

LAND USE

1. What are the differences between agricultural zoning in the SLRD and Village of Pemberton?

The SLRD zones land in the ALR as AGR (Agriculture) under the Electoral Area C Zoning Bylaw No. 765, 2002; while the Village of Pemberton mainly zones land in the ALR as A-1 (Agricultural) under the Village of Pemberton Zoning Bylaw No. 466, 2001. However, there are some Village parcels that are in the ALR that are zoned differently due to long standing permitted non-farm use decisions by the Agricultural Land Use Commission (ALC) – for example, the Meadows at Pemberton Golf Course, which is in the ALR is zoned PR-1 (Parks and Recreation).

The SLRD AGR and Village A-1 zones are nearly synonymous, with some minor differences in terminology and development regulations. Both zones permit agricultural / farm uses, single family residential dwellings, one (1) accessory/secondary suite, home occupation/home-based businesses, and accessory/auxiliary uses.

Key differences include:

- *The SLRD AGR Zone currently has a minimum parcel size of 2 ha (5 acres) where subdivision has been authorized by the Agricultural Land Commission Act; the Village's A-1 Zone does not have a minimum parcel size but states that subdivision of land is not permitted unless approved by the Agricultural Land Commission.*
- *The SLRD AGR is further divided into sub zones, such as AGR_{PF} - which is the Agriculture - Pemberton Fringe sub zone, and specific provisions apply in a sub zone in addition to the general regulations applicable to each general zone. The Village does not utilize sub zones.*

Both the SLRD Electoral Area C Zoning Bylaw and the Village of Pemberton Zoning Bylaw are currently under review. Drafts of each Bylaw continue to show similarities in their agricultural zoning, for example both propose an expanded list of permitted uses including new uses such as 'Gathering for an Event' and 'Agri-tourism Activity' - uses permitted in the ALR as per recent changes to the ALC regulations.

In earlier iterations of their draft Area C Zoning Bylaw, the SLRD has indicated its preference to raise the minimum parcel size in the AGR zone from 2 ha to 20 ha; at the same time the Village is proposing to create a minimum parcel size in the A-1 zone of its Draft Village Zoning Bylaw from 0 to 2 ha. That being said, it is Staff's recommendation to have consistent land use regulations within the Valley to minimize conflict around agricultural uses; therefore, the Village will be closely monitoring the progress of the Area C Zoning Bylaw update and may make amendments to its A-1 zone minimum parcel size in future, as appropriate.

The proposed SLRD Electoral Area C Draft Zoning Bylaw has also proposed regulations within its AGR zone to implement stricter siting requirements (i.e., farm home plate), in keeping with the recommendations of the Pemberton and Area C Agricultural Area Plan. The Village is not contemplating similar siting regulations at this time given the small number of agricultural (ALR) properties within its boundaries, but this could be a subject of further amendment in future especially if boundary extension is approved by the Province.

2. **Will the Village be open to the subdivision of bigger acreages in the future, as part of Village expansion and population growth?**

The Village may support subdivision in the ALR but only where it will enhance farming opportunities. Subdivision of agricultural land within the Provincial Agricultural Land Reserve (ALR) is subject to the approval of the Agricultural Land Commission (ALC). An application to subdivide ALR land within the Village of Pemberton must be filed with the municipality first and would require the Village's support in order to forward it to the ALC for their final approval. It is the Commission that makes this decision based on a number of criteria such as agricultural capability and the needs of the agricultural industry in the area. The ALC prioritizes agricultural land use within its reserve and does not typically support subdivision. The Village's Official Community Plan reflects the Village's support for protecting farmland for farming.

3. **Can we have short-term vacation rentals if we are in the A-1 zone?**

Agri-tourism accommodation, as defined by the Agricultural Land Commission (ALC), can be permitted in the ALR by a local government under certain conditions, thresholds and other requirements. Please check the ALC website for more detailed information.

At this time, the Village of Pemberton does not currently permit short-term vacation rentals in the A-1 zone but is proposing to permit Agri-tourism accommodation in the Draft Zoning Bylaw, under certain conditions, subject to Council approval.

4. **What is the difference between being in the ALR vs. having farm status?**

Property is designated as being within the Provincial Agricultural Land Reserve (ALR) by the Agricultural Land Commission (ALC). BC Assessment classifies certain farm land as per the Assessment Act. In order to receive and maintain farm class (commonly referred to as "farm status or Class 9"), the land must generate a certain amount of income from one or more qualifying agricultural uses. Please refer to <https://info.bcassessment.ca/services-and-products/Pages/Classifying%20Farm%20Land.aspx>

5. **Will ALC regulations apply once affected properties are incorporated into the Village?**

Yes, if your property is currently within the Agricultural Land Reserve (ALR), the ALC regulations will continue to apply.

6. **Will AirBnB business licences be permitted?**

At this time, the Village of Pemberton does not currently permit short-term vacation rentals outside of a licensed Bed and Breakfast. Bed and Breakfast Licenses will be permitted subject to the property being zoned to allow for that use and a business licence being issued. The Village has included proposed regulations for short-term vacation rentals (ie: Air BnB) in its Draft Zoning Bylaw. For more information please see Section 7.22 in the attached link <https://www.pemberton.ca/public/download/documents/49126>.

7. **If a business is not currently allowed on ALR land in the SLRD, will it be permitted once in the Village?**

No. The ALC regulations will continue to apply to lands within the ALR. Home occupations are permitted in A-1 zones subject to certain conditions. If your business is not currently in compliance with the Village’s regulations or the ALC regulations, you may be required to submit a rezoning application and/or apply for permission for a Non-Farm Use in the ALR.

8. What is the anticipated timeline for the Village to rezone land to correspond to its own Village Bylaw?

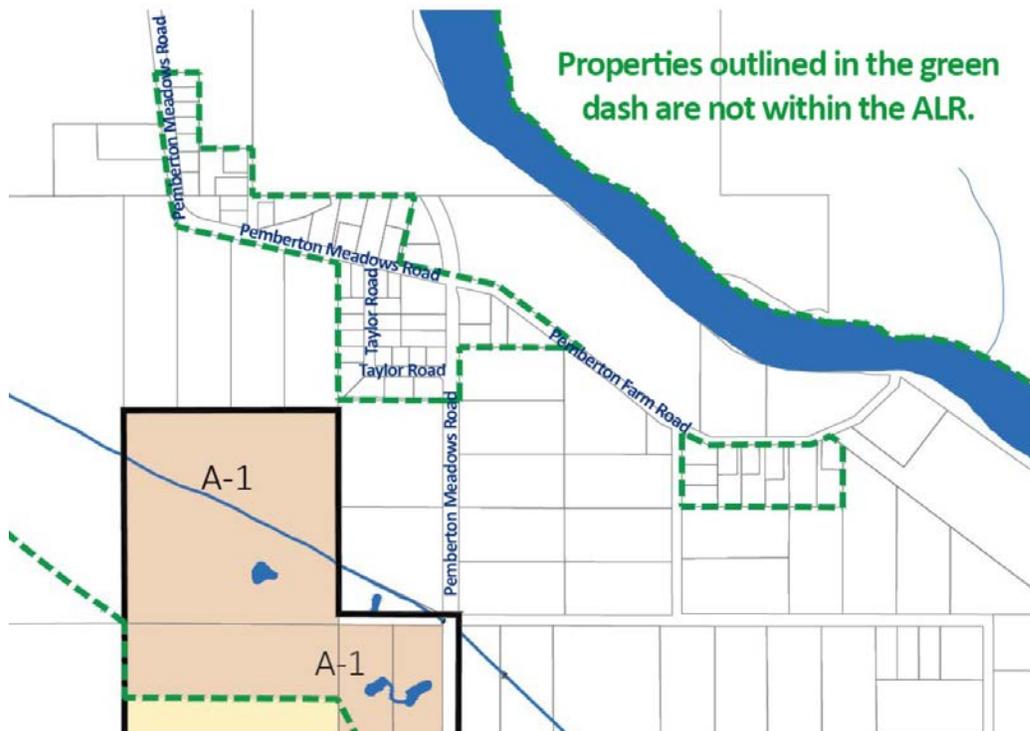
Upon completion of a boundary extension, which may take up to 2 to 3 years, the Village would consider the timeline with respect to whether or not amendments to the Zoning Bylaw would be initiated immediately or not. In the interim, the SLRD Area C Zoning that applies to the lands at time of extension will continue to be in force.

9. Will there be opportunity for landowners to subdivide their lot once incorporated into the Village, assuming correct procedures are followed?

See Question #2.

10. What percentage of properties are ALR in this proposed extension?

Approximately 71% of all the properties identified in the extension area are currently within the ALR. Those properties previously excluded from the ALR in the Pemberton Fringe on Taylor Road, Anderson Road, a portion of Pemberton Meadows Road and Pemberton Farm Road have been excluded as shown in the map below.



INFRASTRUCTURE

- 11. If my property is incorporated into the Village, when can I expect water and sewer services to be added?**

In the Village's experience, the boundary extension process could take up to 2 – 3 years before a complete transition of services is finalized (e.g. roads). In this regard, the Village has seen a boundary extension be completed as quickly as 2 years and as long as 5 years. Consideration of the potential extension of infrastructure to these properties would not take place until after the boundary extension has been completed; however, it is not uncommon for the transition of services to take a bit longer.

If your property currently does not have access to the water and sewer system there will be no obligation on the Village's part to install new infrastructure. If the property owners have an interest in receiving water and /or sewer services once the boundary extension is completed, they could petition the Village for a Local Service Area to have the water and/or sewer infrastructure built. This will require borrowing funds which would be added to the taxes, in the form of a Parcel Tax, of those properties affected. It should be noted in this instance that only those receiving the new service would be paying for the cost of the works.

- 12. What is the status of MacRae Road? Who owns it and who maintains it? Will it be included in the proposed boundary extension?**

MacRae Road is owned by the Ministry of Transportation and Infrastructure (MOTI). It is considered to be a Highway Right of Way but is not built to Highway specifications and therefore is considered by the Ministry to be a Class 8F Road. This means that there is no maintenance done to this Right of Way. In order for this road to be maintained, it would need to be significantly upgraded. Transfer of this road would be part and parcel of the negotiations with MOTI that occur if boundary extension moves forward.

- 13. Does Pemberton North Water System still carry a debt for the upgrades?**

Yes, the Pemberton North Water System currently has a debt that is being repaid via a Parcel Tax on each Property which is billed annually by the SLRD. This debt is scheduled to be retired in 2023. If boundary extension were successful, the Parcel Tax would continue to be paid by those individual parcels currently paying the tax, until the retirement of the debt in 2023. The Parcel Tax would not be distributed amongst all Village users.

- 14. What is the status of the infrastructure currently owned by SLRD?**

With respect to infrastructure currently owned by the SLRD, the Village would need to undertake an engineering review of the infrastructure. The transfer of this infrastructure from the SLRD to the Village would be part of the boundary extension negotiations.

- 15. How will the Village plan for increased infrastructure costs as a result of the proposed Boundary Extension?**

With the additional taxation revenues as a result of the Boundary Extension, setting aside reserves to facilitate infrastructure initiatives is a priority for Council. As well, the yearly budget deliberations leading up to and following the boundary extension will consider new infrastructure costs and these will be reflected in the Five Year Financial Plan.

FINANCES

- 16. I live outside of the Village boundaries, and currently purchase water from the Village. What will happen to my water rates?**

Properties currently serviced by Village water may likely see a reduction in the water user fees as the rates would be adjusted to “Inside Boundary” rates. As identified in Question #13, please note that those properties within the Pemberton North Water Service Area will continue to pay the Parcel Tax until the debt is retired in 2023.

- 17. Would this boundary extension result in loss a of tax dollars for the Squamish-Lillooet Regional District?**

There is a potential loss of tax dollars to the SLRD for the following Electoral Area services:

- *Civic Addressing (currently no requisition)*
- *Building Inspection Services*
- *Elections UBCM*
- *Emergency Planning*
- *Electoral Areas Community Parks Services (currently no requisition)*

The Village will continue to work with the SLRD to review further potential financial and service impacts.

- 18. Other than voting, what benefits would properties with wells and septic receive?**

The Village acts as a service hub for the entire Pemberton Valley. The boundary extension will provide property owners in the fringe area an opportunity to be part of the decision making and shaping the future of this highly used and impactful area.

- 19. Will farm buildings like barns, sheds etc. be taxed once in the Village boundaries?**

If you have Farm Status, farms houses and outbuildings will now be taxed. Unfortunately, Provincial regulations allow properties that have Farm Status to be exempt from taxation if only in the Regional District. This regulation does not apply to those properties with Farm Status in the Municipality. The Village does have the ability to decrease the Farm tax rate to minimize the impacts.

- 20. Will I lose my Farm Status if I come into the Village?**

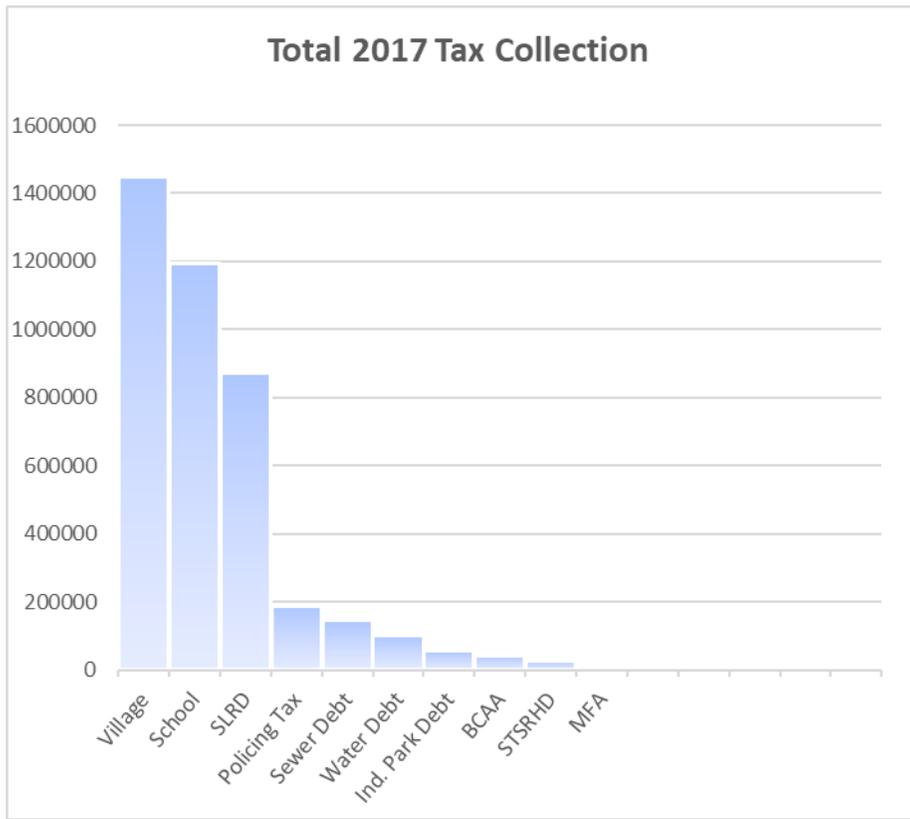
No. Your Farm Status will remain the same.

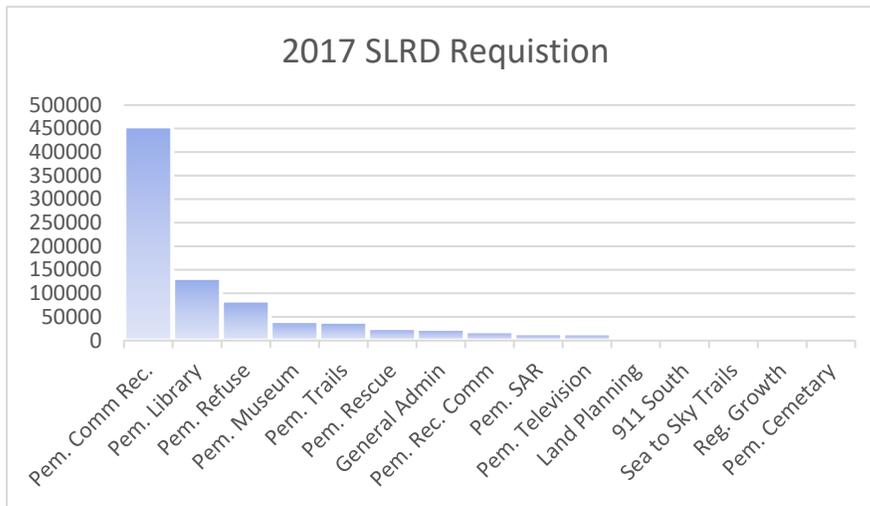
- 21. If I come into the Village will I still be paying taxes to the SLRD? If so, what are those tax dollars for and how much would I be paying on my tax bill?**

Yes. Regional Services that apply to multiple areas such as; Land Planning, Recreation, Pemberton Library, Pemberton Refuse, Pemberton Valley Trails, are managed by the SLRD. The costs of these services are requisitioned from each participating area based on BC Assessment valuation and percentage share of service. The VOP collects the tax on behalf of the SLRD and submits it to the Regional District.

22. If I come into the Village will I still be paying taxes to the SLRD? If so, what are those tax dollars for and how much would I be paying on my tax bill?

Regional Services that apply to the entire Regional District, or in multiple areas with the Village participates in, are managed by the SLRD. These include services such as; Land Planning, Recreation, Pemberton Library, Pemberton Refuse, Pemberton Valley Trails, are managed by the SLRD. The costs of these services are requisitioned from each participating area based on BC Assessment valuation and percentage share of service. The VOP collects the tax on behalf of the SLRD and submits it to the Regional District. See bar charts below:





Other

23. What will the Village do to support farming and agricultural viability in the boundary extension area?

The Village currently supports farming and agricultural viability through its agricultural policies in its Official Community Plan (OCP) Bylaw No. 654, 2011 and through its zoning regulations in the A-1 Zone. A future review of the Village's OCP is scheduled for 2019, and future agricultural policies will be informed by the 2012 SLRD Pemberton and Area C Agricultural Area Plan.

24. How accommodating will the Village be to home businesses?

Accessory home occupation use, as defined by the Agricultural Land Commission, is a permitted use in the ALR, and the Village regulates home occupations in the A-1 zone according to the general regulations noted in Section 207 of Zoning Bylaw No. 765, 2001. In its proposed new Zoning Bylaw, currently in draft form, the maximum floor area for a home occupation in the A-1 zone is proposed to increase from 50 m² to 100m².

25. Will each of the proposed extension areas (ie. PNWS, Pemberton Fringe, Industrial Park area) have a separate vote on whether they want to join the Village or will all areas be voting as a group?

UPDATED May 14th – *All eligible electors within the proposed boundary extension area will be entitled to vote in the Referendum. The referendum will take place during Local Government Elections on October 20, 2018. Should the referendum result in 50% plus one in favour of boundary extension, properties within the proposed extension area would be included in the Village's application to the Province. Individual properties may not opt out if the vote is affirmative.*

26. Has the Village been in contact with the SLRD and Lil'wat Nation with respect to this proposed boundary extension?

Yes. The Village provided notification to both the SLRD and Lil'wat Nation with respect to this initiative and is committed to information sharing and dialogue throughout the entire process.

27. What are the potential increases in policing costs as our population grows?

The cost of policing only increases if the Village reaches a population of 5,000 or more. The proposed Boundary extension does not anticipate a significant increase in population.

28. What happens to the Trails function?

The Trails function would continue to be managed by the SLRD, through the Pemberton Valley Recreation Trails Service.

29. What happens to the SLRD portion of the IPP taxes if they are included in the Village boundary extension?

It has not been determined at this time if the SLRD taxes would remain with the SLRD, transfer to the Village or a transfer with payments over a set number of years to lessen the impacts to the SLRD. Impacts as a result of a loss of taxation collected for Electoral Area C services will need to be reviewed. This will need to be negotiated with the SLRD should the boundary extension be successful. The Provincial portion of the taxes would, however, now become Village taxes. The yearly amenity contributions received from the IPP's will not transfer to the Village as the Agreements are with the SLRD.

30. Would the Village be responsible for the bylaw enforcement in the extension area?

Yes. Bylaw enforcement issues in the extension area will now become the responsibility of the Village.