

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

Minutes of the Regular Meeting of Council of the Village of Pemberton held on Tuesday, January 17, 2017 at 5:30 p.m. in **Council Chambers, 7400 Prospect Street**. This is Meeting No. 1442.

IN ATTENDANCE: Mayor Mike Richman
Councillor Ted Craddock
Councillor Karen Ross
Councillor Jennie Helmer
Councillor James Linklater

STAFF IN ATTENDANCE: Nikki Gilmore, Chief Administrative Officer
Sheena Fraser, Manager of Corporate & Legislative Services
Tim Harris, Manager of Operations and Development Services
Lisa Pedrini, Village Planner
Jill Brooksbank, Communications & Grants Coordinator

Public: 31

1. CALL TO ORDER

At 5:30 p.m. Mayor Richman called the meeting to order.

2. APPROVAL OF AGENDA

Moved/Seconded
THAT the Agenda be approved as presented.
CARRIED

3. RISE WITH REPORT FROM IN CAMERA (CLOSED)

Council Rose with Report on the following items from the Regular In Camera No. 1442, held Tuesday, January 17, 2017:

a) Fire Service Agreement – Extension to February 28, 2017

Council supported an extension of the interim Fire Service Agreement between the Village of Pemberton and the Squamish Lillooet Regional District to February 28, 2017 to accommodate the conclusion of the legal review of the Agreement and authorized the Mayor and CAO to execute the agreement.

4. ADOPTION OF MINUTES

a) Regular Council Meeting No. 1441 – Tuesday, December 13, 2017

Moved/Seconded

THAT the minutes of Regular Council Meeting No. 1441, held Tuesday, December 13, 2017, be adopted as circulated.

CARRIED

5. BUSINESS ARISING FROM THE REGULAR COUNCIL MEETING

There was no business arising.

6. COMMITTEE MINUTES – FOR INFORMATION

There were no minutes to be received.

7. DELEGATIONS

There were no delegations scheduled for this meeting.

8. REPORTS

a) Operations & Development Services

i) Pemberton Music Festival Temporary Use Permit Renewal

Mayor Richman advised that Council will be considering the Pemberton Music Festival Temporary Use Permit Renewal Application and provided an overview of how permitting is handled for these sorts of events noting that the Temporary Use Permit is specific to the use of the land and the Special Event Permit is specific to the operations of a special event such as the Pemberton Music Festival.

Mayor Richman advised that the Festival crosses three jurisdictions and as such permitting is also done through the Lil'wat Nation and through a Temporary Use Permit process at the Squamish Lillooet Regional District.

Mayor Richman noted that as this is an important matter for the community, Council has agreed that it is appropriate for residents to have an opportunity for input on the Temporary Use Permit renewal application. As a result, a portion of the meeting will be open for comment and input from the public.

Mayor Richman set out the sequence of presentations for this portion of the event and introduced Lisa Pedrini, Village Planner, to make a presentation on the renewal application.

a. Presentation of the Temporary Use Permit Renewal Application by Village Planner, Lisa Pedrini

Ms. Pedrini presented a report on the Pemberton Music Festival Temporary Use Permit Renewal Application and outlined referral agency comments received to date as presented in the staff report to Council.

Ms. Pedrini noted that since the report was distributed, CN Rail had provided comment related to safety issues along the rail lines. The referral comments were distributed to Council for information.

As well, a letter of opposition from a resident of Reid Road in Area C was read aloud for Council's information.

Ms. Pedrini concluded by providing an overview of the staff recommendation that supported the renewal of the Temporary Use Permit subject to conditions as set out in the staff report.

Mayor Richman thanked Ms. Pedrini and asked Council if they had any questions.

Councillor Helmer sought clarification with respect to the independent monitoring report, who pays for it and what monitoring mechanisms are in place.

Ms. Pedrini advised that the soil monitoring report is the Post Event Closure Report that is prepared and submitted to the Agricultural Land Commission (ALC) by the Pemberton Music Festival (PMF) each year and is a requirement of the ALC Non-Farm Use authorization. The report is paid for by PMF.

Ms. Nikki Gilmore, Chief Administrative Officer, advised that the Village and SLRD work in cooperation with the Ministry of Forests, Lands and Natural Resource Operations and Conservation Officers to monitor off site environmental concerns.

Mayor Richman moved to open the meeting to the public and advised those in attendance that consideration of a Temporary Use Permit by a Local Government does not necessitate the need for a Public Hearing unless it is being considered by way of a Bylaw. However, the Village is

did post a notice that the renewal is being considered which was done in the local papers and through our regular communication channels.

With regards the Pemberton Music Festival, in light of the fact that this is such a large scale event, Council has decided to take the extra step to open this meeting in order to give residents an opportunity to provide input.

Mayor Richman reminded those in attendance that this is not a Public Hearing and explained that everyone present who has an interest in the Temporary Use Permit renewal shall be given a reasonable opportunity to be heard or to present written submissions respecting the TUP Renewal at this meeting. As well, the audience was advised that no one will be discouraged or prevented from making their views known but asked that remarks be related to Temporary Use Permit renewal Council is considering.

Mayor Richman noted that each speaker will be provided up to two (2) minutes to be heard and once everyone has had a chance to speak a first time, those who wish to speak again may do so if they have new points to present. Mayor Richman requested that, prior to commencing their remarks, audience members state their name and civic address and noted that comments will be recorded for the minutes.

Mayor Richman concluded by noting that the Temporary Use Permit renewal will be considered by Council after the close of the public input session.

b. Public Input Session – Opportunity for those in attendance at the meeting to provide comment/feedback

Sandy Ryan – Poplar Street/Timberlane (Village of Pemberton)

Mr. Ryan read from a prepared letter and provided the following comments:

- Requested to define what 'extra' benefits are available to the communities
- Concern that the mobile production, catering and entertainment companies leave with all the revenues and that no money is remaining in the community
- Impacts on local businesses in that they are busy for a few hours and then it is quiet
- Impacts on the Industrial Park on the arrival day (Friday) and departure day (Monday) and the lack of outreach on the part of the Festival Producers.

- Concern about local artisans not being able to operate within the Village during this time.
- Concern that not enough funding has been put back in to the community
- Concern that the dates for the festival do not allow for actual agricultural activity
- Suggested that a long term strategic financial benefit directly driven by the Festival revenues be considered noting that the only group not adequately compensated is the community.
- Suggested that a levy of \$25 on each ticket be implemented with an aim to work together with the SLRD and Lil'wat to build long lasting recreational infrastructure (ie: pool, arena, upgrade fields, trail infrastructure).

Tanys Hopkins – Frontier Street (Village of Pemberton)

Ms. Hopkins spoke about the tourism benefits to the Pemberton Valley as a result of the Pemberton Music Festival and suggested that there should be opportunity to put more money into the community and noted her support for the Festival.

Jenna Markovic – Plateau (Village of Pemberton)

Ms. Markovic advised that she is in support of the Festival and thanked the Festival Producers for the outreach they have undertaken with the Plateau residents and for addressing their concerns and provided the following points:

- The Festival brings marketing opportunities for the community that we could never afford or pay for
- Producers should seek guidance from the Village on where best to concentrate efforts
- Provide opportunity where business owners can get information about vendor opportunities at the Festival and establish a percentage of local vendors
- Commented that fundraising is hard work and the contribution made by the Pemberton Music Festival to the Pemberton Music Festival Community Fund (PMFCF) makes a difference for some groups in terms of whether or not a project gets completed.
- Suggested that a larger portion of the PMFCF be set aside for agricultural projects and set up as a legacy
- Have the Village assign someone to work with HUKA to arrange connecting business owners and keep communications with Plateau residents moving forward.

Mark Mendonca – Balsam Street (Village of Pemberton)

Provided the following comments:

- The PMF enhances and grows tourism in the area – not possible to pay for this type of exposure
- Would like to see more emphasis on the suggestions from the Chamber of Commerce
- Would like to see more funding be put back into the community but noted that it is important to let the Festival grow
- Advised that as a vendor at the Festival, he employs an additional 20 local people which provides an opportunity for work experience in a fast paced environment and develops customer service and cash handling skills for youth in the community
- Would like to see the Festival continue and sees it to be good for the community

Kurt Becker – Sea to Sky Highway (SLRD Area C)

Mr. Becker asked what the process is after this three (3) year renewal period is concluded.

Ms. Pedrini advised that the property owners could apply for rezoning of the lands and consideration could be given to establishing a site specific assembly use in that zone that would be put in place with conditions. This approach was suggested by the Thompson Nicola Regional District Planner who has experience with the Merritt Mountain Music Festival, another outdoor venue in the ALR.

Mr. Becker commented that he is in support of the Festival and noted that planning an event of this size is expensive and suggested that the community might want to allow the Festival the time to become profitable and then seek more money for the community. Mr. Becker also noted that it is unlikely that 100% approval from the community will ever be achieved and that it takes time to build trust but that in his opinion it is in the best interest of Pemberton as it provides opportunity and everyone can benefit.

Richard Drennan – Pemberton Farm Road (SLRD Area C)

Mr. Drennan advised that he is in support of the Festival and encouraged Council to support the Temporary Use Permit Renewal.

Pat MacKenzie – Laburnum Street (Village of Pemberton)

Ms. MacKenzie spoke about the spin offs and benefits of the Festival for auxiliary or ancillary small businesses citing examples like the laundromat and the various small or one person cleaning companies. Ms. MacKenzie also noted that the funding that is contributed to the community through the Festival Fund has been significant and has provided opportunity for the Rotary Club in particular to build their pot of money so that it can be utilized for larger projects.

Ms. MacKenzie concluded by advising that she is in support of the Festival and acknowledging the work of the Rockdoc team who work so hard to keep the Festival attendees safe on site.

Marie Harrison – Pemberton Meadows Road (SLRD Area C)

Ms. Harrison commented that she is in support of the Festival and noted that although inconvenient for some, the Festival provides jobs for local residents including herself and has put Pemberton on the map.

Leah Dahling – Taylor Road (SLRD Area C)

Ms. Dahling commented that there have been significant traffic improvements since 2008 and that residents should be seeking opportunities as a result of the Festival being in town. As well, she noted that many people benefit by renting out their houses, taking in guests and that the hotels are sold out during this time.

Niki Vankerck – Aspen Boulevard (Village of Pemberton)

Ms. Vankerck noted that she is in support of the Festival but not a Festival where attendance is set at 60,000 people suggesting that if this is the number required to break even, then this location may not be appropriate. Ms. Vankerck expressed concern over the farmland commenting that this type of use does not show respect for farming or the land especially as July is a prime month for agricultural activities.

Alison Twiss – Vine Road (Village of Pemberton)

Ms. Twiss expressed her support for the Festival noting that operationally improvements have been made year over year including employment opportunities, better post event clean-up efforts, traffic management, etc.

Ms. Twiss noted that the funding that is provided to community groups is essential especially when funding is so hard to come by and suggested that once the Festival breaks even there will be opportunity to see an

increase in funding available through the community fund but that the organizers need time and that overall the town will win.

Mayor Richman called three times for any further comment and hearing none closed the public input portion of the meeting and advised that Council will now consider the renewal application.

Council provided the following comments:

Councillor Craddock

- Interest to secure additional funds for the community and options such as adding to the ticket price an agricultural enhancement charge
- Concern over the increase of attendees and how it will impact egress on the Monday after the Festival
- Concern that not all referral agencies have responded to the request for comments
- Supports the Festival but concerned about providing approval on the Permit without review of all the referral comments which may lead to a need to revisit the matter.

Councillor Ross

- Would like to see the establishment of a mechanism that Village can put in place to collect an extra fee on top of the ticket price.

Councillor Linklater

- Water servicing issues (NOTE: CAO Gilmore advised that the water use at the Festival site is minimal with no impacts to the system and that agreements for servicing are established through the Special Event Permit)
- Concern about referral agency comments not received to date
- Would like to see more funding allocated to the community

Councillor Helmer

- Concern about the growth in attendance numbers
- Concerns expressed by RMOW
- Concern about water supply and the possibility of water shortages
- Acknowledged the economic benefits
- Concern over the impacts on the agricultural lands

- Noted that the Post Event Closure Report (Agrologist Report) falls short as there is no data on soil compaction and based only on visual inspection
- Does not support the Permit Renewal

Mayor Richman

- Identified the Festival as an economic driver (employment/local vendor opportunities)
- Opportunity to look at an extra service charge but felt that \$25 per ticket too high
- More monitoring and reports can be achieved through the Special Event Permit (waste diversion etc.)
- Would like to see funding put directly into agricultural enhancements perhaps through an additional fee of \$3-\$5 on each ticket, or a number that will fit with HUKA's business model
- Need to monitor the attendance numbers and put in place mechanisms to address issues that increased numbers bring
- Importance of hearing the comments of the agencies that have not yet provided input

c. Consideration by Council of the Renewal Application

Moved/Seconded

THAT the Temporary Use Permit Application Renewal No. 008 (Pemberton Music Festival) be approved in principle subject to positive comment being received from the Agricultural Land Commission, Lil'wat Nation, Ministry of Transportation and Infrastructure, and the Pemberton Valley Dyking District and the following conditions:

- An appropriate, practical and safe Pedestrian and Cycling Route Plan be submitted to the satisfaction of the Manager of Operations and Development Services and Ministry of Transportation and Infrastructure;
- A Waste Management Plan that is based on the principles of the SLRD Solid Waste and Resource Management Plan is developed to the satisfaction of the Village of Pemberton;
- Continuation of independent annual monitoring of Agricultural Lands and the impacts of the Festival on Agricultural Reserve Lands to the satisfaction of the Village of Pemberton and the Agricultural Land Commission;
- Riparian Area Regulations be adhered to or exceeded;
- Pemberton Valley Dyking District comments be incorporated as a condition in the Temporary Use Permit as deemed appropriate by the Manager of Operations & Development Services:

- Annual Special Events Permits be applied for by the Festival Producers and approved/issued by the Village of Pemberton;
- The SLRD approving the Temporary Use Permit applications for use of lands in Electoral Area C for Festival Purposes (Parking and Camping);
- The Lil'wat Nation approving the use of I.R. (Indian Reserve) Lands for Festival Purposes (Parking and Camping) and their comments on the Temporary Use Permit Renewal be incorporated into the TUP as deemed appropriate by the Manager of Operations & Development Services;
- The Pemberton Music Festival continue to donate \$3.00 from every ticket sold to the Pemberton Music Festival Community Fund;
- The Festival endeavors to engage local food and merchandise vendors, employees, contractors, artists, musicians as much as possible;
- The Festival work with the Province and Stewardship Pemberton Society to ensure that environmental protection and safety remain a priority especially around rivers, and other water bodies;
- The Festival develop methods to decrease the amount of vehicles carrying Festival Patrons and decrease the demand for parking on ALR lands by offering expanded shuttle services originating outside Whistler and Pemberton (Vancouver/Squamish);
- That the Festival continues to support agricultural enhancements as identified in the Memorandum of Understanding among the Village of Pemberton, Squamish-Lillooet Regional District and the Agricultural Land Commission.
- That each year following the Festival the Economic Impact Report and the Post Event Closure Report (agrolgist report) be presented to the Village.

AND THAT any and all fees incurred over and above the non-refundable deposit for the processing of the Temporary Use Permit Renewal application be paid by the applicants;

CARRIED

OPPOSED: Councillor Helmer

Moved/Seconded

THAT staff be directed to investigate a mechanism that would enable the Village to collect an additional fee on top of the ticket price.

CARRIED

b) Office of the CAO

i) Strategic Plan Priorities

Moved/Seconded

THAT the Strategic Priorities, as established in December 2016, be supported and approved.

CARRIED

Moved/Seconded

THAT a public input session to allow for comment from the public on the Friendship Trail Bridge project be provided at an upcoming Regular Council Meeting.

CARRIED

c) Mayor's Report

Mayor Richman reported on the following meetings:

- SLRD Board Meeting – budget deliberation
- Pemberton Valley Utilities and Services Committee – budget deliberations
- Meeting with Chief Nelson, Lil'wat Nation – partnership opportunities
- Attended the Project Update Information Session on Monday
- Corridor Mayor's Meeting – housing, transit and Ironman

Moved/Seconded

THAT staff be directed to develop a community consultation program to seek feedback from residents respecting the Ironman Race for review by Council.

CARRIED

Mayor Richman also reminded of the following upcoming events and congratulated the organizers of Winterfest on an amazing Pop-Up Event this past week.

- The NEW Village of Pemberton website will be going LIVE on Monday, January 23rd. Let us know what you think! Send us your comments at admin@pemberton.ca
- Round two of Winterfest is happening this coming weekend. Please note, events previously scheduled for the lake have now been moved to the Downtown Community Barn (with the exception of Polar Bear Plunge). Visit www.pembertonwinterfest.com for schedule of events

Mayor Richman concluded by acknowledging and thanking the Public Works Team for doing a great job in keeping the Village streets clear and for all the hard work done today during the wet weather event.

d) Councillors Reports

i) Councillor James Linklater

Councillor Linklater extended a Happy New Year to everyone and reminded of the Winterfest activities taking place January 21st and 22nd.

Councillor Linklater will also be supporting the events being held this coming weekend by the Whistler Blackcomb Foundation.

Councillor Linklater thanked Steve Flynn, from the PVDD, for attending at the Committee of the Whole meeting and providing a presentation on the November high water event and thanked the PVDD for all the work they do.

ii) Councillor Karen Ross

Councillor Ross wished to thank Steve Flynn, PVDD, for taking the time to meet with the Committee of the Whole and report on the November events.

9. BYLAWS

a) First and Second Reading

i. Village of Pemberton Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017

Moved/Seconded

THAT Zoning Bylaw No. 466, 2001, Amendment (Marihuana Operations) Bylaw No. 809, 2017 be given First and Second Reading.

CARRIED

Moved/Seconded

THAT a Public Hearing for Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 be scheduled for 7:00 pm on Tuesday, January 31, 2017.

CARRIED

Moved/Seconded

THAT if Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 is adopted, that the Village not accept any rezoning applications to permit a marihuana operation until the Zoning Bylaw Review process is completed (anticipated by December 31, 2017).

CARRIED

10. CORRESPONDENCE

a) For Action

Prior to considering the correspondence for Action Council discussed the process by which correspondence is brought forward for consideration at a Council meeting. Staff explained that the current policy, as established by previous Council, is to compile correspondence received within a two week period and distribute to Council in advance of the meeting for review and direction as to which piece of correspondence they would like to bring forward for action or information if any. This does not apply to correspondence addressed to Mayor and Council from residents or related to local issues.

Moved/Seconded

THAT all correspondence addressed to Mayor and Council be included on the agenda package for information.

CARRIED

OPPOSED: Councillor Craddock

- i. **Correspondence from City of Richmond Mayor Malcolm Brodie to Premier Christy Clark and The Honourable Todd Stone, Minister of Transportation and Infrastructure, dated October 18, 2016, regarding the George Massy Tunnel Replacement Project – Highway Infrastructure Features.**

Moved/Seconded

THAT the correspondence from the City of Richmond regarding the George Massy Tunnel Replacement Project be referred to the next Committee of the Whole for discussion.

CARRIED

- ii. **Correspondence from Harrison Hot Springs Mayor Leo Falcio to The Honourable Peter Fassbender, Minister of Community, Sport and Cultural Development, dated November 28, 2016, regarding Short Term Rentals in the Tourism Accommodation Sector.**

Moved/Seconded

THAT the correspondence be received.

CARRIED

- iii. Correspondence from City of Burnaby Mayor Derek Corrigan to Premier Christy Clark, dated December 16, 2016, regarding Provincial Property Taxes and Home Owner Grants.**

Moved/Seconded

THAT the correspondence be received.

CARRIED

- iv. Correspondence from Ms. Jacqueline Dawes, Deputy Minister, Ministry of Education, dated December 21, 2017, regarding review of rural education practices and rural education funding.**

Moved/Seconded

THAT the correspondence be received.

CARRIED

- v. Correspondence from Mr. Kurt Samer, dated January 3, 2017, regarding new parking regulations on Dogwood Street.**

Moved/Seconded

THAT that the correspondence from Mr. Kurt Samer, dated January 3, 2017, be referred to staff for follow up.'

CARRIED

- vi. Email submission from Ms. Judith Walton, Chair, Pemberton & District Library Board, dated January 6, 2017, regarding reliable and sufficient internet capability at the Pemberton & District Public Library.**

Moved/Seconded

THAT correspondence be sent to Ms. Walton advising that the Village is meeting with representatives from TELUS and has met with representatives of Shaw Cable to discuss the internet service challenges being faced by the community.

CARRIED

b) For Information

- i. Sea to Sky Community Services – Pemberton Food Bank – Thank you for funding support for the 2016 Christmas Hamper Program**
- ii. Correspondence from Brad Desmarais, on behalf of the Elements Strata, received January 4, 2017, expressing concerns about medical marihuana dispensary operations.**

- iii. **Email submission from Scott and Barb Turrin, dated January 7, 2017, supporting the renewal of the Pemberton Music Festival Temporary Use Permit.**
- iv. **Email submission from Alan McEwan, dated January 10, 2017, requesting that Council deny the Pemberton Music Festival Temporary Use Permit Renewal.**
- v. **Email submission from Niki Vanker, dated January 11, 2017, providing comment on the Pemberton Music Festival Temporary Use Permit Renewal.**
- vi. **Correspondence from Garth Phare, President, Pemberton & District Chamber of Commerce, dated January 11, 2016, providing input on the Pemberton Music Festival Temporary Use Permit Renewal application.**
- vii. **Correspondence from Jan Naylor, dated January 12, 2017, providing comments on the Pemberton Music Festival Renewal Application.**

Moved/Seconded

THAT Council receive these submissions for information. ‘

CARRIED

10. DECISION ON LATE BUSINESS

There was no late business for consideration.

11. LATE BUSINESS

There was no late business.

12. NOTICE OF MOTION

There was no Notice of Motions presented.

13. QUESTION PERIOD

Sandy Ryan – Poplar Street (Village of Pemberton)

Mr. Ryan provided comment on the 2017 Strategic Priorities.

Jenna Markovic – Pinewood (Village of Pemberton)

Ms. Markovic asked questions related to the Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 and sought clarification with respect to the

resolution to receive the correspondence from the Ministry of Education regarding rural education.

A short discussion took place respecting this correspondence and the following resolution was passed:

Moved/Seconded

THAT the Village of Pemberton request an extension on the deadline of January 31, 2017 to provide submissions to the Ministry of Education regarding the rural education practices and funding;

AND THAT if an extension is granted an invitation be extended to the Village of Pemberton and Electoral Area C Board of Education Trustees to attend a Committee of the Whole to discuss the challenges faced by rural communities.

CARRIED

David Buttrey – HUKA Entertainment

Mr. Buttrey provided clarification with respect to Festival operations, communications with the community and traffic management and shuttle programming.

14. AJOURNMENT

At 8:07 p.m. the Regular Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer