

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

Minutes of the Regular Meeting of Council of the Village of Pemberton held on Tuesday, November 27, 2018 at 9:00 a.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 1482.

IN ATTENDANCE:

Mayor Mike Richman
Councillor Amica Antonelli
Councillor Ted Craddock
Councillor Leah Noble
Councillor Ryan Zant

STAFF IN ATTENDANCE:

Nikki Gilmore, Chief Administrative Officer
Sheena Fraser, Manager of Corporate & Legislative Services
Lena Martin, Manager of Finance & Administrative Services
Robert Grossman, Fire Chief
David Ward, Assistant Operations Manager
Lisa Pedrini, Senior Planner
Wendy Olsson, Executive Assistant
Jill Brooksbank, Communications & Grant Coordinator
Gwendolyn Kennedy, Legislative Assistant

Public:

6

1. CALL TO ORDER

At 9:03 a.m. Mayor Richman called the meeting to order.

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. APPROVAL OF AGENDA

Moved/Seconded

THAT the Agenda be approved as amended by moving item 8 (e) (iv) to 8 (a) and 8 (e) (v) to 8 (b).

CARRIED

3. ADOPTION OF MINUTES

a) Regular Council Meeting No. 1478, Tuesday, October 16, 2018

Moved/Seconded

THAT the minutes of Regular Council Meeting No. 1478, held Tuesday, October 16, 2018, be adopted as circulated.

CARRIED

b) Special Council Meeting No. 1479, Tuesday, October 30, 2018

Moved/Seconded

THAT the minutes of Special Council Meeting No. 1479, held Tuesday, October 30, be adopted as circulated.

CARRIED

c) Inaugural Council Meeting No. 1480, Tuesday, November 6, 2018.

Moved/Seconded

THAT the minutes of Inaugural Council Meeting No. 1480, held Tuesday, November 6, be adopted as circulated.

CARRIED

d) Special Council Meeting No. 1481, Friday, November 9, 2018

Moved/Seconded

THAT the minutes of Special Council Meeting No. 1481, held Friday, November 9, 2018, be adopted as circulated.

CARRIED

4. BUSINESS ARISING FROM THE PREVIOUS REGULAR COUNCIL MEETING

There was no business arising.

5. BUSINESS ARISING FROM THE COMMITTEE OF THE WHOLE MEETING

There was no business arising.

6. COMMITTEE MINUTES – FOR INFORMATION

There were no minutes to be received.

7. DELEGATIONS

8. REPORTS

a) Non-Medical Cannabis Retail Store Licence Application Referral – Pemberton Hotel

Lisa Pedrini, Senior Planner, introduced the Non-Medical Cannabis Retail Store Licence Application referral received by the Village on October 4, 2018 from the Provincial Liquor and Cannabis Regulation Branch (LCRB). Ms. Pedrini advised that the Bison Group Management LTD, owners of the Pemberton Hotel, have made this application and it is before Council for consideration of support.

Ms. Pedrini presented a report summarizing feedback received from the public regarding the Non-Medical Cannabis Retail Store Licence Application submitted by the Pemberton Hotel. Ms. Pedrini noted that the application complies with Village of Pemberton Zoning Bylaw (Amendment Bylaw No. 847, 2018) and Non-Medical (Recreational) Cannabis Retail Policy requirements, that public feedback is equally balanced between support and opposition to the application that the applicant has an existing liquor store and pub on site, and, as such, this new use within the building could be supported.

Ms. Pedrini noted that as there are members in the Gallery Council may wish to open the floor for further comment from residents on the referral.

Moved/Seconded

THAT the floor be opened to comments from the Gallery.

CARRIED

Mayor Richman opened the floor to the Gallery for comments.

Lori Patrick, Area C, Squamish-Lillooet Regional District, thanked Council for accepting public input and acknowledged that her feedback on this issue may be late. Ms. Patrick further stated that although not opposed to the legalization of recreational cannabis, she opposes this application for the following reasons:

- the location in the downtown core, in proximity to the bus stop, the Community Barn, route travelled by Pemberton Secondary Students, the supermarkets, Signal Hill Elementary School and Tiyata Village, will expose youth to advertising of cannabis and give the impression that cannabis use is acceptable and healthy;
- Research shows that cannabis is a gateway drug that can lead to more harmful drug use;
- The new Advisory Land Use Commission members should have the opportunity to comment on the application; and
- Requested that Council not approve the Licence application and reconsider locating cannabis retail stores in the downtown and instead locate them in the Industrial Park.

Olga Prokopenko, Pemberton Hotel Manager and applicant for Non-Medical Cannabis Retail Store Licence, spoke in support of the application, explaining that the sale of recreational cannabis is now legal and that the business would abide by all regulations and its presence in the downtown core would not negatively impact youth.

Mayor Richman called for more comments and receiving none closed the floor to the Gallery.

Discussion focused on the work done by previous Council on Zoning Bylaw Amendment No. 847,2018 and the Non-Medical (Recreational) Cannabis Retail

Policy, provincial regulations, the application process with the Province and the time line for the Village to submit a response to the referral from the Province.

Moved/Seconded

THAT the Non-Medical Cannabis Retail Store Licence submitted by the Bison Group (Pemberton Hotel), located at 7423 Frontier Street, Pemberton B.C. be supported in principle and the application referred to the next Committee of the Whole meeting for further consideration.

CARRIED

Staff requested clarification on the response to the referral from the Province.

Moved/Seconded

THAT Staff defer issuing a response to the Province on the Licence referral regarding a Non-Medical Cannabis Retail Store Licence submitted by the Bison Group (Pemberton Hotel), located at 7423 Frontier Street, Pemberton B.C. until after the application has been discussed at the next Committee of the Whole meeting.

CARRIED

**b) Amendments to Major Development Permit Application (DP008) & Development Variance Permit Application (DVP118)
1422, 1426, 1430 Portage Road (Crestline)**

Cameron Chalmers, Planning Consultant, explained the two significant proposed changes to Major Development Permit (DP008) & Development Variance Permit (DVP118) for 1422, 1426, 1430 Portage Road (Crestline):

- The walkways in front of the building have been moved closer to the building at the request of the Ministry of Transportation and Infrastructure;
- The applicants no longer require the variance previously permitted by Council to vary the site coverage from 40.0% to 40.7 % as they are no longer using passive building technology; and
- A new roof feature has been added to facilitate access to roof top decks that will cause the building to exceed the permitted height, therefore they require a new variance from maximum height of 10.5 m to 12.04 m.

Moved/Seconded

THAT Council of the Village of Pemberton authorize for issuance Major Development Permit No.008 (DP008) and Development Variance Permit No. 118 (DVP118) **(as Amended)**, subject to the same terms and conditions of issuance established January 16, 2018.

CARRIED

Moved/Seconded

THAT the developer be required to clean up and screen the site prior to Christmas.

CARRIED

c) Office of the Chief Administrative Officer

i. Verbal Update – Standing Item

CAO Gilmore did not present an update.

ii. Village of Pemberton – Pemberton Secondary School Bursary

Moved/Seconded

THAT Council rescind the appointments of Councillor Antonelli as Council Representative and Councillor Zant as Alternate Representative to the Pemberton Secondary School Bursary Selection Committee to align with the current Bursary Policy's decision-making procedure.

AND THAT Council adopt the updated Village Bursary Policy as presented.

CARRIED

iii. UBCM Evacuation Route Planning Funding Application

Moved/Seconded

THAT Council supports a joint application, with the SLRD and Lil'wat Nation, to UBCM's Evacuation Route Planning Grant program for up to \$70,000 to undertake an Evacuation Route Plan for the Pemberton Valley.

CARRIED

d) Corporate & Legislative Services

i. Public Hearing Minutes - Zoning Bylaw No. 832, 2018 Amendment (Cannabis, Retail) No Bylaw. 847, 2018

Moved/Seconded

That the minutes of the Public Hearing for Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018, held October 16, 2018, be received.

CARRIED

ii. 2019 Regular Council Meeting Schedule

Moved/Seconded

THAT the 2019 Regular Council Meeting schedule be established as follows:

DATE	TIME
Tuesday, January 22 nd	5:30 pm
Tuesday, February 5 th	5:30 pm
Tuesday, February 19 th	9:00 am
Tuesday, March 5 th	5:30 pm
Tuesday, March 19 th	9:00 am
Tuesday, April 2 nd	5:30 pm
Tuesday, April 16 th	9:00 am
Tuesday, May 7 th	5:30 pm
Tuesday, May 28 th	9:00 am
Tuesday, June 11 th	5:30 pm
Tuesday, June 25 th	9:00 am
Tuesday, July 9 th	5:30 pm
Tuesday, July 30	9:00 am
August	NO MEETING
Tuesday, September 10 th	5:30 pm
Tuesday, October 8 th	5:30 pm
Tuesday, October 22 nd	9:00 am
Tuesday, November 5 th	5:30 pm
Tuesday, November 19 th	9:00 am
Tuesday, December 10 th	5:30 pm

CARRIED

e) Finance

i. Finance 2018 Third Quarter Report

Moved/Seconded

THAT the Village of Pemberton 2018 Third Quarter Financial Statements be received for information.

CARRIED

The Regular Meeting was recessed at 10:41 a.m.

The Regular Meeting was reconvened at 10:48 a.m.

f) Fire Department

i. Fire Department 2018 Third Quarter Report

Moved/Seconded

THAT the Fire Department 2018 Third Quarter Report be received for information.

CARRIED

g) Operations & Development Services

i. Development Services 2018 Third Quarter Report

Moved/Seconded

THAT the Development Services 2018 Third Quarter Report be received for information.

CARRIED

ii. Operations 2018 Third Quarter Report

Moved/Seconded

THAT the Operations Division 2018 Third Quarter Report be received for information.

CARRIED

h) Mayor

Mayor Richman reported on the following:

- Met informally with Jo Delesalle for preliminary discussion regarding development opportunities and community needs in Pemberton.
- Was interviewed by two Signal Hill Elementary students for the Jelly Bean News.
- Will attend Squamish-Lillooet Regional District Board meetings and orientation on Wednesday and Thursday this week.
- The Village has extended its deadline to apply for the ALUC and ADRC Commissions until November 30th.
- The Spel'kumtn Community Forest Corporation is seeking public comment on the Spel'kumtn Community Forest Stewardship Plan. The Plan can be viewed on the Village website.
- The Village of Pemberton is seeking a Finance & Data Entry Clerk.
- Reminder to Village residents to sign up for PembertonALERT, the Village's emergency notification system. Details on registration can be found on the Village's website.

- The Village of Pemberton has issued the tender for the Downtown Enhancement Project.
- Sea to Sky Community Services is seeking input on childcare needs. See their website to add your comments.

At 11:59 a.m. Mayor Richman called for a motion to extend the regular meeting beyond three hours.

Moved/Seconded

THAT the Regular Council Meeting be extended beyond three hours.

CARRIED

Mayor Richman spoke on the issue of a perceived conflict of interest with respect to his role as a downtown business owner and Mayor in reference to the Downtown Enhancement Plan:

It has been brought to my attention that there may be some concern regarding a perceived conflict of interest I might have related to the Downtown Enhancement Plan.

At the April 10th Committee of the Whole meeting the draft options for the Downtown Enhancement Plan were presented.

Following that meeting there was a question as to whether or not I was in conflict on this matter as I was a new downtown business owner having purchased the former Centennial Café on Frontier Street.

I sought a legal opinion in which legal counsel concluded that a conflict did not exist pursuant to section 104 (1) as the perceived conflict is in common with others in the municipality.

At the April 24th Regular Council Meeting, at which the Downtown Enhancement Plan update was provided and discussion took place in particular about parking on Frontier Street, I declared a conflict of interest pursuant to section 100 (2) (b).

I did this to be clear out of an abundance of caution as the discussion would be related to parking configurations on Frontier street and at that time my business had made application for a development variance permit.

At the May 29th Regular Council Meeting the development variance permit for the town square was up for consideration. As this matter was directly related to my business I declared a conflict of interest pursuant to section 100 (2) (b) and left the meeting. The development variance permit was authorized for issuance by those council members present at the meeting.

With the issuance in May of the development variance permit and keeping in mind the legal opinion received in which a conflict of interest on the overall Downtown Enhancement Project is not at issue given the commonality of the matter, I participated in the discussions related to the Downtown Enhancement Plan held in August and will continue to do so.

Mayor Richman further stated that if anyone has any concerns he is available to meet to discuss.

Mayor Richman noted the following community events:

- Congratulations to the Pemberton Arts Council on a successful Mountains of Art event on Saturday night.
- Growing Great Children is presenting the 2nd Annual Holiday Singalong at the Downtown Community Barn this Friday November 30th from 4:30-6:30pm. This is a free community event.
- Santa Paws is taking place on Sunday, December 2nd from noon to 3:30pm. The event is a fundraiser for the Pemberton Animal Wellbeing Society. (Note: This event was postponed to December 16th).

i) Councillors

Councillor Craddock reported on the following:

- Attended the Pemberton Arts Council Mountain of Art Gala.
- Attended the Pemberton Valley Dyking District meeting at which representatives from Sunstone presented information on flood plain and storm water run-off management at Sunstone.
- Attended the Remembrance Day ceremony and noted that the flag on the fire truck ladder was appreciated by the crowd.

Councillor Antonelli

Councillor Antonelli reported did not report.

Councillor Noble

Councillor Noble reported did not report.

Councillor Zant

Councillor Zant reported on the following:

- Attended the Cemetery Committee meeting noting that discussion took place respecting the development of a new vision for the cemetery; implementation

of a maintenance plan; fencing to keep animals out and the issue of lack of land. The next meeting is planned for April or May.

9. BYLAWS

a) Bylaws for First, Second and Third Readings

i. Smoking Regulation Bylaw No. 848, 2018

Moved/Seconded

THAT Smoking Regulations Bylaw No. 848, 2018 receive First, Second and Third Readings.

CARRIED

10. CORRESPONDENCE

a) For Action

- i. **Karen Clarke, Better at Home Coordinator, Sea to Sky Community Services Society, dated July 27, 2018, regarding support for a shared handyDART service for Whistler and Pemberton.**

Moved/Seconded

THAT correspondence be sent to BC Transit requesting support for consideration of the implementation of a shared transportation service, handyDART or alternative, operating between Pemberton and Whistler;

AND THAT a request be made that Pemberton be included in the BC Transit study regarding the implementation of a shared handyDART service operating between Pemberton and Whistler.

CARRIED

- ii. **Jordan Sturdy, MLA West Vancouver – Sea to Sky, dated October 29, 2018, addressed to Ashok Bhati, Regional Director, South Coast Region, Ministry of Transportation and Infrastructure, regarding Highway 99 speed signs at One Mile Lake Park turn-off.**

Moved/Seconded

THAT the above correspondence be received.

CARRIED

- iii. **James Linklater, Winterfest Committee, dated November 12, 2018, requesting the Village's support to facilitate the fireworks as part of the Winterfest celebrations on December 31, 2018.**

Moved/Seconded

THAT the Winterfest Committee be advised that the Fire Department is unable to facilitate the fireworks for the Winterfest celebrations on December 31, 2018 due to capacity and resource constraints.

CARRIED

- iv. **Jaye-Jay Berggren, Sea to Sky Soils, dated November 20, 2018, regarding application to the Ministry of Environment and Climate Change Strategy Organics Infrastructure Program and seeking a letter of support from the Village of Pemberton.**

Moved/Seconded

THAT correspondence be sent to Sea to Sky Soils expressing the Village's support for the Sea to Sky Soils and Squamish-Lillooet Regional District Expression of Interest Application to the Ministry of Environment and Climate Change Strategy funded Organics Infrastructure Program.

CARRIED

b) For Information

- i. **Honourable Lisa Beare, Minister of Tourism, Arts and Culture, dated October 16, 2018, following up from a recent meeting at UBCM in September.**
- ii. **Jennifer Rice, Parliamentary Secretary for Emergency Preparedness, dated October 16, 2018, following up from a recent meeting at UBCM in September and providing information on funding sources for a monitoring system for rockslide risk on Mount Currie.**
- iii. **Honourable Carole James, Minister of Finance and Deputy Premier, dated October 30, 2018, following up after recent discussion at the UBCM Convention in Whistler regarding tax rates for farm land within the municipality.**
- iv. **Honourable Katrine Conroy, Minister of Children and Family Development, dated November 2, 2018, proclaiming November as Adoption Awareness Month.**
- v. **Don Legault, Associate District Manager, Lower Mainland District, Ministry of Transportation and Infrastructure, dated November 9, 2018, regarding Portage Road crosswalk maintenance.**
- vi. **Honourable John Horgan, Premier, dated November 13, 2018, extending congratulations to Mayor Richman and Councillors on being elected to serve the Village of Pemberton.**

Moved/Seconded
THAT the above correspondence be received for information.
CARRIED

11. DECISION ON LATE BUSINESS

There was no late business for discussion.

12. LATE BUSINESS

There was no late business for discussion.

13. NOTICE OF MOTION

There was no notice of motion.

14. QUESTION PERIOD

Mark Mendonca, Village of Pemberton

Mr. Mendonca asked questions regarding the non-medical cannabis retail store licence application process, safety issues regarding the closed Friendship Trail Bridge, and the reduced scope of the Downtown Enhancement Plan.

Olga Prokopenko, Village of Pemberton

Ms. Prokopenko sought clarification regarding the Bison Group (Pemberton Hotel) application for a Non-Medical Cannabis Retail Store Licence.

Joel Barde, Pique Newsmagazine

Mr. Barde requested clarification on the Evacuation Planning Grant and the timeline for Council's decision on the Pemberton Hotel's Non-Medical Cannabis Retail Store Licence application referral and asked if the Village intends to proceed with a Non-Medical Cannabis Retail Store Licence application as had been suggested by Councillor Craddock earlier in the year.

15. RECESS

Moved/Seconded
THAT the Regular meeting be recessed.
CARRIED

At 12:39 p.m. the Regular Council Meeting was recessed

16. RECONVENE REGULAR MEETING following the Committee of the Whole Meeting held at 1:00 p.m.

At 3:06 p.m. the Regular Council Meeting was reconvened.

17. Rise with Report from Committee of the Whole

Chamber of Commerce – 2018 Funding Request to the SLRD

Moved/Seconded

THAT correspondence be sent to the SLRD Board requesting an update on the Village's request, dated November 29, 2017, for consideration of the establishment of a Service Establishment Bylaw to facilitate funding for the Visitor Information Centre.

CARRIED

18. IN CAMERA

Moved/Seconded

THAT pursuant to Section 90 (1) (k) negotiations and section (c) Labour Relations, 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

This portion of the meeting will be closed to the Public.

19. MOVE TO IN CAMERA MEETING

At 3:08 p.m. Council moved In Camera.

At 4:00 p.m. Council Rose with Report.

20. RISE WITH REPORT FROM IN CAMERA

a) Community Initiative & Opportunity Fund – Long Term Service Agreement Extensions

Moved/Seconded

THAT the following Community Initiative & Opportunity Fund Long Term Service Agreements be extended for one (1) year in 2019:

Pemberton Arts Council	\$4,000	Marketing Coordinator
Pemberton Farmers Market Assoc.	\$3,000	Market Manager
Tourism Pemberton	\$4,000	Event Coordinator
Spirit of BC-Winterfest	\$4,500	Event Coordinator

CARRIED

b) Cannabis Production Facilities (Industrial Park) – Application Moratorium

Moved/Seconded

THAT a moratorium on accepting Building Permit applications or Business Licence applications for medical marihuana production facilities at the Industrial Park be put in effect until further notice.

CARRIED

21. ADJOURNMENT

Moved/Seconded

THAT the Regular Council Meeting be adjourned.

CARRIED

At 4:01 p.m. the Regular Council Meeting was adjourned.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer