu of the CAC.

Additionally, we would like clarification regarding DCC credits for the infrastructure as previously discussed and to have a dialogue regarding DCC credit opportunities for the small-lot portion of the development as available through the Local Government Act Section 933 1. (1) (c).

Please contact me at your earliest convenience if further clarification is required and let us know of timing for the meeting.

Respectfully,

Bruce van Mook

## Development for which charges may be waived or reduced

**933.1** (1) In this section, "**eligible development**" means development that is eligible in accordance with an applicable bylaw or regulation under this section as being for one or more of the following categories:

- (a) not-for-profit rental housing, including supportive living housing;
- (b) for-profit affordable rental housing;
- (c) a subdivision of small lots that is designed to result in low greenhouse gas emissions;
- (d) a development that is designed to result in a low environmental impact.

(2) Subject to a bylaw under subsection (3) and an applicable regulation under subsection (4), a local government may waive or reduce a charge under section 933 [*development cost charges generally*] for an eligible development.

(3) For the purposes of subsection (2), the local government, by bylaw

- (a) must establish what constitutes an eligible development or a class of eligible development for the purposes of one or more categories of eligible development described in subsection (1),
- (b) must establish the amount or rates of reduction for an eligible development, which may be different for different categories of eligible development described in subsection (1) or different classes of eligible development established in the bylaw, and
- (c) may establish the requirements that must be met in order to obtain a waiver or reduction under subsection (2) and the conditions on which such a waiver or reduction may be granted.

(4) The minister may make regulations

(a) establishing,

(b) restricting, or

(c) establishing criteria for determining

what constitutes an eligible development or a class of eligible development for the purposes of one or more categories of eligible development described in subsection (1).

(5) The authority under subsection (2) is an exception to

(a) section 182 (1) [*prohibition against assistance to business*] of this Act, and

(b) section 25 (1) [*prohibition against assistance to business*] of the *Community Charter*.

(6) If a local government delegates the power under subsection (2), the person who is subject to the decision of the delegate is entitled to have the local government reconsider the matter.

**Date:** October 6, 2009

**From:** Caroline Lamont  
Manager of Development Services

**Subject:** BC Referral Process and  
Ticket 2 Ride Enterprises Ltd Application

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### **RECOMMENDATED DIRECTION**

THAT Council provide comments related to the appropriate process in which Village staff should deal with referrals for the use of provincially owned lands; and

THAT Council provide comments related to the Licence of Occupation request submitted by Ticket 2 Ride Enterprises Ltd. for guided commercial recreation on lands within the MacKenzie Basin.

### **PURPOSE**

The purpose of this report is to establish a procedure for Council to comment on referrals from the province related to the use of Crown land as well as to provide input on a specific commercial tenure request within the MacKenzie Basin area.

### **BACKGROUND**

From time to time the Village will receive referrals from the provincial government related to tenure requests for the use of Crown lands. There appears to be no formalized system within the Village to deal with these requests. For the most part these applications can be dealt with by staff; however, this approach has not been confirmed by Council.

The consideration of the appropriate Crown land review process was spurred by a recent Licence of Occupation request submitted by Ticket 2 Ride Enterprises Ltd. as attached as Appendix A (only the maps related to the Pemberton interests have been included).

### **PROPOSALS**

**Approval Process** - The Council review process suggested by staff is to forward such applications to the Committee of the Whole for comment. If Council would like a particular application's comments to be formalized within a resolution, the item can be brought forward to a regular meeting. No formalized report will be prepared by staff for the meeting, but they will be available at the meeting for questions, clarification and recording purposes.

**Ticket 2 Ride Referral** - In the case of the Ticket 2 Ride application, staff have no concerns with this request as the management of such a commercial operation has been considered within the Sea to Sky Corridor Recreation Trail Management Plan (administered by the SLRD). Not only is the proposal consistent with the direction of the management plan, but also the proposed use further enhance the economic opportunities and promotion of recreation in the Pemberton area.

The only staff comment relates to the identification of a process whereby the commercial operator is required to contribute to the ongoing repair and maintenance of the trails as well as participate in reducing potential trail user conflicts. It is therefore suggested that the application be referred to the Pemberton Valley Trails Association (unless already undertaken by the SLRD) for further comment.

### **DISCUSSION**

Staff believes that the proposed review process will allow Council to comment on the application without burdening staff with long reports. Further, it should be recognized that with the adoption of the LRMP the use of Crown land within the region is now subject to considerable review, planning and regulation. The Village of Pemberton has contributed to the LRMP.

### **BUDGET IMPLICATIONS**

The review of such applications is part of the Village's day-to-day operations.

### **COUNCIL ACTION:**

That Council considers supporting the process outlined by staff for the review of Crown land referrals and also comment on the Licence of Occupation from Ticket 2 Ride.

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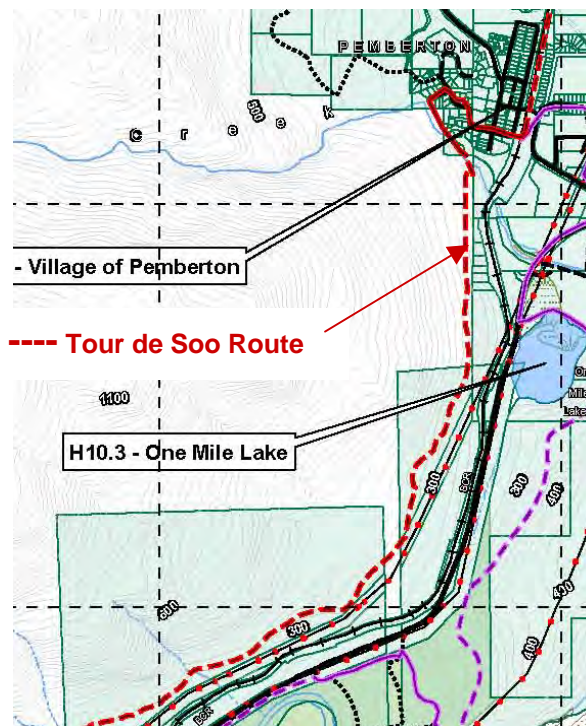
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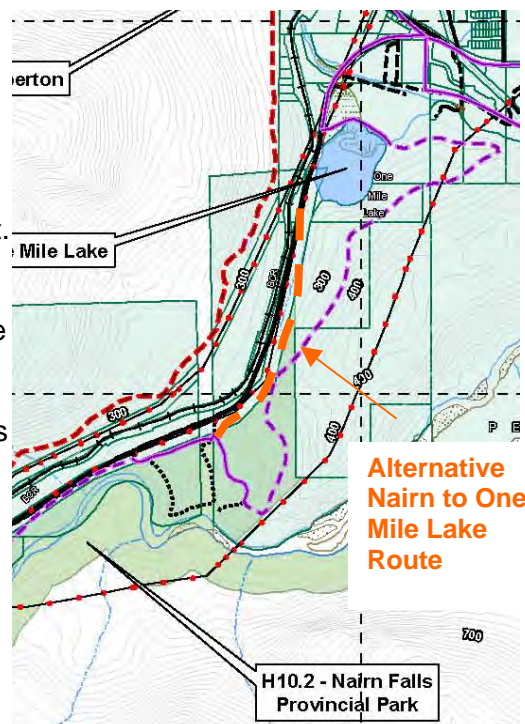
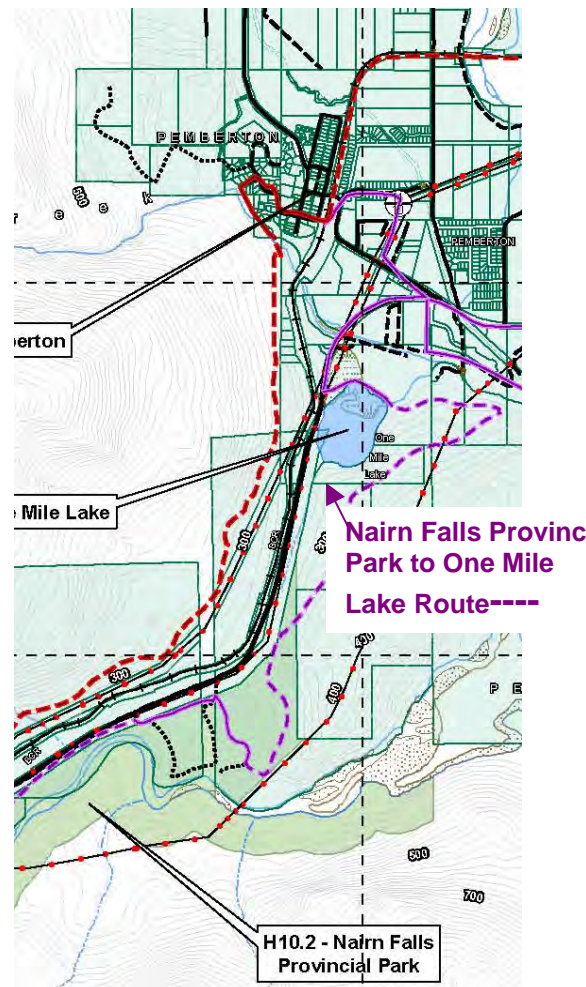
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**From:** Caroline Lamont  
Manager of Development Services

**Subject:** BC Referral Process and  
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### **BUDGET IMPLICATIONS**

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### **COUNCIL ACTION:**

That Council considers supporting the process outlined by staff for the review of Crown land referrals and also comment on the Licence of Occupation from Ticket 2 Ride.



To: Squamish-Lillooet Regional District  
From: **Kevin Ramsay, Chief Administrative Officer**  
Date: **September 24, 2009**  
Re: **Proposed Solution to Regional Growth Strategy Dispute**

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#### Introduction

Further to the September 24, 2009 Elected Officials Forum, the following is a summary of the solutions presented by the District of Squamish to conclude the Regional Growth Strategy (RGS) process. To reiterate, the District of Squamish fully supports a robust Regional Growth Strategy, substantially in its current form. The District acknowledges the spirit of collaboration and partnership that went into creating the document and is confident this collaboration will continue through its implementation.

The District of Squamish is unable to support the RGS as proposed due to the concerns outlined below; however, the purpose of this memo is to provide a simple, concise solution to address the District's concerns.

#### Background: District of Squamish Concern

The District of Squamish objects to the Regional Growth Strategy in its current form because it impedes on decision-making authority of incorporated municipalities. In its current form, the RGS may need to be amended to accommodate unforeseen development opportunities requiring Official Community Plan amendments that may come forward in the future.

The minor and major amendment process would require municipal governments to seek approval from other local government authorities before proceeding. In the case of a major amendment to the RGS, all member municipalities, and all adjacent regional districts, would be required to approve the proposed RGS amendment before a local government could proceed with a development opportunity. This additional layer of governance categorically removes decision making from locally elected officials resulting in an unacceptable loss of local autonomy over land use decisions.

The foreseeable result is that projects may be stalled to the point that investment opportunities are lost, and has the potential to erode the collaborative spirit necessary to implement the RGS should inter-municipal disputes arise.

### Proposed Solutions

In keeping with the collaborative spirit of the RGS, and the legislative framework to collectively agree to guidelines for regional growth, the District of Squamish offers two potential solutions for consideration:

#### **1. Amend Mandatory Language in Section 1.1 (Preferred Solution)**

Amend the language in section 1.1 with language that creates a duty to consult with the SLRD on OCP amendments within municipalities, rather than the current language that requires OCP's to be consistent with the RGS.

This approach would afford local government autonomy over making OCP and other major land use decisions within their current and future municipal boundaries, while upholding the collaborative spirit of the RGS by creating a duty to consult.

New language would need to be created, similar to language found in the Draft Metro Vancouver Regional Growth Strategy in Section 7.1.6, which reads as follows:

*7.1.6 If, after the adoption of a Regional Context Statement in an Official Community Plan, a municipality proposes to amend its Official Community Plan and the amendment may affect the Regional Context Statement, the municipality will consult with Metro Vancouver before proceeding with the Official Community Plan amendment.*

#### **2. Amend the Mapping in the RGS (Alternate Solution)**

Amend RGS mapping such that all lands within municipal boundaries are designated as settlement areas. This approach would grant similar autonomy to local governments as all lands would be considered for development on the RGS maps. Accordingly, any OCP amendments within municipalities would be consistent with the mapping in the RGS

Though a reasonable solution, it is less preferable because Squamish submits there is merit in having accurate maps to reinforce the principles of the RGS; however, without limiting the flexibility of municipalities to respond to future opportunities.

### Closing

In closing, the District of Squamish is keenly interested in drawing the RGS process to the most expedient, collaboratively driven conclusion possible. The solutions presented, with preference to proposed solution 1, will put the District in a position to support this critically important document for our region.



To: Squamish-Lillooet Regional District  
From: **Kevin Ramsay, Chief Administrative Officer**  
Date: **September 24, 2009**  
Re: **Proposed Solution to Regional Growth Strategy Dispute**

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#### Introduction

Further to the September 24, 2009 Elected Officials Forum, the following is a summary of the solutions presented by the District of Squamish to conclude the Regional Growth Strategy (RGS) process. To reiterate, the District of Squamish fully supports a robust Regional Growth Strategy, substantially in its current form. The District acknowledges the spirit of collaboration and partnership that went into creating the document and is confident this collaboration will continue through its implementation.

The District of Squamish is unable to support the RGS as proposed due to the concerns outlined below; however, the purpose of this memo is to provide a simple, concise solution to address the District's concerns.

#### Background: District of Squamish Concern

The District of Squamish objects to the Regional Growth Strategy in its current form because it impedes on decision-making authority of incorporated municipalities. In its current form, the RGS may need to be amended to accommodate unforeseen development opportunities requiring Official Community Plan amendments that may come forward in the future.

The minor and major amendment process would require municipal governments to seek approval from other local government authorities before proceeding. In the case of a major amendment to the RGS, all member municipalities, and all adjacent regional districts, would be required to approve the proposed RGS amendment before a local government could proceed with a development opportunity. This additional layer of governance categorically removes decision making from locally elected officials resulting in an unacceptable loss of local autonomy over land use decisions.

The foreseeable result is that projects may be stalled to the point that investment opportunities are lost, and has the potential to erode the collaborative spirit necessary to implement the RGS should inter-municipal disputes arise.

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