

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

**Minutes of the Regular Meeting** of Council of the Village of Pemberton held on Tuesday, April 15, 2014 at 9:00 a.m. in Council Chambers, 1350 Aster Street. This is Meeting No. 1358.

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**IN ATTENDANCE:** Acting Mayor Alan LeBlanc  
Councillor Ted Craddock  
Councillor James Linklater  
Councillor Mike Richman

**STAFF IN ATTENDANCE:** Daniel Sailland, Chief Administrative Officer  
Sheena Fraser, Manager of Administrative Services &  
Corporate Officer  
Andrea Leite, Administrative Services Coordinator  
Nikki Gilmore, Manager of Finance

**Public:** 16

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**1. CALL TO ORDER**

At 9:00 a.m. Acting Mayor LeBlanc called the meeting to order.

**2. APPROVAL OF AGENDA**

Moved/Seconded

**THAT** the agenda be approved as amended to include under New Business the following:

- Liquor Control – Festival Bowl Licencing
- Security Patrol on Horseback

**CARRIED**

**3. 2014 BUDGET PRESENTATION AND PUBLIC INFORMATION MEETING**

Nikki Gilmore, Manager of Finance, provided an overview of the 2014 budget and Five Year Financial Plan that included the following:

- 2014 departmental operating budgets
- 2014 – 2018 detailed five (5) year capital project listing
- 2014 financial plan changes
- 2014 – 2018 financial plan assumptions
- 2014 tax implications, and
- Next steps

At 9:23 a.m. Acting Mayor LeBlanc opened the floor to questions and comments from the gallery in relation to the 2014 Budget.

**Steve Flynn – 1419 Collins Road (SLRD Area C)**

Mr. Flynn provided comment on the following:

- The variance from actual to budget
- Can Development Cost Charges be used for the proposed water reservoir?
- Are the grants shown on the budget confirmed or speculative?
- Is the Village considering P3 opportunities for the recreation facility?
- Has an economic impact assessment been done in regards to the proposed private school?

Nikki Gilmore advised that the budget worksheet detailing the variances have been reviewed and presented at the previously held Committee of the Whole meetings and this information is available on the website. With respect to DCC's the reservoir is not on the list of DCC projects and therefore DCC contributions cannot be allocated to the reservoir project. The grants shown are confirmed or are pending approval. As well, it was noted that the Village continues to consider all forms of partnership options to facilitate the development of the recreation facility.

**Anna Helmer – 7451 Aspen Blvd (Village of Pemberton)**

Ms. Helmer requested that the Airports revenues and expenses be recapped and questioned why the Village continues to subsidize the airport.

**Niki Vankerck – 7451 Aspen Blvd (Village of Pemberton)**

Ms. Vankerck provided comment regarding the following:

- Is the average assessment in the Village \$190,000?
- Looking at the upcoming 2015 debt servicing, what are Council's thoughts on going into debt without adequate reserves?
- Does the Village currently have any reserves?
- Are Development Cost Charges department specific?
- Is the budgeted \$50,000 Energy Review still on the work plan?
- A 1% tax increase is great for 2014, however what are the calculations for 2015 and beyond?
- The referendum to borrow should consider the coming years of debt servicing and provide adequate information to residents on the future impact of the borrowing.

Nikki Gilmore noted that \$190,000 is the average assessment for residential only. Due to the variations in class assessments it is not possible to provide an average overall so the Village works with the average residential assessment as a reference point.

**Joanne Molinaro – 7457 Dogwood (Village of Pemberton)**

Ms. Molinaro provided comment regarding the following:

- The potential borrowing for the Friendship Trail Bridge and what amount Council anticipated having to borrow.
- Has the Village done a property tax comparison to similar sized municipalities and what municipalities would the Village potentially benchmark themselves against?

Acting Mayor LeBlanc clarified that grant funding has been received for the Friendship Trail Bridge project and the Village is actively seeking partnerships for the development of the bridge. The Village, at this point, has no plan to seek to borrow funding.

Daniel Sailland advised that the Village does research using information available through UBCM or CivicInfo and undertakes comparisons to like sized communities when considering a variety of different projects or programs. The challenge is that it is not easy to find an exact match as each community varies depending on their location, resource base, and surrounding environment.

**Rob Szachury – 7395 Larch Street (Village of Pemberton)**

Mr. Szachury provided comment on the following:

- What is the debt service ratio that the Village can borrow and what is the maximum the Village can borrow?
- What is the net cost tax revenue to pay per resident for all of the proposed projects?
- Raised concern that boundary expansion could have a negative impact on some areas and asked what the benefits would be for boundary expansion.

Acting Mayor LeBlanc advised that the maximum the Village has the ability to borrow is \$8.3 Million and that any borrowing is facilitated through the Municipal Finance Authority as it has the ability to provide the best rates. A communities maximum borrowing rate is based on assessments.

At 9:53 a.m. Acting Mayor called three times for further comment and hearing none closed the Public Information Meeting portion of the Regular Council meeting and thanked everyone for their input.

**4. ADOPTION OF MINUTES**

**a) Committee of the Whole Meeting No. 114 – Tuesday, April 1, 2014**

Moved/Seconded

**THAT** the minutes of the Committee of the Whole Meeting No. 114, held Tuesday, April 1, 2014, be adopted as circulated.

**CARRIED**

**b) Regular Council Meeting No. 1357 – Tuesday, April 1, 2014**

Moved/Seconded

**THAT** the minutes of Regular Council Meeting No. 1357, held Tuesday, April 1, 2014, be adopted as circulated.

**CARRIED**

**5. BUSINESS ARISING**

There was no business arising.

**6. MINUTES TO BE RECEIVED**

- a) **Advisory Design Review Commission – Wednesday, March 5, 2014**
- b) **Pemberton Valley Cultural Roundtable – Wednesday, March 12, 2014**
- c) **Advisory Land Use Commission – Monday, March 31, 2014**
- d) **Public Hearing Bylaw No. 759, 2014 - Tuesday, April 1, 2014**

Moved/Seconded

**THAT** the above noted minutes be received for information.

**CARRIED**

**7. REPORTS**

**a) DEVELOPMENT SERVICES**

In Caroline Lamont's absence, Daniel Sailland, CAO, presented the Temporary Use Permit (TUP) No. 005 Application for the Pemberton Music Festival.

At 10:13 a.m. Acting Mayor LeBlanc opened the floor to questions and comments from the gallery in relation to the TUP:

**Rob Szachury – 7395 Larch Street (Village of Pemberton)**

Mr. Szachury made the following enquiries regarding the Temporary Use Permit (TUP):

- Restrictions regarding the maximum years a TUP can be issued
- Consequences for the festival organizers if they do not conform to the TUP requirements.
- Which lands will be covered by the TUP

Mr. Szachury concluded by providing comment that he is in support of the Village issuing a 3 year term permit followed by a permit extension of another 3 years.

Daniel Sailland advised that under the legislation a Temporary Use Permit may only be issued for up to a maximum of three years with one renewal. At which point it would be appropriate for the lands to be zoned for the use as a Temporary Permit is meant to facilitate a use for a short period of time only. If a proponent does not meet

the requirements of the TUP or does not follow through on its obligations a TUP can be revoked by Council. The lands the TUP applies to are listed on the application.

**Joanne Molinaro – 7457 Dogwood (Village of Pemberton)**

Ms. Molinaro questioned Council as to their reasons for not issuing the Temporary Use Permit for a 3 year term.

Daniel Sailland advised that the Village is considering the approvals of other agencies in making this determination and has established that a one year TUP is appropriate at this time.

**Tim Watt – 1901 Hwy 99 (SLRD Area C)**

Mr. Watt questioned Council whether, if the TUP was issued for a 6 year period, the property would become rezoned. And in the event that the festival did not go ahead, what would happen to the property in regards to its zoning.

Sailland clarified that, as noted above, a TUP is meant to be for temporary or short term purposes. It is expected that should the land owner wish to continue with the facilitation of a festival on these lands beyond the maximum time allowed under a TUP then they would move forward with a rezoning application for the lands and if successful the rezoning would allow for this use indefinitely. The Village does have the right to change zoning on land but there are a number of factors for consideration in this case and it will take some time.

**Neil Colquhoun 535 St. Andrews Rd (West Vancouver)**

Mr. Colquhoun provided comment that on behalf of the land owner and event promoter. Mr. Colquhoun requested that Council approve the Temporary Use Permit for a 3 year term followed by a 3 year extension as it would help to reduce the amount of bureaucracy involved in the process.

**Niki Vanker – 7451 Aspen Blvd (Village of Pemberton)**

Ms. Vanker expressed the following concerns:

- Who will be covering the costs of parking enforcement during the festival?
- Issuing a 3 year TUP term in the event that issues arise after the first year.

Sailland advised that the Village is in negotiations respecting a number of agreements related to sewer, water, fire services and public works time.

At 10:25 a.m. Acting Mayor called three times for further comment and hearing none closed the Public Information Meeting portion of the Regular Council meeting and thanked everyone for their input.

**i) Temporary Use Permit No. 005 - Pemberton Music Festival**

Moved/Seconded

**THAT** Council approve Temporary Use Permit No. 005 for the Pemberton Music Festival for 2014 subject to the following conditions to the satisfaction of the Village of Pemberton:

- a) Adoption of the TUP designation bylaws.
- b) Formalize the \$3/ticket contribution.
- c) Confirmation that the Festival has met the Riparian Areas Regulations.
- d) Confirmation in writing from the Pemberton Music Festival that they will submit a monitoring report on the 2014 Festival addressing any significant issues and/or challenges that were realized prior, during and following the event. The report should also include recommended mitigation of such issues for improvement for future festivals.
- e) Development Permit requirements for the proposed sites and any buildings or structures shall meet municipal and provincial requirements.
- f) All Festival structures shall meet federal, provincial and municipal legislation.
- g) Identification of an outreach program that will inform trail users of possible detours or closures during the Festival.
- h) The Festival enter into agreements with regard to the use of Village services.
- i) Issuance of a Special Events Permit.
- j) At the time of approval or May 15<sup>th</sup> (whichever occurs first) the applicant shall provide the Public Works Department the information requested in the Festival Report to Council dated April 15, 2014.
- k) At the time of approval or by May 15<sup>th</sup> (whichever occurs first) the applicant shall provide the Village Engineer and Village Public Works and Development Services Department the information requested by the Village Engineering in the Festival Report to Council dated April 15, 2014..
- l) The existing construction trailer shall achieve approval of the water supply, wastewater collection/disposal, and resolve any other unsanitary practices and permitting with Vancouver Coastal Health and the Village of Pemberton.
- m) The Festival shall address issues identified by the PVDD in the Festival Report to Council dated April 15, 2014.
- n) Festival sign off from the First Nations Health Authority for the use of Lil'wat Nation reserve lands.
- o) The Festival identifies the benefits to agriculture of the event.

**AND THAT** consideration of renewal of the TUP application in 2015 and 2016 shall not be unreasonably withheld by the Village provided the Agricultural Land Commission approves of the subsequent festivals and

whereby the monitoring report (condition 3) indicates that the Pemberton Music Festival is a positive contributor to the Pemberton area.

**AND THAT** the Festival work with the Village, the ALC and the SLRD to fulfill ALC requirements particularly related to the tripartite agreement and the Letter of Credit

**CARRIED**

**b) ACTING MAYOR**

Acting Mayor Leblanc reported on the following upcoming events:

- April 20-26 - Pitch In week – Village of Pemberton and the Squamish Lillooet Regional District have a challenge as to who can pick up the most rubbish.
- April 20 – Lions Society Easter Egg Hunt
- April 26 – Pemberton Spring Gala – Community Barn fundraiser
- May 10-11 – Signal Hill Schools intermediate playground is being built
- May 26 - June 1 - Bike to Work Week
- May 12 -24 – Community Barn Raising

Acting Mayor Leblanc noted that since former Mayor Sturdy's resignation the Village has not held a Coffee with the Mayor session and suggested that this outreach program be reinvigorated as Coffee with Council sessions.

Moved/Seconded

**THAT** Staff be directed to establish a Coffee with Council schedule and bring back to the next Committee of the Whole for discussion.

**CARRIED**

**c) COUNCILLORS REPORTS**

**i) Councillor Craddock**

Councillor Craddock attended the Pemberton Valley Trails Association Annual General Meeting and reported out on the following:

- The Treasurer's report will be forwarded to PVUS for review.
- Clean Up trail Day – April 26th
- Request from a resident to facilitate the movement of the kiosk located at the end of Farm Road East from the South side of the tracks to the North side.
- Fekker Trail maintenance required. A request has been put in to the Village's CAO requesting a Village vehicle and staff member for the removal of wood.

**ii) Councillor Linklater**

Councillor Linklater attended the Legion fundraiser for the Canadian Forces Soldier On program which raised over \$6,000.

**iii) Councillor Richman**

Councillor Richman attended the following meetings:

- Cultural Roundtable
- Pemberton Valley Dyking District's Annual General Meeting

At 10:43 a.m. the meeting was recessed.

At 10:48 a.m. the meeting reconvened.

**8. BYLAWS**

**a) Village of Pemberton Zoning Amendment (Temporary Use C-5 and PR-1) Bylaw No. 760, 2014 – First and Second Reading**

Moved/Seconded

**THAT** Village of Pemberton Zoning Amendment (Temporary Use C-5 and PR-1) Bylaw No. 760, 2014 receive First and Second reading;

**AND THAT** Council schedule the Statutory Public Hearing on May 6, 2014 in accordance with statutory requirements.

**CARRIED**

**b) Village of Pemberton Zoning Amendment (Tiyata Revisions) Bylaw No. 761, 2014 – First and Second Reading**

Moved/Seconded

**THAT** Village of Pemberton Zoning Amendment (Tiyata Revisions) Bylaw No. 761, 2014 receive First and Second reading;

**AND THAT** Council direct staff to advertise that the public hearing will be waived in accordance with the statutory requirements of the *Local Government Act*.

**CARRIED**

**c) Village of Pemberton Community Centre Parcel Tax Amendment Bylaw No. 764, 2014 - First, Second and Third Reading**

Moved/Seconded

**THAT** Village of Pemberton Community Centre Parcel Tax Bylaw No. 764, 2014 receive for First, Second and Third reading.

**CARRIED**



**d) The Village of Pemberton Water Frontage Tax Amendment Bylaw No. 765, 2014 – First, Second and Third Readings**

Moved/Seconded

**THAT** Village of Pemberton Water Frontage Tax Amendment Bylaw No. 765, 2014 receive for First, Second and Third reading.

**CARRIED**

**e) The Village of Pemberton Sewer Frontage Tax Amendment Bylaw No.766, 2014 – First, Second and Third Readings**

Moved/Seconded

**THAT** Village of Pemberton Sewer Frontage Tax Amendment Bylaw No. 766, 2014 receive for First, Second and Third reading.

**CARRIED**

**9. CORRESPONDENCE – For Action**

- a) Tammy McIvor and Cheray Brandt, Connections Wellness Studio, dated February 28, 2014, requesting that the “additional practitioner” fee be removed from the annual utilities account.

Moved/Seconded

**THAT** the correspondence be referred to staff for review and response.

**CARRIED**

Moved/Seconded

**THAT** a review of the Village of Pemberton Industrial, Commercial and Institutional water rates and programs be included in the 2015 work plan discussions.

**CARRIED**

- b) Juanita Coltman, District Principle, Aboriginal Education, dated March 28, 2014, requesting a donation to support the 24 Hour Drum event scheduled to be held on Friday, May 2, 2014.

Moved/Seconded

**THAT** the correspondence be referred to Staff for review and allocation of \$100.00.

**CARRIED**

- c) Donna Hasan, on behalf of the Pemberton B&B Association, dated April 9, 2014, strongly urging Council to consider the negative impacts of granting Temporary Use Permits.

Moved/Seconded

**THAT** the correspondence be received and forwarded to Development Services for information;

**AND THAT** a response be provided that includes noting that a requirement of the proponent is to facilitate 24 hours catering services which is not available in any local accommodation provider but that the Village will continue to encourage any and all applicants for Temporary Use Permits to resource and support local businesses.

**CARRIED**

## **10. CORRESPONDENCE – For Information**

There was no correspondence for information.

## **11. NEW BUSINESS**

### **a) Liquor Board Correspondence – Festival Bowl Licencing**

**THAT** correspondence be sent to MLA Jordan Sturdy and the Minister of Justice advising that the Village of Pemberton continues to support and endorse an Open Bowl concept at festivals.

**CARRIED**

### **b) Equestrian Community**

**THAT** Staff send correspondence to the Ministry of Justice seeking further clarification on their decision to deny mounted horse patrol at the Pemberton Music Festival.

**CARRIED**

## **12. NOTICE OF MOTION**

There was no Notice of Motion.

## **13. QUESTION PERIOD**

### **Eric McKenzie –Pique News Magazine**

Regarding the Pemberton Music Festival, Mr. McKenzie questioned Council regarding the following:

- Where will the \$3.00/ticket contribution from the Pemberton Music Festival get directed and who makes the decision?
- How HUKA will identify the benefits to agriculture as per one of the conditions of Temporary Use Permit No. 005?
- What requirements are to be met by HUKA to obtain a Village of Pemberton Special Events Permit and is it likely that the Event Permit will not be considered until the other peripheral agencies conditions have been met?
- As mentioned in the report, is part of the ALC requirements related to the tripartite agreement to remove Live Nations and is the Memorandum of Understanding the same process as it was in the past?

- With regards to the liquor restrictions decision, was there a rationale as to the why the beer garden service at the festival?
- Has there been any indication from the RCMP that they support an Open Bowl concept at the festival?
- Unless the Ministry of Justice changes their position, does their decision mean that a horse mounted patrol will not be able to be used at the festival?

Mr. McKenzie enquired whether the reduction in the Community Centre Parcel Tax was due to the increase to the Pemberton/Area C Community Recreation Local Service Establishment bylaw, and whether the Recreation Services Manager had changed the list of priorities to which the Parcel tax was allocated to.

#### **Niki Vankerck – 7451 Aspen Blvd**

Ms. Vankerck provided comment and concern regarding the following:

- The impact and benefits to the Farmers from the Pemberton Music Festival and ALC concerns.
- Will Pemberton residents have the opportunity to provide comment on Zoning Amendment (Tiyata Revisions) Bylaw No. 761, 2014 is the public hearing is waived.
- Is residential water consumption and metering going to be reviewed by the Village?
- More information is required to inform residents of potential impacts that the Community Centre Parcel Tax reduction may have.

At 12:07 a.m. Council recessed.

At 12:40 p.m. Council reconvened.

#### **14. IN CAMERA**

Moved/Seconded

**THAT** pursuant to Section 90 (1) (a) Personnel (k) Negotiations of the Community Charter, the Council of the Village of Pemberton serve notice to hold an In-Camera Meeting on today's date for the purpose of dealing with matters for which the public shall be excluded from attending.

**CARRIED**

At 12:40 p.m. Council moved In Camera.

At 4:18 p.m. Council Rose without Report.

#### **15. ADJOURNMENT**

Moved/Seconded

**THAT** the April 15, 2014 Regular meeting be adjourned at 4:18 p.m.

**CARRIED**

  
Alan LeBlanc  
Acting Mayor

  
Sheena Fraser  
Corporate Officer